

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SOLEDAD
APPOINTING THE CITY MANAGER AS THE OFFICIAL DELEGATE TO THE
PUBLIC EMPLOYEES' RETIREMENT SYSTEM FOR DISABILITY RETIREMENT
AND INDUSTRIAL DISABILITY RETIREMENT DETERMINATIONS**

WHEREAS, the City of Soledad is a contracting agency of 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 Soledad City Council 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/ position of City Manager.

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

BE IT FURTHER RESOLVED that such incumbent be and he/she 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 by the City Council of the City of Soledad at a special meeting duly held on the 20th day of May 2009, by the following vote:

AYES, and in favor thereof, Councilmembers: Richard J. Perez, Patricia Stephens, Mayor Pro Tem Martha Camacho, Mayor Richard Ortiz


NOES, Councilmembers: None

ABSENT, Councilmembers: Councilmember Juan Saavedra

ABSTAIN, Councilmembers: None


RICHARD V. ORTIZ, Mayor

ATTEST:


ADELA P. GONZALEZ, City Clerk