

RESOLUTION No. 3 6948 As Amended

Refer amendments to the City of Portland Charter, Chapter 5, Fire and Police Disability, Retirement and Death Benefit Plan to the November 2012 General Election Ballot (Resolution)

WHEREAS, the City of Portland acknowledges the extremely important work that police officers and firefighters do to keep our city and its residents safe; and

WHEREAS, the City of Portland affirms its commitment to provide both a fair and a reasonable retirement and disability system for its firefighters and police; and

WHEREAS, the City of Portland acknowledges the hard work of the Fire and Police Disability and Retirement Board (FPDR) of Trustees for recommending many of these changes to the City Council; and

WHEREAS, the City of Portland believes that these changes will continue to provide a fair and reasonable retirement and disability system for its firefighters and police, while being accountable to the taxpayer of Portland; and

WHEREAS, this measure clarifies how retirement benefits are calculated to ensure a member receives a pension that is based on the Final Pay a member received or was entitled to receive during the year preceding their retirement. Currently, the Charter is written to allow a member to receive a larger retirement benefit depending on when the member retires by including more than a typical year's worth of salary and including lump sum payments attributable to service from years prior to the year preceding retirement. This measure corrects that by clearly defining the pay that is included in the member's Final Pay at retirement; and

WHEREAS, this measure changes the eligibility period for new members by requiring six consecutive months of service as a sworn police officer or firefighter with the City of Portland prior to entering the FPDR system. Members would be covered by the state Workers' Compensation system during this six month waiting period; and

WHEREAS, for members in the FPDR retirement system, this measure removes from retirement calculations credit for employment by another entity in the Oregon Public Employees Retirement System (PERS). This ensures that retirement benefits will be calculated only based on service a member provides in the City of Portland and will not increase a member's FPDR pension based on service with another PERS employer; and

WHEREAS, this measure would give the FPDR Administrator the ability to settle claims with either the approval of the FPDR Board of Trustees or under guidelines established by the Board of Trustees; and

WHEREAS, this measure clarifies service requirements for nonservice connected disability and death benefits and occupational disability benefits due to heart disease; and

WHEREAS, this measure changes the retirement benefit calculation for part-time employees so that a member receives adequate credit and pay for part-time work when calculating their pension; and

WHEREAS, this measure allows members receiving disability payments to receive payments on either a bi-weekly or monthly basis depending on the duration of their disability; and

WHEREAS, this measure allows members to receive disability payments during the period their disability application is being processed and allows the FPDR to recoup the benefits paid should the claim be denied or withdrawn; and

WHEREAS, this measure clarifies language regarding occupational disability benefits; and

WHEREAS, this measure changes the vesting period for nonservice connected death benefits from 10 to 5 years.

WHEREAS, the FPDR system is funded by a property tax levy. This amendment is expected to decrease taxpayer funded liabilities by \$46.6 million in 2012 dollars over a 25 year period.

NOW, THEREFORE, BE IT RESOLVED, that the City Council will submit a Measure for an Act, amending and restating the City of Portland Charter, Chapter 5, Fire and Police Disability, Retirement and Death Benefit Plan, attached as Exhibit A, to voters of the City of Portland at the November 6, 2012 General Election in the City of Portland, Multnomah County, Clackamas County and Washington County; and

BE IT FURTHER RESOLVED, that the City Council submits the question, ballot title, and summary to be contained in the November 6, 2012 General Election Ballot, as contained in Exhibit B; and

BE IT FURTHER RESOLVED, that the City Council directs the Auditor to publish the ballot title, as shown in Exhibit B, in accordance with City Code; and

BE IT FURTHER RESOLVED, that the City Council directs the Auditor to submit an explanatory statement for the publication in the voters' pamphlet, as shown in Exhibit C; and

BE IT FURTHER RESOLVED, that the City Auditor is directed to forward to the County Elections Office all material necessary to place this measure on the November 6, 2012 Election Ballot.

Adopted by the Council: AUG 08 2012

Commissioner Dan Saltzman
Prepared by: S. Callahan
Date Prepared: July 25, 2012

LaVonne Griffin-Valade
Auditor of the City of Portland
By


Deputy

~~873~~ 886

Agenda No. **3 6948** As Amended
RESOLUTION NO.
Title

Refer amendments to the City of Portland Charter, Chapter 5, Fire and Police Disability, Retirement/ and Death Benefit Plan to the November 2012 General Election Ballot. (Resolution).

INTRODUCED BY Commissioner/Auditor: Saltzman	CLERK USE: DATE FILED <u>JUL 27 2012</u>
COMMISSIONER APPROVAL Mayor—Finance and Administration - Adams Position 1/Utilities - Fritz Position 2/Works - Fish Position 3/Affairs - Saltzman Position 4/Safety - Leonard	LaVonne Griffin-Valade Auditor of the City of Portland By: <u>Susan Saccor</u> Deputy
BUREAU APPROVAL Bureau: FPD&R Bureau Head: Linda Jefferson <u>Linda Jefferson</u> Prepared by: S. Callahan Date Prepared: July 25, 2012	ACTION TAKEN: AUG 01 2012 RESCHEDULED TO AUG 08 2012 5:00 PM TIME CERTAIN
Financial Impact & Public Involvement Statement Completed <input checked="" type="checkbox"/> Amends Budget <input type="checkbox"/>	
Portland Policy Document If "Yes" requires City Policy paragraph stated in document. Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	
Council Meeting Date August 1st 10 AM Time Certain	
City Attorney Approval: required for contract, code, easement, franchise, charter, Comp Plan <u>JAM</u> <u>JUD</u>	

AGENDA TIME CERTAIN <input checked="" type="checkbox"/> Start time: 10 AM Total amount of time needed: 30 minutes (for presentation, testimony and discussion)
CONSENT <input type="checkbox"/>
REGULAR <input type="checkbox"/> Total amount of time needed: _____ (for presentation, testimony and discussion)

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