



## Legislation Text

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**File #:** RES 17-0087, **Version:** 1

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**TO:**

Honorable Mayor and Members of the City Council

**THROUGH:**

Mark Danaj, City Manager

**FROM:**

Teresia Zadroga-Haase, Human Resources Director  
Gregory S. Borboa, Risk Manager

**SUBJECT:**

Resolution Authorizing the City Manager or His Designee to Make Determinations on Industrial Disability Retirements in Accordance with the Government Code (Human Resources Director Zadroga-Haase).

**ADOPT RESOLUTION NO. 17-0087**

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**RECOMMENDATION:**

It is recommended that the City Council adopt resolution Number 17-0087 (Attachment 1) amending current authority for the determination of industrial disability retirements (IDR's) to include the City Manager and his designee.

**FISCAL IMPLICATIONS:**

There are no fiscal implications associated with the recommended action.

**BACKGROUND:**

On January 16, 1974 Council approved Resolution 3199 which delegated authority to the City Manager to make determinations regarding the disposition of industrial disability retirements (IDR's) for local safety employees employed by the City. This action was authorized by the Government Code section commonly known as the Public Employees Retirement Law, which governs procedures and processes associated with CalPERS retirement and other benefits. The resolution also authorized the City Manager to make applications on behalf of the City for IDR's and to initiate requests for reinstatement of employee previously separated on an IDR. On August 19, 1980 Council approved Resolution 3828, which updated the pertinent sections of the Government Code relative to the delegation of authority.

**DISCUSSION:**

It is common practice in other public entities participating in CalPERS retirement program to delegate the IDR decision-making process to their chief executive (City Manager, County Administrative Officer, etc.) and their designee. The designee level of authority is generally the level just below the chief executive. The recommended action is intended to confer upon the Assistant City Manager the authority to review and decide IDR matters which is currently limited exclusively to the City Manager. Having an additional executive level manager available to evaluate and make decisions on IDR

documents will create greater efficiency in the processing of these documents. This will mean better service to our employees that are unfortunately no longer able to work in a public safety position.

**POLICY ALTERNATIVES:**

Council could elect to maintain the status quo and there may be delays in the processing of IDR's, which could delay retirement benefits for our employees.

**LEGAL REVIEW**

The resolution has been reviewed and approved by the City Attorney as to legal form.

**Attachment/Attachments:**

1. Resolution No. 17-0087