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7 Attorneys for California Public Employees'  
 8 Retirement System

9 UNITED STATES BANKRUPTCY COURT  
 10 EASTERN DISTRICT OF CALIFORNIA  
 11 SACRAMENTO DIVISION

12 In re  
 13 CITY OF STOCKTON, CALIFORNIA,  
 14 Debtor.

Case No. 2012-32118 (CMK)

Chapter 9

**EXHIBIT 8.1 TO THE DIRECT  
 TESTIMONY DECLARATION OF DAVID  
 LAMOUREUX IN SUPPORT OF  
 CALPERS' RESPONSE TO FRANKLIN'S  
 OBJECTION TO CONFIRMATION OF  
 THE CITY OF STOCKTON'S FIRST  
 AMENDED PLAN OF ADJUSTMENT**

Date: May 12, 2014

Time: 9:30 a.m.

Place: Robert T. Matsui U.S. Courthouse,  
 501 I Street  
 Department C, Fl. 6, Courtroom 35  
 Sacramento, CA 95814

Judge: Hon. Christopher M. Klein

# EXHIBIT 8.1

STATE EMPLOYEES' RETIREMENT SYSTEM  
SACRAMENTO, CALIFORNIA

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RECEIVED  
SEP 5 - 1944  
STATE EMPLOYEES  
RETIREMENT SYSTEM



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# Contract

BETWEEN

CITY COUNCIL  
NAME OF LEGISLATIVE BODY

OF

CITY OF STOCKTON  
NAME OF MUNICIPAL CORPORATION

AND THE

## BOARD OF ADMINISTRATION

OF THE

### CALIFORNIA STATE EMPLOYEES' RETIREMENT SYSTEM

This Agreement made this first day of September, 1944, by and between

the Legislative Body of CITY OF STOCKTON  
Name of Municipal Corporation

hereafter referred to as "City," and the Board of Administration, California State Employees' Retirement System, hereafter referred to as "Board."

#### WITNESSETH:

In consideration of the covenants and agreements hereinafter contained and on the part of both parties to be kept and performed, City and Board hereby agree as follows:

1. City is to participate in the State Employees' Retirement System, subject to the provisions of the State Employees' Retirement Act. ~~Said Retirement Act is attached hereto marked Exhibit "A" and by such reference is hereby made a part of this agreement as though herein set out in full.~~

2. City shall participate in said Retirement System, making its employees members of said System, from and after September 1, 1944.

3. Employees of City in the following classes shall become members of said Retirement System in accordance with the provisions of said Retirement Act, governing membership in said Retirement System, and subject to the further exclusions from membership in the next following sentence:

CLASSES OF EMPLOYEES	NUMBER OF EMPLOYEES ELIGIBLE FOR MEMBERSHIP	MINIMUM AGE FOR VOLUNTARY SERVICE RETIREMENT
	ON <u>September 1</u> , 194 <u>4</u>	
a. City Firemen, as defined in Section 8c of the State Employees' Retirement Act . . . . .	<u>None</u>	
b. City Policemen, as defined in Section 8b of the State Employees' Retirement Act . . . . .	<u>None</u>	
c. Employees other than City Firemen and City Policemen . . . . .	<u>264</u>	As provided in the Retirement Act

In addition to the employees excluded from membership by said Retirement Act, the following employees shall not become members of the Retirement System:

3a. The provisions of Section 84 of the State Employees' Retirement Act shall apply to employees of City, who become members of said Retirement System.

3. Continued from page 1.

all city policemen and city firemen shall be excluded.

3c. Board and City agree that, except as provided in paragraph 5, no adjustment shall be made in the amount of contributions provided in paragraph 5a, on account of prior service, or in the percentage provided in paragraph 5b, because of variations in the numbers of employees who become members of said Retirement System on the effective date hereof, from the numbers listed above, due to termination of service by such causes as death, resignation or discharge, or the employment of individuals not included in said numbers.

4. Benefits on account of prior service, that is, service credited hereunder as rendered to City prior to the effective date hereof, shall be allowed to city firemen and city policemen and to other employees, only as percentages of the respective average salaries specified in said Retirement Act, for each year of such service, and said percentages shall be equal to 100 per cent of the analogous percentages now used under said Retirement System in calculating benefits on account of prior service, allowed to members of the California State Highway Patrol and to other employees of the State of California, respectively.

5. City shall contribute to said Retirement System as follows:

- a. The sum of \$20,000 per annum, payable in equal monthly or less frequent installments as Board shall require, for a period of 25 years, on account of the liability for benefits based on service rendered to City prior to the effective date hereof.
- b. 7.5 per cent of total salaries paid by City each month to its employees who are members of said Retirement System, provided that only salary earned as members of said System shall be included in said total salaries, and that employees who are members of said System shall include employees who become members upon the effective date hereof and employees who become members thereafter.
- c. A reasonable amount as fixed by Board, payable in equal monthly or less frequent installments, as Board shall require, to cover the costs of administering said System as it affects the employees of City, not including the costs of special valuations or of the periodical investigation and valuation required by law, provided that said amount shall not exceed \$1.50 per fiscal year per member, on the basis of the number of employees of City who are members on July 1st of the respective fiscal years, or with respect to the first year of participation, on the effective date of said participation.
- d. A reasonable amount as fixed by the Board, payable in one installment from time to time as the occasions arise, to cover the costs of special valuations on account of employees of City and the costs of the periodical investigation into the experience under said Retirement System, as it affects said employees, and the valuation of the assets and liabilities of said System on account of said employees.

Contributions required of City and its employees shall be subject to adjustment by the Board of Administration on account of amendments to the State Employees' Retirement Act, and on account of experience under the Retirement System, as determined by the periodical investigation, valuation and determination provided for by said Retirement Act.

6. Contributions required of City under paragraph 5 immediately preceding, and contributions required of City's employees who are members of said System, shall be paid by City to the State Employees' Retirement System within thirty days after the end of the month or longer period to which said contributions refer. If more or less than the correct amount of contribution required of City or its employees is paid for any period, proper adjustment shall be made in connection with subsequent remittances of the City to the Board, to rectify the errors; or such adjustments on account of errors made in contributions required of employees, may be made by direct cash payments between the employee in connection with whom the error was made, and Board. Payments of City to Board may be made in the form of warrants, bank checks, bank drafts, certified checks, money orders, or cash.

WITNESS OUR HANDS the day and year first above written.

ATTEST:

*Earle Chapman*  
Secretary

BOARD OF ADMINISTRATION  
STATE EMPLOYEES' RETIREMENT SYSTEM

By *Pro. E. Stanton*  
President

CITY COUNCIL

Name of Legislative Body

CITY OF STOCKTON

Name of City

By *Ralph W. Fay*  
Presiding Officer

ATTEST:

B.L. THASERS, City Clerk of  
the City of Stockton,

*Constance Miller*  
Clerk

AMENDMENT TO CONTRACT BETWEEN THE  
BOARD OF ADMINISTRATION,  
STATE EMPLOYERS' RETIREMENT SYSTEM

**RECEIVED**  
JUL 1 - 1948  
STATE EMPLOYEES  
RETIREMENT SYSTEM

AND CITY COUNCIL  
(Governing Body)

OF THE CITY OF STOCKTON  
(Name of Public Agency)

The Board of Administration, State Employees' Retirement System, and the

CITY COUNCIL of the CITY OF STOCKTON,  
(Governing Body) (Name of Public Agency)  
hereinafter referred to as Agency, having entered into a contract under date of

September 1, 1944, effective September 1, 1944,  
which provides for the participation of said Agency in said Retirement System, and  
City Policemen and City Firemen being excluded from said contract, said Board of  
Administration and said CITY COUNCIL hereby agree as follows:  
(Governing Body)

1. "All City Policemen and City Firemen shall be excluded" appearing in Paragraph 3, shall be and is hereby amended to read, "No additional exclusions".
2. Paragraphs 3a, 4, 5 and 6 shall be and are hereby stricken from said contract.
3. The following paragraphs shall be and are hereby added to said contract:
  4. Age 65 shall be the normal minimum age for retirement for service, of persons who are miscellaneous members because of employment by public agency, that is, members other than Local Firemen and Local Policemen, and one-seventieth shall be the fraction of final compensation, as defined in said Retirement Law, to be provided on the average, for each year of service as a member, by the members' and Public Agency's normal contributions, upon retirement at said minimum age.
  5. Benefits on account of prior service, that is, service credited hereunder as rendered to Public Agency prior to the effective date hereof, to respective persons who are members because of employment by Public Agency as Local Firemen or Local Policemen, shall be allowed only as a percentage of the average salary specified in said Retirement Law, for each year of such service, and said percentage shall be 100 per cent of the fraction of final compensation, as defined in the State Employees' Retirement Law, for each year of service rendered after said date, as determined for said respective members under said law, for retirement for service at age 55, or upon qualification for service retirement at a higher age. If a member retires for service before attaining age 55, his prior service pension shall be reduced to that amount which the value of the pension as deferred to age 55 will purchase at the actual age of retirement.

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6. Prior service benefits to persons who are miscellaneous members because of employment by Public Agency, that is members other than Local Firemen and Local Policemen, upon retirement for service at the normal minimum age entered in Paragraph 4 hereof, shall be allowed only as a percentage of the average salary specified in said Retirement Law, for each year of such service, and said percentage shall be 100 per cent of 1/70. If a member retires for service before attaining the normal minimum age in item 4, his prior service pension shall be reduced to that amount which the value of the pension as deferred to said minimum age will purchase at the actual age of retirement.
7. The provisions of Section 21258(c), and not 21258(b), of the State Employees' Retirement Law, guaranteeing a minimum retirement allowance under certain conditions shall apply to persons who are members because of employment by Public Agency.
8. The provisions of Section 21367.5 of the State Employees' Retirement Law, providing a \$300 death benefit after retirement shall apply to persons who are members because of employment by Public Agency as Local Policemen or Local Firemen, but shall not apply to persons who are miscellaneous members because of employment by Public Agency.
9. Public Agency shall contribute to said Retirement System as follows:
  - a. The sum of \$26,825.83 per annum, payable in equal monthly or less frequent installments, as the Board may require, for the period of years stated in said contract, less the time elapsed from the date of participation to the effective date hereof, plus the sum of \$70,276.09 per annum, payable in equal monthly or less frequent installments, as the Board may require, for the period of 25 years, all on account of the liability for benefits based on service rendered to public agency prior to the date of participation, with respect to employees other than Firemen and Policemen, and service rendered to public agency prior to the effective date hereof with respect to Firemen and Policemen.
  - b. 9.372 per cent of total salaries paid by Public Agency each month to its employees who are members of said Retirement System, provided that only salary earned as members of said System shall be included in said total salaries, and the employees who are members of said System shall include employees who become members upon the effective date hereof and employees who become members thereafter.
  - c. A reasonable amount per annum, as fixed by Board, payable in equal monthly or less frequent installments, as Board shall require, 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 periodical investigation and valuation required by law, provided that said amount shall be determined on the basis of the number of employees of Public Agency who are members on July 1st of the respective fiscal years, or with respect to the first year of participation, on the effective date of said participation.

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- d. A reasonable amount as fixed by the Board, payable in one installment from time to time as the occasions arise, to cover the costs of special valuations on account of employees of Public Agency, and the costs of the periodical investigation into the experience under said Retirement System, as it affects said employees, and the valuation of the assets and liabilities of said System on account of said employees.

Contributions required of Public Agency and its employees shall be subject to adjustment by the Board of Administration on account of amendments to the State Employees' Retirement Law, and on account of experience under the Retirement System, as determined by the periodical investigation, valuation and determination provided for by said Retirement Law. Contributions under this paragraph are in addition to any assets of the local system, which are transferred to the State Employees' Retirement System, and are subject to adjustment for variations between the value of such assets as determined by Board and the value assumed in the calculation of such contributions.

- 10. Contributions required of Public Agency under paragraph 9 immediately preceding, and contributions required of Public Agency's employees who are members of said System, shall be paid by Public Agency to the State Employees' Retirement System within thirty days after the end of the month or longer period to which said contributions refer. If more or less than the correct amount of contribution required of Public Agency or its employees is paid for any period, proper adjustment shall be made in connection with subsequent remittances of Public Agency to the Board, to rectify the errors; or such adjustments on account of errors made in contributions required of employees, may be made by direct cash payments between the employee in connection with whom the error was made, and Board. Payments of Public Agency to Board may be made in the form of warrants, bank checks, bank drafts, certified checks, money orders, or cash.

- 4. Benefits, including retirement allowances, granted prior to the effective date of this amendment, shall not be affected by this amendment.
- 5. This amendment shall be attached to said contract and shall be effective as of July 1, 1948.

Witness our hand this 28th day of June, 1948.

