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1 the member is eligible to apply for disability retirement was obtained prior to starting the process of
2 determination. Roger Nakamura had filed a Workers' Compensation claim for his disabling condition.
3 The Workers' Compensation claim was accepted.

4 **Section 2:** That the City of Rialto does hereby find and determine that such disability is a
5 result of injury or disease arising out of and in the course of employment with the City. Neither said
6 Roger Nakamura nor the agency, City of Rialto, has applied to the Workers' Compensation Appeals
7 Board for a determination pursuant to Government Code section 21166 whether such disability is
8 industrial; and

9 **Section 3:** That the last date paid in the position of Police Officer after expiration of his
10 rights under Gov. Code sections 21163 and 21164, was effective August 30, 2025, and that no dispute
11 as to the expiration of such leave rights is pending. There is not a possibility of third-party liability.
12 Advanced Disability Pension Payments will not be made. The primary disabling condition is
13 orthopedic (lumbar radiculopathy, whiplash injury of neck, left knee medial meniscus tear) disabilities.
14 The duration of the disabling condition is expected to be permanent, which is certified by competent
15 medical opinion.
16

17 **PASSED AND ADOPTED** at regular meeting of the City Council of the City of Rialto held
18 on this 25th day of November, 2025.

19 _____
20 Joe Baca, Mayor

21 **ATTEST:**
22 _____

23 BARBARA McGEE, City Clerk
24

25 **APPROVED AS TO FORM:**
26
27 _____

28 ERIC VAIL, 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
6 City of Rialto held on the 25th day of November, 2025.

7 Upon motion of Council Member _____, seconded by Council Member
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 _____, 2025.

16
17 _____
18 BARBARA McGEE, CITY CLERK
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