

RESOLUTION NO. 2023-57

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF
HUNTINGTON BEACH AUTHORIZING THE CITY MANAGER TO
SUBMIT DISABILITY APPLICATIONS FOR ALL MEMBERS OF THE
PUBLIC EMPLOYEES RETIREMENT SYSTEM AND MAKE
DETERMINATIONS OF DISABILITY FOR LOCAL SAFETY MEMBERS

WHEREAS, the City of Huntington Beach (herein referred to as "Agency") is a contracting agency of the California Public Employees' Retirement System; and

WHEREAS, on June 20, 2016, by Resolution No. 2016-43, the City Council authorized the Risk Manager to submit applications and make determinations of disability and whether such disability is Industrial to the California Public Employees Retirement System (CalPERS); and

WHEREAS, Government Code Section 21152(c) allows the City Council or its designee to make applications on behalf of the Agency for disability retirement of all members, and to initiate requests for reinstatement of such employees who are retired for disability; and

WHEREAS, Government Code Section 21156 requires that the governing body of the Agency determine whether 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;

WHEREAS, pursuant to Government Code Section 21173, the City Council, as the governing body of the Agency, may delegate its authority to make such disability determinations for safety members to a subordinate officer; and

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Huntington Beach as follows:

SECTION 1. The City Council does hereby delegate to the incumbent of the office/position of City Manager the authority to make applications on behalf of the Agency pursuant to Government Code Section 21152(c) for disability retirement of all members and to initiate requests for reinstatement of such employees who are retired for disability.

SECTION 2. The City Council does hereby delegate to the incumbent of the office/position of City Manager the authority to make determinations of local safety member disability on behalf of the Agency under Government Code Section 21156, whether such disability is industrial, and to certify such determinations and all other necessary information to the California Public Employees' Retirement System.

SECTION 3. Resolution No. 2016-430 is hereby repealed.

PASSED AND ADOPTED by the City Council of the City of Huntington Beach at a regular meeting thereof held on the _____ day of _____, 2023.

Mayor

ATTEST:

APPROVED AS TO FORM:

City Clerk

City Attorney

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REVIEWED AND APPROVED:

INITIATED AND APPROVED:

City Manager

Thane St. Peter

Director of Human Resources