CITY COUNCIL of  
(Name of Legislative Body)

ATTEST:  
D. L. Truhem  
Clerk

CITY OF STOCKTON  
(Name of Public Agency)

By Jerry Keithley  
Presiding Officer

ATTEST:  
Earle Chapman  
Secretary

BOARD OF ADMINISTRATION  
STATE EMPLOYEES' RETIREMENT SYSTEM

By Geo. F. Stanton  
President, BOARD OF ADMINISTRATION

AMENDMENT TO CONTRACT BETWEEN  
BOARD OF ADMINISTRATION  
STATE EMPLOYEES' RETIREMENT SYSTEM

AND CITY COUNCIL OF THE  
CITY OF STOCKTON

RECEIVED  
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The Board of Administration, State Employees' Retirement System, and the City Council of the City of Stockton, hereinafter referred to as Public Agency, having entered into a contract under date of September 1, 1944, effective September 1, 1944, which provides for the participation of said Public Agency in said Retirement System, and said contract being based on the Retirement Law as that Law existed prior to amendments adopted in 1945 and 1947, increasing benefits and reducing ages of retirement, said Board of Administration and said City Council hereby agree as follows:

1. Paragraphs 4, 5, 6, 7, 8, 9 and 10 shall be and are hereby stricken from said contract.
2. The following paragraphs shall be and are hereby added to said contract;
4. Age 60 shall be the normal minimum age for retirement for service, of miscellaneous members employed by public agency, that is other than Local Safety Members, and one-sixtieth shall be the fraction of final compensation as defined in said Retirement Law, to be provided on the average, for each year of service as a member, by the members' and Public Agency's normal contributions, upon retirement at said minimum age.
5. Benefits on account of prior service, that is, service credited hereunder as rendered to Public Agency prior to the effective date of participation, to respective persons who are members because of employment by Public Agency as Local Safety Members, shall be allowed only as a percentage of the average salary specified in said Retirement Law, for each year of such service, and said percentage shall be 100 per cent of the fraction of final compensation, as defined in the State Employees' Retirement Law, for each year of service rendered after said date, as determined for said respective members under said law, for retirement for service at age 55, or upon qualification for service retirement at a higher age. If a member retires for service before attaining age 55, his prior service pension shall be reduced to that amount which the value of the pension as deferred to age 55 will purchase at the actual age of retirement.
6. Prior service benefits to persons who are miscellaneous members because of employment by Public Agency, that is other than Local Safety Members, upon retirement for service at the normal minimum age entered in paragraph 4 hereof, shall be allowed only as a percentage of the average salary specified in said Retirement Law, for each year of such service, and said percentage shall be 100 per cent of 1/60. If a member retires for service before attaining the normal minimum age in item 4, his prior service pension shall be reduced to that amount which the value of the pension as deferred to said minimum age will purchase at

the actual age of retirement.

7. The provisions of Section 21258b of the State Employees' Retirement Law, guaranteeing a minimum retirement allowance under certain conditions shall apply to persons who are members because of employment by Public Agency.
8. The provisions of Section 21367.5 of the State Employees' Retirement Law, providing a \$300 death benefit after retirement shall apply to persons who are members because of employment by Public Agency.
9. The provisions of Section 21251.1 of the State Employees' Retirement Law, providing for a guaranteed percentage of final compensation for each year of current service as a member, shall apply to persons who are Miscellaneous Members because of employment by Public Agency.
10. The provisions of Section 20025 of the State Employees' Retirement Law, providing for the portion of compensation to be included in computations under said Law, shall apply to persons who are members because of employment by Public Agency.
11. Agency shall contribute to said Retirement System as follows:
  - a. The sum of \$120,445.85 per annum, or less frequent installments as Board shall require, for the period of 25 years less the time elapsed from the date of participation to the effective date hereof.
  - b. 10.039 per cent of total salaries paid by Public Agency each month to its employees who are members of said Retirement System, provided that only salary earned as members of said System shall be included in said total salaries, and the employees who are members of said System shall include employees who become members upon the effective date hereof and employees who become members thereafter.
  - c. A reasonable amount per annum, as fixed by Board, payable in equal monthly or less frequent installments, as Board shall require, 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 periodical investigation and valuation required by law, provided that said amount shall be determined on the basis of the number of employees of Public Agency who are members on July 1st of the respective fiscal years, or with respect to the first year of participation, on the effective date of said participation.
  - d. A reasonable amount as fixed by the Board, payable in one installment from time to time as the occasions arise, to cover the costs of special valuations on account of employees of Public Agency, and the costs of the periodical investigation into the experience under said Retirement System, as it affects said employees, and the valuation of the assets and liabilities of said System on account of said employees. Contributions required of Agency and its employees shall be subject to adjustment by the Board of Administration on

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account of amendments to the State Employees' Retirement Law, and on account of experience under the Retirement System, as determined by the periodical investigation, valuation and determination provided for by said Retirement Law,

- 12. Contributions required of Public Agency under paragraph 11 immediately preceding, and contributions required of Agency's employees who are members of said System, shall be paid by Public Agency to the State Employees' Retirement System within thirty days after the end of the month or longer period to which said contribution refer. If more or less than the correct amount of contribution required of Public Agency or its employees is paid for any period, proper adjustment shall be made in connection with subsequent remittances of Public Agency to the Board, to rectify the errors; or such adjustments on account of errors made in contributions required of employees, may be made by direct cash payments between the employee in connection with whom the error was made, and Board. Payments of Public Agency to Board may be made in the form of warrants, bank checks, bank drafts, certified checks, money orders, or cash.
- 3. Benefits due prior to the effective date of this amendment and retirement allowances due after said effective date to persons who were members because of employment by Public Agency and who retired prior to said effective date, shall not be affected by this amendment.
- 4. This amendment shall be attached to said contract and shall be effective as of the first day of July, 1950.

Witness our hand this 29th day of May, 1950.

CITY COUNCIL OF THE  
CITY OF STOCKTON

ATTEST:  
[Signature]  
Clerk

By [Signature]

ATTEST:  
[Signature]  
Executive Officer

BOARD OF ADMINISTRATION  
STATE EMPLOYEES' RETIREMENT SYSTEM  
By [Signature]  
President, Board of Administration

AMENDMENT TO CONTRACT BETWEEN THE  
BOARD OF ADMINISTRATION  
STATE EMPLOYEES' RETIREMENT SYSTEM

RECEIVED  
JAN 25 1952  
STATE EMPLOYEES  
RETIREMENT SYSTEM

AND CITY COUNCIL  
(Governing Body)

OF THE CITY OF STOCKTON  
(Name of Public Agency)

The Board of Administration, State Employees' Retirement System, and the  
CITY COUNCIL of the CITY OF STOCKTON  
(Governing Body) (Name of Public Agency)

hereinafter referred to as Agency, having entered into a contract under date of  
September 1, 1944, effective September 1, 1944,  
which provides for the participation of said Agency in said Retirement System,  
and said Contract being based on the Retirement Law as that Law existed prior  
to amendments adopted in 1949, said Board of Administration and said

CITY COUNCIL hereby agree to amend said Contract as follows:  
(Governing Body)

1. Paragraph 6 of said Contract shall be and is hereby stricken from said  
Contract.

2. The following paragraphs shall be added to said Contract:

6 . Prior service benefits to miscellaneous members employed by  
Public Agency, that is, members other than Local Firemen, Local  
Policemen, or County Peace Officers, upon retirement for service,  
shall be allowed only as a percentage of the average salary  
specified in Section 21253 of said Retirement Law, for each year  
of such service, and said percentage shall be 100 per cent of the  
percentage determined under said Section for the age of retirement.

13 . Age 55 shall be the minimum age for retirement for service of  
persons who are members because of employment by Public Agency as  
Local Firemen, Local Policemen or County Peace Officers and the  
provisions of Section 21252.4 of the State Employees' Retirement  
Law, providing for a guaranteed percentage of final compensation  
for each year of current service as a member, shall apply  
to such members.

3. Paragraph 11a of said Contract shall be amended to read:

The sum of \$ 174,529.00 per annum, or more frequent installments  
as Board shall require, for the period of years stated in said  
Contract, less the time elapsed from the date of participation to  
the effective date hereof.

4. The per cent stated in paragraph 11b shall be amended to read 6.138  
instead of 10.039.

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5. Benefits, including retirement allowances, prior to the effective date of this amendment, shall not be affected by this amendment, except as otherwise provided herein.

6. This amendment shall be attached to said contract and shall be effective as of February 1, 1952.

Witness our hand this 21st day of January, 1952

Attest:

L. L. Graham  
Clerk

CITY COUNCIL of  
Name of Legislative Body

CITY OF STOCKTON  
Name of Public Agency

STATE BOARD OF ADMINISTRATION  
STATE EMPLOYEES' RETIREMENT SYSTEM

By Donald S. ...  
President

By [Signature]  
Presiding Officer

Attest:

[Signature]  
Executive Officer

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AMENDMENT TO CONTRACT BETWEEN THE BOARD OF ADMINISTRATION STATE EMPLOYEES' RETIREMENT SYSTEM AND THE CITY COUNCIL OF THE CITY OF STOCKTON

The Board of Administration, State Employees' Retirement System, and the CITY COUNCIL OF THE CITY OF STOCKTON, hereinafter referred to as Agency, having entered into a Contract under date of September 4, 1944, effective September 1, 1944, which provides for the participation of said Agency in said Retirement System, and said Contract having been amended effective February 1, 1952, to provide benefits under the Retirement Law as amended in 1949, such benefits not having been extended to persons who had retired prior to said effective date, said Board of Administration and said CITY COUNCIL hereby agree to amend said Contract as follows:

1. The following paragraph shall be added to said Contract:

14. The retirement allowances of persons who were members because of employment by Public Agency and who were retired prior to January 1, 1954, shall be recalculated on the basis of this contract, but in no event shall any allowances be decreased, and said allowances shall be paid for time beginning with January 1, 1954, in the recalculated amounts. Paragraph 8 of this contract shall apply to persons who were members because of employment by Public Agency and who retired prior to January 1, 1954, and are entitled to receive a retirement allowance based on time after said date.

2. Paragraph 11a of said Contract shall be amended to read:

The sum of \$188,234.78 per annum, or more frequent installments as Board shall require, for the period of 25 years, less the time elapsed from the date of participation to the effective date hereof.

3. The percent stated in 11b shall be amended to read 6.202 instead of 6.138.

4. This amendment shall be attached to said Contract and shall be effective as of February 1, 1954.

Witness our hand this 18th day of January 1954.

BOARD OF ADMINISTRATION STATE EMPLOYEES' RETIREMENT SYSTEM

BY [Signature] President

Attest: [Signature] Executive Officer

CITY COUNCIL OF THE CITY OF STOCKTON

BY [Signature] Presiding Officer

Attest: [Signature] Clerk

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AMENDMENT TO CONTRACT BETWEEN THE  
BOARD OF ADMINISTRATION  
STATE EMPLOYEES' RETIREMENT SYSTEM  
AND THE CITY COUNCIL OF THE  
CITY OF STOCKTON

The Board of Administration, State Employees' Retirement System, and the City Council of the CITY OF STOCKTON, having entered into a contract under date of September 1, 1944, effective September 1, 1944, which provides for the participation of said City in said Retirement System and which provided for the liquidation of the prior service liability in 25 years from the date of the contract, and said Contract being based on the Retirement Law, exclusive of amendments thereto which changed benefits of retirement, said Board of Administration and said City Council hereby agree as follows:

- 1. Paragraph 8 shall be and is hereby stricken from said Contract.
- 2. The following paragraphs shall be added to said Contract:
  - 8. The provisions of Section 21367.51 of the State Employees' Retirement Law, providing a \$400 death benefit after retirement SHALL APPLY to persons who are members because of employment by Public Agency.
  - 15. The provisions of Section 20024.01 of the State Employees' Retirement Law, which provide that "final compensation" shall mean the highest average annual compensation earnable by a member during any period of three consecutive years during his membership in the System, SHALL APPLY to employees of Public Agency who become members of said Retirement System.
- 3. Paragraph 11a of said Contract shall be amended to read; The sum of \$196,440.08 per annum, payable in equal annual or more frequent installments as Board shall require, for a period of 18 years, from and including the year which began on July 1, 1955, on account of the liability for benefits based on service rendered to the City prior to the effective date of this contract.
- 4. The percent stated in paragraph 11b shall be amended to read 7.655%.
- 5. This amendment shall be attached to said Contract and shall be effective as of January 1, 1956.

Witness our hand this 27th day of December 1955.

BOARD OF ADMINISTRATION  
STATE EMPLOYEES' RETIREMENT SYSTEM

Donald S. ...  
President

Attest:

Edward K. Coombe  
Executive Officer

CITY COUNCIL OF THE  
CITY OF STOCKTON

J. J. ...  
Presiding Officer

Attest:

Esther Miller  
Acting City Clerk

JAN 16 1956

12/10/59

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AMENDMENT TO CONTRACT BETWEEN THE  
BOARD OF ADMINISTRATION  
STATE EMPLOYEES' RETIREMENT SYSTEM  
AND THE  
CITY COUNCIL  
OF THE  
CITY OF STOCKTON

The Board of Administration, State Employees' Retirement System, hereinafter referred to as Board, and the CITY COUNCIL of the CITY OF STOCKTON, hereinafter referred to as Public Agency, having entered into a contract under date of September 1, 1944, effective September 1, 1944, and as amended effective July 1, 1948, July 1, 1950, February 1, 1952, February 1, 1954, and January 1, 1956, which provides for participation of Public Agency in said System, Board and Public Agency hereby agree as follows:

A. Wherever in said agreement the word "City" appears, the term "Public Agency" is hereby substituted.

B. The following phrase is added to the sentence which constitutes Paragraph Number 1 of said agreement:

"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 such as by express provision thereof apply only on the election of contracting agencies."

