

**CITY COUNCIL OF MONTEREY PARK  
AGENDA**

**SPECIAL MEETING**

**NOTE THAT THIS MEETING WILL BE CONDUCTED PURSUANT TO SECTION 3 OF EXECUTIVE ORDER NO. N-29-20 ISSUED BY GOVERNOR NEWSOM ON MARCH 17, 2020.**

**ACCORDINGLY, COUNCILMEMBERS WILL BE PROVIDED WITH A MEETING LOGIN NUMBER AND CONFERENCE CALL NUMBER; THEY WILL NOT BE PHYSICALLY PRESENT AT COUNCIL CHAMBERS.**

**PURSUANT TO THE GOVERNOR'S ORDER, THE PUBLIC MAY PROVIDE PUBLIC COMMENT UTILIZING THE METHODS SET FORTH BELOW.**

**NOTE THAT CITY HALL IS CURRENTLY CLOSED TO THE PUBLIC. YOU WILL NOT BE ADMITTED TO CITY HALL.**

**Tuesday  
April 7, 2020  
Special Meeting at 5:00 p.m.**

**MISSION STATEMENT**

**The mission of the City of Monterey Park is to provide excellent services to enhance the quality of life for our entire community.**

Documents related to an Agenda item are available to the public in the City Clerk's Office located at 320 West Newmark Avenue, Monterey Park, CA 91754, during normal business hours and the City's website at <http://www.montereypark.ca.gov/AgendaCenter/City-Council-17> .

**PUBLIC COMMENTS ON AGENDA ITEMS**

You may speak up to 5 minutes on Agenda item. You may combine up to 2 minutes of time with another person's speaking. No person may speak more than a total of 10 minutes. The Mayor and City Council may change the amount of time allowed for speakers.

**PUBLIC PARTICIPATION**

In accordance with Executive Order No. N-29-20 and guidance from the California Department of Public Health on gatherings, remote public participation is allowed in the following ways:

Participants are encouraged to join the meeting 30 minutes before the start of the meeting.

Public comment will be accepted via email to [mpclerk@montereypark.ca.gov](mailto:mpclerk@montereypark.ca.gov) during the meeting, before the close of public comment, and read into the record during public comment, when feasible. We request that written communications be limited to not more than 50 words.

Public comment may be submitted via telephone during the meeting, before the close of public comment, by calling 888-788-0099 or 877-853-5247 and entering Zoom Meeting ID: 626805377 then press pound (#). When prompted to enter participation ID number press pound (#) again. If participants would like to make a public comment they will enter “\*9” then the Clerk’s office will be notified and you will be in the rotation to make a public comment.

The public may also watch the meeting live on the city’s cable channel MPKTV (AT&T U-verse, channel 99 or Charter Communications, channel 182) or by visiting the city’s website at <http://www.montereypark.ca.gov/133/City-Council-Meeting-Videos>.

**Important Disclaimer** – When a participant calls in to join the meeting, their name and/or phone number will be visible to all participants. Note that all public meetings will be recorded.

**CALL TO ORDER**

**Mayor**

**ROLL CALL**

**Peter Chan, Hans Liang, Henry Lo, Fred Sornoso, Yvonne Yiu**

**PUBLIC COMMUNICATIONS.** Pursuant to Government Code Section 54954.3(a), the public may address the City Council only on matters listed on the Agenda. Those wishing to speak on an agenda item must utilize one of the methods listed above. No other public comment will be accepted. Attempts to provide comment at times not designated on the agenda may result in the City dropping you from the meeting.

**[1.] NEW BUSINESS**

**1-A. CONSIDERATION AND POSSIBLE ACTION TO ADOPT AN URGENCY ORDINANCE TO AMEND THE CITY'S CALPERS CONTRACT CAUSING MEMBERS OF THE MONTEREY PARK POLICE OFFICERS' MID-MANAGEMENT ASSOCIATION, MONTEREY PARK POLICE CAPTAINS ASSOCIATION AND THE PROFESSIONAL CHIEF FIRE OFFICERS ASSOCIATION TO MAKE ADDITIONAL PAYMENTS TOWARD CALPERS COST AS FOLLOWS: AN ADDITIONAL 3% BY CLASSIC EMPLOYEES; AND 0.5% FOR PEPRA EMPLOYEES. ADDITIONALLY, CONSIDERATION AND POSSIBLE ACTION TO INTRODUCE AND WAIVE FIRST READING OF AN ORDINANCE THAT WOULD TAKE THE SAME ACTION AS THE URGENCY ORDINANCE.**

