



# Mendocino County

## Legislation Text

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File #: 22-0602, Version: 1

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**To: Board of Supervisors**

**From:** Mendocino County Employees Retirement Association

**Meeting Date:** June 21, 2022

**Department Contact:** Doris Rentschler

**Phone:** 463-4329

**Department Contact:** Judy Zeller

**Phone:** 467-6473

**Item Type:** Consent Agenda

**Time Allocated for Item:** N/A

**Agenda Title:**

Adoption of Resolution Making Government Code § 31458.4 Applicable in Mendocino County, Allowing Mendocino County Employees Retirement Association Members' Ex-Spouses to Designate Beneficiaries

**Recommended Action/Motion:**

Adopt the Resolution making Government Code §31458.4 applicable in Mendocino County, allowing Mendocino County Retirement Association (MCERA) members' ex-spouses (alternate payees) who are receiving or are entitled to receive payments from MCERA, pursuant to a court order dividing the community property interest in the member's retirement allowance, to designate one or more beneficiaries to receive those payments following the death of the alternate payee; and authorize Chair to sign same

**Previous Board/Board Committee Actions:**

None.

**Summary of Request:**

The MCERA Board of Retirement has requested that the Mendocino County Board of Supervisors make Government Code §31458.4 applicable in Mendocino County. This would enable ex-spouses of MCERA members who are benefit recipients, and/or who are entitled to a share of the member's community property under a marital settlement agreement or domestic relations order, also called alternate payees, to designate one or more beneficiaries. This allows the alternate payee to make a designation of one or more beneficiaries that may be different from what is provided under California law through the alternate payee's estate or to provide the payment if there is no estate created under probate. Currently, without adoption of Government Code § 31458.4, the remaining benefits due are paid to the alternate payee's estate.

**Alternative Action/Motion:**

Do not adopt the resolution and provide direction to staff.

**Does This Item Support the General Plan?** N/A

**Supervisory District:** All

**vote requirement:** Majority

**Supplemental Information Available Online At:**

**Fiscal Details:**

**source of funding:** N/A

**current f/y cost:** N/A

**annual recurring cost:** N/A

**budget clarification:** N/A

**budgeted in current f/y:** N/A

**if no, please describe:**

**revenue agreement:** N/A

**Agreement/Resolution/Ordinance Approved by County Counsel:** Yes

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**CEO Liaison:** Executive Office

**CEO Review:** Yes

**CEO Comments:**

**FOR COB USE ONLY**

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Executed By: Atlas Pearson, Deputy Clerk II

Date: June 21, 2022

Final Status: Adopted

Executed Item Type: Resolution Number: 22-144

