

RESOLUTION NO. 2009-77

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ELK GROVE
AUTHORIZING THE CITY MANAGER TO DETERMINE INDUSTRIAL DISABILITY
RETIREMENT ELIGIBILITY**

WHEREAS, the City of Elk Grove (herein referred to as Agency) 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 or 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 City Council has determined that it may delegate authority under Government Code Section 21173 to make such determinations to the City Manager.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Elk Grove the following:

- 1) The City Council hereby delegates to the City Manager the authority to make determinations under Government Code Section 21152(c) on behalf of the Agency, of disability and whether such disability is industrial and to certify such determinations and all other necessary information to the Public Employees' Retirement System; and
- 2) The City Manager 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 Elk Grove this 22nd day of April 2009.



PATRICK HUME, MAYOR of the
CITY OF ELK GROVE

APPROVED AS TO FORM:



SUSAN COCHRAN, CITY ATTORNEY

ATTEST:



SUSAN J. BLACKSTON, CITY CLERK

CERTIFICATION
ELK GROVE CITY COUNCIL RESOLUTION NO. 2009-77

STATE OF CALIFORNIA)
COUNTY OF SACRAMENTO) **ss**
CITY OF ELK GROVE)

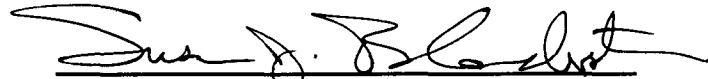
I, Susan J. Blackston, City Clerk of the City of Elk Grove, California, do hereby certify that the foregoing resolution was duly introduced, approved, and adopted by the City Council of the City of Elk Grove at a regular meeting of said Council held on April 22, 2009 by the following vote:

AYES : COUNCILMEMBERS: *Hume, Scherman, Cooper, Davis, Detrick*

NOES: COUNCILMEMBERS: *None*

ABSTAIN : COUNCILMEMBERS: *None*

ABSENT: COUNCILMEMBERS: *None*



Susan J. Blackston, City Clerk
City of Elk Grove, California