

**Portland, Oregon**  
**FINANCIAL IMPACT and PUBLIC INVOLVEMENT STATEMENT**  
**For Council Action Items**

(Deliver original to City Budget Office. Retain copy.)

1. Name of Initiator Anna Kanwit	2. Telephone No. 823-3506	3. Bureau/Office/Dept. OMF/BHR
4a. To be filed (hearing date): April 10, 2013	4b. Calendar (Check One) Regular <input checked="" type="checkbox"/> Consent <input type="checkbox"/> 4/5ths <input type="checkbox"/>	5. Date Submitted to Commissioner's office and CBO Budget Analyst: April 4, 2013
6a. Financial Impact Section: <input checked="" type="checkbox"/> Financial impact section completed		6b. Public Involvement Section: <input checked="" type="checkbox"/> Public involvement section completed

**1) Legislation Title:**

\* Authorize general unpaid leave of absence agreement and release with City employee

**2) Purpose of the Proposed Legislation:**

City enters into agreement with Laborers' International Union, Local 483, to allow employee, indicted and awaiting trial on a federal criminal charge, to take a general unpaid leave of absence and to receive up to 18 months of paid COBRA health insurance for him and his family on a non-precedent setting basis.

**3) Which area(s) of the city are affected by this Council item? (Check all that apply—areas are based on formal neighborhood coalition boundaries)?**

- |   |                                    |                                    |                                |
|---|------------------------------------|------------------------------------|--------------------------------|
| <input type="checkbox"/> City-wide/Regional | <input type="checkbox"/> Northeast | <input type="checkbox"/> Northwest | <input type="checkbox"/> North |
| <input type="checkbox"/> Central Northeast  | <input type="checkbox"/> Southeast | <input type="checkbox"/> Southwest | <input type="checkbox"/> East  |
| <input type="checkbox"/> Central City       |                                    |                                    |                                |

**FINANCIAL IMPACT**

**4) Revenue:** Will this legislation generate or reduce current or future revenue coming to the City? If so, by how much? If so, please identify the source.

No

**5) Expense:** What are the costs to the City as a result of this legislation? What is the source of funding for the expense? (Please include costs in the current fiscal year as well as costs in future year, including Operations & Maintenance (O&M) costs, if known, and estimates, if not known. If the action is related to a grant or contract please include the local contribution or match required. If there is a project estimate, please identify the **level of confidence**.)

Cost of COBRA coverage will be approximately \$30,985.92.

**6) Staffing Requirements:**

- **Will any positions be created, eliminated or re-classified in the current year as a result of this legislation?** *(If new positions are created please include whether they will be part-time, full-time, limited term, or permanent positions. If the position is limited term please indicate the end of the term.)*

No

- **Will positions be created or eliminated in *future years* as a result of this legislation?**

No

*(Complete the following section only if an amendment to the budget is proposed.)*

**7) Change in Appropriations** *(If the accompanying ordinance amends the budget please reflect the dollar amount to be appropriated by this legislation. Include the appropriate cost elements that are to be loaded by accounting. Indicate "new" in Fund Center column if new center needs to be created. Use additional space if needed.)*

Not applicable

<b>Fund</b>	<b>Fund Center</b>	<b>Commitment Item</b>	<b>Functional Area</b>	<b>Funded Program</b>	<b>Grant</b>	<b>Sponsored Program</b>	<b>Amount</b>

**PUBLIC INVOLVEMENT**

**8) Was public involvement included in the development of this Council item (e.g. ordinance, resolution, or report)? Please check the appropriate box below:**

☐ **YES:** Please proceed to Question #9.

☒ **NO:** Please, explain why below; and proceed to Question #10.

**9) If "YES," please answer the following questions:**

**a) What impacts are anticipated in the community from this proposed Council item?**

**b) Which community and business groups, under-represented groups, organizations, external government entities, and other interested parties were involved in this effort, and when and how were they involved?**


**c) How did public involvement shape the outcome of this Council item?**

**d) Who designed and implemented the public involvement related to this Council item?**

**e) Primary contact for more information on this public involvement process (name, title, phone, email):**

**10) Is any future public involvement anticipated or necessary for this Council item? Please describe why or why not.**

Not applicable



**APPROPRIATION UNIT HEAD: Anna Kanwit, HR Director**

Office of Management and Finance

Jack D. Graham, Chief Administrative Officer

April 2, 2013

**TO:** Mayor Charlie Hales  
**FROM:** Anna Kanwit, Human Resources Director

**FOR MAYOR'S OFFICE USE ONLY**

Reviewed by Bureau Liaison \_\_\_\_\_

**SUBJECT:** \* Authorize general unpaid leave of absence agreement and release with City employee

1. **INTENDED WEDNESDAY FILING DATE:** April 3, 2013
2. **REQUESTED COUNCIL AGENDA DATE:** April 10, 2013
3. **CONTACT NAME & NUMBER:** Anna Kanwit, 823-3506
4. **PLACE ON:** \_\_\_ CONSENT X REGULAR
5. **BUDGET IMPACT STATEMENT ATTACHED:** X Y \_\_\_ N \_\_\_ N/A
6. **(3) ORIGINAL COPIES OF CONTRACTS APPROVED AS TO FORM BY CITY ATTORNEY ATTACHED:** \_\_\_ Yes \_\_\_ No X N/A

**7. BACKGROUND/ANALYSIS**

A City employee has been indicted and is awaiting trial on a federal criminal charge of conspiracy to provide material support to terrorists. The employee is not in custody, although is under certain restrictions imposed by a federal court order. The employee is entitled to the constitutional presumption of innocence until proven guilty. The City, the employee's union, and the employee have entered into an agreement, pending Council adoption by this ordinance, that meets all parties' interests. The employee, who has had no performance issues at work, shall remain off work on an unpaid leave of absence which will allow the criminal charge(s) to be resolved before any final action is taken with respect to his employment. The agreement also provides that the employee will receive up to 18 months of paid COBRA health insurance for him and his family. This cost will be covered within the Bureau of Environmental Services' budget. Adoption of this agreement provides some support to the employee, while allowing the bureau to fill his position with agreement by the union and the employee. The agreement further provides that if the employee is found guilty or pleads guilty or no contest to any of the charge(s) the City will immediately rescind the leave of absence and its agreement to pay the cost of COBRA. Finally, the agreement provides that the union and the employee will not take any action against the City for terminating this agreement and permanently separating this employee from City service.

**8. FINANCIAL IMPACT**

Cost of COBRA coverage will be approximately \$30,985.92.

**9. RECOMMENDATION/ACTION REQUESTED**

It is recommended that the Mayor and City Council adopt this emergency ordinance.

**Charlie Hales, Mayor**

**We are an equal opportunity employer**

Please notify the City of Portland of the need for ADA accommodations no less than five (5) days prior to any City-sponsored event by contacting the Bureau of Human Resources at 503-823-3572 or the City's TTY at 503-823-6868.

