



[Home](#) / [Council Documents](#)

191140

Emergency Ordinance

*Ratify Letter of Agreement between the City and the Portland Police Command Officers' Association to settle an Unfair Labor Practice Complaint

Passed

The City of Portland ordains:

Section 1. The Council finds:

1. The City and the Portland Police Command Officers' Association (PPCOA) are parties to a collective bargaining agreement (CBA) effective July 1, 2020 through June 30, 2023.
2. In November of 2020 the voters of the City of Portland amended the City Charter and created a community police oversight board.
3. The PPCOA, along with the Portland Police Association (PPA) filed unfair labor practice complaints against the City with the Oregon Employment Relations Board, found at PPA & PPCOA v. City of Portland, consolidated Case Nos. UP-037-20, UP-038-20, UP-040-20, and UP-041-20.
4. Subsequently, the State Legislature passed Senate Bill 621, which changed bargaining obligations for public employers who establish a community police oversight board approved by voters. ORS 243.772(2).
5. The City and PPA agreed to resolve the unfair labor practice complaint through ratification of the current collective bargaining agreement by including an agreement that the City will notify PPA prior to implementation of the Community Police Oversight Board, and that the City and PPA will comply with any bargaining obligations that may exist under ORS 243.650 *et. seq.* The City and PPA included a bargaining note that they disagree on impact bargaining obligations under Senate Bill 621.
6. The City and the PPCOA agree that resolution of the unfair labor practice complaints filed by PPCOA is appropriate under the same terms as agreed to between the City and PPA.

NOW, THEREFORE, the Council directs:

Introduced by

[Mayor Ted Wheeler](#)

Bureau

[City Attorney](#)

Contact

Heidi Brown

Chief Deputy Attorney



✉ Heidi.Brown@portlandoregon.gov

📞 [503-823-3038](tel:503-823-3038)

Monday - Friday, 8:00am -
7:00pm

Lisa Rogers

Deputy City Attorney



✉ Lisa.Rogers@portlandoregon.gov

📞 [503-823-4055](tel:503-823-4055)

Requested Agenda Type

Regular

Date and Time Information

Requested Council Date

January 18, 2023

Time Requested

15 minutes

Portland Policy Document

- A. The Director of Human Resources is authorized to execute the letter of agreement, Exhibit 1, between the City and Portland Police Command Officers' Association relating to the settlement of an unfair labor practices complaint, with approval as to form by the assigned attorney in the City Attorney's Office.
- B. This ordinance is binding City policy.

Section 2. The Council declares that an emergency exists because the agreement will resolve litigation in the unfair labor practice complaints pending before the Oregon Employment Relations Board; therefore, this Ordinance shall be in full force and effect from and after its passage by the Council.

Documents and Exhibits

 [Exhibit 1](#) 91.64 KB

An ordinance when passed by the Council shall be signed by the Auditor. It shall be carefully filed and preserved in the custody of the Auditor (City Charter Chapter 2 Article 1 Section 2-122)

Passed by Council
January 18, 2023

Auditor of the City of Portland
Simone Rede

Impact Statement

Purpose of Proposed Legislation and Background Information

The Letter of Agreement will settle the Portland Police Command Officers' Association's (PPCOA) Unfair Labor Practice complaint found at consolidated Case Nos. UP-037-20, UP-038-20, UP-040-20, and UP-041-20. In dismissing the complaints, the City agrees to notify the PPCOA when it is prepared to implement the Community Police Oversight Board. The City and PPCOA disagree as to impact bargaining obligations under the Public Employees Collective Bargaining Act.

Financial and Budgetary Impacts

This Letter of Agreement does not implement changes to current FTE or budgets and does not result in new financial obligations.

Community Impacts and Community Involvement

Settlement of the unfair labor practice complaint against the City is in the community interest, as it does not obligate the City beyond providing notice of implementation of the Community Police Oversight Board and complying with the Public Employees Collective Bargaining Act. There was no public involvement in resolution of this matter, but there was public testimony provided for the full collective bargaining agreement with the Portland Police Association, which included identical language.

100% Renewable Goal

Not applicable.

Agenda Items

53 Regular Agenda in [January 18-19, 2023 Council Agenda](#)

Passed

Motion to accept the Ordinance: Moved by Mapps and seconded by Gonzalez.

Commissioner Carmen Rubio Yea

Commissioner Rene Gonzalez Yea

Commissioner Mingus Mapps Yea

Commissioner Dan Ryan Yea

Mayor Ted Wheeler Absent