

187905

**ORDINANCE NO.**

\*Amend the Fire and Police Disability, Retirement and Death Benefit Plan in order to comply with arbitration decision regarding reversion of alternate payee benefits to members of the Portland Fire Fighters Association, Portland Police Association and Portland Police Commanding Officers Association and to incorporate the requirements of applicable Oregon Revised Statutes pertaining to domestic relations orders awarding benefits to alternate payees. (Ordinance)

The City of Portland ordains:

Section 1. The City Council finds:

1. That the Fire and Police Disability, Retirement and Death Benefit Plan (Plan), which is codified as Chapter 5 of the Charter, provides pension benefits to sworn employees of the Portland Police Bureau and Portland Fire and Rescue hired before January 1, 2007.
2. That Section 5-403(a) of the Plan permits the City Council to amend the Plan by ordinance to the extent necessary to extend to Members (as that term is defined in the Plan) additional benefits not included in the Plan if required by law to do so and to have such additional benefits paid from the Fire and Police Disability and Retirement Fund (Fund).
3. That the additional benefits provided in Exhibit "A" add to the Plan provisions concerning alternate payees in accordance with ORS 237.600, Payment to alternate payee; provisions of judgment, order or settlement; administrative expenses, and ORS 237.620, Membership of police officers and firefighters in Public Employees Retirement System, of the Oregon Revised Statutes.
4. That the additional benefits provided in Exhibit "A" are also intended to bring the Plan into compliance with applicable, legally binding requirements of arbitrators' opinions and awards regarding reversionary interests to Members upon the death of Alternate Payees (as that term is defined in Exhibit "A") in certain instances. The arbitrators' opinions and awards are the result of grievances previously filed by the Portland Fire Fighters Association, Portland Police Association and Portland Police Commanding Officers Association.

NOW, THEREFORE, the Council directs:

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

Section 2. The City 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 City Council.

Passed by the City Council: JUL 20 2016

Mayor Charlie Hales  
SH:nh  
July 12, 2016

**Mary Hull Cabellero**  
Auditor of the City of Portland

By

*Susan Parsons*  
Deputy

853

Agenda No.

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<b>INTRODUCED BY</b> Commissioner/Auditor: <b>Mayor Hales</b>	CLERK USE: DATE FILED <u>JUL 14 2016</u>
<b>COMMISSIONER APPROVAL</b> Mayor—Finance and Administration - Hales Position 1/Utilities - Fritz Position 2/Works - Fish Position 3/Affairs - Saltzman Position 4/Safety - Novick	Mary Hull Caballero Auditor of the City of Portland  By: <u>[Signature]</u> Deputy  <b>ACTION TAKEN:</b>
<b>BUREAU APPROVAL</b> Bureau: Fire & Police Disability & Retirement Bureau Head: Samuel Hutchison  Prepared by: SH:nh Date Prepared: July 12, 2016  Impact 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 checked="" type="checkbox"/> No <input type="checkbox"/>  <b>City Auditor Office Approval:</b> required for Code Ordinances  <b>City Attorney Approval:</b> required for contract, code, easement, franchise, comp plan, charter  Council Meeting Date	

<b>AGENDA</b>  <b>TIME CERTAIN</b> <input type="checkbox"/> Start time: _____  Total amount of time needed: _____ (for presentation, testimony and discussion)  <b>CONSENT</b> <input type="checkbox"/>  <b>REGULAR</b> <input checked="" type="checkbox"/> Total amount of time needed: <u>10 min</u> (for presentation, testimony and discussion)	<table border="1"> <tr> <th>FOUR-FIFTHS AGENDA</th> <th colspan="2">COMMISSIONERS VOTED AS FOLLOWS:</th> </tr> <tr> <th></th> <th>YEAS</th> <th>NAYS</th> </tr> <tr> <td>1. Fritz <u>[Signature]</u></td> <td></td> <td></td> </tr> <tr> <td>2. Fish <u>Salt for Nick Fish</u></td> <td>✓</td> <td></td> </tr> <tr> <td>3. Saltzman <u>[Signature]</u></td> <td>✓</td> <td></td> </tr> <tr> <td>4. Novick <u>[Signature]</u></td> <td>✓</td> <td></td> </tr> <tr> <td>Hales <u>[Signature]</u></td> <td>✓</td> <td></td> </tr> </table>	FOUR-FIFTHS AGENDA	COMMISSIONERS VOTED AS FOLLOWS:			YEAS	NAYS	1. Fritz <u>[Signature]</u>			2. Fish <u>Salt for Nick Fish</u>	✓		3. Saltzman <u>[Signature]</u>	✓		4. Novick <u>[Signature]</u>	✓		Hales <u>[Signature]</u>	✓	
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