C. Paragraphs 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, and 15 are hereby stricken from said contract as executed effective July 1, 1944, and as amended effective July 1, 1948, July 1, 1950, February 1, 1952, February 1, 1954, and January 1, 1956, and are hereby replaced by the following paragraphs numbered 3 through 9 inclusive:

3. Employees of Public Agency in the following classes and groups shall become members of said Retirement System except such in each such class and group as are excluded by law or this agreement:

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4. All words and terms used herein which are defined in the State Employees' Retirement Law shall have the meaning as defined therein unless otherwise specifically provided. "Normal retirement age" shall mean age 60 for miscellaneous members in Group A, age 60 for miscellaneous members in Group B, and age 55 for local safety members. "OASDI" shall mean Old-Age, Survivors, and Disability Insurance provisions of the Social Security Act.
5. The following provisions shall apply to local safety and miscellaneous Group A members only:
  - a. 1/60 shall be the fraction of final compensation to be provided for each year of credited current service as a miscellaneous Group A member upon retirement at normal retirement age.
  - b. Benefits on account of each year of prior service shall be 100 per cent of the fraction of final compensation provided under the Law and this contract for each year of current service upon retirement for service.
  - c. The following provisions of the State Employees' Retirement Law which apply only upon election of a contracting agency shall apply:
    - (1) Section 21251.1 (providing for a guaranteed percentage of final compensation for each year of current service as a miscellaneous Group A member).
    - (2) Section 21252.4 (providing for a guaranteed percentage of final compensation for each year of current service as a local safety member).
    - (3) Section 20024.01 (defining "final compensation" on the basis of a period of three consecutive years).
    - (4) Section 21258(b) (providing a minimum retirement allowance of \$720.00 per year subject to certain conditions).
    - (5) Section 21367.51 (providing a \$400.00 death

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6. The following provisions shall apply to miscellaneous Group B members only:
- a. 1/60 shall be the fraction of final compensation to be provided upon retirement at normal retirement age for each credited year of current service subject to the modification set forth in subparagraph c. below.
  - b. Benefits on account of each year of prior service shall be 100 per cent of the fraction of final compensation provided under the Law and this contract for current service benefits earned by service at the date of membership.
  - c. The fraction of final compensation specified in subparagraph a. above shall be reduced as to service in any period after January 1, 1956, which was also covered under OASDI to 1/90 for application to that part of final compensation which does not exceed the monthly equivalent of the maximum annual amount included in "wages" under Section 209, Social Security Act during such period, it being recognized that such maximum may be changed from time to time by amendments to said Social Security Act and intended that any change shall not affect the amount of the retirement allowance based on service during any period prior to the date of such change.
  - d. Any miscellaneous member who, upon retirement for service before age 65, is fully insured under Federal Old-Age, Survivors, and Disability Insurance may elect to receive the actuarial equivalent of his unmodified service retirement allowance in the form of an increased monthly income until he reaches age 65, and a reduced income thereafter in accordance with Government Code, Section 21703.
  - e. The retirement benefits payable upon retirement for ordinary disability shall not be affected by paragraph 6.c. of this contract as amended and for the purposes of the limit on any such allowance imposed under Section 21297, Government Code, allowances for retirement for service shall be computed according to the formula set out in paragraph 6.a. of the contract as amended both as to service before and after the effectivity of membership in the Group B classification. All other provisions of this amendment

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- (1) Section 21251.1 (providing for a guaranteed percentage of final compensation for each year of current service as a miscellaneous member).
  - (2) Section 20024.01 (defining "Final Compensation" on the basis of a period of three consecutive years).
  - (3) Section 21258(b) (providing a minimum retirement allowance of \$720.00 per year).
  - (4) Section 21367.51 (providing a \$400.00 death benefit upon death after retirement).
  - (5) Section 20025 (providing for inclusion of compensation without limit in computations in which compensation is a factor).
7. Public Agency shall contribute to said Retirement System as follows:
- a. 6.079 per cent of total salaries each month for 18 years less the years elapsed between July 1, 1955, and the effective date of this amendment, on account of the liability for prior service.
  - b. 7.364 per cent of total salaries paid by Public Agency each month to its employees who are and hereafter become members of said Retirement System, provided that only salary earned as members of said System shall be included in said total salaries.
  - c. A reasonable amount per annum, as fixed by Board 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 periodical investigation and valuation required by law, provided that said amount shall be determined on the basis of the number of employees of Public Agency who are members on July 1, of the respective fiscal years, or with respect to the first year of participation, on the effective date of said participation.
  - d. A reasonable amount as fixed by the Board, payable in one installment as the occasions arise, to cover costs of special valuations on account of employees of Public Agency and costs of the periodical investigation.

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D. This amendment shall be attached to said contract and shall become effective on the 14~~th~~ day of December 1959

Witness our hands this 1<sup>st</sup> day of January 1960.

BOARD OF ADMINISTRATION  
STATE EMPLOYEES' RETIREMENT SYSTEM

CITY COUNCIL of the  
CITY OF STOCKTON

BY William E. Payne  
William E. Payne, Executive Officer

BY Thomas E. Marnoch  
Presiding Officer

Attest:  
[Signature]  
Clerk

APPROVED AS TO FORM

Date: December 16, 1959

[Signature]  
City Attorney

AMENDMENT TO CONTRACT BETWEEN THE  
BOARD OF ADMINISTRATION  
STATE EMPLOYEES' RETIREMENT SYSTEM  
AND THE  
CITY COUNCIL  
OF THE  
CITY OF STOCKTON

The Board of Administration, State Employees' Retirement System, hereinafter referred to as Board, and the CITY COUNCIL of the CITY OF STOCKTON, hereinafter referred to as Public Agency, having entered into a contract under date of September 1, 1944, effective September 1, 1944, and as amended effective July 1, 1948, July 1, 1950, February 1, 1952, February 1, 1954, January 1, 1956, January 1, 1960, and February 1, 1962, which provides for participation of Public Agency in said System, Board and Public Agency hereby agree as follows:

- A. Paragraphs 3 through 9, are hereby stricken from said contract as executed effective July 1, 1944, and as amended effective July 1, 1948, July 1, 1950, February 1, 1952, February 1, 1954, January 1, 1956, January 1, 1960, and February 1, 1962, and are hereby replaced by the following paragraphs numbered 3 through 9 inclusive:
3. Employees of Public Agency in the following classes and groups shall become members of said Retirement System except such in each such class and group as are excluded by law or this agreement:
- a. Local Firemen (herein referred to as local safety members);
  - b. Local Policemen (herein referred to as local safety members);
  - c. Employees other than local safety members whose positions are not subject to Federal Social Security coverage (herein referred to as miscellaneous Group A members);
  - d. Employees other than local safety members whose positions are subject to Federal Social Security coverage (herein referred to as Group B members).

In addition to the Employees excluded from membership by said Retirement Law, the following employees shall not become members of the Retirement System:

NO ADDITIONAL EXCLUSIONS

4. All words and terms used herein which are defined in the State Employees' Retirement Law shall have the meaning as defined therein unless otherwise specifically provided. "Normal retirement age" shall mean age 60 for miscellaneous members in Group A, age 60 for miscellaneous members in Group B, and age 55 for local safety members. "OASDI" shall mean Old-Age, Survivors, and Disability Insurance provisions of the Social Security Act.

5. The following provisions shall apply to local safety and miscellaneous Group A members only:
- a.  $1/60$  shall be the fraction of final compensation to be provided for each year of credited current service as a miscellaneous Group A member upon retirement at normal retirement age.
  - b. Benefits on account of each year of prior service shall be 100 per cent of the fraction of final compensation provided under the law and this contract for each year of current service upon retirement for service.
  - c. The following provisions of the State Employees' Retirement Law which apply only upon election of a contracting agency shall apply:
    - (1) Section 21251.1 and 21253 (providing for a guaranteed percentage of final compensation for each year of current and prior service as a miscellaneous Group A member).
    - (2) Section 21252.4 (providing for a guaranteed percentage of final compensation for each year of current service as a local safety member).
    - (3) Section 20024.01 (defining "final compensation" on the basis of a period of three consecutive years).
    - (4) Section 21258(.1) (providing a minimum retirement allowance of \$1,200.00 per year subject to certain conditions).
    - (5) Section 21367.51 (providing a \$400.00 death benefit upon death after retirement).
    - (6) Section 20025 (providing for inclusion of compensation without limit in computations in which compensation is a factor).
    - (7) Section 20952.5 (providing for age 50 as the minimum voluntary retirement age for local firemen and local policemen).
    - (8) Section 21365.5 (providing a monthly allowance in lieu of the basic death benefit for certain survivors of a member who dies in employment after qualifying for voluntary service retirement), effective January 11, 1962.
    - (9) Article 6, Chapter 9, Sections 21380-6 (providing for allowances for survivors of members upon death before retirement), effective January 16, 1962.
    - (10) Section 21251.3 (providing for the recalculation of allowances to persons retired prior to January 1, 1954, for time commencing on January 1, 1954, in accordance with this contract as amended effective February 1, 1954, provided that no allowances are to be decreased by such recalculation. "Final compensation" for such recalculation shall be determined in accordance with Section 20024 instead of Section 20024.01).

(11) Sections 21251.4 and 21258.2 (providing for increases in allowances for time beginning with the effective date of this amendment to persons retired on or prior to the effective date of the amendment).

(12) Section 21251.5 (providing for increases in allowances for time commencing on the effective date of this amendment to persons retired on or prior to July 1, 1956).

6. The following provisions shall apply to miscellaneous Group B members only:

- a. 1/60 shall be the fraction of final compensation to be provided upon retirement at normal retirement age for each credited year of current service subject to the modification set forth in subparagraph c. below.
- b. Benefits on account of each year of prior service shall be 100 per cent of the fraction of final compensation provided under the Law and this contract for current service benefits earned by service at the date of membership.
- c. The fraction of final compensation specified in subparagraph c. above shall be reduced as to service in any period after January 1, 1956, which was also covered under OASDI to 1/90 for application to that part of final compensation which does not exceed the monthly equivalent of the maximum annual amount included in "wages" under Section 209, Social Security Act during such period, it being recognized that such maximum may be changed from time to time by amendments to said Social Security Act and intended that any such change shall not effect the amount of the retirement allowance based on service during any period prior to the date of such change.
- d. The retirement benefits payable upon retirement for ordinary disability shall not be affected by paragraph 6.c. of this contract as amended and for the purposes of the limit on any such allowance imposed under Section 21297, Government Code, allowances for retirement for service shall be computed according to the formula set out in paragraph 6.a. of the contract as amended both as to service before and after the effectivity of membership in the Group B classification. All other provisions of this amendment shall be fully applicable to the computation of allowances upon retirement for disability.
- e. Contributions to be made by miscellaneous Group B members with respect to service rendered after the effective date of this amendment shall be at two-thirds the rate provided pursuant to Section 20601, Government Code, as it relates to that part of his monthly compensation which does not exceed the monthly equivalent of the maximum annual amount included in "wages" under Section 209, Social Security Act, and 100 per cent of such rate as it applies to the remainder of his monthly compensation. Contributions of miscellaneous Group B members accumulated as of the effective date of this amendment shall be applied to retroactive payment of contributions for OASDI coverage as provided in Section 21706, Government Code.

- f. The following provisions of the State Employees' Retirement Law which apply only upon election of a contracting agency shall apply:
- (1) Section 21251.1 (providing for a guaranteed percentage of final compensation subject to the modification set forth in paragraph 6(c) above for each year of current service as a miscellaneous Group B member) and Section 21253 (providing for a guaranteed percentage of final compensation for each year of prior service).
  - (2) Section 20024.01 (defining "Final Compensation" on the basis of a period of three consecutive years).
  - (3) Section 21258(c) (providing a minimum retirement allowance of \$1,200.00 per year subject to certain conditions).
  - (4) Section 21367.51 (providing a \$400.00 death benefit upon death after retirement).
  - (5) Section 20025 (providing for inclusion of compensation without limit in computations in which compensation is a factor).
  - (6) Article 6, Chapter 9, Sections 21380-6 (providing for allowances for survivors of members upon death before retirement), effective January 16, 1962.
  - (7) Section 21251.3 (providing for the recalculation of allowances to persons retired prior to January 1, 1954, for time commencing on January 1, 1954, in accordance with this contract as amended effective February 1, 1954, provided that no allowances are to be decreased by such recalculation. "Final compensation" for such recalculation shall be determined in accordance with Section 20024 instead of Section 20024.01).
  - (8) Sections 21251.4 and 21258.2 (providing for increases in allowances for time beginning with the effective date of this amendment to persons retired on or prior to the effective date of the amendment).
  - (9) Section 21251.5 (providing for increases in allowances for time commencing on the effective date of this amendment to persons retired on or prior to July 1, 1956).

7. Public Agency shall contribute to said Retirement System as follows:

- a. 6.661 per cent of total salaries each month for 18 years beginning July 1, 1955, on account of the liability for prior service benefits. Terminal date for the amortization period will be June 30, 1973.
- b. 7.308 per cent of total salaries paid by Public Agency each month to its employees who are and hereafter become members of said Retirement System, provided that only salary earned as members of said System shall be included in said total salaries.

