

DEPARTMENT: County Counsel

BY: Jeffrey G. Green

PHONE: 966-3222

RECOMMENDED ACTION AND JUSTIFICATION: (Policy Item: Yes___ No_x)

Adopt the attached Resolution certifying the disability retirement of Linette St. Varain-Coffee effective September 23, 2000. Ms. St. Varain-Coffee has a serious medical condition that precludes her from returning to work. Public Employees' Retirement System (PERS) requires the local agency to provide a Resolution certifying the disability retirement of an individual.

Advanced disability pension payments will be made.

BACKGROUND AND HISTORY OF BOARD ACTIONS:

LIST ALTERNATIVES AND CONSEQUENCES OF NEGATIVE ACTION:

- Adopt Resolution as proposed.
- Do not adopt Resolution; revise as the Board desires and adopt.

COSTS: () Not Applicable

A. Budgeted current FY \$ _____

B. Total anticipated costs \$ _____

C. Required additional funding \$ _____

D. Internal transfers \$ _____

SOURCE: () 4/5ths Vote Required

A. Unanticipated revenues \$ _____

B. Reserve for contingencies \$ _____

C. Source description: _____

Balance in Reserve for Contingencies, if approved: \$ _____

SPECIAL INSTRUCTIONS:
List the attachments and number the pages consecutively:

CLERK'S USE ONLY:

Res. No.: 00-415 Ord. No. _____

Vote - Ayes: 3 Noes: _____

Absent: _____ Abstained: _____

Approved _____ () Denied _____

() Minute Order Attached () No Action Necessary

The foregoing instrument is a correct copy of the original on file in this office.

Date: _____

ATTEST: MARGIE WILLIAMS, Clerk of the Board
County of Mariposa, State of California

By: _____
Deputy

ADMINISTRATIVE OFFICER'S RECOMMENDATION:
This item on agenda as:

Recommended

Not Recommended

For Policy Determination

Submitted with Comment

Returned for Further Action

Comment: _____

A.O. Initials: [Signature]

RESOLUTION NO. 00-415

RESOLUTION OF THE BOARD OF SUPERVISORS
COUNTY OF MARIPOSA

Section 21156, Government Code

WHEREAS, the County of Mariposa (hereinafter referred to as Agency) is a contracting agency of the Public Employees' Retirement System;

WHEREAS, an application for disability retirement of Linette St. Varain-Coffee employed by the Agency in the position of Deputy Sheriff has been filed with the Public Employees' Retirement System; and

WHEREAS, the Public Employee's Retirement Law requires that a contracting agency determine whether an employee of such agency in employment in which he is classified as a local safety member is disabled for purposes of the Public Employee's Retirement Law and whether such disability is "industrial" within the meaning of such Law; and

WHEREAS, the County of Mariposa has reviewed the medical and other evidence relevant to such alleged disability;

NOW, THEREFORE, BE IT RESOLVED, that the County of Mariposa find and determine and it does hereby find and determine that Linette St. Varain-Coffee is incapacitated within the meaning of the Public Employees' Retirement Law for performance of her duties in the position of Deputy Sheriff and that her disability is industrial within the meaning of such Law; and

BE IT FURTHER RESOLVED that the member was separated from her employment in the position of Deputy Sheriff after expiration of her leave rights under Section 21164, Government Code, effective September 22, 2000 and that no dispute as to the expiration of such leave rights is pending.

There is not a possibility of third party liability.

Advanced Disability Pension payments will be made.

The primary disabling condition is Coracoacromial Arch Impingement Syndrome of left shoulder, subacromial small tear of the interior portion.

The member's disabling condition is not a direct consequence of a violent act perpetrated upon the member's person.

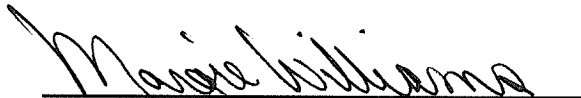
The effective date of the member's disability retirement is September 23, 2000.

PASSED AND ADOPTED by the Mariposa County Board of Supervisors this 5th day of December 2000, by the following vote:

AYES: Reilly, Balmain, Stewart, Parker, Pickard
NOES: None
ABSENT: None
ABSTAINED: None


GARRY R. PARKER, Chair
Mariposa County Board of Supervisors

ATTEST:


MARGIE WILLIAMS
Clerk of the Board

APPROVED AS TO FORM AND
LEGAL SUFFICIENCY:


JEFFREY G. GREEN
County Counsel