

**AMENDMENT TO CONTRACT
BETWEEN THE
BOARD OF ADMINISTRATION
OF THE
PUBLIC EMPLOYEES' RETIREMENT SYSTEM
AND THE
CITY COUNCIL
OF THE
CITY OF PLEASANTON**

The Board of Administration. Public Employees' Retirement System, hereinafter referred to as Board, and the governing body of above public agency, hereinafter referred to as Public Agency, having entered into a contract effective September 1, 1953, and witnessed May 18, 1953, and as amended effective April 1, 1962, October 21, 1972, September 28, 1973, January 5, 1980, January 3, 1981, April 11, 1981, September 20, 1986, February 18, 1987, June 13, 1987, September 5, 1987, February 26, 1993, May 7, 1993, December 8, 1995, April 1, 1996, and May 3, 1996 which provides for participation of Public Agency in said System, Board and Public Agency hereby agree as follows:

- A. Paragraphs 1 through 12 are hereby stricken from said contract as executed effective May 3, 1998, and hereby replaced by the following paragraphs numbered 1 through 13 inclusive:
 - 1. All words and terms used herein which are defined in the Public Employees' Retirement Law shall have the meaning as defined therein unless otherwise specifically provided. "Normal retirement age" shall mean age 55 for local miscellaneous members and age 50 for local safety members.
 - 2. Public Agency shall participate in the Public Employees' Retirement System from and after September 1, 1953 making its employees as hereinafter provided, members of said System subject to all provisions of the Public Employees' Retirement Law except such as apply only on election of a contracting agency and are not provided for herein and to all amendments to said Law hereafter enacted except those, which by express provisions thereof, apply only on the election of a contracting agency.
 - 3. Employees of Public Agency in the following classes shall become members of said Retirement System except such in each such class as are excluded by law or this agreement:
 - a. Local Fire Fighters (herein referred to as local safety members);
 - b. Local Police Officers (herein referred to as local safety members);

- c. Employees other than local safety members (herein referred to as local miscellaneous members).
- 4. In addition to the classes of employees excluded from membership by said Retirement Law, the following classes of employees shall not become members of said Retirement System:

NO ADDITIONAL EXCLUSIONS

- 5. This contract shall be a continuation of the fire function of the contract portion of the City of Livermore, hereinafter referred to as "Former Agency". The accumulated contributions, assets and liability for prior and current service under the Former Agency's contract shall be merged pursuant to Section 20508 of the Government Code. Such merger occurs as of the effective date of this amendment to contract.
- 6. The percentage of final compensation to be provided for each year of credited prior and current service as a local miscellaneous member shall be determined in accordance with Section 21354 of said Retirement Law (2% at age 55 Full).
- 7. The percentage of final compensation to be provided for each year of credited prior and current service as a local safety member shall be determined in accordance with Section 21362 of said Retirement Law (2% at age 50 Full).
- 8. Public Agency elected and elects to be subject to the following optional provisions:
 - a. Section 21571 (Basic Level of 1959 Survivor Benefits) for local police members only.
 - b. Section 20425 ("Local Police Officer" shall include employees of a police department who were employed to perform identification or communication duties on August 4, 1972 and who elected to be local safety members on or before September 28, 1973) .
 - c. Section 20965 (Credit for Unused Sick Leave).
 - d. Section 20042 (One-Year Final Compensation).
 - e. Section 20516 (Public Agency and its employees have agreed to share the cost of the following benefit):

Section 20042 (One-Year Final Compensation).

From and after September 20, 1986 the local fire employees of Public Agency shall be assessed an additional 1.750% of their compensation for a total contribution rate of 10.750% pursuant to Government Code Section 20516.

- f. Section 21572 (Increased Level of 1959 Survivor Benefits) for local miscellaneous members only.
 - g. Section 20903 (Two Years Additional Service Credit).
 - h. Section 21574 (Fourth Level of 1959 Survivor Benefits) for local fire members only.
 - i. Section 20434 ("Local Fire Fighter" shall include any officer or employee of a fire department employed to perform firefighting, fire prevention, fire training, hazardous materials, emergency medical services, or fire or arson investigation services as described in Government Code Section 20434).
 - j. Section 20475 (Different Level of Benefits). Section 20516 (Public Agency and its employees have agreed to share the cost of the following benefit: Section 20042 (One-Year Final Compensation). This shall not apply to those local fire members transferred from the City of Livermore nor to newly hired local fire employees entering membership after the effective date of this amendment to contract.
- 9. Public Agency, in accordance with Government Code Section 20790, ceased to be an "employer" for purposes of Section 20834 effective on April 11, 1981. Accumulated contributions of Public Agency shall be fixed and determined as provided in Government Code Section 20834, and accumulated contributions thereafter shall be held by the Board as provided in Government Code Section 20834.
- 10. Public Agency shall contribute to said Retirement System the contributions determined by actuarial valuations of prior and future service liability with respect to local miscellaneous members and local safety members of said Retirement System.
- 11. Public Agency shall also contribute to said Retirement System as follows:
 - a. Per covered member, \$3.50 per month on account of the liability for the 1959 Survivor Benefits provided under Section 21574 of said Retirement Law. (Subject to annual change.) In addition, all assets and liabilities of Public Agency and its employees shall be pooled in a single account, based on term insurance rates, for survivors of all local fire members.
 - b. A reasonable amount, as fixed by the Board, payable in one installment within 60 days of date of contract to cover the costs of administering said System as it affects the employees of Public Agency, not including the costs of special valuations or of the periodic investigation and valuations required by law.

- c. A reasonable amount, as fixed by the Board, payable in one installment as the occasions arise, to cover the costs of special valuations on account of employees of Public Agency, and costs of the periodic investigation and valuations required by law.
12. Contributions required of Public Agency and its employees shall be subject to adjustment by Board on account of amendments to the Public Employees' Retirement Law, and on account of the experience under the Retirement System as determined by the periodic investigation and valuation required by said Retirement Law.
13. Contributions required of Public Agency and its employees shall be paid by Public Agency to the Retirement System within fifteen days after the end of the period to which said contributions refer or as may be prescribed by Board regulation. If more or less than the correct amount of contributions is paid for any period, proper adjustment shall be made in connection with subsequent remittances. Adjustments on account of errors in contributions required of any employee may be made by direct payments between the employee and the Board.

B. This amendment shall be effective on the 31st day of October, 1998.

BOARD OF ADMINISTRATION
PUBLIC EMPLOYEES' RETIREMENT SYSTEM

CITY COUNCIL
OF THE
CITY OF PLEASANTON

BY Kenneth W. Marzion
KENNETH W. MARZION, CHIEF
ACTUARIAL & EMPLOYER SERVICES DIVISION
PUBLIC EMPLOYEES' RETIREMENT SYSTEM

BY Ben Lerner
PRESIDENT

Oct. 20, 1998
Witness Date

Attest:

Peggy Szidlo
Clerk