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- c. A reasonable amount per annum, as fixed by Board 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 periodical investigation and valuation required by law, provided that said amount shall be determined on the basis of the number of employees of Public Agency who are members on July 1, of the respective fiscal years, or with respect to the first year of participation, on the effective date of said participation.
  - d. A reasonable amount as fixed by the Board, payable in one installment as the occasions arise, to cover costs of special valuations on account of employees of Public Agency, and costs of the periodical investigation and valuation required by law.
  - e. \$5.00 per month for each employee covered under the provisions of Section 21380-6 (SERS survivors program).
8. Contributions required of Public Agency and its employees shall be subject to adjustment by Board on account of amendments to the State Employees' Retirement Law, and on account of experience under the Retirement System, as determined by the periodical investigation and valuation required by said Retirement Law.
9. Contributions required of Public Agency and its employees shall be paid by Public Agency to the Retirement System within thirty days after the end of the period to which said contributions refer. If more or less than the correct amount of contribution is paid for any period, proper adjustment shall be made in connection with subsequent remittances, or adjustments on account of errors in contributions required of any employee may be made by direct cash payments between the employee and Board. Payments by Public Agency to Board may be made in the form of warrants, bank checks, bank drafts, certified checks, money orders, or cash.

B. This amendment shall be attached to said contract and shall become effective on the 2nd day of January 1963

Witness our hands this 2nd day of January 1963.

BOARD OF ADMINISTRATION  
STATE EMPLOYEES RETIREMENT SYSTEM

CITY COUNCIL of the  
CITY OF SPOCKTON

*Edward R. Bos*  
BY Edward R. Bos  
Presiding Officer  
Mayor

Attest:

*William L. Payne*  
7th 5 17 63  
William L. Payne, Executive Officer

APPROVED AS TO FORM:

*Thomas W. ...*  
City Attorney

*James M. Milson*  
City Clerk

CONTRACT  
 BETWEEN THE  
 STATE EMPLOYEES' RETIREMENT SYSTEM  
 AND THE  
 MEMBERS  
 OF THE  
 REDEVELOPMENT AGENCY OF THE CITY OF STOCKTON

In consideration of the covenants and agreement hereafter contained and on the part of both parties to be kept and performed, Public Agency and Board hereby agree as follows:

1. All words and terms used herein which are defined in the State Employees' Retirement Law shall have the meaning as defined therein unless otherwise specifically provided. "Normal retirement age" shall mean age 60 for miscellaneous members.
2. Public Agency shall participate in the State Employees' Retirement System from and after October 16, 1954, making its employees as hereinafter provided, members of said System subject to all provisions of the State 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 such as by express provision thereof apply only on the election of contracting agencies.
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. Employees other than local safety members (herein referred to as miscellaneous members).

The following employees shall be excluded from membership in said Retirement System:

EXCLUDE OTHER THAN MISCELLANEOUS EMPLOYEES

4. 1/60 shall be the fraction of final compensation to be provided for each year of credited current service as a miscellaneous member upon retirement at normal retirement age, subject, however, to the modification set forth in Paragraph 5 below.
5. The fraction of final compensation specified in paragraph 4 shall be reduced in the case of each member whose position is covered by Federal Social Security to 1/90 for application to that part of final compensation which does not exceed the monthly equivalent of the maximum annual amount included in "wages" under Section 209, Social Security Act, it being recognized that such maximum may be changed from time to time by amendment to

said Social Security Act and intended that any such change subsequent to the effective date of this contract shall not affect the amount of any retirement allowance based on service during any period prior to the date of such change.

6. Benefits for miscellaneous members on account of each year of prior service shall be as provided in Section 21253 except that the fraction of final compensation otherwise provided therein shall be reduced by 1/3 for application to the first \$400 per month of final compensation in the case of each member whose position is covered by Federal Social Security.
7. The retirement benefits payable upon retirement for ordinary disability shall not be affected by the modification provided in Paragraph 5 of this contract except that for the purposes of the limit on any such allowance imposed under Section 21297, Government Code, allowances for retirement for service shall be computed according to the modified formula set out in Paragraph 5 of the contract. All other provisions of this contract shall be fully applicable to the computation of allowances upon retirement for disability.
8. Contributions for miscellaneous members shall be subject to Section 20601.5 providing for a reduction in rates of contribution as it relates to that part of the monthly compensation which does not exceed the month equivalent of the maximum annual amount included in "wages" under Section 209, Social Security Act, and 100 percent of such rate as it applies to the remainder of the monthly compensation. Miscellaneous members whose positions are excluded from Social Security coverage shall contribute in accordance with Section 20601.
9. The following provisions of the State Employees' Retirement Law which apply only upon election of a contracting agency shall apply to the Public Agency and its employees:
  - a. Sections 21251.1 and 21253 (providing for a guaranteed percentage of final compensation for each year of current and prior service).
  - b. Section 20024.01 (defining "final compensation" on the basis of a period of three consecutive years).
  - c. Section 21258(b) (providing a minimum retirement allowance of \$720. per year under certain conditions).
  - d. Section 21367.51 (providing a \$400.00 death benefit upon death after retirement).
  - e. Section 20025 (providing for inclusion of compensation without limit in computations where compensation is a factor).
  - f. Section 21365.5 (providing a monthly allowance in lieu of the basic death benefit for certain survivors of a member who dies in employment after qualifying for voluntary service retirement).

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10. Public Agency shall contribute to said Retirement System as follows:

- a. 2.503 percent of total salaries paid monthly to members until June 30, 1975 on account of the liability for prior service benefits.
- b. 6.108 percent of total salaries paid by Public Agency each month to its employees who are and hereafter become members of said Retirement System on account of the liability for current service benefits, provided that only salary earned as members of said System shall be included in said total salaries.
- c. A reasonable amount per annum, as fixed by Board 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 periodical investigation and valuation required by law, provided that said amount shall be determined on the basis of the number of employees of Public Agency who are reported as members on the payroll covering January 1 of each year, or with respect to the first year of participation, on the effective date of said participation.
- d. A reasonable amount as fixed by the Board, payable in one installment as the occasions arise, to cover costs of special valuations on account of employees of Public Agency, and costs of the periodical investigation and valuation required by law.

11. Contributions required of Public Agency and its employees shall be subject to adjustment by Board on account of amendments to the State Employees' Retirement Law, and on account of the experience under the Retirement System, as determined by the periodical investigation and valuation required by said Retirement Law.

12. Contributions required of Public Agency and its employees shall be paid by public agency to the Retirement System within thirty days after the end of the period to which said contributions refer. 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, or adjustments on account of errors in contributions required of any employee may be made by direct cash payments between the employee and Board. Payments by Public Agency to Board may be made in the form of warrants, bank checks, bank drafts, certified checks, money orders, or cash.

Witness our hands this 1st day of October, 1964.

BOARD OF ADMINISTRATION  
STATE EMPLOYEES' RETIREMENT SYSTEM

MEMBERS OF THE  
REDEVELOPMENT AGENCY OF THE  
CITY OF STOKTON

BY Dean Delart  
Presiding Officer

William E. Payne  
William E. Payne, Executive Officer

Attest:  
J. H. [Signature]  
Clerk

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AMENDMENT TO CONTRACT BETWEEN THE BOARD OF ADMINISTRATION STATE EMPLOYEES' RETIREMENT SYSTEM AND THE CITY COUNCIL OF THE CITY OF STOCKTON

The Board of Administration, State Employees' Retirement System, hereinafter referred to as Board, and the CITY COUNCIL of the CITY OF STOCKTON, hereinafter referred to as Public Agency, having entered into a contract under date of September 1, 1944, effective September 1, 1944, and as amended effective July 1, 1948, July 1, 1950, February 1, 1952, February 1, 1954, January 1, 1956, January 1, 1960, February 1, 1962, and January 1, 1963, which provides for participation of Public Agency in said System, Board and Public Agency hereby agree as follows:

A. The following paragraph shall be added to said Contract:

- 5(c)(13) Section 21251.6 of the Government Code (providing for increases in allowances payable for time commencing on the first day of the and
- 6(f)(10) calendar month coinciding with or next following the effective date of this amendment to persons retired prior to January 1, 1962).

B. Paragraphs 7 (a), 7 (b), and 7 (e) shall be stricken from said contract and the following paragraphs substituted therefor:

7 (a) With respect to miscellaneous members, the city shall contribute the following percentages of monthly salaries earned as miscellaneous members of said System:

- (1) 2.425 percent until June 30, 1973 on account of the liability for prior service benefits.
- (2) 6.169 percent on account of the liability for current service benefits.

7 (b) With respect to local safety members, the city shall contribute the following percentages of monthly salaries earned as local safety members of said System:

- (1) 6.565 percent until June 30, 1973 on account of the liability for prior service benefits.
- (2) 10.837 percent on account of the liability for current service benefits.

C. This amendment shall be attached to said Contract and shall become effective on the 6th day of January, 1968.

Witness our hands this 4th day of January 1968

BOARD OF ADMINISTRATION STATE EMPLOYEES' RETIREMENT SYSTEM

CITY COUNCIL OF THE CITY OF STOCKTON

BY William E. Payne, Executive Officer

BY Joseph W. Dale, Presiding Officer - Mayor

Approved as to form;

[Signature] City Attorney

Attest:

[Signature] Clerk

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

The Board of Administration, Public Employees' Retirement System, hereinafter referred to as Board, and the CITY COUNCIL of the CITY OF STOCKTON, hereinafter referred to as Public Agency, having entered into a contract under date of September 1, 1944, effective September 1, 1944, and as amended effective July 1, 1948, July 1, 1950, February 1, 1952, February 1, 1954, January 1, 1956, January 1, 1960, February 1, 1962, January 1, 1963, January 6, 1968, which provides for participation of Public Agency in said System, Board and Public Agency hereby agree as follows:

A. The following subparagraphs shall be added to said Contract:

- 5(c)(14) Section 21251.75 of the Government Code (providing for increases in and allowances payable for time commencing on the first day of the calendar month coinciding with or next following the effective date of this amendment to persons retired prior to January 1, 1967).
- 6(f)(11)

B. Paragraphs 7 (a) and 7 (b) shall be stricken from said Contract and the following paragraphs substituted therefor:

- 7 (a) With respect to miscellaneous members, the public agency shall contribute the following percentages of monthly salaries earned as miscellaneous members of said System:
(1) 2.425 percent until June 30, 1973 on account of the liability for prior service benefits.
(2) 6.544 percent on account of the liability for current service benefits.
- 7 (b) With respect to local safety members, the public agency shall contribute the following percentages of monthly salaries earned as local safety members of said System:
(1) 6.565 percent until June 30, 1973 on account of the liability for prior service benefits.
(2) 11.356 percent on account of the liability for current service benefits.

C. This amendment shall be attached to said Contract and shall become effective on the first day of October, 1969.

Witness our hands this 5th day of August, 1969.

BOARD OF ADMINISTRATION PUBLIC EMPLOYEES' RETIREMENT SYSTEM

BY William E. Payne, Executive Officer

CITY COUNCIL OF THE CITY OF STOCKTON

BY Presiding Officer - Acting Mayor

Attest: Clerk

Approved as to form: City Attorney Exhibit 8 Page 241

CITY OF STOCKTON

STOCKTON, CALIFORNIA

DEPARTMENT OF PERSONNEL

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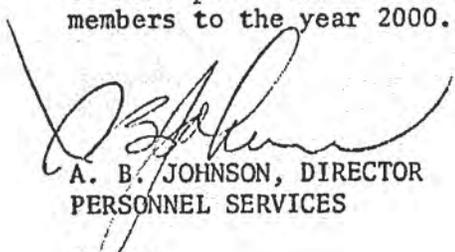
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June 23, 1971

Mr. Kisuk Yang, Actuary  
Public Employees' Retirement System  
P. O. Box 1953  
Sacramento, California 95809

RE: SB 249 - PRIOR SERVICE FUNDING

Enclosed is authorization from the City Manager  
to fund prior service liabilities for miscellaneous  
members to the year 2000.



A. B. JOHNSON, DIRECTOR  
PERSONNEL SERVICES

ABJ:gk

Enclosure

23  
STATE OF CALIFORNIA—BOARD OF ADMINISTRATION

RONALD REAGAN, Governor

PUBLIC EMPLOYEES' RETIREMENT SYSTEM

1000 N STREET, P.O. BOX 1953  
SACRAMENTO, CALIFORNIA 95809



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Please Direct Your Reply to Section \_\_\_\_\_

Refer to Member Account Number \_\_\_\_\_

AGENCY NAME Stockton City Redevelopment Agency  
AGENCY NUMBER 554

DATE: MAY 12, 1971

In the event that Senate Bill 249 (Grunsky) passes, the employer contribution rate for the current service liabilities for miscellaneous members will be 7.15% of member payroll effective July 1, 1971.

Prior service contribution rate will be in addition to the current service rate quoted above. Your agency will have a choice of funding its prior service liabilities to 1980, 1990, 2000 or any other year which does not exceed 2000. The present values of prior service liabilities are as follows:

ACTIVE :	\$	43340
RETIRED:		<u>3671</u>
TOTAL:		47011
EMPLOYER ASSETS: (-)		<u>15173</u>
UNFUNDED LIABILITY:	\$	31838

V-A

	PRIOR SERVICE FUNDED TO			
	<u>1980</u>	<u>1990</u>	<u>2000</u>	<u>Other: 19</u>
PRIOR SERVICE RATE	2.97%	1.54%	1.06%	
TOTAL EMPLOYER RATE	10.12%	8.69%	8.21%	

Please indicate the funding period you desire by circling the year and return one completed copy of this form to PERS.

