

RESOLUTION NO. \_\_\_\_\_

RESOLUTION OF THE BOARD OF SUPERVISORS  
OF THE COUNTY OF TEHAMA, STATE OF CALIFORNIA, REGARDING THE  
INDUSTRIAL DISABILITY RETIREMENT OF KYLE PFLAGER

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

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 a psychological nature from Kyle Pflager employed by the Agency in the position of Deputy Sheriff has been filed with CalPERS; and

WHEREAS, the Agency has reviewed the medical and other evidence relevant to such alleged disability.

NOW, THEREFORE BE IT RESOLVED that the Agency find and determine, and it does hereby find and determine that Kyle Pflager is incapacitated within the meaning of the California Public Employees' Retirement Law for performance of his duties in the position of Deputy Sheriff; and

does hereby certify under penalty that this determination was made on the basis of competent medical opinion and was not used as a substitute for the disciplinary process in accordance with Government Code section 21156(a)(2). If the disciplinary process occurred before the members separation from employment, all relevant personnel documents were forwarded to CalPERS for determination of the member's eligibility for disability retirement and CalPERS' determination that the member is eligible to apply for disability retirement was obtained prior to starting the process determination.

Kyle Pflager had filed a Workers' Compensation claim for his disabling condition. The Workers' Compensation claim was accepted.

BE IT FURTHER RESOLVED that the Agency find and determine and it does hereby find and determine that such disability is disease arising out of and in the course of employment.

Neither said Kyle Pflager nor the Agency has applied to the Workers' Compensation Appeals Board for a determination pursuant to Government Code Section 21166 whether such disability is industrial; and

BE IT FURTHER RESOLVED that the member will be separated from his employment in the position of Deputy Sheriff effective after expiration of his rights under Government

