

## ORDINANCE NO. 185188

\*Amend Intergovernmental Agreement with the Office of Administrative Hearings to increase compensation for hearings officer services for the Bureau of Fire and Police Disability and Retirement (Ordinance; amend Contract No. 30001419)

The City of Portland ordains:

Section 1. The Council finds:

1. The 2006 Charter reform required that hearings on contested claims be conducted by independent hearings officers.
2. The State of Oregon, Office of Administrative Hearings/Employment Department (OAH) agreed to conduct the contested case hearings for the Bureau of Fire and Police Disability and Retirement (FPDR).
3. The FPDR entered into an Intergovernmental Agreement (Agreement) with the OAH to conduct hearings on contested claims and appellate reviews. Ordinance No. 180693 approved the original Agreement.
4. Due to the number of claims being referred to hearing and/or being appealed to the Appeals Panel by members, the volume of cases being assigned to OAH has increased tremendously.
5. It has become necessary to increase the compensation allotted to OAH for an additional amount of \$150,000 per fiscal year in order to continue processing hearings and authorizing payment for services.
6. Funds are available within the FPDR's budget.

NOW, THEREFORE, the Council directs:

- a. The FPDR Director is hereby authorized to execute an amendment to Intergovernmental Agreement No. 30001419 for services of the OAH in a form substantially in accordance with the Amendment to Intergovernmental Agreement attached hereto as Exhibit "A", for an additional \$150,000 per fiscal year. The compensation amount is not to exceed \$250,000 per fiscal year.
- b. The FPDR Director is hereby authorized to pay for said Agreement from the FPDR budget.

Section 2. The Council declares that an emergency exists because of the need to provide these services as mandated by law; therefore, this Ordinance shall be in force and effect from and after its passage by the Council.

Passed by the Council: MAR 07 2012

Commissioner Dan Saltzman  
Linda L. Jefferson/kk  
February 22, 2012

**LaVONNE GRIFFITH-VALADE**

Auditor of the City of Portland

By

  
Deputy

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Contract

<p style="text-align: center;"><b>INTRODUCED BY</b> Commissioner/Auditor: <b>Dan Saltzman</b></p> <hr/> <p style="text-align: center;"><b>COMMISSIONER APPROVAL</b></p> <p>Mayor—Finance and Administration - Adams</p> <p>Position 1/Utilities - Fritz</p> <p>Position 2/Works - Fish</p> <p>Position 3/Affairs - Saltzman <i>[Signature]</i></p> <p>Position 4/Safety - Leonard</p> <hr/> <p style="text-align: center;"><b>BUREAU APPROVAL</b></p> <p>Bureau: Fire &amp; Police Disability &amp; Retirement Bureau Head: Linda L. Jefferson <i>[Signature]</i></p> <hr/> <p>Prepared by: Linda L. Jefferson/kk Date Prepared: February 22, 2012</p> <hr/> <p><b>Financial Impact Statement</b> Completed <input checked="" type="checkbox"/> Amends Budget <input type="checkbox"/> Not Required <input type="checkbox"/></p> <hr/> <p><b>Portland Policy Document</b> If "Yes" requires City Policy paragraph stated in document. Yes <input type="checkbox"/> No <input checked="" type="checkbox"/></p> <hr/> <p>Council Meeting Date</p> <hr/> <p><b>City Attorney Approval</b> <i>[Signature]</i></p>	<p>CLERK USE: DATE FILED <u>MAR 02 2012</u></p> <hr/> <p style="text-align: center;">LaVonne Griffin-Valade Auditor of the City of Portland</p> <p>By: <i>[Signature]</i> Deputy</p> <hr/> <p><b>ACTION TAKEN:</b></p>
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<b>AGENDA</b>
<p><b>TIME CERTAIN</b> <input type="checkbox"/></p> <p>Start time: _____</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"/></p> <p><b>Total amount of time needed:</b> _____ (for presentation, testimony and discussion)</p>

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