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OFFICE OF THE CITY CLERK  
OAKLAND

Approved as to Form and Legality

  
Oakland City Attorney's Office

2011 FEB 9 PM 12:50  
**OAKLAND CITY COUNCIL**

RESOLUTION NO. 85 422 C.M.S.

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**A RESOLUTION AUTHORIZING THE CITY ADMINISTRATOR TO APPROVE INDUSTRIAL DISABILITY RETIREMENTS FOR LOCAL SAFETY MEMBERS OF THE CALIFORNIA PUBLIC EMPLOYEES' RETIREMENT SYSTEM AND AUTHORIZING THE CITY ADMINISTRATOR TO APPLY FOR INDUSTRIAL DISABILITY RETIREMENTS ON THEIR BEHALF**

**WHEREAS**, the City of Oakland is a contracting agency of the California Public Employees' Retirement System ("CalPERS"); and

**WHEREAS**, CalPERS requires that the City Council make a determination of whether a safety member employed by the City of Oakland is eligible for CalPERS industrial disability retirement in accordance with the provisions of California Government Code sections 21150, *et seq.*; and

**WHEREAS**, CalPERS authorizes the City Council to apply for industrial disability retirement benefits on behalf of local safety members in accordance with California Government Code section 21152; and

**WHEREAS**, the City Council is authorized to delegate its authority and duties with regard to CalPERS local safety disability retirements pursuant to California Government Code sections 21152 and 21173; and

**WHEREAS**, on July 30, 2002, the City Council passed Resolution No. 77353 C.M.S., delegating its authority with regard to CalPERS local safety disability retirements to the City Manager, Assistant City Manager and Director of Personnel; and

**WHEREAS**, the City no longer has a City Manager, Assistant City Manager or Director of Personnel inasmuch as the City Manager has been replaced with a City Administrator in accordance with the 2004 amendment of Article V of the City Charter; and the Director of Personnel has been replaced with a Director of Human Resources Management with the 2014 enactment of Oakland Municipal Code section 2.29.110; and

**WHEREAS**, the City Council now desires to delegate its authority with regard to CalPERS local safety disability retirements to the City Administrator, or his or her designee; now therefore be it

**RESOLVED:** that pursuant to California Government Code section 21173, the City Council hereby delegates to the City Administrator, or his or her designee, the

authority to make determinations of whether local safety members are eligible for CalPERS industrial disability retirement; and be it

**FURTHER RESOLVED**, that pursuant to California Government Code section 21152, the City Council hereby delegates to the City Administrator, or his or her designee, the authority to apply for industrial disability retirement on behalf of local safety members

**FEB 17 2015**

IN COUNCIL, OAKLAND, CALIFORNIA, \_\_\_\_\_

PASSED BY THE FOLLOWING VOTE:


**AYES** - BROOKS, CAMPBELL WASHINGTON, GALLO, GUILLEN, KALB, KAPLAN,  
REID and PRESIDENT GIBSON MCELHANEY - 8

**NOES** - 0

**ABSENT** - 0

**ABSTENTION** - 0

ATTEST:

  
LaTonda Simmons  
City Clerk and Clerk of the Council  
of the City of Oakland, California

DATE OF ATTESTATION. \_\_\_\_\_

2/19/15