

RESOLUTION NO. 47-2023

A RESOLUTION OF THE BOARD OF DIRECTORS
OF THE CAMBRIA COMMUNITY SERVICES DISTRICT
DELEGATION OF AUTHORITY TO MAKE DECISION ON APPLICATIONS FOR
DISABILITY RETIREMENT

WHEREAS, the Cambria Community Services District is a contracting agency of the California 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 such disability is "industrial" within the meaning of such law; and

WHEREAS, the Board of Directors of the Cambria Community Services District has determined based upon legal advice that it may delegate authority under Government Code section 21173 to make such determinations to the incumbent of the position of General Manager.

NOW, THEREFORE, BE IT RESOLVED, that the Board of Directors of the Cambria Community Services District does hereby delegate to the incumbent of the position of General Manager authority to file applications for disability retirement of all employees and to initiate requests for reinstatement of such employees who are retired for disability on behalf of the Cambria Community Services District pursuant to Government Code section 21152(c);

BE IT FURTHER RESOLVED, that the Board of Directors of the Cambria Community Services District does hereby delegate to the incumbent of the position of General Manager authority to make determinations of disability for of a local safety employee on behalf of the Cambria Community Services District under Government Code section 21156 and whether such disability is industrial and to certify such determinations and all other necessary information to the California Public Employees' Retirement System;

BE IT FURTHER RESOLVED, that in the event that any local safety member appeals the decision of the General Manager regarding his or her incapacitation from the performance of his or her duties pursuant to the Public Employees' Retirement Law, the General Manager is authorized and empowered to make such arrangements to have the appeal heard pursuant to the laws governing California Public Employees' Retirement System retirements, including, but not limited to, entering into an agreement with the Officer of Administrative Hearings for the provision of a hearing before an administrative law judge.

PASSED AND ADOPTED this 17th day of August, 2023.

DocuSigned by:

Karen Dean

1999F0CEA6DC463...

Karen Dean

President, Board of Directors

ATTEST:

APPROVED AS TO FORM:

DocuSigned by:

Haley Dodson

27C0B08EE4ZE4C4...

Haley Dodson

Confidential Administrative Assistant

DocuSigned by:

Timothy Carmel

B64D40A50AA141E...

Timothy J. Carmel

District Counsel