Authorized *[Signature]*  
S. EDWARD GRIFFITH  
Title EXECUTIVE DIRECTOR

Date MAY 20, 1971

*[Signature]*  
KISUK YANG  
ACTUARY

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AMENDMENT TO CONTRACT BETWEEN THE  
BOARD OF ADMINISTRATION  
PUBLIC EMPLOYEES' RETIREMENT SYSTEM  
AND THE

CITY COUNCIL  
OF THE  
CITY OF STOCKTON

The Board of Administration, Public Employees' Retirement System, hereinafter referred to as Board, and the CITY COUNCIL of the CITY OF STOCKTON, hereinafter referred to as Public Agency, having entered into a contract under date of September 1, 1944, effective September 1, 1944, and as amended effective July 1, 1948, July 1, 1950, February 1, 1952, February 1, 1954, January 1, 1956, January 1, 1960, February 1, 1962, January 1, 1963, January 6, 1968, and October 1, 1969, and as provided by Chapter 170, Statutes of 1971 which provides for participation of Public Agency in said System, Board and Public Agency hereby agree as follows:

A. Paragraphs 1 through 9 are hereby stricken from said contract as executed effective September 1, 1944 and are hereby replaced by the following paragraphs numbered 1 through 9.

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 60 for 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, 1944, 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 such as by express provision thereof apply only on the election of contracting agencies.
3. Employees of Public Agency in the following classes and groups shall become members of said Retirement System except such in each such class and group as are excluded by law or this agreement:
  - a. Local firemen (herein referred to as local safety members);
  - b. Local policemen (herein referred to as local safety members);
  - c. Employees other than local firemen and policemen whose positions are not subject to Federal Social Security coverage (herein referred to as miscellaneous Group A members);
  - d. Employees other than local firemen and policemen whose positions are subject to Federal Social Security coverage (herein referred to as miscellaneous Group B members).

In addition to the employees excluded from membership by said Retirement Law, the following employees shall not become members of the Retirement System:

## NO ADDITIONAL EXCLUSIONS

4. The following provisions shall apply to local safety members and Miscellaneous Group A members only:
  - a. The fraction of final compensation to be provided for each year of credited prior and current service as a Miscellaneous Group A member upon retirement at normal retirement age shall be  $1/50$  and shall be applied as provided in Section 21251.13 of said Retirement Law.
  - b. The fraction 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 21252.01.
  - c. Contributions for Miscellaneous Group A members shall be subject to Section 20603 of said Retirement Law and 20603.01 for local safety members.
  - d. The following additional provisions of the Public Employees' Retirement Law which apply only upon election of a contracting agency shall apply:
  - e. Section 21380-7 (providing for allowances for survivors of members covered under the program upon death before retirement).
  - f. Section 21264 (providing upon death of a local safety member who retired for service or disability for the continuation of one-half the retirement allowance to certain survivors).
5. The following provisions shall apply to Miscellaneous Group B members only:
  - a. The effectivity of membership in Group B shall be January 1, 1956, or later entry into employment as a miscellaneous member.
  - b.  $1/50$  shall be the fraction of final compensation to be provided upon retirement at normal retirement age for each credited year of current service as a miscellaneous member subject to the modification set forth in subparagraph (d) below.
  - c. Benefits on account of each year of prior service shall be 100 percent of the fraction of final compensation provided under the law and this contract for current service benefits earned by service at the date of membership.
  - d. The fraction of final compensation specified in subparagraph (b) above shall be reduced by one-third for application to the first \$400 per month of final compensation as to service in any period after January 1, 1956, which is also covered under Social Security.

- e. The retirement benefits payable upon retirement for ordinary disability shall not be affected by the modification provided in Paragraph 5 (d) of this contract as amended except that for the purposes of the limit on any such allowance imposed under Section 21297, Government Code, allowances for retirement for service shall be computed according to the formula set out in Paragraph 5 (b). All other provisions of this contract shall be fully applicable to the computation of allowances upon retirement for disability.
- f. Contribution rates of Miscellaneous Group B members shall be subject to Section 20603 providing for a reduction in rates of contribution as it relates to the first \$400 of monthly compensation and 100% of such rates as they apply to the remainder of the monthly compensation.
6. The following provisions were applied to persons already retired:
- a. Section 21251.3 (providing for the recalculation of allowances to persons retired prior to January 1, 1954, for time commencing on January 1, 1954, in accordance with the contract as amended effective February 1, 1954, provided that no allowances are decreased by such recalculation. "Final compensation" for such recalculation shall be determined in accordance with Section 20024 instead of 20024.01).
- b. Sections 21251.4 and 21258.2 (providing for increases in allowances for time commencing on January 1, 1963 to persons retired on or prior to January 1, 1963).
- c. Section 21251.5 (providing for increases in allowances for time commencing January 1, 1963 to persons retired on or prior to July 1, 1956).
- d. Section 21251.6 (providing for increases in allowances payable for time commencing on the first day of the calendar month next following January 6, 1968, to persons retired prior to January 1, 1962).
- e. Section 21251.75 (providing for increases in allowances payable for time commencing on the first day of the calendar month coinciding with or next following October 1, 1969 to persons retired prior to January 1, 1967).
7. Public Agency shall contribute to said Retirement System as follows:
- a. With respect to miscellaneous members, the public agency shall contribute the following percentages of monthly salaries earned as miscellaneous members of said System:
- (1) 0.16 percent until June 30, 2000 on account of the liability for prior service benefits.
  - (2) 7.17 percent on account of the liability for current service benefits.
- b. With respect to local firemen and local policemen, the public agency shall contribute the following percentages of monthly salaries earned as local firemen and local policemen of said System:
- (1) 1.342 percent until June 30, 2003 on account of the liability for prior service benefits.

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(2) 22.148 percent on account of the liability for current service benefits.

- c. A reasonable amount per annum, as fixed by Board to cover the costs of administering said System as it affects the employees of Public Agency, not including the costs of special valuations or the periodical investigation and valuation required by law, provided that said amount shall be determined on the basis of the number of employees of Public Agency who are reported as members on the payroll covering one month of each year to be designated by the System or with respect to the first year of participation, on the effective date of said participation.
- d. A reasonable amount as fixed by the Board, payable in one installment as the occasions arise, to cover costs of special valuation on account of employees of Public Agency, and costs of the periodical investigation and valuation required by law.

8. 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 periodical investigation and valuation required by said Retirement Law.

9. Contributions required of Public Agency and its employees shall be paid by Public Agency to the Retirement System within thirty days after the end of the period to which said contributions refer. 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, or adjustments on account of errors in contributions required of any employee may be made by direct cash payments between the employee and Board. Payments by Public Agency to Board may be made in the form of warrants, bank checks, bank drafts, certified checks, money orders, or cash.

B. This amendment shall be attached to said contract and shall be effective on the First day of July 1973.

Witness our hands this 12th day of September 1972

BOARD OF ADMINISTRATION  
PUBLIC EMPLOYEES' RETIREMENT SYSTEM

CITY COUNCIL OF THE  
CITY OF STOCKTON

BY William E. Payne  
William E. Payne, Executive Officer

BY Charles E. Bean  
Presiding Officer (Mayor)

Attest:

[Signature]  
Clerk

APPROVED AS TO FORM

[Signature]  
Assistant City Attorney

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AMENDMENT TO CONTRACT BETWEEN THE  
BOARD OF ADMINISTRATION  
PUBLIC EMPLOYEES' RETIREMENT SYSTEM  
AND THE

CITY COUNCIL  
OF THE  
CITY OF STOCKTON

The Board of Administration, Public Employees' Retirement System, hereinafter referred to as Board, and the CITY COUNCIL of the CITY OF STOCKTON, hereinafter referred to as Public Agency, having entered into a contract under date of September 1, 1944, effective September 1, 1944, and as amended effective July 1, 1948, July 1, 1950, February 1, 1952, February 1, 1954, January 1, 1956, January 1, 1960, February 1, 1962, January 1, 1963, January 6, 1968, October 1, 1969, and July 1, 1973, as provided by Chapters 170 and 316, Statutes of 1971, which provide for participation of Public Agency in said System, Board and Public Agency hereby agree as follows:

- A. The words "NO ADDITIONAL EXCLUSIONS" shall be stricken from Paragraph 3 of said contract and the following shall be substituted therefor:

EXCLUDE PERSONS HIRED ON OR AFTER AUGUST 16, 1973 WHO ARE EMPLOYED ON A TEMPORARY AND/OR SEASONAL BASIS IF IT IS A CONDITION OF EMPLOYMENT AT TIME OF HIRE THAT SAID EMPLOYMENT NOT EXCEED SIX MONTHS.

EXCLUDE ALL CENTRAL PARKING DISTRICT EMPLOYEES HIRED ON OR AFTER AUGUST 16, 1973.

- B. This amendment shall be attached to said contract and shall become effective on the 16th day of August, 1973.

Witness our hands this 13th day of July 1973.

BOARD OF ADMINISTRATION  
PUBLIC EMPLOYEES' RETIREMENT SYSTEM

CITY COUNCIL  
OF THE  
CITY OF STOCKTON

BY William E. Payne  
William E. Payne, Executive Officer

BY Charles E. Boy  
Presiding Officer (Mayor)

Attest:  
[Signature]  
Clerk

Approved as to form:  
Marshall [Signature] City Attorney

AMENDMENT TO CONTRACT BETWEEN THE  
BOARD OF ADMINISTRATION  
PUBLIC EMPLOYEES' RETIREMENT SYSTEM  
AND THE

CITY COUNCIL  
OF THE  
CITY OF STOCKTON

The Board of Administration, Public Employees' Retirement System, hereinafter referred to as Board, and the CITY COUNCIL of the CITY OF STOCKTON, hereinafter referred to as Public Agency having entered into a contract under date of September 1, 1944, effective September 1, 1944, and as amended effective July 1, 1948, July 1, 1950, February 1, 1952, February 1, 1954, January 1, 1956, January 1, 1960, February 1, 1962, January 1, 1963, January 6, 1968, October 1, 1969, July 1, 1973, and August 16, 1973, as provided by Chapter 170, Statutes of 1971 and Chapter 316, Statutes of 1971, which provides for participation of Public Agency in said System, Board and Public Agency hereby agree as follows:

- A. The following subparagraph shall be added to Paragraph 5 of said Contract:

5(c) Section 21222.1 (providing for increases in allowances to which the annual cost-of-living provisions apply, payable for time commencing on the first day of the calendar month coinciding with or next following the effective date of this amendment to or on account of persons retired or members deceased on or prior to December 31, 1970).

- B. Paragraph 6(a) and 6(b) shall be stricken from said Contract and the following paragraphs 6(a) and 6(b) shall be substituted therefor:

6. Public Agency shall contribute to said Retirement System as follows:

- a. With respect to miscellaneous members, the public agency shall contribute the following percentages of monthly salaries earned as miscellaneous members of said System:
- (1) 0.28 percent until June 30, 2000 on account of the liability for prior service benefits.
  - (2) 8.46 percent on account of the liability for current service benefits.
  - (3) 0.10 percent on account of the liability for the 1959 Survivor program.
  - (4) 0.23 percent for ten (10) years from the effective date of this amendment to provide the benefits under Section 21222.1 of the Government Code.
- b. With respect to local safety members, the Public Agency shall contribute the following percentages of monthly salaries earned as local safety members of said System:

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- (1) 1.342 percent until June 30, 2003, on account of the liability for prior service benefits.
- (2) 21.117 percent on account of the liability for current service benefits.
- (3) 0.031 percent on account of the liability for the 1959 Survivor program.
- (4) 0.43 percent for ten (10) years from the effective date of this amendment to provide the benefits under Section 21222.1 of the Government Code.

C. This amendment shall be attached to said contract and shall be effective on the 1st day of ~~September~~, 1973.

*October*

Witness our hands this 24th day of August 1973.

BOARD OF ADMINISTRATION  
PUBLIC EMPLOYEES' RETIREMENT SYSTEM

CITY COUNCIL  
OF THE  
CITY OF STOCKTON

BY *William E. Payne*  
William E. Payne, Executive Officer

BY *Charles E. Bott*  
Presiding Officer (Mayor)

Attest:

*Phon Ferrito*  
Clerk

Approved as to form:

*Thomas W. Lyon*  
City Attorney

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AMENDMENT TO CONTRACT BETWEEN THE  
BOARD OF ADMINISTRATION  
PUBLIC EMPLOYEES' RETIREMENT SYSTEM  
AND THE

CITY COUNCIL  
OF THE  
CITY OF STOCKTON

The Board of Administration, Public Employees' Retirement System, hereinafter referred to as Board, and the CITY COUNCIL of the CITY OF STOCKTON, hereinafter referred to as Public Agency, having entered into a contract under date of September 1, 1944, effective September 1, 1944, and as amended effective July 1, 1948, July 1, 1950, February 1, 1952, February 1, 1954, January 1, 1956, January 1, 1960, February 1, 1962, January 1, 1963, January 6, 1968, October 1, 1969, and July 1, 1973, and as provided by Chapters 170 and 316, Statutes of 1971, which provide for participation of Public Agency in said System, Board and Public Agency hereby agree as follows:

- A. Paragraphs 1 through 9 are hereby stricken from said contract as executed effective September 1, 1944, and are hereby replaced by the following paragraphs numbered 1 through 8 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 60 for 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, 1944, 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 such as by express provision thereof apply only on the election of contracting agencies.
  - 3. Employees of Public Agency in the following classes and groups shall become members of said Retirement System except such in each such class and group as are excluded by law or this agreement:
    - a. Local firemen (herein referred to as local safety members);
    - b. Local policemen (herein referred to as local safety members);
    - c. Employees other than local safety members (herein referred to as miscellaneous members).

