

1 Robert J. Smith had filed a Workers' Compensation claim for his disabling condition. The
2 Workers' Compensation claim was accepted.

3 **BE IT FURTHER RESOLVED** that the City Council does hereby find and determine that such
4 disability is arising out of and in the course of employment.

5 **BE IT FURTHER RESOLVED** that the member will separate from his employment in the
6 position of Police Lieutenant after expiration of his rights under Government Code section 21164,
7 effective September 21, 2021 and that no dispute as to the expiration of such leave rights is pending. His
8 last day on pay status is September 20, 2021.

9 There is not a possibility of third-party liability.

10 Advanced Disability Pension Payments will not be made.

11 The primary disabling condition is cumulative trauma to the heart and lumbar spine.

12 The duration of the disabling condition is expected to be permanent

13
14 **PASSED APPROVED AND ADOPTED** this ____ day of September 2021.

15
16 _____
Deborah Robertson, Mayor

17 **ATTEST:**

18
19 _____
20 BARBARA McGEE, City Clerk

21
22 **APPROVED AS TO FORM:**

23
24 _____
ERIC S. VAIL, Interim City Attorney

1 STATE OF CALIFORNIA)
2 COUNTY OF SAN BERNARDINO) ss
3 CITY OF RIALTO)

4 I, Barbara McGee, City Clerk of the City of Rialto, do hereby certify that the foregoing
5 Resolution No. _____ was duly passed and adopted at a regular meeting of the City Council of the City
6 of Rialto held on the _____ day of _____, 2021.

7 Upon motion of Councilmember _____, seconded by Councilmember
8 _____, the foregoing Resolution No. _____ was duly passed and adopted.

9 Vote on the motion:

10 AYES:

11 NOES:

12 ABSENT:

13
14 IN WITNESS WHEREOF, I have hereunto set my hand and the Official Seal of the City of
15 Rialto this _____ day of _____, 2021.

16
17 _____
18 BARBARA McGEE, CITY CLERK
19
20
21
22
23
24
25
26
27
28