



Monterey County Board of Supervisors

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Board Order

A motion was made by Supervisor Luis A. Alejo, seconded by Supervisor Jane Parker to:

Resolution No.: 19-295

Delegation of authority to the CAO, and the Assistant CAOs or the Risk Manager in the event the CAO is unavailable, to:

- 1) make applications on behalf of the County for industrial disability retirements; and
- 2) make industrial disability determinations.

PASSED AND ADOPTED on this 10th day of September 2019, by the following vote, to wit:

AYES: Supervisors Alejo, Phillips, Lopez, Parker and Adams

NOES: None

ABSENT: None

I, Valerie Ralph, Clerk of the Board of Supervisors of the County of Monterey, State of California, hereby certify that the foregoing is a true copy of an original order of said Board of Supervisors duly made and entered in the minutes thereof of Minute Book 82 for the meeting September 10, 2019.

Dated: September 10, 2019
File ID: RES 19-121
Agenda Item No.: 28.2

Valerie Ralph, Clerk of the Board of Supervisors
County of Monterey, State of California

Julian Lorenzana, Deputy

**Before the Board of Supervisors in and for the
County of Monterey, State of California**

Resolution No.: 19-295

Delegating authority to the CAO, and the)
Assistant CAOs or the Risk Manager in the)
event the CAO is unavailable, to: 1) make)
applications on behalf of the County for)
industrial disability retirements; and 2) make)
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WHEREAS, Article 5 (commencing with Section 21150) of Division 5 of Title 2 of the California Government Code establishes the circumstances under which an employee who is a member of the California Public Employees' Retirement System ("CalPERS") may be granted a disability retirement; and,

WHEREAS, the County of Monterey is a contracting agency of CalPERS; and,

WHEREAS, pursuant to Government Code section 21152, in addition to an employee, application to CalPERS for disability retirement may be initiated by the governing body, or by an official designated by the governing body of the contracting agency; and,

WHEREAS, pursuant to Government Code section 21156 and 21157, following an application to CalPERS for industrial disability retirement, a contracting agency must determine whether an employee is disabled and whether such disability is "industrial" within the meaning of state law; and,

WHEREAS, pursuant to Government Code section 21173, the County may delegate authority to initiate industrial disability applications and make disability determinations to any officer of the County; and,

WHEREAS, the Board of Supervisors previously delegated to the County Administrative Officer ("CAO") the authority to initiate such applications and make such determination; and,

WHEREAS, while that delegation continues, it was solely to the CAO and no other officer; and,

WHEREAS, from time-to-time applications need to be initiated or determinations made but the CAO is unavailable; and,

WHEREAS, it is therefore necessary and appropriate to delegate to other officers of the County authority to initiate applications and make determinations in the event the CAO is unavailable;

NOW, THEREFORE, BE IT RESOLVED, by the Board of Supervisors of the County of Monterey, as follows:

1. The above recitals are true and correct.
2. The Board of Supervisors delegates to the County Administrative Officer authority to make applications on behalf of the County pursuant to Government Code section 21152 for industrial disability retirement of all employees and to initiate requests for reinstatement of such employees who are retired for disability.
3. The Board of Supervisors delegates to the County Administrative Officer authority to make determinations of disability on behalf of the County pursuant to Government Code sections 21156 and 21157, including whether such disability is industrial, and to certify such determination and all other necessary information to CalPERS.
4. In the event that the County Administrative Officer is unavailable for any reason, the Board of Supervisors delegates to the Assistant County Administrative Officers or the County Risk Manager the authority to initiate such applications and make such determinations.
5. This resolution supersedes Resolution No. 16-176, adopted June 14, 2016.

PASSED AND ADOPTED upon motion of Supervisor Luis A. Alejo, seconded by Supervisor Jane Prker and carried this 10th day of September by the following vote, to wit:

AYES: Supervisors Alejo, Phillips, Lopez, Parker and Adams
NOES: None
ABSENT: None

I, Valerie Ralph, Clerk of the Board of Supervisors of the County of Monterey, State of California, hereby certify that the foregoing is a true copy of an original order of said Board of Supervisors duly made and entered in the minutes thereof Minute Book 82 for the meeting on September 10, 2019.

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Valerie Ralph, Clerk of the Board of Supervisors
County of Monterey, State of California

By: 
Deputy