

RESOLUTION NO. \_\_\_\_\_

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PASADENA  
DELEGATING THE FIRE AND POLICE RETIREMENT SYSTEM BOARD THE  
AUTHORITY TO DETERMINE THE ELIGIBILITY OF SAFETY EMPLOYEES FOR  
INDUSTRIAL DISABILITY RETIREMENT WITH CALPERS

WHEREAS, the City of Pasadena (herein referred to as Agency) is a contracting agency of the California Public Employees' Retirement System ("CalPERS"), 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, on March 21, 1978, the Board of Directors of the City of Pasadena approved by motion to designate the Board of the Pasadena Fire & Police Retirement System ("FPRS Board") as an interim Board to determine the eligibility of local safety members for disability retirement in accordance with the California Public Employee's Retirement System, and;

WHEREAS, the FPRS Board has continued in this designated capacity without interruption of duty since March 21, 1978, and desires to continue as the hearing body for public safety disability retirement applications for employees of the Agency, and;

WHEREAS, the Agency was notified by CalPERS on February 24, 2017 that the action of record from March 21, 1978 regarding the delegation of authority under Section 21173 of the Government Code from the Agency to the FPRS Board was no longer an acceptable document of delegation of authority, and;

WHEREAS, CalPERS further clarified in subsequent notification on March 1, 2017 that should the Agency desire to continue to delegate authority, it must provide a resolution of such delegation of authority from the governing body, and;

WHEREAS, the City Council of the City of Pasadena has determined upon legal advice that it may delegate authority under Section 21173 of the Government Code to make such determinations to the FPRS Board.

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

SECTION 1. That the City Council of the City of Pasadena delegates and it does hereby delegates to the FPRS Board authority to make determinations under Section 21152(c), Government Code, on behalf of the Agency, for safety employees, 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

SECTION 2. That such Board be and is authorized to make applications on behalf of the Agency for disability retirement of all safety employees and to initiate requests for reinstatement of such employees who are retired for disability.

This resolution shall be effective immediately upon adoption by the City Council.

ADOPTED by the following vote at the meeting of the City Council this 13<sup>th</sup> day of March, 2017:

AYES:

NOES:

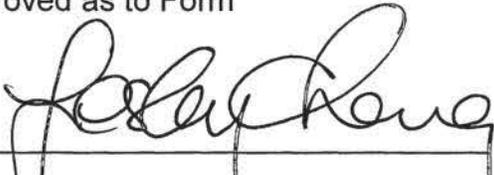
ABSTAIN:

ABSENT:

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Mark Jomsky, City Clerk

Approved as to Form



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Lesley Cheung, Deputy City Attorney