

Bond Case Briefs

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PENSIONS - CALIFORNIA

Chaidez v. Board of Administration of California Public Employees' Retirement System

Court of Appeal, Third District, California - February 3, 2014 - Cal.Rptr.3d - 14 Cal. Daily Op. Serv. 1222

City and former city council member filed petitions for writ of administrative mandamus and writ of mandate challenging the Public Employees' Retirement System (PERS) Board of Administration's calculation of former council member's retirement benefit. The Superior Court denied petitions. City and former council member appealed.

The Court of Appeal held that PERS's constitutional fiduciary duty to provide information to member did not preclude bifurcated calculation of benefits as city employee and elected official, and thus calculating his benefits accruing while he was a city council member based on his highest salary as a city council member rather than his highest salary as a city administrator, even if PERS failed to timely inform member of the bifurcated calculations.