

ATTACHMENT D

DECISION

1 BOARD OF ADMINISTRATION
2 CALIFORNIA PUBLIC EMPLOYEES' RETIREMENT SYSTEM

3	In the Matter of the Application for)	CASE NO. 2019-0818
4	Disability Retirement of)	OAH NO. 2019100223
5	KIMBERLY A. O'DONNELL,)	DECISION
6	Respondent,)	
7	and)	
8	CITY OF VENTURA,)	
9	Respondent.)	
10)	

11 RESOLVED, that the Board of Administration of the California Public
12 Employees' Retirement System, pursuant to Government Code section 11517
13 (c)(2)(C) which authorizes the Board to "Make technical or other minor changes in
14 the proposed decision," hereby modifies the Proposed Decision, by revising the
15 definition of Government Code section 20026 on page 29, paragraph two from,
16 "Disability' and 'incapacity for performance of duty' as a basis of retirement, mean
17 disability of permanent or extended and uncertain duration, as determined by the
18 board ... on the basis of competent medical opinion" to, "Disability' and 'incapacity
19 for performance of duty' as a basis of retirement, mean disability of permanent or
20 extended duration, which is expected to last at least 12 consecutive months or will
21 result in death, as determined by the board ... on the basis of competent medical
22 opinion" and by removing the word, "Industrial" on page 30, paragraph five.

23 * * * * *

24 I hereby certify that on July 15, 2020, the Board of Administration, California
25 Public Employees' Retirement System, made and adopted the foregoing Resolution,

1 and I certify further that the attached copy of the Administrative Law Judge's
2 Proposed Decision is a true copy of the Decision adopted by said Board of
3 Administration in said matter.

4 BOARD OF ADMINISTRATION, CALIFORNIA PUBLIC
5 EMPLOYEES' RETIREMENT SYSTEM
6 MARCIE FROST
7 CHIEF EXECUTIVE OFFICER



8 Dated: July 20, 2020 BY _____

9 ANTHONY SUINE
10 Deputy Executive Officer
11 Customer Services and Support
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PROOF OF SERVICE

I am employed in the County of Sacramento, State of California. I am over the age of 18 and not a party to the within action; my business address is: California Public Employees' Retirement System, Lincoln Plaza North, 400 "Q" Street, Sacramento, CA 95811 (P.O. Box 942707, Sacramento, CA 94229-2707).

On July 20, 2020, I served the foregoing document described as:

DECISION - In the Matter of the Application for Disability Retirement of KIMBERLY A. O'DONNELL, Respondent, and CITY OF VENTURA, Respondent.
Case No. 2019-0818; OAH No. 2019100223.

on interested parties in this action by placing the original / a true copy thereof enclosed in sealed envelopes addressed as follows:

Andrew Cantrell
Cantrell Green
P.O. Box 1700
Long Beach, CA 90801

Office of Administrative Hearings Los Angeles
320 West Fourth Street, Suite 630
Los Angeles, CA 90013

**ATTORNEY FOR KIMBERLY
O'DONNELL**

COURT

(Via OAH Secure e-File)

Elizabeth Foushee
Human Resources Director
City of Ventura
501 Poli Street, Room 210
Ventura, CA 93001-2697

EMPLOYER

[XX]

BY CERTIFIED MAIL RETURN RECEIPT REQUESTED AND FIRST-CLASS MAIL -- As follows: I am "readily familiar" with the firm's practice of collection and processing correspondence for mailing. Under that practice it would be deposited with the U.S. postal service on that same day with postage thereon fully prepaid at Sacramento, California, in the ordinary course of business. I am aware that on motion of the party served, service is presumed invalid if postal cancellation date or postage meter date is more than one day after the date of deposit for mailing an affidavit.

[XX]

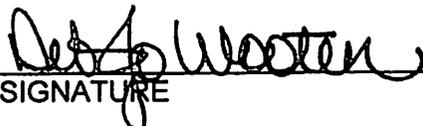
BY ELECTRONIC FILING: I caused such documents to be e-filed via OAH Secure e-File.

Executed on July 20, 2020, at Sacramento, California.

I declare under penalty of perjury under the laws of the State of California that the above is true and correct.

Deb Jo Wooten

NAME



SIGNATURE