In addition to the employees excluded from membership by said Retirement Law, the following employees shall not become members of the Retirement System:

EXCLUDE PERSONS HIRED ON OR AFTER AUGUST 16, 1973 WHO ARE EMPLOYED ON A TEMPORARY AND/OR SEASONAL BASIS IF IT IS A CONDITION OF EMPLOYMENT AT TIME OF HIRE THAT SAID EMPLOYMENT NOT EXCEED SIX MONTHS.

EXCLUDE ALL CENTRAL PARKING DISTRICT EMPLOYEES HIRED ON OR AFTER AUGUST 16, 1973.

4. The fraction of final compensation to be provided for miscellaneous members for each year of credited prior and current service shall be that provided in Section 21251.13 subject to the reduction provided therein for service on and after January 1, 1956 of members whose service has been included in the federal system.
5. The following provisions of the Public Employees' Retirement Law which apply only upon election of a contracting agency shall apply to the Public Agency and its employees:
- a. The fraction of final compensation to be provided for each year of credited prior and current service as a local safety member shall be that provided in Section 21252.01 of the Retirement Law.
  - b. Section 21380-7 (providing for allowances for survivors of members covered under the program upon death before retirement).
  - c. Section 21263 (providing upon death of a miscellaneous or local safety member who retired for service or disability for the continuation of one-half the retirement allowance to certain survivors).
  - d. Section 21222.1 (providing for increases in allowances to which the annual cost-of-living provisions apply, payable for time commencing on the first day of the calendar month coinciding with or next following the effective date of this amendment to or on account of persons retired or members deceased on or prior to December 31, 1970).
6. Public Agency shall contribute to said Retirement System as follows:
- a. With respect to miscellaneous members, the agency shall contribute the following percentages of monthly salaries earned as miscellaneous members of said System:
    - (1) 0.28 percent until June 30, 2000 on account of the liability for prior service benefits.
    - (2) 8.46 percent on account of the liability for current service benefits.
    - (3) 0.10 percent on account of the liability for the 1959 Survivor program.
    - (4) 0.23 percent for ten (10) years from the effective date of this amendment to provide the benefits under Section 21222.1 of the Government Code.
  - b. With respect to local safety members, the public agency shall contribute the following percentages of monthly salaries earned as local safety members of said System:
    - (1) 1.342 percent until June 30, 2003 on account of the liability for prior service service benefits.
    - (2) 22.117 percent on account of the liability for current service benefits.

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- (3) 0.031 percent on account of the liability for the 1959 Survivor program.
- (4) 0.43 percent for ten (10) years from the effective date of this amendment to provide the benefits under Section 21222.1 of the Government Code.
- c. A reasonable amount per annum, as fixed by Board 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 periodical investigation and valuation required by law.
- d. A reasonable amount as fixed by the Board, payable in one installment as the occasions arise, to cover costs of special valuations on account of employees of Public Agency, and costs of the periodical investigation and valuation required by law.
- 7. Contributions required of Public Agency and its employees shall be subject to adjustment by Board on account of amendments to the Public Employees' Retirement System, as determined by the periodical investigation and valuation required by said Retirement Law.
- 8. Contributions required of Public Agency and its employees shall be paid by Public Agency to the Retirement System within thirty days after the end of the period to which said contributions refer. If more or less than the correct amount of contribution is paid for any period, proper adjustment shall be made in connection with subsequent remittances, or adjustments on account of errors in payments between the employee and Board. Payments by Public Agency to Board may be made in the form of warrants, bank checks, bank drafts, certified checks, money orders, or cash.

B. This amendment shall be attached to said contract and shall become effective on the 1st day of October, 1973 .

Witness our hands this 28th day of August 1973.

BOARD OF ADMINISTRATION  
PUBLIC EMPLOYEES' RETIREMENT SYSTEM

CITY COUNCIL  
OF THE  
CITY OF STOCKTON

BY William E. Payne  
William E. Payne, Executive Officer

BY Charles E. Bond  
Presiding Officer (Mayor)

Attest:  
John J. Jarrett  
Clerk

Approved as to form:

Paul J. Moody  
Assistant City Attorney

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

The Board of Administration, Public Employees' Retirement System, hereinafter referred to as Board, and the City Council of the City of Stockton, hereinafter referred to as Public Agency, having entered into a contract under date of September 1, 1944, effective September 1, 1944, and as amended effective July 1, 1948, July 1, 1950, February 1, 1952, February 1, 1954, January 1, 1956, January 1, 1960, February 1, 1962, January 1, 1965, January 6, 1968, October 1, 1969, July 1, 1973, August 16, 1975, October 1, 1975, and as provided by Chapters 170 and 316, Statutes of 1971, which provide for participation of Public Agency in said System, Board and Public Agency hereby agree as follows:

- A. Paragraphs 1 through 8 are hereby stricken from said contract as executed effective September 1, 1944, and are hereby replaced by the following paragraphs numbered 1 through 9 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 60 for 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, 1944, 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 such as by express provision thereof apply only on the election of contracting agencies.
  3. Employees of Public Agency in the following classes and groups shall become members of said Retirement System except such in each such class and group as are excluded by law or this agreement:
    - a. Local firemen (herein referred to as local safety members);
    - b. Local policemen (herein referred to as local safety members);
    - c. Employees other than local safety members (herein referred to as miscellaneous members).

In addition to the employees excluded from membership by said Retirement Law, the following employees shall not become members of the Retirement System:

EXCLUDE PERSONS HIRED ON OR AFTER AUGUST 16, 1973 WHO ARE  
EMPLOYED ON A TEMPORARY AND/OR SEASONAL BASIS IF IT IS A  
CONDITION OF EMPLOYMENT AT TIME OF HIRE THAT SAID EMPLOY-  
MENT NOT EXCEED SIX MONTHS.

EXCLUDE ALL CENTRAL PARKING DISTRICT EMPLOYEES HIRED ON OR  
AFTER AUGUST 16, 1975.

4. The fraction of final compensation to be provided for miscellaneous members for each year of credited prior and current service shall be that provided in Section 21251.13 subject to the reduction provided therein for service on and after January 1, 1956 of members whose service has been included in the federal system.
5. The following provisions of the Public Employees' Retirement Law which apply only upon election of a contracting agency shall apply to the Public Agency and its employees:
  - a. The fraction of final compensation to be provided for each year of credited prior and current service as a local safety member shall be that provided in Section 21252.01 of the Retirement Law.
  - b. Section 21380-7 (providing for allowances for survivors of members covered under the program upon death before retirement).
  - c. Section 21263 and 21263.1 (providing upon death of a miscellaneous or local safety member who retired for service or disability for the continuation of one-half the retirement allowance to certain survivors).
  - d. Section 21222.1 (providing for increases in allowances to which the annual cost-of-living provisions apply, payable for time commencing on the first day of the calendar month coinciding with or next following the effective date of this amendment to or on account of persons retired or members deceased on or prior to December 31, 1970).
  - e. Section 20024.2 (defining "final compensation" on the basis of average compensation earnable during the year immediately preceding retirement or during a year elected by member).
6. Public Agency, in accordance with Section 20740, Government Code, shall cease to be an "employer" for purposes of Chapter 6 of the Public Employees' Retirement Law effective as of the effective date of this amendment to this contract. Accumulated contributions of the Public Agency as of the date of such amendment shall be fixed and determined as provided in Section 20759, Government Code and such accumulated contributions and contributions hereafter made shall be held by the Board as provided in Section 20759, Government Code.
7. Public Agency shall contribute to said Retirement System from and after the effective date of this amendment as follows:
  - a. With respect to miscellaneous members, the agency shall contribute the following percentages of monthly salaries earned as miscellaneous members of said system:
    - (1) 0.14 percent until June 30, 2000 on account of the liability for prior service benefits.
    - (2) 9.50 percent on account of the liability for current service benefits.
    - (3) 0.03 percent on account of the liability for the 1959 Survivors program.
    - (4) 0.23 percent until September 30, 1983 to provide the benefits under Section 21222.1 of the Government Code.

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b. With respect to local safety members, the public agency shall contribute the following percentages of monthly salaries earned as local safety members of said System:

- (1) 0.639 percent until June 30, 2002 on account of the liability for prior service benefits.
- (2) 25.432 percent on account of the liability for current service benefits.
- (3) 0.106 percent on account of the liability for the 1959 Survivor program.
- (4) 0.430 percent until September 30, 1983 to provide the benefits under Section 21222.1 of the Government Code.

c. A reasonable amount per annum, as fixed by Board 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 periodical investigation and valuation required by law.

d. A reasonable amount as fixed by the Board, payable in one installment as the occasions arise, to cover costs of special valuations on account of employees of Public Agency, and costs of the periodical investigation and valuation required by law.

8. Contributions required of Public Agency and its employees shall be subject to adjustment by Board on account of amendments to the Public Employees' Retirement System, as determined by the periodical investigation and valuation required by said Retirement Law.

9. Contributions required of Public Agency and its employees shall be paid by Public Agency to the Retirement System within thirty days after the end of the period to which said contributions refer. If more or less than the correct amount of contribution is paid for any period, proper adjustment shall be made in connection with subsequent remittances, or adjustments on account of errors in payments between the employee and Board. Payments by Public Agency to Board may be made in the form of warrants, bank checks, bank drafts, certified checks, money orders, or cash.

B. This amendment shall be attached to said contract and shall become effective on the First day of January 1975.

Witness our hands this 2nd day of December 1974

BOARD OF ADMINISTRATION  
PUBLIC EMPLOYEES' RETIREMENT SYSTEM

BY William E. Payne  
William E. Payne, Executive Officer

CITY COUNCIL  
OF THE  
CITY OF STOCKTON

BY Manuel Salgado  
Presiding Officer (Mayor)

Attest: JOHN M. JARRETT, City Clerk

APPROVED AS TO FORM

Thomas J. Lundy  
City Attorney

By: Mary B. Kidd  
Clerk Assistant Clerk

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AMENDMENT TO CONTRACT BETWEEN THE  
BOARD OF ADMINISTRATION  
PUBLIC EMPLOYEES' RETIREMENT SYSTEM  
AND THE

CITY COUNCIL  
OF THE  
CITY OF STOCKTON

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 under date of September 1, 1944, effective September 1, 1944, and as amended effective July 1, 1948, July 1, 1950, February 1, 1952, February 1, 1954, January 1, 1956, January 1, 1960, February 1, 1962, January 1, 1963, January 6, 1968, October 1, 1969, July 1, 1973, August 16, 1973, October 1, 1973, and January 1, 1975, which provides for participation of Public Agency in said System, Board and Public Agency hereby agree as follows:

- A. Paragraphs 1 through 9 are hereby stricken from said contract as executed effective January 1, 1975 and hereby replaced by the following paragraphs number 1 through 10 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 60 for 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, 1944, 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 such as by express provisions thereof apply only on the election of contracting agencies.
  - 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 Firemen (herein referred to as local safety members);
    - b. Local Policemen (herein referred to as local safety members);
    - c. Employees other than local safety members (herein referred to as miscellaneous members).

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:

EXCLUDE PERSONS HIRED ON OR AFTER AUGUST 16, 1973, WHO ARE EMPLOYED ON A TEMPORARY AND/OR SEASONAL BASIS IF IT IS A CONDITION OF EMPLOYMENT AT TIME OF HIRE THAT SAID EMPLOYMENT NOT EXCEED SIX MONTHS.

EXCLUDE ALL CENTRAL PARKING DISTRICT EMPLOYEES HIRED ON OR AFTER AUGUST 16, 1973.

4. The fraction of final compensation to be provided for miscellaneous members for each year of credited prior and current service shall be that provided in Section 21251.13 subject to the reduction provided therein for service on and after January 1, 1956 and ending June 30, 1978, of members whose service has been included in Federal Social Security.
5. The fraction of final compensation to be provided for each year of credited prior and current service as a safety member shall be determined in accordance with Section 21252.01 of said Retirement Law (2% at age 50).
6. The following additional provisions of the Public Employees' Retirement Law which apply only upon election of a contracting agency shall apply to the Public Agency and its employees:
  - a. Sections 21380-21388 (providing for allowances for survivors of members covered under the 1959 Survivor's Program upon the member's death before retirement).
  - b. Sections 21263 and 21263.1 (providing upon the death of a member who retired for service or disability for continuance of a post-retirement survivor allowance to certain survivors).
  - c. Section 21222.1 (providing a five-percent increase in allowance to which the annual cost-of-living provisions apply, payable for time commencing on the first day of the calendar month coinciding with or next following the effective date of the amendment to add this section to this contract, to or on account of members retired or deceased on or prior to December 31, 1970).
  - d. Section 20024.2 (defining "final compensation" on the basis of average compensation earnable during the year immediately preceding retirement or any other one year period elected by the member).
  - e. Section 21382.2 (providing an increased level of 1959 Survivor Benefits for members of Public Agency covered under the 1959 Survivor Program) pursuant to Section 21390.
7. Public Agency, in accordance with Section 20740, Government Code, ceased to be an "employer" for purposes of Chapter 6 of the Public Employees' Retirement Law effective on January 1, 1975. Accumulated contributions of Public Agency as of the aforementioned date shall be fixed and determined as provided in Section 20759, Government Code, and accumulated contributions as of the aforementioned date and contributions thereafter made shall be held by the Board as provided in Section 20759, Government Code.