It is recommended that the City Council consider:

- (1) Adopting an Urgency Ordinance upon 4/5 vote to amend the City's CalPERS contract to increase contributions made by MPPOMMA, MPPCA and PCOA members to CalPERS retirement costs;
- (2) Waiving first reading and introduce an Ordinance that would amend the City's CalPERS contract. Second reading and adoption would be scheduled for April 15, 2020;
- (3) Take such additional, related, action that may be desirable.

**ORAL AND WRITTEN COMMUNICATIONS**

The City Council will recess to Closed session following Public comment. Public participation is not allowed during Closed session. The virtual meeting will remain open during the pendency of the City Council's Closed session.

**CLOSED SESSION**

**1. CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION - GOVERNMENT CODE § 54956.9(d). Number of Case(s): 5.**

1. *Onelegacy v. City of Monterey Park* (filed May 3, 2019), LASC Case No. 19STCV15560.
2. *People ex rel. Mark D. Hensley, City Attorney v. Center International Investments, Inc.* (filed December 31, 2015), LASC Case No. BC605788.
3. *People ex rel. Mark D. Hensley, City Attorney v. Good Day, Inc.* (filed June 1, 2017), LASC Case. No. EC066790.
4. *Good Day, Inc. v. City of Monterey Park* (filed September 18, 2017), United States District Court, Central District of California, Case No. 2:17-cv-06749-CBM-JPR.
5. *City of Monterey Park v. Watanabe* (filed March 7, 2014), SSC Case No. 34-2014-80001777.

Upon concluding the Closed session, the Mayor will resume Open session and announce any reportable actions from Closed session in accordance with the brown act.

**ADJOURN**



# City Council Staff Report

**DATE:** April 7, 2020

**AGENDA ITEM NO:**

**TO:** The Honorable Mayor and City Council

**FROM:** Danielle Tellez, Interim Director of Human Resources and Risk Management

**SUBJECT:** Consideration and possible action to adopt an Urgency Ordinance to amend the City's CalPERS contract causing members of the Monterey Park Police Officers' Mid-management Association; Monterey Park Police Captains Association and the Professional Chief Fire Officers Association to make additional payments toward CalPERS cost as follows: an additional 3% by classic employees; and 0.5% for PEPR employees. Additionally, consideration and possible action to introduce and waive first reading of an ordinance that would take the same action as the urgency ordinance.

**RECOMMENDATION:**

It is recommended that the City Council consider:

1. Adopting an Urgency Ordinance upon 4/5 vote to amend the City's CalPERS contract to increase contributions made by MPPOMMA, MPPCA and PCOA members to CalPERS retirement costs;
2. Waiving first reading and introduce an Ordinance that would amend the City's CalPERS contract. Second reading and adoption would be scheduled for April 15, 2020;
3. Take such additional, related, action that may be desirable.

**EXECUTIVE SUMMARY:**

On December 18, 2019, the City Council adopted Resolution No. 12132 declaring its intent to approve an amendment to the City's contract with the California Public Employees' Retirement System. At the same meeting, the City Council waived first reading and introduced an Ordinance to implement that contract amendment in accordance with Government Code § 20471. That Government Code section required there to be an interval of at least 20 days between introduction and adoption of the ordinance. The City Council adopted the ordinance on January 15, 2020 (28 days after its introduction). Regrettably, however, the ordinance was not published in accordance with Government Code § 36933 and was thus rendered ineffective.

Since discovering this error, the City was confronted with several significant events: the departure of its former Human Resources Director; the seating of a new City Council; and the ongoing COVID-19 emergency. As to the latter, the City has been largely reacting to events in order to protect public health. Consequently, many of the other important government functions were placed on a “back burner” in order to address immediate threats.

**BACKGROUND:**

A copy of the original staff reports from December 2019 and January 2020 are attached for background. At this point, the City is focusing its efforts on creating a “new normal” during the COVID-19 emergency. One of the first items of concern is to ensure that the morale of the City’s public safety employees, and the City’s commitment to them, is preserved. Accordingly, it is in the public interest for the City to move forward with amending the CalPERS contract in the manner originally contemplated in October 2019. This will help ensure that the City’s outstanding public safety employees continue their unflagging commitment in responding to the ongoing emergency.

