



Board of Administration Agenda Item 10b

March 15, 2017

ITEM NAME: Full Board Hearing Final Decision – In the Matter of the Recalculation of Benefits of PAUL G. MAST, Respondent.

PROGRAM: Judges' Retirement System

ITEM TYPE: Action

ACTION REQUIRED: Adopt Final Decision

This matter came before the Board for a Full Board Hearing on February 15, 2017. At that time, the Board determined to adopt its own decision in the matter. Pursuant to the Board's decision, staff prepared the Final Decision (see Attachment B). The 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 its December 21, 2016, meeting, the Board of Administration requested a Full Board Hearing in connection with the appeal of respondent Paul G. Mast concerning the calculation of his retirement benefits. The Board of Administration considered the Proposed Decision on Remand of the Administrative Law Judge and concluded not to adopt it, but instead to decide the matter itself on the record after affording the parties the opportunity for further argument.

On February 15, 2017, the Board conducted a Full Board Hearing on this matter. Counsel for respondent Paul G. Mast and CalPERS were present and presented oral argument. After considering the entire record as well as oral argument, the Board voted to adopt its own decision in the matter.

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 respondent(s) Paul G. Mast; RESOLVED FURTHER that this Final Decision shall be effective immediately upon the Board's adoption.

ATTACHMENTS

Attachment A: Track Changes – Final Decision

Attachment B: Final Decision

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