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8. Public Agency shall contribute to said Retirement System as follows:

- a. With respect to miscellaneous members, the agency shall contribute the following percentages of monthly salaries earned as miscellaneous members of said Retirement System:
    - (1) 0.052 percent until June 30, 2000, on account of the liability for prior service benefits.
    - (2) 13.784 percent on account of the liability for current service benefits.
    - (3) 0.036 percent on account of the liability for the 1959 Survivor Program.
    - (4) 0.230 percent until September 30, 1983, on account of the liability for the benefits provided under Section 21222.1 of said Retirement Law.
  - b. With respect to local safety members, the agency shall contribute the following percentages of monthly salaries earned as local safety members of said Retirement System:
    - (1) 0.138 percent until June 30, 2000, on account of the liability for prior service benefits.
    - (2) 26.939 percent on account of the liability for current service benefits.
    - (3) 0.106 percent on account of the liability for the 1959 Survivor Program.
    - (4) 0.430 percent until September 30, 1983, on account of the liability for the benefits provided under Section 21222.1 of said Retirement Law.
  - c. A reasonable amount per annum, as fixed by the Board 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 periodical investigation and valuations required by law.
  - d. 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 periodical investigation and valuations required by law.
9. 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 periodical investigation and valuation required by said Retirement Law.

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10. Contributions required of Public Agency and its employees shall be paid by Public Agency to the Retirement System within thirty 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, or adjustments on account of errors in contributions required of any employee may be made by direct cash payments between the employee and the Board. Payments by Public Agency to Board may be made in the form of warrants, bank checks, bank drafts, certified checks, money orders, or cash.

B. This amendment shall be attached to said contract and shall be effective on the 1st day of July, 19 78.

Witness our hands this 26th day of June, 19 78

BOARD OF ADMINISTRATION  
PUBLIC EMPLOYEES' RETIREMENT SYSTEM

CITY COUNCIL  
OF THE  
CITY OF STOCKTON

BY Carl J. Blechinger  
Carl J. Blechinger, Executive Officer

BY [Signature]  
Presiding Officer

Approved as to form:

Attest:

[Signature]  
Legal Office, PERS 5-17-78

[Signature]  
Clerk

APPROVED AS TO FORM:

[Signature]  
GERALD A. SPERRY  
City Attorney

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RESOLUTION OF THE CITY COUNCIL OF THE  
CITY OF STOCKTON  
AUTHORIZING AN AMENDMENT TO CORRECT AN ERROR IN THE CONTRACT BETWEEN THE  
CITY OF STOCKTON  
AND THE  
BOARD OF ADMINISTRATION, PUBLIC EMPLOYEES' RETIREMENT SYSTEM

WHEREAS, the City Council of the City of Stockton hereinafter referred to as Public Agency, and the Board of Administration of the Public Employees' Retirement System entered into a contract effective September 1, 1944 providing for the participation of Public Agency in the Public Employees' Retirement System; and

WHEREAS, said contract was amended effective July 1, 1978. However due to a misunderstanding Section 21382.2 (providing an increased level of 1959 Survivor Benefits for members of Public Agency covered under the 1959 Survivor Program) pursuant to Section 21390 was provided to all members of the Public Agency, whereas the Public Agency intended to provide the benefits to miscellaneous members only; and

WHEREAS, Section 20461 of the Government Code provides that errors in contracts may be corrected through contract error amendments executed by the adoption of suitable resolutions by the contracting parties;

NOW, THEREFORE BE IT RESOLVED, that said governing body of Public Agency authorizes, and it does hereby authorize, an amendment to said contract to be effective July 1, 1978

A. The subparagraph 6(e) shall be stricken from said contract and the following subparagraph 6(e) shall be substituted therefore:

(e) Section 21382.2 (providing an increased level of 1959 Survivor Benefits for members of Public Agency covered under the 1959 Survivor Program) pursuant to Section 21390 for miscellaneous *members* only.

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BE IT FURTHER RESOLVED, that the presiding officer of the governing body of Public Agency be and is hereby authorized, empowered, and directed to execute said amendment for and on behalf of Public Agency.

Adopted this 14th day of August 1978

BOARD OF ADMINISTRATION  
PUBLIC EMPLOYEES' RETIREMENT SYSTEM

CITY COUNCIL OF THE  
CITY OF STOCKTON

BY Carl J. Blechinger  
Carl J. Blechinger, Executive Officer

BY [Signature]  
Presiding Officer

Approved as to form

Attest:

[Signature]  
Legal Office, PERS 8-2-78

[Signature]  
Clerk

APPROVED AS TO FORM:

[Signature]  
GERALD A. SPERRY  
City Attorney

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

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 under date of September 1, 1944, effective September 1, 1944, and as amended effective July 1, 1948, July 1, 1950, February 1, 1952, February 1, 1954, January 1, 1956, January 1, 1960, January 16, 1962, January 1, 1963, January 6, 1968, October 1, 1969, July 1, 1973, August 16, 1973, October 1, 1973, January 1, 1975, and July 1, 1978, which provides for participation of Public Agency in said System, Board and Public Agency hereby agree as follows:

- A. Paragraphs 1 through 10 are hereby stricken from said contract as executed effective July 1, 1978, and hereby replaced by the following paragraphs numbered 1 through 11 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 60 for local miscellaneous and age 50 for local safety members.
  2. Public Agency shall participate in the Public Employees' Retirement System from and after September 1, 1944 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 such as by express provisions thereof apply only on the election of contracting agencies.
  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 Firemen (herein referred to as local safety members);
    - b. Local Policemen (herein referred to as local safety members);
    - c. Employees other than local safety members (herein referred to as local miscellaneous members).

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:

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ALL CENTRAL PARKING DISTRICT EMPLOYEES HIRED ON OR  
AFTER AUGUST 16, 1973.

4. Prior to January 1, 1975, those members who were hired by Public Agency on a temporary and/or seasonal basis not to exceed 6 months were excluded from PERS membership by contract. Government Code Section 20336 supersedes this contract provision by providing that any such temporary and/or seasonal employees are excluded from PERS membership subsequent to January 1, 1975.
5. The fraction of final compensation to be provided for local miscellaneous members for each year of credited prior and current service shall be that provided in Section 21251.13 subject to the reduction provided therein for service on or after January 1, 1956 and prior to June 30, 1978 for members whose service has been included in Federal Social Security.
6. The fraction 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 21252.01 of said Retirement Law (2% at age 50).
7. The following additional provisions of the Public Employees' Retirement Law which apply only upon election of a contracting agency shall apply to the Public Agency and its employees:
  - a. Sections 21380-21388 (1959 Survivors Program).
  - b. Sections 21263/21263.1 (Post-retirement survivor allowance).
  - c. Section 21222.1 (Special 5% increase - 1970).
  - d. Section 20024.2 (One-year final compensation).
  - e. Section 21390 (Increased 1959 Survivors benefits), for local miscellaneous members.
  - f. Section 21222.86 (Special 1%-7% increase to pre-7-1-74 retirees).
8. Public Agency, in accordance with Section 20740, Government Code, ceased to be an "employer" for purposes of Chapter 6 of the Public Employees' Retirement Law effective on January 1, 1975. Accumulated contributions of Public Agency as of the aforementioned date shall be fixed and determined as provided in Section 20759, Government Code, and accumulated contributions as of the aforementioned date and contributions thereafter made shall be held by the Board as provided in Section 20759, Government Code.
9. Public Agency shall contribute to said Retirement System as follows:
  - a. With respect to miscellaneous members, the agency shall contribute the following percentages of monthly salaries earned as miscellaneous members of said Retirement System:
    - (1) 0.064 percent until June 30, 2000 on account of the liability for prior service benefits.
    - (2) 14.782 percent on account of the liability for current service benefits.

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- (3) 0.211 percent on account of the liability for the 1959 Survivor Program.
  - (4) 0.230 percent until June 30, 1983 on account of the liability for the benefits provided under Section 21222.1 of said Retirement Law.
- b. With respect to local safety members, the agency shall contribute the following percentages of monthly salaries earned as local safety members of said Retirement System:
- (1) 0.098 percent until June 30, 2000 on account of the liability for prior service benefits.
  - (2) 29.643 percent on account of the liability for current service benefits.
  - (3) 0.107 percent on account of the liability for the 1959 Survivor Program.
  - (4) 0.430 percent until June 30, 1983 on account of the liability for the benefits provided under Section 21222.1 of said Retirement Law.
- c. A reasonable amount per annum, as fixed by the Board 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.
- d. 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.
10. 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.
11. Contributions required of Public Agency and its employees shall be paid by Public Agency to the Retirement System within thirty 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, or adjustments on account of errors in contributions required of any employee may be made by direct cash payments between the employee and the Board. Payments by Public Agency to Board may be made in the form of warrants, bank checks, bank drafts, certified checks, money orders or cash.

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B. This amendment shall be attached to said contract and shall be effective on the 1st day of November, 1980

Witness our hands the 22<sup>nd</sup> day of September, 1980.

BOARD OF ADMINISTRATION  
PUBLIC EMPLOYEES' RETIREMENT SYSTEM

CITY COUNCIL  
OF THE  
CITY OF STOCKTON

BY Carl J. Flechinger  
Carl J. Flechinger, Executive Officer

BY Daniel C. O'Brien  
Presiding Officer

Approved as to form:

7 Deane Moore 7/17/80  
Legal Office Date

Attest:

John J. Jarrett  
Clerk

PERS CON-702

Approved as to form:

Edward P. [Signature]  
City Attorney

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AGREEMENT AUTHORIZING THE MERGER OF

THE CONTRACTS OF THE

STOCKTON REDEVELOPMENT AGENCY

AND THE

CITY OF STOCKTON

WITH THE BOARD OF ADMINISTRATION, PUBLIC EMPLOYEES' RETIREMENT SYSTEM

WHEREAS, the Members of the Stockton Redevelopment Agency and the City Council of the City of Stockton entered into contracts with the Board of Administration, Public Employees' Retirement System, effective September 1, 1944 and October 16, 1964 respectively, providing for participation of their employees in said System; and

WHEREAS, the Stockton Redevelopment Agency will continue to exist in name only; and

WHEREAS, Section 20567.6 of the Government Code authorizes a merger of contracts for participation in the Public Employees' Retirement System where a contracting agency intends to cease to exist/continue to exist in name only, and one or more employees of one agency are employed by the successor agency within 90 days of the merger agreement; and

WHEREAS, the Public Employees' Retirement System has proposed an Agreement to be accepted and executed by the governing bodies of the aforementioned public agencies to provide for merger of the contract between the Stockton Redevelopment Agency and the Board of Administration, Public Employees' Retirement System, into the contract between the City of Stockton and said Board;

NOW, THEREFORE BE IT AGREED, that the governing bodies of the aforementioned public agencies authorize, and do hereby authorize, an Agreement between the Stockton Redevelopment Agency, the City of Stockton and the Board of Administration of the Public Employees' Retirement System to merge the contract between said Board and the Stockton Redevelopment Agency into the contract between said Board and the City of Stockton as authorized by Section 20567.6 of the Government Code; and

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BE IT FURTHER AGREED, that the presiding officer of the governing body of each of the aforementioned contracting agencies is hereby authorized, empowered, and directed to execute said Agreement for and on behalf of the respective agency.

Witness our hands this 27th day of July KMK, 1982

BOARD OF ADMINISTRATION  
PUBLIC EMPLOYEES' RETIREMENT SYSTEM

MEMBERS  
OF THE  
STOCKTON REDEVELOPMENT AGENCY

BY Carl J. Blechinger  
Carl J. Blechinger, Executive Officer

BY [Signature] 8  
Presiding Officer

Approved as to form:

Attest:

Cynthia G. Besemer 6/23/82  
Cynthia G. Besemer, Legal Office, Date

[Signature]  
ASSISTANT Clerk

CITY COUNCIL  
OF THE  
CITY OF STOCKTON

BY [Signature] 8  
Presiding Officer

Attest:

[Signature]  
ASSISTANT Secretary

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

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 under date of September 1, 1944, effective September 1, 1944, and as amended effective July 1, 1948, July 1, 1950, February 1, 1952, February 1, 1954, January 1, 1956, January 1, 1960, January 16, 1962, January 1, 1963, January 6, 1968, October 1, 1969, July 1, 1973, August 16, 1973, October 1, 1973, January 1, 1975, July 1, 1978 and November 1, 1980, which provides for participation of Public Agency in said System, Board and Public Agency hereby agree as follows:

A. Paragraphs 1 through 11 are hereby stricken from said contract as executed effective November 1, 1980, and hereby replaced by the following paragraphs numbered 1 through 12 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 60 for local miscellaneous and age 50 for local safety members.
2. Public Agency shall participate in the Public Employees' Retirement System from and after September 1, 1944 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 such as by express provisions thereof apply only on the election of contracting agencies.
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 Firemen (herein referred to as local safety members);
  - b. Local Policemen (herein referred to as local safety members);
  - c. Employees other than local safety members (herein referred to as local miscellaneous members).