To help that process, one of the recommendations is for the City Council to adopt an urgency ordinance that would take effect immediately. Additionally, the City Council would introduce a regular ordinance; adoption would be scheduled for the regular April 15<sup>th</sup> City Council meeting. Both ordinances would accomplish the same goal: amending the CalPERS contract between the City and the public safety employees’ collective bargaining units.

**FISCAL IMPACT:**

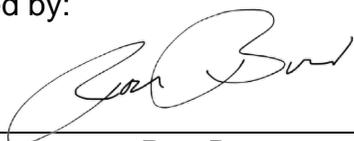
The fiscal impact of these actions is outlined in the attached staff reports.

Respectfully submitted by:

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Danielle Tellez  
Interim Director of Human  
Resources and Risk  
Management

Approved by:



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Ron Bow  
City Manager

Reviewed by:



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Karl H. Berger  
Assistant City Attorney

Since discovering this error, the City was confronted with several significant events: the departure of its former Human Resources Director; the seating of a new City Council; and the ongoing COVID-19 emergency. As to the latter, the City has been largely reacting to events in order to protect public health. Consequently, many of the other important government functions were placed on a "back burner" in order to address immediate threats.

**BACKGROUND:**

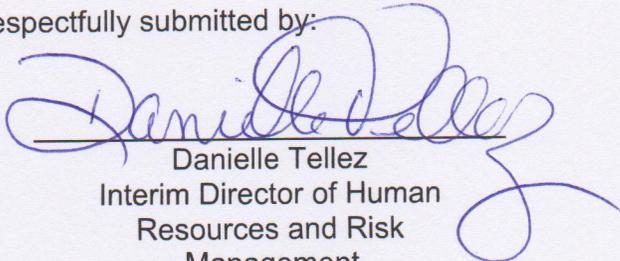
A copy of the original staff reports from December 2019 and January 2020 are attached for background. At this point, the City is focusing its efforts on creating a "new normal" during the COVID-19 emergency. One of the first items of concern is to ensure that the morale of the City's public safety employees, and the City's commitment to them, is preserved. Accordingly, it is in the public interest for the City to move forward with amending the CalPERS contract in the manner originally contemplated in October 2019. This will help ensure that the City's outstanding public safety employees continue their unflagging commitment in responding to the ongoing emergency.

To help that process, one of the recommendations is for the City Council to adopt an urgency ordinance that would take effect immediately. Additionally, the City Council would introduce a regular ordinance; adoption would be scheduled for the regular April 15<sup>th</sup> City Council meeting. Both ordinances would accomplish the same goal: amending the CalPERS contract between the City and the public safety employees' collective bargaining units.

**FISCAL IMPACT:**

The fiscal impact of these actions is outlined in the attached staff reports.

Respectfully submitted by:

  
\_\_\_\_\_  
Danielle Tellez  
Interim Director of Human  
Resources and Risk  
Management

Approved by:

\_\_\_\_\_  
Ron Bow  
City Manager

Reviewed by:

  
\_\_\_\_\_  
Karl H. Berger  
Assistant City Attorney

April 3, 2020

MPPOMMA, MPPCA, and PCOA Amendment to CalPERS Contract

Page 3

**ATTACHMENTS:**

1. Urgency Ordinance
2. Regular Ordinance
3. Staff Report dated January 15, 2020
4. Staff Report dated December 18, 2019

# **ATTACHMENT 1**

## **Urgency Ordinance**

ORDINANCE NO. \_\_\_\_\_

**AN URGENCY ORDINANCE AUTHORIZING AN AMENDMENT TO THE CONTRACT BETWEEN THE CITY COUNCIL OF THE CITY OF MONTEREY PARK AND THE BOARD OF ADMINISTRATION OF THE CALIFORNIA PUBLIC EMPLOYEES' RETIREMENT SYSTEM.**

The city council of the city of Monterey Park does ordain as follows:

SECTION 1: The City Council finds and determines as follows:

- A. On December 18, 2019, the City Council adopted Resolution No. 12132 declaring its intent to approve an amendment to the City's contract with the California Public Employees' Retirement System;
- B. On December 18, 2019, the City Council also waived first reading and introduced an ordinance to implement such an amendment in accordance with Government Code § 20471;
- C. On January 15, 2020, the City Council waived second reading and adopted that ordinance more than 20 days after its introduction;
- D. Through inadvertence, the ordinance was not published in accordance with Government Code § 36933 and was thus rendered ineffective;
- E. Resolution No. 12132 was adopted more than 20 days before the effective date of this Ordinance;
- F. On March 11, 2020, at 7:00 p.m., the City declared a state of local emergency due to the COVID-19 Pandemic (the "Emergency"). That Emergency was ratified by Resolution No. 12142, adopted March 18, 2020;
- G. Among other things, the Emergency is a significant threat to public welfare and the well-being of the City's employees. The economic uncertainty resulting from the Emergency is well-documented. Ensuring that the City fulfills its commitments to employees will help preserve public health and safety by providing a motivated and responsive workforce to serve the public;
- H. Because of the findings set forth above, the City Council finds that this Ordinance should be adopted on an urgency basis to preserve

the public health, safety, and welfare in accordance with Government Code §§ 36934 and 36937(b).

SECTION 2: Attached Exhibit “A,” is incorporated by this reference as if fully set forth (the “CalPERS Ordinance”). The Mayor is authorized to execute the CalPERS Ordinance and the City Manager is authorized to immediately implement the contract amendment contemplated by the CalPERS Ordinance.

SECTION 3: *Environmental Assessment.* The City Council finds that the Ordinance is not subject to review under the California Environmental Quality Act (“CEQA”) under CEQA Guidelines section 15061(b)(3) because it can be seen with certainty that there is no possibility that the Ordinance may have a significant effect on the environment. Adopting this Ordinance will not have the effect of deleting or substantially changing any regulatory standards or required findings. This Ordinance would not result in any development or changes to the physical environment. Following an evaluation of possible adverse impacts, it can be seen with certainty that there is no possibility that the Ordinance will have a significant effect on the environment.

SECTION 5: *Reliance on Record.* Each and every one of the findings and determinations in this Ordinance are based on the competent and substantial evidence, both oral and written, contained in the entire record relating to the project. The findings and determinations constitute the independent findings and determinations of the City Council in all respects and are fully and completely supported by substantial evidence in the record as a whole.

SECTION 6: *Severability.* If any part of this Ordinance or its application is deemed invalid by a court of competent jurisdiction, the City Council intends that such invalidity will not affect the effectiveness of the remaining provision or application and, to this end, the provisions of this Ordinance are severable.

SECTION 7: *Certification.* The City Clerk is directed to certify the passage and adoption of this Ordinance; cause it to be entered into the City of Monterey Park’s book of original ordinances; make a note of the passage and adoption in the records of this meeting; and, within 10 days after the passage and adoption of this Ordinance, cause it to be published or posted in accordance with California law.

SECTION 8: *Declaration of Urgency.* Based on the findings set forth in Section 1, this is an Urgency Ordinance adopted for the immediate preservation of the public peace, health, safety and welfare.

SECTION 9: *Effective Date.* This Ordinance will become effective immediately upon adoption pursuant to Government Code §§ 36937 and 65858 for the immediate preservation of the public peace, health, safety, and welfare. Pursuant to those statutes

this Ordinance is adopted by fourth-fifths vote of the City Council.

PASSED, APPROVED, AND ADOPTED April 7, 2020.

\_\_\_\_\_  
Hans Liang, Mayor

ATTEST:

\_\_\_\_\_  
Vincent D. Chang, City Clerk

APPROVED AS TO FORM:

  
\_\_\_\_\_  
Karl H. Berger, Assistant City Attorney

# **Exhibit A**

## **CalPERS Ordinance**

**ORDINANCE NO. \_\_\_\_\_**

**An Ordinance of the City Council of the City of Monterey Park authorizing an amendment to the contract between the City Council of the City of Monterey Park and the Board of Administration of the California Public Employees' Retirement System.**

The City Council of the City of Monterey Park does ordain as follows:

SECTION 1. That an amendment to the contract between the City Council of the City of Monterey Park and the Board of Administration, California Public Employees' Retirement System is hereby authorized, a copy of said amendment being attached hereto, marked Exhibit, and by such reference made a part hereof as though herein set out in full.

