



# County of Monterey

Board of Supervisors  
Chambers  
168 W. Alisal St., 1st Floor  
Salinas, CA 93901

## Legislation Details (With Board Report)

<b>File #:</b>	RES 19-121	<b>Name:</b>	CalPERS Resolution
<b>Type:</b>	BoS Resolution	<b>Status:</b>	Passed - County Counsel Office
<b>File created:</b>	9/5/2019	<b>In control:</b>	Board of Supervisors
<b>On agenda:</b>	9/10/2019	<b>Final action:</b>	9/10/2019
<b>Title:</b>	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. (ADDED VIA ADDENDA)		
<b>Sponsors:</b>			
<b>Indexes:</b>			
<b>Code sections:</b>			
<b>Attachments:</b>	1. Board Report, 2. Resolution No. 16-176, 3. DRAFT Resolution, 4. Item No. 28.2 Completed Board Order & Resolution		

Date	Ver.	Action By	Action	Result
9/10/2019	1	Board of Supervisors	approved - county counsel	Pass

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. (ADDED VIA ADDENDA)

### RECOMMENDATION:

It is recommended that the Board of Supervisors delegate 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.

### SUMMARY/DISCUSSION:

Pursuant to Government Code section 21152, in addition to being initiated by an employee, applications to the California Public Employees' Retirement System ("CalPERS") for industrial disability retirement may be initiated by the governing body, or by an official designated by the governing body, of the contracting agency. Pursuant to Government Code section 21156 and 21157, the governing body is also required to make certain determinations regarding the application. Pursuant to Government Code section 21173, the County may delegate authority to initiate such applications and make the determinations to any officer of the County.

At the request of CalPERS, in June of 2016 the Board of Supervisors adopted a resolution formally delegating to the County Administrative Officer ("CAO") the authority to make the applications to CalPERS and make the determination (copy enclosed. While this authority continues to-date, it was solely to the CAO, and it is appropriate to modify the delegation to include other officers of the County in the event the CAO is unavailable.

Accordingly, County Counsel - Risk Management is recommending that the Board adopt a resolution delegating the necessary authority to the CAO, and the Assistant CAOs or the Risk Manager in the event the CAO is unavailable. A draft resolution is enclosed.

### OTHER AGENCY INVOLVEMENT:

The Administrative Office concurs in the recommendation.

FINANCING:

There is no impact to the General Fund with this action.

BOARD OF SUPERVISORS STRATEGIC INITIATIVES:

Check the related Board of Supervisors Strategic Initiatives:

- ☐ **Economic Development** - Through collaboration, strengthen economic development to ensure a diversified and healthy economy.
- ☒ **Administration** - Promote an organization that practices efficient and effective resource management and is recognized for responsiveness, strong customer orientation, accountability and transparency.
- ☐ **Health & Human Services** - Improve health and quality of life through County supported policies, programs, and services; promoting access to equitable opportunities for health choices and healthy environments in collaboration with communities.
- ☐ **Infrastructure** - Plan and develop a sustainable, physical infrastructure that improves the quality of life for County residents and supports economic development results.
- ☐ **Public Safety** - Create a safe environment for people to achieve their potential, leading business and communities to thrive and grow by reducing violent crimes as well as crimes in general.

Prepared by:

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Approved by:

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Charles McKee, County Counsel, x. 5312

Attachments: Resolution No. 16-176

DRAFT Resolution