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:

ALL CENTRAL PARKING DISTRICT EMPLOYEES  
HIRED ON OR AFTER AUGUST 16, 1973

4. Effective August 16, 1973, those members who were hired by Public Agency on a temporary and/or seasonal basis not to exceed 6 months were excluded from PERS membership by contract. Government Code Section 20336 supersedes this contract provision by providing that any such temporary and/or seasonal employees are excluded from PERS membership subsequent to January 1, 1975.
5. Public Agency and the Stockton Redevelopment Agency have agreed to a merger of their contracts, and this contract shall be a continuation of the contract of the Stockton Redevelopment Agency, pursuant to Section 20567.6 of the Government Code. Such merger is effective as of July 1, 1975. Public Agency, by this contract assumes the assets and liabilities accumulated under the former contract of the Stockton Redevelopment Agency.
- a. Service performed for the former agency prior to July 1, 1975 shall be subject to the terms and conditions of the former agency's contract as it was in effect at that time. Service performed after July 1, 1975 shall be subject to the terms and conditions of this contract. For purposes of computing retirement allowances, separate calculations shall be made for service performed under each contract.
6. The fraction of final compensation to be provided for local miscellaneous members for each year of credited prior and current service shall be that provided in Section 21251.13 subject to the reduction provided therein for service on or after January 1, 1956 and prior to June 30, 1978 for members whose service has been included in Federal Social Security.
7. The fraction 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 21252.01 of said Retirement Law (2% at age 50 Full).
8. The following additional provisions of the Public Employees' Retirement Law which apply only upon election of a contracting agency shall apply to the Public Agency and its employees:
- a. Sections 21380-21387, (1959 Survivors Program), excluding Section 21382.2 (Increased 1959 Survivors benefits).
- b. Sections 21263/21263.1 (Post-retirement survivor allowance).
- c. Section 21222.1 (Special 5% increase - 1970).
- d. Section 20024.2 (One-year final compensation).
- e. Sections 21380-21387; including Section 21382.2 (1959 Survivors Program with increased benefits) for local miscellaneous members only.
- f. Section 21222.86 (Special 1%-7% increase to pre-7-1-74 retirees).

9. Public Agency, in accordance with Section 20740, Government Code, ceased to be an "employer" for purposes of Chapter 6 of the Public Employees' Retirement Law effective on January 1, 1975. Accumulated contributions of Public Agency as of the aforementioned date shall be fixed and determined as provided in Section 20759, Government Code, and accumulated contributions as of the aforementioned date and contributions thereafter made shall be held by the Board as provided in Section 20759, Government Code.
10. Public Agency shall contribute to said Retirement System as follows:
- a. With respect to miscellaneous members, the agency shall contribute the following percentages of monthly salaries earned as miscellaneous members of said Retirement System:
    - (1) 0.068 percent until June 30, 2000 on account of the liability for prior service benefits.
    - (2) 15.196 percent on account of the liability for current service benefits.
    - (3) 0.111 percent on account of the liability for the 1959 Survivor Program.
    - (4) 0.230 percent until June 30, 1983 on account of the liability for the benefits provided under Section 21222.1 of said Retirement Law.
  - b. With respect to local safety members, the agency shall contribute the following percentages of monthly salaries earned as local safety members of said Retirement System:
    - (1) 0.082 percent until June 30, 2000 on account of the liability for prior service benefits.
    - (2) 30.358 percent on account of the liability for current service benefits.
    - (3) 0.095 percent on account of the liability for the 1959 Survivor Program.
    - (4) 0.430 percent until June 30, 1983 on account of the liability for the benefits provided under Section 21222.1 of said Retirement Law.
  - c. A reasonable amount per annum, as fixed by the Board 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.
  - d. 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.

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- 11. 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.
- 12. Contributions required of Public Agency and its employees shall be paid by Public Agency to the Retirement System within thirty 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, or adjustments on account of errors in contributions required of any employee may be made by direct cash payments between the employee and the Board. Payments by Public Agency to Board may be made in the form of warrants, bank checks, bank drafts, certified checks, money orders or cash.

B. This amendment shall be attached to said contract and shall be effective on the 15<sup>th</sup> day of August, 1982

Witness our hands the 27<sup>th</sup> day of July, 1982.

BOARD OF ADMINISTRATION  
PUBLIC EMPLOYEES' RETIREMENT SYSTEM

CITY COUNCIL  
OF THE  
CITY OF STOCKTON

BY Carl J. Blechinger  
Carl J. Blechinger, Executive Officer

BY [Signature]  
Presiding Officer

Approved as to form:

Attest:

[Signature]  
Cynthia G. Besemer, Legal Office, Date  
5-27-82

[Signature]  
Clerk  
ASSISTANT  
PERS CON-702

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STOCKTON  
CITY CLERK  
OFFICE

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

The Board of Administration, Public Employees' Retirement System, hereinafter referred to as "Board," and the Stockton City Council of City of Stockton, hereinafter referred to as "Public Agency," having entered into a contract effective September 1, 1944, and witnessed September 1, 1944, and as amended effective July 1, 1948, July 1, 1950, February 1, 1952, February 1, 1954, January 1, 1956, January 1, 1960, January 16, 1962, January 1, 1963, January 6, 1968, October 1, 1969, July 1, 1973, August 16, 1973, October 1, 1973, January 1, 1975, July 1, 1978, November 1, 1980, and August 1, 1982, 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 August 1, 1982, and hereby replaced by the following paragraphs numbered 1 through 14 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 fifty (50) for the local safety members.
  - 2. Public Agency shall participate in the Public Employees' Retirement System from and after September 1, 1944, 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 Firefighters (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).

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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:
  - a. **ALL CENTRAL PARKING DISTRICT EMPLOYEES HIRED ON OR AFTER AUGUST 16, 1973.**
5. Prior to January 1, 1975, those members who were hired by Public Agency on a temporary and/or seasonal basis not to exceed six (6) months were excluded from PERS membership by contract. Government Code section 20336 supersedes this contract provision by providing that any such temporary and/or seasonal employees are excluded from PERS membership subsequent to January 1, 1975.
6. Public Agency and the Stockton Redevelopment Agency have agreed to a merger of their contracts, and this contract shall be a continuation of the benefits of the contract of the Stockton Redevelopment Agency, pursuant to Section 20567.6 of the Government Code. Such merger is effective as of July 1, 1975. Public Agency, by this contract, assumes the assets and liabilities accumulated under the former contract of the Stockton Redevelopment Agency. Legislation repealed said section effective January 1, 1988.
  - a. Service performed for the former agency prior to July 1, 1975, shall be subject to the terms and conditions of the former agency's contract as it was in effect at that time. Service performed after July 1, 1975, shall be subject to the terms and conditions of this contract. For purposes of computing retirement allowances, separate calculations shall be made for service performed under each contract.
7. The percentage of final compensation to be provided for local miscellaneous members for each year of credited prior and current service shall be determined in accordance with Section 21251.132 of said Retirement Law, subject to the reduction provided therein for service on and after January 1, 1956, the effective date of Social Security coverage, and prior to June 30, 1978, termination of Social Security, for members whose service has been included in Federal Social Security (2% at 55 Full and Modified).
8. 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 21252.01 of said Retirement Law (2% at age 50 Full).

9. Public Agency elected to be subject to the following optional provisions:
- a. Sections 21380-21387 (1959 Survivor Benefits) excluding Section 21382.2 (Increased 1959 Survivor Benefits) and Section 21382.4 (Third Level of 1959 Survivor Benefits).
  - b. Sections 21263 and 21263.1 (Post-Retirement Survivor Allowance).
  - c. Section 21222.1 (Special 5% Increase--1970). Legislation repealed said section effective January 1, 1980.
  - d. Section 20024.2 (One-Year Final Compensation).
  - e. Sections 21380-21387 (1959 Survivor Benefits) including Section 21382.2 (Increased 1959 Survivor Benefits) for local miscellaneous members only.
  - f. Section 21222.86 (Special 1%-7% Increase) for or on behalf of those local miscellaneous members and local safety members who retired or died prior to July 1, 1974.
10. Public Agency, in accordance with Government Code section 20740, ceased to be an "employer" for purposes of Government Code section 20759 effective on January 1, 1975. Accumulated contributions of Public Agency shall be fixed and determined as provided in Government Code section 20759, and accumulated contributions thereafter shall be held by the Board as provided in Government Code section 20759.
11. 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.
12. Public Agency shall also contribute to said Retirement System as follows:
- a. A reasonable amount, as fixed by the Board, payable in one installment within sixty (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.
  - b. 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

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employees of Public Agency, and costs of the periodic investigation and valuations required by law.

- 13. 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.
- 14. Contributions required of Public Agency and its employees shall be paid by Public Agency to the Retirement system within fifteen (15) 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 January 1, <sup>1993</sup>~~1992~~.

BOARD OF ADMINISTRATION PUBLIC EMPLOYEES' RETIREMENT SYSTEM

CITY COUNCIL OF THE CITY OF STOCKTON

BY David L. Christianson  
for CHIEF, CONTRACT SERVICES  
DIVISION PUBLIC EMPLOYEES'  
RETIREMENT SYSTEM

Joan Darrah  
JOAN DARRAH, Mayor of the  
City of Stockton

ATTEST:

Frances Hong  
FRANCES HONG, City Clerk of  
the City of Stockton

APPROVED AS TO FORM  
Date July 30, 1992  
Lawrence P. Stone  
Deputy City Attorney

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

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, 1944, and witnessed September 1, 1944, and as amended effective July 1, 1948, July 1, 1950, February 1, 1952, February 1, 1954, January 1, 1956, January 1, 1960, January 16, 1962, January 1, 1963, January 6, 1968, October 1, 1969, July 1, 1973, August 16, 1973, October 1, 1973, January 1, 1975, July 1, 1978, November 1, 1980, August 1, 1982 and January 1, 1993, which provides for participation of Public Agency in said System, Board and Public Agency hereby agree as follows:

- A. Paragraphs 1 through 14 are hereby stricken from said contract as executed effective August 1, 1982, and hereby replaced by the following paragraphs numbered 1 through 14 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, 1944 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:
    - a. **ALL CENTRAL PARKING DISTRICT EMPLOYEES  
HIRED ON OR AFTER AUGUST 16, 1973.**

5. Prior to January 1, 1975, those members who were hired by Public Agency on a temporary and/or seasonal basis not to exceed 6 months were excluded from PERS membership by contract. Government Code Section 20336 supersedes this contract provision by providing that any such temporary and/or seasonal employees are excluded from PERS membership subsequent to January 1, 1975.
6. Public Agency and the Stockton Redevelopment Agency have agreed to a merger of their contracts, and this contract shall be a continuation of the benefits of the contract of the Stockton Redevelopment Agency, pursuant to Section 20567.6 of the Government Code. Such merger is effective as of July 1, 1975. Public Agency, by this contract, assumes the assets and liabilities accumulated under the former contract of the Stockton Redevelopment Agency. Legislation repealed said Section effective January 1, 1988.
  - a. Service performed for the former agency prior to July 1, 1975 shall be subject to the terms and conditions of the former agency's contract as it was in effect at that time. Service performed after July 1, 1975 shall be subject to the terms and conditions of this contract. For purposes of computing retirement allowances, separate calculations shall be made for service performed under each contract.
7. The percentage of final compensation to be provided for local miscellaneous members for each year of credited prior and current service shall be determined in accordance with Section 21251.132 of said Retirement Law, subject to the reduction provided therein for service on and after January 1, 1956, the effective date of Social Security coverage, and prior to June 30, 1978, termination of Social Security, for members whose service has been included in Federal Social Security (2% at 55 Full and Modified).
8. 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 21252.01 of said Retirement Law (2% at age 50 Full).
9. Public Agency elected to be subject to the following optional provisions:
  - a. Sections 21380-21387 (1959 Survivor Benefits) excluding Section 21382.2 (Increased 1959 Survivor Benefits) and Section 21382.4 (Third Level of 1959 Survivor Benefits).
  - b. Sections 21263 and 21263.1 (Post-Retirement Survivor Allowance).
  - c. Section 21222.1 (Special 5% Increase - 1970). Legislation repealed said Section effective January 1, 1980.
  - d. Section 20024.2 (One-Year Final Compensation).
  - e. Sections 21380-21387 (1959 Survivor Benefits) including Section 21382.2 (Increased 1959 Survivor Benefits) for local miscellaneous members only.
  - f. Section 21222.86 (Special 1% - 7% Increase) for or on behalf of those local miscellaneous members and local safety members who retired or died prior to July 1, 1974.
  - g. Section 20930.3 (Military Service Credit as Public Service), Statutes of 1976.
  - h. Section 20930.33 (Military Service Credit for Retired Persons).

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- 10. Public Agency, in accordance with Government Code Section 20740, ceased to be an "employer" for purposes of Section 20759 effective on January 1, 1975. Accumulated contributions of Public Agency shall be fixed and determined as provided in Government Code Section 20759, and accumulated contributions thereafter shall be held by the Board as provided in Government Code Section 20759.
- 11. 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.
- 12. Public Agency shall also contribute to said Retirement System as follows:
  - a. 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.
  - b. 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.
- 13. 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.
- 14. 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 13 day of MAY, 1993.

BOARD OF ADMINISTRATION  
PUBLIC EMPLOYEES' RETIREMENT SYSTEM

BY Malcolm K. Gibson  
CHIEF, CONTRACT SERVICES DIVISION  
PUBLIC EMPLOYEES' RETIREMENT SYSTEM

CITY COUNCIL  
OF THE  
CITY OF STOCKTON

BY Joan Barran  
Presiding Officer

APPROVED AS TO FORM

Lawrence Stone  
City Attorney

JUL 13 1993  
Witness Date

Attest:  
James H. Gray  
Clerk