

RESOLUTION NO. 3682

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SOLEDAD
AUTHORIZING THE CITY MANAGER OF SOLEDAD TO MAKE INDUSTRIAL
DISABILITY RETIREMENT DETERMINATIONS UNDER SECTION 21152(c) OF THE
GOVERNMENT CODE ON BEHALF OF THE CITY COUNCIL OF SOLEDAD**

WHEREAS, the City of Soledad (hereinafter referred to as Agency) is a contracting agency under the Public Employees' Retirement System, and

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 whether such disability is "industrial" within the meaning of such Law; and

WHEREAS, the City of Soledad has determined upon legal advice that it may delegate authority under section 21173 of the Government Code to make such determinations to the incumbent of the office of the City Manager of Soledad.

NOW THEREFORE, BE IT HEREBY RESOLVED that the City Council of the City of Soledad delegates and hereby does delegate to the incumbent of the office of the City Manager of the City of Soledad authority to make determinations under section 21152(c) of the California Government Code, on behalf of the Agency, of disability and whether such disability is industrial and to certify such determinations and all other necessary information to the Public Employees' Retirement System.

BE IT FURTHER RESOLVED that such incumbent be and is authorized to make applications on behalf of the Agency for disability retirement of all employees and to initiate requests for reinstatement of such employees who are retired for disability

PASSED AND ADOPTED at a regular meeting of the City Council of the City of Soledad held on the 21st day of September, 2005, by the following vote:

AYES, and in favor thereof, Councilmembers. Christopher Bourke, Stefanie De La Rosa, Patricia Stephens, Mayor Pro Tem Juan Saavedra, Mayor Richard Ortiz

NOES, Councilmembers. None

ABSTAIN, Councilmembers. None

ABSENT, Councilmembers. None


RICHARD V. ORTÍZ, Mayor

ATTEST


NOELIA F. CHAPA, City Clerk