RESOLUTION NO. 5969(15)

A Resolution of the City Council of the City of Lompoc,
County of Santa Barbara, State of California,
Delegating Authority to the City Administrator
to Make Determinations Regarding
Industrial Disability Retirement and
to Submit Employer-Originated Disability Applications

WHEREAS, Article 5 (commencing with Section 21150) of Division 5 of Title 2 of the California Government Code establishes the circumstances under which an employee who is a member of the California Public Employees’ Retirement System (CalPERS) may be granted a disability retirement; and

WHEREAS, the City of Lompoc (City) is a contracting agency of CalPERS; and

WHEREAS, pursuant to Government Code subsections 21152(c-d), application to CalPERS for disability retirement may be initiated by the governing body, or by an official designated by the governing body of the contracting agency, or the CalPERS member or any person on his/her behalf; and

WHEREAS, the City Council has previously delegated to the City Administrator the authority to make disability retirement applications to CalPERS in Resolution No. 4354(94) dated May 3, 1994, and although such authority continues until the present day, the statutory reference contained in Resolution No. 4354(94) is now out of date; and

WHEREAS, following an application to CalPERS for disability retirement, pursuant to Government Code sections 21156(a)(1) and 21159, the Public Employees’ Retirement Law requires a contracting agency determine whether an employee of such agency in employment in which he/she is certified as a local safety member is disabled for purpose of the Public Employees’ Retirement Law and whether such disability is “industrial” within the meaning of such Law; and

WHEREAS, pursuant to Government Code section 21173, the City may delegate authority to make such industrial disability determination to the City Administrator.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF LOMPOC, CALIFORNIA, DOES HEREBY RESOLVE AS FOLLOWS:

SECTION 1: The City Council hereby affirms it has delegated to the City Administrator authority to make applications on behalf of the City pursuant to Government Code subsection 21152(c) for disability retirement of all employees and to initiate requests for reinstatement of such employees who are retired for disability; and
SECTION 2: The City Council delegates to the City Administrator authority to make determinations of disability on behalf of the City under Government Code section 21156 and whether such disability is industrial and to certify such determination and all other necessary information to CalPERS.

SECTION 3: Effective Date. This Resolution is effective on the day of its adoption.

The foregoing Resolution was proposed by Council Member ______________________, seconded by Council Member ______________________, and was duly passed and adopted by the Council of the City of Lompoc at its regular meeting on March 17, 2015, by the following vote:

AYES: Councilmember(s):

NOES: Councilmember(s):

ABSENT: Councilmember(s):

______________________________
Bob Lingl, Mayor
City of Lompoc

ATTEST:

______________________________
Stacey Alvarez, City Clerk
City of Lompoc