

**RESOLUTION NO. 4226-2020**

**RESOLUTION OF THE FORT BRAGG CITY COUNCIL DELEGATING TO THE CITY MANAGER DISABILITY RETIREMENT DETERMINATIONS OF LOCAL SAFETY OFFICER EMPLOYEES OF THE CALIFORNIA PUBLIC EMPLOYEES' RETIREMENT SYSTEM**

**WHEREAS**, on July 27, 1981 the City Council adopted Resolution 1007-81; a Resolution Delegating Authority to City Administrator for Making Disability Retirement Determinations; and

**WHEREAS**, on July 27, 1992, Resolution 1911-92 amended the aforementioned Resolution 1007-81; a Resolution Establishing a Procedure for Industrial Disability Retirement Determinations of Local Safety Officer employees of the Public Employees' Retirement System;

**WHEREAS**, the California Public Employees' Retirement System has requested that the City of Fort Bragg provide an updated Resolution delegating disability retirement determinations of local safety officer employees covered by the California Public Employees' Retirement System; and

**WHEREAS**, the City of Fort Bragg (Agency) is a contracting agency of the California Public Employees' Retirement System;

**WHEREAS**, the Public Employees' Retirement Law requires that a contracting agency determine whether an employee of such agency in employment in which he/she is classified as a local safety member is disabled for purposes of the Public Employees' Retirement Law and such disability is "industrial" within the meaning of such Law:

**WHEREAS**, Fort Bragg City Council has determined upon legal advice that it may delegate authority under Government Code section 21173 to make such determinations to the incumbent of the position of City Manager.

**NOW, THEREFORE, BE IT RESOLVED:** That the Fort Bragg City Council does hereby delegate to the incumbent of the position of City Manager, authority to make application on behalf of the Agency pursuant to Government Code 21152 (c) for disability retirement of all employees and to initiate requests for reinstatement of such employees who are retired for disability;

**BE IT FURTHER RESOLVED** that City of Fort Bragg City Council does hereby delegate to the incumbent of the position of City Manager authority to make determinations of disability on the Agency under Government Code section 21156 and whether such disability is industrial and to certify such determinations and all other necessary information to the California Public Employees' Retirement System.

**The above and foregoing Resolution was introduced by Councilmember Peters, seconded by Councilmember Morsell-Haye, and passed and adopted at a regular**

meeting of the City Council of the City of Fort Bragg held on the 27th day of January, 2020, by the following vote:

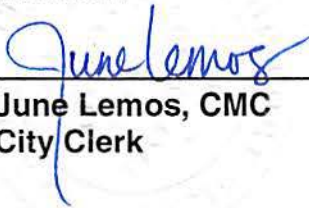
**AYES:** Councilmembers Albin-Smith, Morsell-Haye, Peters and Mayor Pro Tem Norvell.  
**NOES:** None.  
**ABSENT:** Mayor Lee.  
**ABSTAIN:** None.  
**RECUSED:** None.



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**BERNIE NORVELL**  
Mayor Pro Tem

**ATTEST:**



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**June Lemos, CMC**  
City Clerk