



City of Arts & Innovation

City Council Memorandum

TO: HONORABLE MAYOR AND CITY COUNCIL **DATE: AUGUST 23, 2016**
FROM: HUMAN RESOURCES DEPARTMENT **WARDS: ALL**
**SUBJECT: ADOPT A RESOLUTION ON DELEGATION OF AUTHORITY FOR INDUSTRIAL
DISABILITY RETIREMENT APPLICATIONS**

ISSUE:

Adopt a revised resolution delegating authority to approve or deny applications for industrial disability retirement.

RECOMMENDATION:

That the City Council approve and adopt a revised resolution delegating authority to the City Manager to make determinations, certifications, applications and requests relating to the disability of a local safety member employed by the City.

DISCUSSION:

Under California Government Code Section 21156, the local governing body (City Council) of a contracting public agency makes the determination on a disability or industrial disability retirement application of a local safety member (Police and Fire sworn personnel). The determination is based on competent medical opinion that the safety member is incapacitated from performing the duties of his/her usual job.

The City Council last adopted a resolution delegating authority to the City Manager to make these determinations for safety members in December 1973 (Resolution 12248). This resolution is on file with CalPERS. However, Resolution 12248 was signed by the Mayor Pro Tem and CalPERS has just determined that a Mayor Pro Tem does not have the authority to sign on behalf of the governing board, i.e., City Council. Therefore, a new Resolution is needed, signed by the Mayor, in order to authorize the City Manager to continue to make these determinations.

FISCAL IMPACT:

There is no fiscal impact attached to the adoption of this Resolution.

Prepared by: Geriann Kingslan, Interim Human Resources Director
Certified as to
availability of funds: Scott G. Miller, Interim Finance Director/Treasurer
Approved by: Marianna Marysheva-Martinez, Assistant City Manager
Approved as to form: Gary G. Geuss, City Attorney

Attachment: Resolution