



Agenda Item 10

November 19, 2014

ITEM NAME: Full Board Hearing Final Decision – In the Matter of the Calculation of Final Compensation of CHRISTINE MONSEN, Respondent, and ALAMEDA COUNTY TRANSPORTATION IMPROVEMENT AUTHORITY, Respondent.

PROGRAM: Customer Account Services Division

ITEM TYPE: Action

ACTION REQUIRED: Adopt Final Decision

This matter came before the Board for a full hearing on October 13, 2014. At that time, the Board determined to adopt its own decision in the matter. Pursuant to the Board's direction, staff prepared the Final Decision (see Attachment B). A track changes version of the Final Decision is included with this agenda item (see Attachment A). This Decision must be adopted by the Board in order to become effective. Adoption cannot be delayed due to the "100 day rule" in the Administrative Procedure Act.

PROCEDURAL SUMMARY

At the September 17, 2014, Board meeting, the Board voted to take this matter up for a Full Board Hearing on the specific issues as to whether the excluded compensation was part of a publicly available pay schedule and whether it was final settlement pay.

On October 13, 2014, the Board conducted a Full Board Hearing on this matter; Ms. Monsen and counsel for Ms. Monsen and CalPERS were present and presented oral argument. After considering the entire record, as well as oral argument, the Board voted to deny Ms. Monsen's appeal.

BOARD'S RESOLUTION

RESOLVED, that the Board of Administration of the California Public Employees' Retirement System adopts Attachment B as the Final Decision of the Board concerning the appeal of Respondents Christine Monsen and Alameda County Transportation Improvement Authority; RESOLVED FURTHER that this Final Decision shall be effective immediately upon the Board's adoption.

ATTACHMENTS

- Attachment A: Track Changes Version of the Final Decision
- Attachment B: Final Decision

DONNA RAMEL LUM
Deputy Executive Officer
Customer Services and Support