

RESOLUTION R2019-__

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NAPA,
STATE OF CALIFORNIA, DELEGATING AUTHORITY TO THE
CITY MANAGER REGARDING THE PROCESSING OF
APPLICATIONS FOR DISABILITY RETIREMENT AND
REINSTATEMENT FROM RETIREMENT FOR CITY
EMPLOYEES UNDER THE CALIFORNIA PUBLIC EMPLOYEES
RETIREMENT SYSTEM (CalPERS)

WHEREAS, the City of Napa (herein referred to as “City”) is a “contracting agency” of the California Public Employees' Retirement System (as defined by California Government Code Section 20022); and, therefore, City employees are members of, receive benefits from, and are subject to the requirements of, the California Public Employees' Retirement System (“CalPERS”); and

WHEREAS, the City Council of the City of Napa (herein referred to as “City Council”) is the “governing body” of the City of Napa, as that phrase is used in the Public Employees' Retirement Law (California Government Code Title 2, Division 5, Part 3; including Sections 20000 through 21716); and

WHEREAS, the Public Employees' Retirement Law requires the City Council to take certain actions regarding determinations of, and applications for, applications to the CalPERS Board for retirement of a City employee for disability (including those set forth in California Government Code Sections 21150 through 21203); provided, however, that the same law authorizes the City Council to delegate its duties and authority to the City Manager; and

WHEREAS, the City Council has determined that it is in the best interests of the City to delegate authority to the City Manager, as specified in this resolution.

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

1. The City Council hereby finds that the facts set forth in the recitals to this Resolution are true and correct, and establish the factual basis for the City Council's adoption of this Resolution.

2. The City Council hereby delegates authority to the City Manager to exercise the authority and duty conferred or imposed on the City Council under the Disability Retirement requirements of the Public Employees' Retirement Law (see California Government Code Sections 21150 through 21203, particularly Section 21173). The City Manager's authority under this resolution shall include the authority to:

- a) make applications on behalf of the City to the CalPERS Board, for disability retirement of any City employee who is a member of CalPERS (see California Government Code Section 21152 (c));

ATTACHMENT 1

- b) make determinations, based on medical examination, competent medical opinion, and other available information, regarding the eligibility of a particular employee to retire for disability, or to be reinstated from a disability retirement (including the determinations set forth in California Government Code Sections 21154, 21156, 21166, 21192); and
- c) appoint a physician or surgeon to examine employees that are the subject of a determination for disability retirement, or reinstatement from a disability retirement.

3. The City Council hereby authorizes the City Manager to make a written delegation of authority to a qualified City employee to exercise the City Manager's authority under this resolution.

4. The City Council hereby directs the City Manager to designate this resolution as a City Council Policy Resolution. The City Council hereby directs the City Clerk to organize and publish this resolution as a part of the City Council Policy Resolutions.

5. This Resolution shall take effect immediately upon its adoption.

I HEREBY CERTIFY that the foregoing Resolution was duly adopted by the City Council of the City of Napa at a public meeting of said City Council held on the 16th day of July, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

ATTEST: _____
Tiffany Carranza
City Clerk

Approved as to form:

Michael W. Barrett
City Attorney