

## ORDINANCE No. 185232

\*Pay claim of Dana Thomas involving Portland Housing Bureau and Portland Water Bureau (Ordinance)

The City of Portland ordains:

Section 1. The Council finds:

1. Dana Thomas, a former Water Bureau and Housing Bureau employee, filed a federal lawsuit against the City and current and former city employees alleging employment discrimination, retaliation and Fourteenth Amendment violations.
2. The claim has been investigated by Risk Management Services. The investigation indicates there is risk the City may be found liable. Therefore, in order to avoid the costs of trial and the risk of an adverse jury award, we feel it is prudent to compromise the lawsuit at this time.
3. Risk Management Services recommends the lawsuit be compromised for the total sum of \$115,000, subject to the claimant providing the City with a release in a form to be approved by the City Attorney.

NOW, THEREFORE, the Council directs:

- a. The Mayor and the Auditor are hereby authorized to draw and deliver checks that total the amount of \$115,000 as follows:
  - 1) a payroll check paid to Dana Thomas in the amount of \$25,000 less the usual and standard withholding taxes and deductions with contributions from the Portland Housing Bureau and the Portland Water Bureau;
  - 2) a check jointly payable to Dana Thomas and her attorney Daniel Snyder in the amount of \$51,666.67, representing non-economic damages;
  - 3) a check jointly payable to Dana Thomas and her attorney Daniel Snyder in the amount of \$33,333.33, representing attorney fees; and
  - 4) a check jointly payable to Dana Thomas and the Daniel Snyder Client Trust Account in the amount of \$5000.00 representing litigation costs.
- b. Risk Management Services will execute a payment authorization in the amounts set forth in sub-paragraph (a) above.

Section 2. The Council declares that an emergency exists in order to avoid undue and costly delay in settling this lawsuit; therefore, this Ordinance shall be in full force and effect from and after its passage by the Council.

Passed by the Council,

MAR 28 2012

Mayor Sam Adams

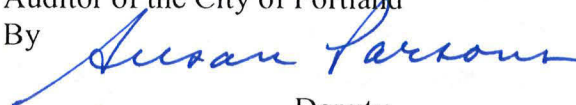
Prepared by Becky Chiao

Date prepared: March 6, 2012

**LaVONNE GRIFFIN-VALDE**

Auditor of the City of Portland

By



Deputy

888281

314

J140

Agenda No.  
**ORDINANCE NO.**  
Title

185232

\* Pay Claim of Dana Thomas, involving Portland Housing Bureau and Portland Water Bureau (Ordinance)

<b>INTRODUCED BY</b> Commissioner/Auditor: Mayor Sam Adams	CLERK USE: DATE FILED <u>MAR 23 2012</u>
<b>COMMISSIONER APPROVAL</b> Mayor—Finance and Administration - Adams Position 1/Utilities - Fritz Position 2/Works - Fish Position 3/Affairs - Saltzman Position 4/Safety - Leonard	LaVonne Griffin-Valade Auditor of the City of Portland By: <u>[Signature]</u> Deputy
<b>BUREAU APPROVAL</b> Bureau: OMF/Risk Management Services Bureau Head: Bryant Enge, Director BIBS <u>KW</u> Kate Wood, Risk Mgr	<b>ACTION TAKEN:</b>
Prepared by: Becky Chiao Date Prepared: March 6, 2012	
Financial Impact & Public Involvement Statement Completed <input checked="" type="checkbox"/> Amends Budget <input type="checkbox"/>	
Portland Policy Document If "Yes" requires City Policy paragraph stated in document. Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	
Council Meeting Date March 28, 2012	
<b>City Attorney Approval</b>	

<b>AGENDA</b>
<b>TIME CERTAIN</b> <input type="checkbox"/> <b>Start time:</b> <b>Total amount of time needed:</b> (for presentation, testimony and discussion)
<b>CONSENT</b> <input checked="" type="checkbox"/>
<b>REGULAR</b> <input type="checkbox"/> <b>Total amount of time needed:</b> (for presentation, testimony and discussion)

FOUR-FIFTHS AGENDA	COMMISSIONERS VOTED AS FOLLOWS:		
		YEAS	NAYS
1. Fritz	1. Fritz	✓	
2. Fish	2. Fish	✓	
3. Saltzman	3. Saltzman	✓	
4. Leonard	4. Leonard	✓	
Adams	Adams	✓	