

ROSS VALLEY FIRE DEPARTMENT

RESOLUTION 19-10

RESOLUTION OF THE ROSS VALLEY FIRE DEPARTMENT BOARD OF DIRECTORS DELEGATION OF AUTHORITY TO MAKE A DISABILITY DETERMINATION OF MARK M. WESTON FOR CALPERS

WHEREAS, the Ross Valley Fire Department (hereafter referred to as Agency) is a contracting agency of the Public Employee's Retirement System; and

WHEREAS, Government Code (G.C.) section 20026 defines "Disability" and "Incapacity for Performance of Duty". G.C. section 21156(a)(2) provides that the board or governing body of the contracting agency shall make a determination on a member's disability retirement on the basis of competent medical opinion and shall not use disability retirement as a substitute for the disciplinary process; and

WHEREAS, G.C. section 21192 gives authority to the board or governing body of the employer from whose employment a person was retired to require any recipient of a disability retirement allowance under the minimum age for voluntary retirement for service applicable to members of his or her class to undergo medical examination; and

WHEREAS, G.C. section 20221 provides that each employer must provide the California Public Employees' Retirement System (CalPERS) with any information concerning any member that CalPERS requires in the administration of the System; and

WHEREAS, G.C. sections 20128 and 20223 provide that CalPERS may require a member to provide information it deems necessary to determine entitlement to benefits and information affecting his or her status as a member; and

WHEREAS, the Ross Valley Fire Department has reviewed the medical and other evidence relevant to such alleged disability and found that Mark M. Weston meets the criteria for disability retirement;

NOW, THEREFORE BE IT RESOLVED, by the Ross Valley Fire Department Board of Directors as follows:

1. Board of Directors authority to make a disability determination of Mark M. Weston is hereby delegated to the Ross Valley Fire Department Executive Officer.

AYES:

NOES:

ABSENT:

ABSTAINING:

Peter Lacques, Board President

ATTEST:

JoAnne Lewis, Administrative Assistant