

ATTACHMENT D

DECISION

BOARD OF ADMINISTRATION
CALIFORNIA PUBLIC EMPLOYEES' RETIREMENT SYSTEM

1			
2	In the Matter of the Appeal of:)	CASE NO. 9796
)	OAH NO. 2011060337
3	JOSEPH M. TANNER,)	
)	DECISION
4	Respondent,)	
)	
5	and)	
)	
6	CITY OF VALLEJO,)	
)	
7	Respondent.)	
)	

8

9 **RESOLVED**, that the Board of Administration of the California Public

10 **Employees' Retirement System hereby modifies the Proposed Decision to include**

11 **three minor changes, as follows:**

- 12 (1) The following citation from paragraph 12, on page 27,
- 13 should be deleted: "(Gov. Code § 20636, subd.
- 14 (g)(4)(E), (F), (H) & (I).)" Subdivision (g) of PERL
- 15 section 20636 applies only to "state members." Tanner
- 16 is a local member. This citation should be replaced
- 17 with Gov. Code § 20636(c)(7)."
- 18 (2) The reference to "16 months" in paragraph 13, on page
- 19 27, is clearly a typo and should read "26 months." Also,
- 20 the citation in that paragraph to "Gov. Code § 20636,
- 21 subd. (g)(4)(G)" should be stricken, for the same
- 22 reasons discussed in No. (1) above, and replaced with
- 23 "Gov. Code § 20636(c)(7)(A)."
- 24 (3) The citation to "Gov. Code § 20636, subd. (e)(1)" in
- 25 paragraph 16, on page 28, should be to "Gov. Code §
- 20636, subd. (e)(2)."

21 and adopts as its own Decision the Proposed Decision dated November 20, 2012,

22 concerning the appeal of Joseph M. Tanner; **RESOLVED FURTHER** that this Board

23 Decision shall be effective 30 days following mailing of the Decision.

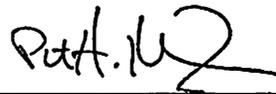
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1 I hereby certify that on February 21, 2013, the Board of Administration,
2 California Public Employees' Retirement System, made and adopted the foregoing
3 Resolution and I certify further that the attached copy of the Administrative Law
4 Judge's Proposed Decision is a true copy of the Decision adopted by said Board of
5 Administration in said matter.

6 BOARD OF ADMINISTRATION, CALIFORNIA
7 PUBLIC EMPLOYEES' RETIREMENT SYSTEM
8 ANNE STAUSBOLL
9 CHIEF EXECUTIVE OFFICER

10 Dated: 2/25/13

11 BY

12  (S.S.)
13 _____
14 DONNA RAMEL LUM
15 Deputy Executive Officer
16 Customer Services and Support