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# 190992

Emergency Ordinance

## \*Pay settlement of James Crooker's employment lawsuit for the sum of \$85,000 involving the Portland Police Bureau

Passed

The City of Portland ordains:

Section 1. The Council finds:

1. James Crooker, through attorney Randy Harvey, has filed a lawsuit against the City for employment discrimination and retaliation involving the Portland Police Bureau on May 7, 2020.
2. The lawsuit 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 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 \$85,000, 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 a check in the amount of \$42,500 made payable to Randy Harvey Law PC IOLTA.
- B. The Mayor and the Auditor are hereby authorized to draw and deliver a payroll check for wages from Portland Police Bureau in the gross amount of \$42,500, less deductions withheld, made payable to James Crooker.
- C. Risk Management Services will execute the payment authorization in the amount set forth in sub-paragraph (a) above.
- D. Payroll will execute a payment authorization in the amount set forth in sub-paragraph (b) above.

### Introduced by

[Mayor Ted Wheeler](#)

### Bureau

[Management and Finance;](#)  
[Revenue and Financial Services;](#)  
[Risk Management](#)

### Contact

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### Requested Agenda Type

Regular

### Date and Time Information

<b>Requested Council Date</b> September 14, 2022
<b>Time Requested</b> 15 minutes

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

An ordinance when passed by the Council shall be signed by the Auditor. It shall be carefully filed and preserved in the custody of the Auditor (City Charter Chapter 2 Article 1 Section 2-122)

Passed by Council  
September 14, 2022

Auditor of the City of Portland  
Mary Hull Caballero

## **Impact Statement**

### **Purpose of Proposed Legislation and Background Information**

This Ordinance settles an employment lawsuit brought by James Crooker, resulting from his employment with Portland Police Bureau.

### **Financial and Budgetary Impacts**

This legislation will have no impact on City revenue.

Total cost to the City to settle the lawsuit is \$85,000. The source of funding is the City's Insurance and Claims Fund and Portland Police Bureau. All cost of the settlement is in the current fiscal year. This Ordinance does not amend the budget.

### **Community Impacts and Community Involvement**

This Ordinance settles a lawsuit resulting from James Crooker's employment with the Portland Police Bureau. No public involvement or input was sought regarding this Ordinance. The City Attorney's Office and Risk Management have concluded that it is not appropriate to have public involvement in settlement negotiations regarding tort claims or lawsuits against the City.

No future public involvement is anticipated or necessary. Approval by City Council of this Ordinance will fully settle a tort claim against the City of Portland.

### **100% Renewable Goal**

This legislation will have no impact on City energy use.

## **Budget Office Financial Impact Analysis**

Total cost to the City to settle the lawsuit is \$85,000. For half of the costs (\$42,500), the source of funding is the City's Insurance and Claims Fund, while for the other half (\$42,500), the source is from the Portland Police Bureau's FY 2022-23 personnel services budget. All costs of the settlement are in the current fiscal year.

## **Agenda Items**

### **762 Regular Agenda in September 14, 2022 Council Agenda**

Passed

Commissioner Jo Ann Hardesty Yea

Commissioner Mingus Mapps Yea

Commissioner Carmen Rubio Yea

Commissioner Dan Ryan Yea

Mayor Ted Wheeler Yea