

ORDINANCE No. 190092

*Amend the Fire and Police Disability, Retirement and Death Benefit Plan to comply with an arbitration decision for final pay calculation for former members of the Portland Police Commanding Officers Association and Portland Fire Fighters Association (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, provides pension benefits to sworn employees of the Portland Police Bureau and Portland Fire and Rescue hired and sworn prior to January 1, 2007.
2. That Section 5-403(a) of the Plan permits the Council to amend the Plan by ordinance to the extent necessary to extend to members additional benefits not otherwise provided 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.
3. That the amendment appearing in Exhibit A is intended to bring the Plan into compliance with the applicable requirements of the Arbitrator's Opinion and Award of May 18, 2020 and revised award dated July 31, 2020, regarding the 27th pay date grievance submitted jointly by the Portland Police Commanding Officers Association and Portland Fire Fighters 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 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: **August 12, 2020**

Commissioner: Joanne Hardesty
Prepared by: Sam Hutchison
Date Prepared: July 21, 2020

Mary Hull Caballero
Auditor of the City of Portland
By *CPhillips*
Deputy

659
 Agenda No.
ORDINANCE NO. 190092
 Title

*Amend the Fire and Police Disability, Retirement and Death Benefit Plan to comply with an arbitration decision for final pay calculation for former members of the Portland Police Commanding Officers Association and Portland Fire Fighters Association (Ordinance)

INTRODUCED BY Commissioner/Auditor: Hardesty	CLERK USE: DATE FILED <u>August 4, 2020</u>
COMMISSIONER APPROVAL Mayor—Finance & Administration - Wheeler Position 1/Utilities - Fritz Position 2/Works - Vacant Position 3/Affairs - Hardesty <i>John Hardesty</i> Position 4/Safety - Eudaly	Mary Hull Caballero Auditor of the City of Portland <i>Karla Moore-Love</i> By: _____ Deputy
BUREAU APPROVAL Bureau: FPDR Bureau Head: Sam Hutchison <small>Digitally signed by Sam Hutchison Date: 2020.08.03 12:58:05 -07'00'</small>	ACTION TAKEN:
Prepared by: Sam Hutchison Date Prepared: 7/21/2020	
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"/>	
City Auditor Office Approval: required for Code Ordinances	
City Attorney Approval: Lory J Kraut <small>Digitally signed by Lory J Kraut Date: 2020.07.21 15:15:29 -07'00'</small> required for contract, code, easement, franchise, comp plan, charter	
Council Meeting Date August 12, 2020	

AGENDA
TIME CERTAIN <input type="checkbox"/> Start time: _____ Total amount of time needed: _____ (for presentation, testimony and discussion)
CONSENT <input checked="" 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	1. Fritz	X	
2. Vacant	2. Vacant		
3. Hardesty	3. Hardesty	X	
4. Eudaly	4. Eudaly	X	
Wheeler	Wheeler	X	