

**TOWN OF PARADISE
RESOLUTION NO. 09-70**

**A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF PARADISE
ESTABLISHING DELEGATION OF AUTHORITY FOR PUBLIC SAFETY INDUSTRIAL
DISABILITY RETIREMENT OF TOM KAY**

WHEREAS, the Town of Paradise, is a contracting agency of the Public Employees' Retirement System;

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:

WHEREAS, the Town Council has determined upon legal advice that it may delegate authority under Section 21173 of the Government Code to make such determinations to the incumbent of the position of the Town Manager;

NOW THEREFORE BE IT RESOLVED by the Town Council of the Town of Paradise, as follows:

Section 1: That the Town Council delegates and it does hereby delegate to the incumbent of the position of Town Manager authority to make determinations under Section 21152 (c), Government Code, on behalf of the Town, of disability of Tom Kay and whether such disability is industrial and to certify such determinations and all other necessary information to the Public Employees' Retirement System; and

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Section 2: That such incumbent be and he is authorized to make application on behalf of the Town for disability retirement of all employees and to initiate requests for reinstatement of such employees who are retired for disability.

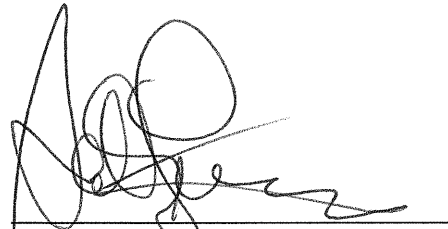
PASSED AND ADOPTED by the Town Council of the Town of Paradise this 8th day of December, 2009, by the following vote:

AYES: Steve "Woody" Culleton, Joe DiDuca, Frankie Rutledge, Alan White, and Scott Lotter, Mayor


NOES: None

ABSENT: None

NOT VOTING: None


Scott Lotter, Mayor

ATTEST:


Joanna Gutierrez, CMC, Town Clerk

APPROVE AS TO FORM:


Dwight L. Moore, Town Attorney