



September 3, 2013

Honorable Brian C. Walsh  
Presiding Judge  
Santa Clara County Superior Court  
191 North First Street  
San Jose, CA 95113

**FILED**

SEP 12 2013

DAVID H. YAMASAKI  
Chief Executive Officer/Clerk,  
Superior Court of CA County of Santa Clara  
BY STEPHANIE WONG

**RE: City of Morgan Hill response to "The State of Public Safety Disability Retirement Rates in the County"**

Dear Honorable Judge Walsh:

Thank you for the opportunity to respond to the Civil Grand Jury's report on public safety disability retirements rates in the county, and resulting finding and recommendations.

Finding 2: The City of Morgan Hill did not provide the Grand Jury the number of police department service and disability retirements for the past 5 years.

*City of Morgan Hill response:* Agree with finding. In the past, the City has relied on CalPERS to compile and retain industrial disability retirement data for Morgan Hill, but CalPERS was unable to retrieve the data in response to the Civil Grand Jury's request of the City.

Recommendation 2a: The City of Morgan Hill should obtain its police department retirement records and determine its IDR rates for the past 5 years.

*City of Morgan Hill response:* Agree with recommendation. Staff obtained its police department retirement records by conducting an exhaustive search of several databases and software programs and determined an IDR rate of 20% for the past 5 years.

Recommendation 2b: The City of Morgan Hill should continue to retain its police department records.

*City of Morgan Hill response:* Agree with recommendation. The City of Morgan Hill has developed a formal process for tracking the number of police department service and disability retirements.

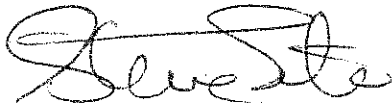
Recommendation 2c: The City of Morgan Hill should compare its IDR rate to the IDR rates of the other police department-only entities in the county, as provided by this report.

*City of Morgan Hill response*: Agree with recommendation. Staff has determined that the City of Morgan Hill's IDR rate for the past 5 years is 20%. Of the four police department-only entities surveyed in the county, Morgan Hill has the highest IDR rate at 20%. The City of Campbell has an IDR rate of 0% and the City of Los Altos and Town of Los Gatos both have IDR rates slightly lower than Morgan Hill, at 17% and 19%, respectively.

Staff also compared the City of Morgan Hill's IDR rate to other entities in the county that employ both law enforcement and firefighter personnel, and found that the average IDR rate was higher than Morgan Hill, at 30%.

The City Council recommends that this Civil Grand Jury or a future Civil Grand Jury look at presumptive illnesses as a factor affecting industrial disability retirements and make any recommendations they feel are appropriate

Sincerely,

A handwritten signature in black ink, appearing to read "Steve Tate". The signature is written in a cursive style with a large, sweeping initial "S".

Steve Tate  
Mayor