



**CITY OF CORNING
SPECIAL COUNCIL MEETING SESSION**

**THURSDAY, JANUARY 26, 2011
CITY COUNCIL CHAMBERS
794 THIRD STREET**

A. CALL TO ORDER: 6:00 p.m.

B. ROLL CALL:

Council:

**Toni Parkins
John Leach
Darlene Dickison
Dave Linnet
Gary Strack**

Mayor:

C. PLEDGE OF ALLEGIANCE:

D. BUSINESS FROM THE FLOOR: If there is anyone in the audience wanting to speak on an item not already on tonight's Agenda, please come to the podium, identify yourself and briefly present your information to the Council. If an item is already on the agenda, please wait until that item comes up for discussion and then obtain the Mayor's attention so you will be allowed to speak. **A three-minute time limit will apply unless the Council makes an exception due to special circumstances. If your matter will require more time or formal action by the Council, the law requires that it be placed on the printed Agenda for a future meeting so that interested members of the public will have the chance to appear and speak on the subject.**

E. REGULAR AGENDA:

- 1. Adopt Resolution No. 01-26-2012-01 regarding the retirement of Police Officer James Dodge.**

F. ADJOURN TO CLOSED SESSION:

**PUBLIC EMPLOYMENT (Pursuant to California Government Code, Section 54957):
Title: City Manager Stephen J. Kimbrough**

The **Brown Act** requires that the Council provide the opportunity for persons in the audience to briefly address the Council on the subject(s) scheduled for tonight's closed session. Is there anyone wanting to comment on the subject(s) the Council will be discussing in closed session? If so, please come to the podium, identify yourself and give us your comments.

G. RECONVENE REGULAR MEETING AND REPORT ON CLOSED SESSION:

H. ADJOURNMENT!:

POSTED: WEDNESDAY, JANUARY 25, 2012

RESOLUTION NO.: 01-26-2012-01

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CORNING
REGARDING THE RETIREMENT
OF JAMES DODGE**

WHEREAS, the City of Corning is a contracting agency of the Public Employees' Retirement System; and

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

WHEREAS, an application for the disability retirement of James Dodge, employed by the City of Corning in the position of Police Officer, has been filed with the Public Employees' Retirement System; and

WHEREAS, the City Council of the City of Corning has reviewed the medical and other evidence relative to the disability and as such has determined it to be an industrial disability.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Corning, hereby finds and determines that JAMES DODGE is incapacitated within the meaning of the Public Employees' Retirement Law for performance of his duty in the position of Police Officer; and, that said incapacitation is by reason of his employment with the City of Corning, wherein he sustained injuries to his back. The injury occurred while on duty, but was not due to a direct action perpetrated against the employee.

BE IT FURTHER RESOLVED that the City shall begin advanced disability pension payments, under Labor Code Section 4850.3, until such time as PERS begins his retirement; payments will be made bi-weekly in the amount of \$ 1,046.00, beginning February 23, 2012 (for pay period February 5 – 18, 2012), and

BE IT FURTHER RESOLVED that the effective date of his retirement is February 4, 2012; and

BE IT FURTHER RESOLVED that James Dodge is entitled to vocational rehabilitation services, and it does not appear that there are any potential third party complaints; and

BE IT FURTHER RESOLVED that his industrial disability is related to an industrial injury.

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The foregoing Resolution was adopted at a special meeting of the City Council of the City of Corning held on January 26, 2012, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

Gary R. Strack, Mayor

ATTEST:

Lisa M. Linnet, City Clerk