SECTION 2. The Mayor of the City Council City of Monterey Park is hereby authorized, empowered, and directed to execute said amendment for and on behalf of said Agency.

SECTION 3. This Ordinance shall take effect 30 days after the date of its adoption, and prior to the expiration of 15 days from the passage thereof shall be published at least once in *The Wave*, a newspaper of general circulation, published and circulated in the County of Los Angeles and thenceforth and thereafter the same shall be in full force and effect.

SECTION 4. The City Clerk shall certify to the passage and adoption of this Ordinance and to its approval by the Mayor and said Ordinance shall become effective thirty days after adoption.

PASSED, APPROVED AND ADOPTED this 7<sup>th</sup> day of April, 2020.

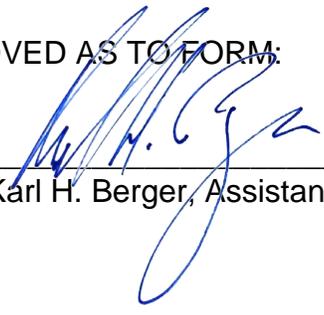
\_\_\_\_\_  
Hans Liang, Mayor  
City of Monterey Park, California

ATTEST:

\_\_\_\_\_  
Vincent D. Chang, City Clerk  
City of Monterey Park, California

APPROVED AS TO FORM:

By:

  
Karl H. Berger, Assistant City Attorney

State of California            )  
County of Los Angeles       ) ss  
City of Monterey Park        )

I, Vincent D. Chang, City Clerk of the City of Monterey Park, California, do hereby certify that the foregoing Resolution No. \_\_\_\_\_ was duly and regularly adopted by the City Council of the City of Monterey Park at a regular meeting held on the \_\_\_ day of \_\_\_\_\_, 2020 by the following vote:

Ayes:            Council Members:  
Nays:            Council Members:  
Absent:          Council Members:  
Abstain:         Council Members:

Dated this \_\_\_ day of \_\_\_\_\_, 2020.

\_\_\_\_\_  
Vincent D. Chang, City Clerk  
City of Monterey Park, California

## **ATTACHMENT 2**

### Regular Ordinance

**ORDINANCE NO. \_\_\_\_\_**

**An Ordinance of the City Council of the City of Monterey Park authorizing an amendment to the contract between the City Council of the City of Monterey Park and the Board of Administration of the California Public Employees' Retirement System.**

The City Council of the City of Monterey Park does ordain as follows:

SECTION 1. That an amendment to the contract between the City Council of the City of Monterey Park and the Board of Administration, California Public Employees' Retirement System is hereby authorized, a copy of said amendment being attached hereto, marked Exhibit, and by such reference made a part hereof as though herein set out in full.

SECTION 2. The Mayor of the City Council City of Monterey Park is hereby authorized, empowered, and directed to execute said amendment for and on behalf of said Agency.

SECTION 3. This Ordinance shall take effect 30 days after the date of its adoption, and prior to the expiration of 15 days from the passage thereof shall be published at least once in *The Wave*, a newspaper of general circulation, published and circulated in the County of Los Angeles and thenceforth and thereafter the same shall be in full force and effect.

SECTION 4. The City Clerk shall certify to the passage and adoption of this Ordinance and to its approval by the Mayor and said Ordinance shall become effective thirty days after adoption.

PASSED, APPROVED AND ADOPTED this \_\_\_\_\_ day of \_\_\_\_\_, 2020.

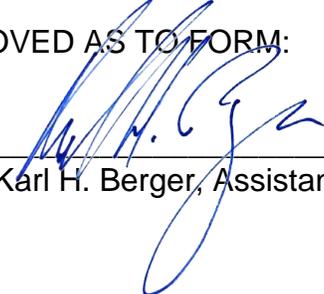
\_\_\_\_\_  
Hans Liang, Mayor  
City of Monterey Park, California

ATTEST:

\_\_\_\_\_  
Vincent D. Chang, City Clerk  
City of Monterey Park, California

APPROVED AS TO FORM:

By:

  
Karl H. Berger, Assistant City Attorney

State of California            )  
County of Los Angeles       ) ss  
City of Monterey Park        )

I, Vincent D. Chang, City Clerk of the City of Monterey Park, California, do hereby certify that the foregoing Resolution No. \_\_\_\_\_ was duly and regularly adopted by the City Council of the City of Monterey Park at a regular meeting held on the \_\_\_ day of \_\_\_\_\_, 2020 by the following vote:

Ayes:            Council Members:  
Nays:            Council Members:  
Absent:          Council Members:  
Abstain:         Council Members:

Dated this \_\_\_ day of \_\_\_\_\_, 2020.

