

RESOLUTION NO. 06-27

**A RESOLUTION OF THE CITY COUNCIL FOR THE CITY OF LOS ALTOS AUTHORIZING THE
DISABILITY RETIREMENT OF A PUBLIC SAFETY OFFICER**

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

WHEREAS, the Public Employees' Retirement Law requires that a contracting agency determine whether an employee of such agency in employment in which he/she 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.

WHEREAS, an application for industrial disability retirement of Lara Walker employed by the Agency in the position of Police Officer has been filed with the Public Employees' Retirement System and;

WHEREAS, the City Council of the City of Los Altos has reviewed the medical and other evidence relevant to such alleged disability;

WHEREAS, Lara Walker has been advised by her attorney of her rights under Section 21164 of the Government Code and has consented to the retirement date reflected herein;

NOW, THEREFORE, BE IT HEREBY RESOLVED that:

1. The City Council of the City of Los Altos find and determine and it does hereby find and determine that Lara Walker is incapacitated within the meaning of the Public Employees' Retirement Law for the performance of her duties in the position of Police Officer; and
2. BE IT FURTHER RESOLVED THAT THE City Council of the City of Los Altos find and determine and it does hereby find and determine that such disability is a result of injury or disease arising out of and in the course of employment.
3. Neither said Lara Walker nor the Agency, City of Los Altos, has applied to the Workers' Compensation Appeals Board for a determination pursuant to Section 21166 whether such disability is industrial;
4. BE IT FURTHER RESOLVED that the member was, or will be, separated from her employment in the position of Police Officer effective October 11, 2006. Her last day on pay status is October 10, 2006. The member has consented to this date which may be earlier than the date which would otherwise apply under Government Code 21164 and both the City and the member agree that no dispute as to the expiration of leave rights referenced in Government Code 21164 or under Section 4850 of the Labor Code is pending.
5. There is not a possibility of third party liability.
6. Advanced Disability Pension Payment will be made. The payments will be made bi-weekly in the amount of \$3,615.96 beginning October 27, 2006.
7. The primary disabling condition is an injury to the long thoracic nerve.

I HEREBY CERTIFY that the foregoing is a true and correct copy of a Resolution passed and adopted by the City Council of the City of Los Altos at a meeting thereof on the 10th day of October, 2006, by the following roll call vote:

AYES: CARPENTER, COLE, CASAS, COLEHOWER, PACKARD
NOES: NONE
ABSENT: NONE



Ronald D. Packard, MAYOR

Attest:


Susan Kitchens, CITY CLERK