

ORDINANCE No. **186033**

\*Pay claim of James Hulse in the sum of \$45,000 involving the Water Bureau. (Ordinance)

The City of Portland ordains:

Section 1. The Council finds:

1. In September 2012 James Hulse filed an employment discrimination lawsuit concerning his employment with the Water Bureau.
2. Representatives of Risk Management, the City Attorney's Office, and the Water Bureau participated in mediation with Mr. Hulse in which an agreement was reached to settle the lawsuit, subject to approval by City Council.
3. Risk Management Services recommends the lawsuit be compromised for the total sum of \$45,000, 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 in the following amounts:
  - 1) a payroll check paid to James Hulse in the amount of \$5,000.00 less the usual and standard withholding taxes and deductions;
  - 2) a check jointly payable to James Hulse and Dolan Griggs LLP in the amount of \$40,000, representing non-economic damages, attorneys fees and costs.
- c. Risk Management Services will execute payment authorizations in the amount 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, **MAY 22 2013**

Mayor Charlie Hales  
Prepared by Becky Chiao  
Date prepared: April 22, 2013

**LaVONNE GRIFFIN-VALDE**  
Auditor of the City of Portland

By

  
Deputy

Agenda No. **186033**  
**ORDINANCE NO.**  
 Title

\* Pay claim of James Hulse in the sum of \$45,000, involving the Water Bureau (Ordinance)

<p><b>INTRODUCED BY</b>          Commissioner/Auditor:          Mayor Charlie Hales</p>	<p>CLERK USE: DATE FILED <u>MAY 17 2013</u></p>
<p><b>COMMISSIONER APPROVAL</b>  <i>Griffin</i>          Mayor—Finance and Administration - Hales</p>	<p>LaVonne Griffin-Valade          Auditor of the City of Portland</p>
<p>Position 1/Utilities - Fritz</p>	<p>By: <u><i>[Signature]</i></u>          Deputy</p>
<p>Position 2/Works - Fish</p>	<p><b>ACTION TAKEN:</b></p>
<p>Position 3/Affairs - Saltzman</p>	
<p>Position 4/Safety - Novick</p>	
<p><b>BUREAU APPROVAL</b>          Bureau: OMF/Bureau of Internal          Business Services/Risk Management          OMF CAO: Jack D. Graham          Bureau Head: Bryant M. Engle          Risk Manager: Kate Wood</p>	
<p>Prepared by: Becky Chiao          Date Prepared:</p>	
<p>Financial Impact &amp; Public          Involvement Statement</p>	
<p>Completed <input checked="" type="checkbox"/> Amends Budget <input type="checkbox"/></p>	
<p>Portland Policy Document          If "Yes" requires City Policy paragraph stated          in document.</p>	
<p>Yes <input type="checkbox"/> No <input checked="" type="checkbox"/></p>	
<p>Council Meeting Date          May 22, 2013</p>	
<p><b>City Attorney Approval</b>          Required for contract, code, easement,          franchise, comp plan, charter</p>	

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

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