\_\_\_\_\_  
Vincent D. Chang, City Clerk  
City of Monterey Park, California

**ATTACHMENT 3**  
Staff Report dated January 15, 2020



# City Council Staff Report

**DATE:** January 15, 2020

**AGENDA ITEM NO:** Consent Calendar  
Agenda Item 3-D.

**TO:** The Honorable Mayor and City Council  
**FROM:** Tom Cody, Director of Human Resources and Risk Management  
**SUBJECT:** Second reading and adoption: An ordinance amending the City's CalPERS contract causing members of the Monterey Park Police Officers' Mid-Management Association ("MPPOMMA"), Monterey Park Police Captains Association ("MPPCA") and the Professional Chief Fire Officers Association ("PCOA") to make additional payments toward CalPERS cost as follows: an additional 3% by classic employees; and 0.5% for PEPRAs employees.

## **RECOMMENDATION:**

It is recommended that the City Council:

1. Waive the second reading and adopt the proposed ordinance; and
2. Take such additional, related, action that may be desirable.

## **EXECUTIVE SUMMARY:**

On December 18, 2019, the City Council introduced and waived the first reading of an ordinance amending the City's CalPERS contract. The staff report from that meeting is attached for reference.

Second reading and adoption of this ordinance is recommended; the ordinance will become effective 30 days after adoption.

Approved by:

A handwritten signature in blue ink, appearing to read "T. Cody", written over a horizontal line.

Thomas J Cody  
Director of Human Resources  
and Risk Management

Approved by:

Reviewed by:

  
\_\_\_\_\_  
Ron Bow  
City Manager

  
\_\_\_\_\_  
Karl H. Berger  
Assistant City Attorney

**ATTACHMENTS:**

- 1. CalPERS Draft Ordinance
- ~~2. Amendment to Contract between the Board of CalPERS and the City Council of City of Monterey Park~~
- ~~3. December 18, 2019 City Council Staff Report~~

**ATTACHMENT 1**  
**CalPERS Draft Ordinance**

**ORDINANCE NO. \_\_\_\_\_**

**An Ordinance of the City Council of the City of Monterey Park authorizing an amendment to the contract between the City Council of the City of Monterey Park and the Board of Administration of the California Public Employees' Retirement System.**

The City Council of the City of Monterey Park does ordain as follows:

SECTION 1. That an amendment to the contract between the City Council of the City of Monterey Park and the Board of Administration, California Public Employees' Retirement System is hereby authorized, a copy of said amendment being attached hereto, marked Exhibit, and by such reference made a part hereof as though herein set out in full.

SECTION 2. The Mayor of the City Council City of Monterey Park is hereby authorized, empowered, and directed to execute said amendment for and on behalf of said Agency.

SECTION 3. This Ordinance shall take effect 30 days after the date of its adoption, and prior to the expiration of 15 days from the passage thereof shall be published at least once in *The Wave*, a newspaper of general circulation, published and circulated in the County of Los Angeles and thenceforth and thereafter the same shall be in full force and effect.

SECTION 4. The City Clerk shall certify to the passage and adoption of this Ordinance and to its approval by the Mayor and said Ordinance shall become effective thirty days after adoption.

PASSED, APPROVED AND ADOPTED this \_\_\_\_\_ day of \_\_\_\_\_, 2020.

\_\_\_\_\_  
Hans Liang, Mayor  
City of Monterey Park, California

ATTEST:

\_\_\_\_\_  
Vincent D. Chang, City Clerk  
City of Monterey Park, California

APPROVED AS TO FORM:  
Mark D. Hensley, City Attorney

By:   
Karl H. Berger, Assistant City Attorney

State of California )  
County of Los Angeles) §  
City of Monterey Park )

I, Vincent D. Chang, City Clerk of the City of Monterey Park, California, do hereby certify that the foregoing Resolution No. \_\_\_\_\_ was duly and regularly adopted by the City Council of the City of Monterey Park at a regular meeting held on the \_\_\_ day of \_\_\_\_\_, 2020 by the following vote:

Ayes:	Council Members:
Nays:	Council Members:
Absent:	Council Members:
Abstain:	Council Members:

Dated this \_\_\_ day of \_\_\_\_\_, 2020.

