

RESOLUTION NO. 7689

CITY OF SOUTH GATE
LOS ANGELES COUNTY, CALIFORNIA

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SOUTH GATE DETERMINING THAT SANDRA DAHLIA IS ENTITLED TO AN INDUSTRIAL DISABILITY RETIREMENT, WITHIN THE MEANING OF THE PUBLIC EMPLOYEES' RETIREMENT LAW, ARISING OUT OF AND IN THE COURSE OF HER EMPLOYMENT

WHEREAS, the City of South Gate (hereinafter referred to as "Agency") is a contracting Agency of the California Public Employees' Retirement System (CalPERS); and

WHEREAS, the Public Employees' Retirement Law requires that a contracting agency determine whether an employee of such agency in which the employee 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, an application for the industrial disability retirement of **Sandra Dahlia**, employed by the agency in the position of Police Officer, has been filed with CalPERS; and

WHEREAS, the Agency has reviewed the medical and other evidence relevant to such alleged disability;

NOW THEREFORE, THE CITY COUNCIL OF THE CITY OF SOUTH GATE DOES HEREBY RESOLVE AS FOLLOWS:

SECTION 1. The City Council hereby finds and determines that **Sandra Dahlia** is incapacitated within the meaning of the Public Employees' Retirement Law for performance of her duties in the position of Police Officer with our Agency and with other California public agencies in CalPERS.

SECTION 2. The City Council finds and determines that such disability is a result of injury arising out of and in the course of employment; and further determines that such disability did occur during the performance of those portions of the employee's duties.

SECTION 3. Neither **Sandra Dahlia** nor the City of South Gate has applied to the Workers' Compensation Appeals Board for a determination pursuant to Government Code Section 21166 whether such disability is industrial.

SECTION 4. There is not a possibility of third party liability present.

SECTION 5. Sandra Dahlia's last day of employment in the position of Police Officer after the expiration of her leave rights under Government Code Section 21164 will be December 25, 2015. Her last day of paid status will be December 25, 2015, and the effective date of her retirement will be December 26, 2015.

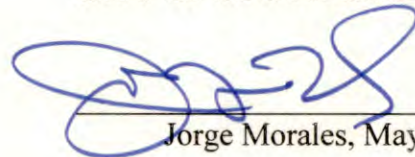
SECTION 6. Advance Disability Pension Payments will be made. The payments will be made monthly in the amount of \$3,322.05 beginning January 1, 2016.

SECTION 7. Per the opinion of Dr. Sohn, as contained in his report dated April 2, 2015, Sandra Dahlia's primary disabling condition arises out of her employment, and as a result she is substantially incapacitated from the performance of her usual duties as a Police Officer. The member is competent to act on her behalf in legally binding retirement matters.

SECTION 8. The City Clerk shall certify to the passage and adoption of this Resolution which shall be effective upon its adoption.

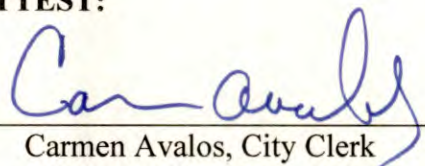
PASSED, APPROVED and ADOPTED this 24th day of November 2015.

CITY OF SOUTH GATE:



Jorge Morales, Mayor

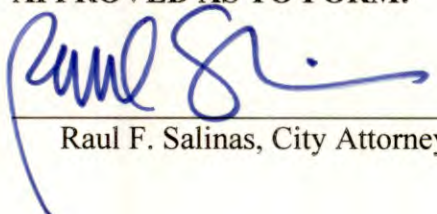
ATTEST:



Carmen Avalos, City Clerk

(SEAL)

APPROVED AS TO FORM:



Raul F. Salinas, City Attorney

RESOLUTION CERTIFICATION PAGE

STATE OF CALIFORNIA)

COUNTY OF LOS ANGELES) SS

CITY OF SOUTH GATE)

I, Carmen Avalos, City Clerk of the City of South Gate, California, hereby certify that the whole number of Members of the City Council of said City is five; that Resolution No. 7689 was adopted by the City Council at their Regular Meeting held on November 24, 2015, by the following vote:

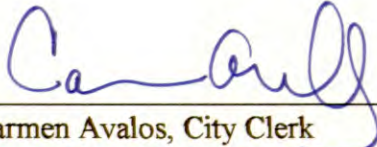
Ayes: Council Members: **Morales, De Witt, Davila, Bernal and Hurtado**

Noes: Council Members: **None**

Absent: Council Members: **None**

Abstain: Council Members: **None**

Witness my hand and the seal of said City on December 1, 2015.



Carmen Avalos, City Clerk
City of South Gate, California