

ORDINANCE NO. 185666

\*Amend the Fire and Police Disability, Retirement and Death Benefit Plan so that the Plan will retain its tax-qualified status. (Ordinance)

The City of Portland ordains:

Section 1. The Council finds:

1. That the Fire and Police Disability, Retirement and Death Benefit Plan (Plan), which is codified as Chapter 5 of the Charter, is intended to constitute a tax-qualified pension plan under Section 401(a) of the Internal Revenue Code of 1986, as amended ("Code").
2. That the Code is amended periodically and such amendments often necessitate that pension plans be amended in order to retain their tax-qualified status.
3. That Section 5-403(c) of the Plan permits the Council to amend the Plan by ordinance to the extent necessary to comply with changes in the requirements for tax-qualified status under the Code.
4. That the amendments appearing in Exhibit "A" are intended to bring the Plan into compliance with the applicable requirements of the Code to allow the Plan to retain its tax-qualified status.

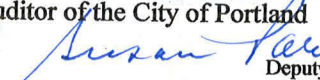
NOW, THEREFORE, the Council directs:

- A. The Fire and Police Disability, Retirement and Death Benefit Plan be and the same hereby is amended as described in the document attached hereto as Exhibit "A".
- B. This ordinance is binding City policy.

Section 2. The Council declares that an emergency exists in order that the amendments described in Section 1 hereof may be implemented without undue delay; therefore, this ordinance shall be in full force and effect from and after its passage by the Council.

Passed by the Council:  
Commissioner Dan Saltzman  
LJ:kk  
September 10, 2012

OCT 04 2012

**LaVonne Griffin-Valade**  
Auditor of the City of Portland  
By   
Deputy

Agenda No.  
**ORDINANCE NO.**  
Title

185666

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<p><b>INTRODUCED BY</b> Commissioner/Auditor: <b>Dan Saltzman</b></p> <p><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>Dan Saltzman</i></p> <p>Position 4/Safety - Leonard</p> <p><b>BUREAU APPROVAL</b></p> <p>Bureau: Fire &amp; Police Disab. &amp; Ret. Bureau Head: Linda Jefferson <i>Linda Jefferson</i></p> <p>Prepared by: Linda Jefferson/kk Date Prepared: September 13, 2012</p> <p>Financial Impact &amp; Public Involvement Statement Completed <input checked="" type="checkbox"/> Amends Budget <input type="checkbox"/></p> <p>Portland Policy Document If "Yes" requires City Policy paragraph stated in document. Yes <input checked="" type="checkbox"/> No <input type="checkbox"/></p> <p>Council Meeting Date</p> <p><b>City Attorney Approval:</b> required for contract, code, easement, franchise, comp plan, charter <i>kan</i></p>	<p>CLERK USE: DATE FILED <u>SEP 28 2012</u></p> <p style="text-align: right;">LaVonne Griffin-Valade Auditor of the City of Portland</p> <p>By: <i>[Signature]</i> Deputy</p> <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>Total amount of time needed: _____ (for presentation, testimony and discussion)</p>
<p><b>CONSENT</b> <input type="checkbox"/></p>
<p><b>REGULAR</b> <input checked="" type="checkbox"/></p> <p>Total amount of time needed: <u>5 min</u> (for presentation, testimony and discussion)</p>

FOUR-FIFTHS AGENDA	COMMISSIONERS VOTED AS FOLLOWS:	
	YEAS	NAYS
1. Fritz	1. Fritz <input checked="" type="checkbox"/>	
2. Fish	2. Fish <input checked="" type="checkbox"/>	
3. Saltzman	3. Saltzman <input checked="" type="checkbox"/>	
4. Leonard	4. Leonard <input type="checkbox"/>	
Adams	Adams <input checked="" type="checkbox"/>	