



## COUNTY OF HUMBOLDT

AGENDA ITEM NO.

C6

For the meeting of: October 10, 2017

Date: September 6, 2017  
To: Board of Supervisors  
From: Lisa DeMatteo, Director of Human Resources *LD*  
Subject: Delegation of Authority for Safety Officer Disability Retirement

### RECOMMENDATIONS:

That the Board of Supervisors:

1. Adopt Resolution No. 17-80 pursuant to California Government Code section 21173 which delegates Board authority for Safety Officer Disability Retirements to the County's Director of Human Resources.

SOURCE OF FUNDING: General Fund

### DISCUSSION:

The County is a contracting agency of the California Public Employees' Retirement System ("CalPERS"). In turn, the Public Employees' Retirement Law (Government Code section 20000 *et seq.*) requires that the County, as the contracting agency, make determinations as to whether an employee who 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.

Pursuant to California Government Code section 21152 (c), applications for disability retirements are required to be submitted by the governing body or an official designated by the governing body. Under Government Code section 21154, the County is responsible for making a determination as to whether a

Prepared by Dorothy Johnson

CAO Approval *[Signature]*

#### REVIEW:

Auditor \_\_\_\_\_ County Counsel *an* Personnel *LD* Risk Manager \_\_\_\_\_ Other \_\_\_\_\_

#### TYPE OF ITEM:

☒ Consent  
☐ Departmental  
☐ Public Hearing  
☐ Other \_\_\_\_\_

#### PREVIOUS ACTION/REFERRAL:

Board Order No. D19; C-5

Meeting of: July 26, 1994; September 13, 2011

#### BOARD OF SUPERVISORS, COUNTY OF HUMBOLDT

Upon motion of Supervisor *Wilson* Seconded by Supervisor *Fennell*

Ayes *Wilson, Fennell, Bohn, Bass*

Nays \_\_\_\_\_

Abstain \_\_\_\_\_

Absent *Sundberg*

and carried by those members present, the Board hereby approves the recommended action contained in this Board report.

Dated: 10/10/17

By: *[Signature]*  
Kathy Hayes, Clerk of the Board

safety member has been incapacitated as a result of performance of duty. Further, pursuant to Government Code section 21157, your Board or your delegate has six months from the time they receive notice from CalPERS that a disability application has been filed to make their determination.

The Board of Supervisors previously delegated authority to the Risk Manager on July 26, 1994 to make determinations regarding whether or not County employees who are local safety members of CalPERS are entitled to a disability retirement. Subsequently, on September 13, 2011, the Board of Supervisors delegated that authority from the Risk Manager to the Personnel Director. On June 12, 2012, the Personnel Department and Risk Management were consolidated under the umbrella of the Human Resources Department.

Before your Board today is a Resolution that will delegate that authority to the Director of Human Resources to make the disability determinations. Currently, the Human Resources Department assists County employees with standard CalPERS retirements. Information regarding disability retirements will continue to be shared with Risk Management to ensure the appropriate application process is followed. Risk Management possesses records as a result of any Workers' Compensation claims that have been filed and will need to continue to share this information with the Director of Human Resources in order to help with the disability determination. Today's recommendation would continue to provide a central point for retirement services and/or information.

FINANCIAL IMPACT:

There is no financial impact associated with changing the delegation of authority.

The recommendation included in this agenda item supports the Board's strategic framework by managing County resources to ensure sustainability of services.

OTHER AGENCY INVOLVEMENT: CalPERS

ALTERNATIVES TO STAFF RECOMMENDATIONS:

The Board could choose to not approve the Designation of Authority for Safety Officer Disability Retirement, however this is not recommended.

ATTACHMENTS:

Resolution No. 17-80



**BOARD OF SUPERVISORS, COUNTY OF HUMBOLDT, STATE OF CALIFORNIA**

Certified copy of portion of proceedings, Meeting of October 10, 2017

RESOLUTION NO. 17-80

**RESOLUTION OF THE HUMBOLDT COUNTY BOARD OF SUPERVISORS DELEGATING  
AUTHORITY FOR SAFETY OFFICER DISABILITY RETIREMENTS TO THE DIRECTOR  
OF THE HUMAN RESOURCES DEPARTMENT**

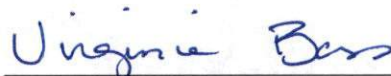
**WHEREAS**, the County of Humboldt (herein referred to as "County") is a contracting agency of the California Public Employees' Retirement System; and

**WHEREAS**, the Public Employees' Retirement Law requires that a contracting agency determine whether an employee of such agency in employment in which he/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; and

**WHEREAS**, the Board of Supervisors has determined that it may delegate authority under Government Code Section 21173 to make such determination to the incumbent of the office/position of Director of Human Resources.

**NOW, THEREFORE, BE IT RESOLVED** that the Board of Supervisors delegates to the incumbent of the office/position of Director of Human Resources authority to make determinations of disability on behalf of the County 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.

Dated: October 10, 2017



Virginia Bass, Chair  
Humboldt County Board of Supervisors

Adopted on motion by Supervisor Wilson, seconded by Supervisor Fennell, and the following vote:

AYES:	Supervisors	Bohn, Fennell, Bass, Wilson
NAYS:	Supervisors	--
ABSENT:	Supervisors	Sundberg
ABSTAIN:	Supervisors	--

STATE OF CALIFORNIA   )  
County of Humboldt    )

I, KATHY HAYES, Clerk of the Board of Supervisors, County of Humboldt, State of California, do hereby certify the foregoing to be an original made in the above-entitled matter by said Board of Supervisors at a meeting held in Eureka, California.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the Seal of said Board of Supervisors.



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By Ryan Sharp  
Deputy Clerk of the Board of Supervisors of the  
County of Humboldt, State of California