

ORDINANCE NO. 149003

An Ordinance transferring \$46,750 within the General Fund from General Operating Contingencies to the Office of City Attorney; and declaring an emergency.

The City of Portland ordains:

Section 1. The Council finds:

1. The Charter of the City of Portland in Section 4-106 provides that all patrolmen must be between the ages of 21 and 30 on the dates of their employment, subject to an exception for veterans.
2. The Labor Commissioner of the State of Oregon has pending a proceeding entitled In the Matter of the Alleged Unlawful Employment Practices Based Upon Age by Police Bureau, City of Portland, and the Civil Service Board of the City of Portland, No. 3-79 (Richard T. Potts), in which the Commissioner will determine whether the age requirement is a valid bona fide occupational qualification or is invalid.
3. The City faces a potentially large liability in the event the Charter age requirement is not valid.
4. It is desirable to have for use in the Potts case an independent study based on internal data of age as an occupational requirement for police officers, including the relationship of age to work functions, capacity and performance.
5. The Bureau of Police, the Bureau of Personnel, and the Office of City Attorney have researched the availability of reputable experts on the effects of aging and have determined that Health Advancement Services, Inc. has unique qualifications for performing the desired study. After a review of the work to be done, Health Advancement Services, Inc. has indicated the fee for the study will be \$46,750.
6. The Bureau of Police, Bureau of Personnel, and Office of City Attorney will proceed to negotiate a detailed contract with Health Advancement Services, Inc., for submission to the Council for approval. Prior to doing this, however, they desire a Council indication that it will fund the study.

ORDINANCE No.

NOW, THEREFORE, the Council directs:

a. That appropriation transfers be made as follows:

General Fund

from: General Operating Contingencies \$46,750

to: The Office of City Attorney (BUC 31200067)

<u>Line Item</u>	<u>Amount</u>
210	\$46,750

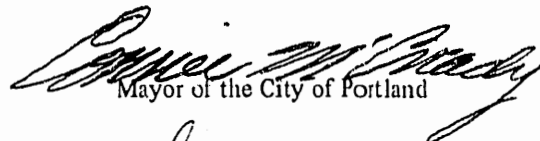
Section 2. The Council directs that an emergency exists because the City's defense in the Potts case requires that the results of the study be available as soon as possible; therefore this ordinance shall be in force and effect from and after its passage by the Council.

Passed by the Council, JAN 9 1980


Commissioner Schwab

December 26, 1979

Christopher P. Thomas


Mayor of the City of Portland

Attest:


Auditor of the City of Portland

Calendar No. ⁵⁶~~16~~

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Title

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JAN 2 1980

CONTINUED TO JAN 3 1980

JAN 3 1980

CONTINUED TO JAN 9 1980

Filed DEC 27 1979

GEORGE YERKOVICH
Auditor of the CITY OF PORTLAND

By *George R. ...*
Deputy

THE COMMISSIONERS VOTED AS FOLLOWS:		
	Yeas	Nays
Ivancie	1	
Jordan	1	
<i>Lindberg</i>	1	
Schwab		<u> </u>
<i>McCready</i>	1	

FOUR-FIFTHS CALENDAR	
Ivancie	
Jordan	
McCready	
Schwab	
Goldschmidt	

INTRODUCED BY
Commissioner Schwab

NOTED BY THE COMMISSIONER
Affairs <i>[Signature]</i>
Finance and Administration
Safety
Utilities
Works

BUREAU APPROVAL
Bureau:
Prepared By: Christopher Thomas Date: 12/26/79
Budget Impact Review:
<input type="checkbox"/> Completed <input type="checkbox"/> Not required
Bureau Head:

NOTED BY
City Attorney <i>CPT</i>
City Auditor <i>[Signature]</i>
City Engineer