

RESOLUTION NO 2016-43

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF  
HUNTINGTON BEACH AUTHORIZING THE RISK 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 September 4, 1990, by Resolution No 6210, the City Council authorized the Risk Manager to submit applications for disability retirement to the Public Employees' Retirement System Board, 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, 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 Risk 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 Risk 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.

STATE OF CALIFORNIA        }  
COUNTY OF ORANGE        } ss:  
CITY OF HUNTINGTON BEACH )

I, CONNIE BROCKWAY, the duly elected, qualified City Clerk of the City of Huntington Beach, and ex-officio Clerk of the City Council of said City, do hereby certify that the whole number of members of the City Council of the City of Huntington Beach is seven; that the foregoing resolution was passed and adopted by the affirmative vote of at least a majority of all the members of said City Council at a regular \_\_\_\_\_ meeting thereof held on the 4th day of September, 1990, by the following vote:

AYES: Councilmembers:

MacAllister, Winchell, Green, Mays, Bannister, Silva

NOES: Councilmembers:

None

ABSENT: Councilmembers:

Erskine

*Connie Brockway*  
\_\_\_\_\_  
City Clerk and ex-officio Clerk  
of the City Council of the City  
of Huntington Beach, California

STATE OF CALIFORNIA  
COUNTY OF ORANGE                     ) ss:  
CITY OF HUNTINGTON BEACH        )

I, ROBIN ESTANISLAU the duly appointed, qualified City Clerk of the City of Huntington Beach, and ex-officio Clerk of the City Council of said City, do hereby certify that the whole number of members of the City Council of the City of Huntington Beach is seven, that the foregoing resolution was passed and adopted by the affirmative vote of at least a majority of all the members of said City Council at a **Regular** meeting thereof held on **June 20, 2016** by the following vote

**AYES:**       Posey, O'Connell, Sullivan, Katapodis, Hardy, Delgleize, Peterson  
**NOES:**       None  
**ABSENT:**   None  
**ABSTAIN:**   None



City Clerk and ex-officio Clerk of the  
City Council of the City of  
Huntington Beach, California

SECTION 3 Resolution No 6210 is hereby repealed.

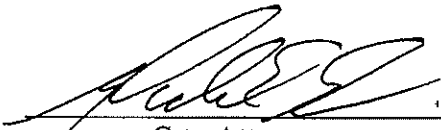

PASSED AND ADOPTED by the City Council of the City of Huntington Beach at a regular meeting thereof held on the 20th day of June, 2016

  
Mayor

ATTEST

APPROVED AS TO FORM

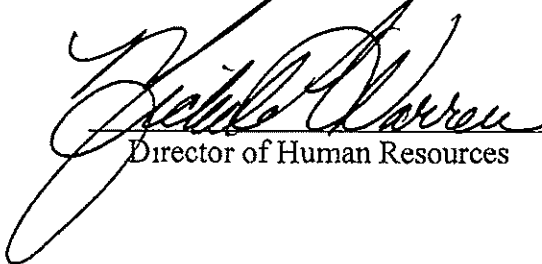
  
City Clerk

  
City Attorney 

REVIEWED AND APPROVED

INITIATED AND APPROVED

  
City Manager

  
Director of Human Resources