\_\_\_\_\_  
Vincent D. Chang, City Clerk  
City of Monterey Park, California

**ATTACHMENT 4**  
Staff Report dated December 18, 2019



# City Council Staff Report

**DATE:** December 18, 2019

**AGENDA ITEM NO:** New Business  
Agenda Item 5-A

**TO:** The Honorable Mayor and City Council  
**FROM:** Tom Cody, Director of Human Resources and Risk Management  
**SUBJECT:** Consideration and possible action to adopt a Resolution of Intent to amend the City's CalPERS contract causing members of the Monterey Park Police Officers' Mid-Management Association, Monterey Park Police Captains Association and the Professional Chief Fire Officers Association to make additional payments toward CalPERS cost as follows: an additional 3% by classic employees; and 0.5% for PEPRA employees. The proposed action includes introducing an Ordinance that, if adopted, would amend the CalPERS contract.

## **RECOMMENDATION:**

It is recommended that the City Council consider:

1. Adopting a Resolution providing notice of an intent to amend the City's CalPERS contract to increase contributions made by MPPOMMA, MPPCA and PCOA members to CalPERS retirement costs;
2. Waiving first reading and introduce an Ordinance that would amend the City's CalPERS contract. Second reading and adoption would be scheduled for January 15, 2020;
3. Authorizing the City Clerk to sign the "*Certificate of Compliance with Government Code Section 7507*"; and
4. Taking such additional, related, action that may be desirable.

## **EXECUTIVE SUMMARY:**

The 2018-2022 Memorandum of Understanding (MOU) between the City and Monterey Park Police Officers' Mid-Management Association (MPPOMMA), Monterey Park Police Captains Association (MPPCA) and the Professional Chief Fire Officers Association (PCOA) includes an agreement that the City amend the CalPERS contract to increase the contribution by MPPOMMA, MPPCA, and PCOA members toward retirement costs. That amendment would result in MPPOMMA, MPPCA, and PCOA members increasing their own contributions as follows: a 3% increase for classic employees and 0.5% for PEPRA employees.

## **BACKGROUND:**

On October 2, 2019, the City Council adopted Resolutions No. 12107, 12108 and 12109 which approved the MOUs with MPPOMMA, MPPCA, and PCOA for contract year

2018-2022. For CalPERS cost sharing purposes, this is governed by Government Code § 20516 which requires an amendment to the City's CalPERS contract.

Article 31 of the MPPOMMA MOU, Article 29 of the MPPCA MOU, and Article 20 of the PCOA MOUs contain provisions that increases MPPOMMA, MPPCA, and PCOA members' CalPERS contributions. As a result, the present action is required to increase contributions by classic employees by 3% and PEPRAs employees by 0.5%. These increased costs will be funded by employees in the following manner:

1. The 20 classic members from MPPOMMA (15), MPPCA (2), and PCOA (3) commence payment of an additional 3.0% employee share of PERS.
2. **Future** PEPRAs members from MPPOMMA, MPPCA, and PCOA commence payment of an additional 0.5% employee share of PERS.

No MPPOMMA, MPPCA, and PCOA members are currently "PEPRA" members under CalPERS regulations. The PEPRA language provided above is used as reference for future PEPRA members hired and governed by 2018-2022 MPPOMMA, MPPCA and PCOA MOUs.

Pursuant to CalPERS requirements, the following actions are necessary to amend the contract:

1. Adopt a Resolution of Intention to amend the CalPERS contract. That Resolution is attached.
2. Adopt an ordinance amending the CalPERS contract. First reading and introduction is proposed for tonight's meeting.
3. In accordance with Government Code §7507, make public the future annual costs at least two weeks prior to adoption of the Ordinance. The fiscal impact is reflected in the "Fiscal Impact" section below.
4. Cause the "Certification of Governing Body's Action (PERS Form No. CON-12) and the "Certificate of Compliance with Government code section 7507 (PERS Form No. CON-12A) to be executed by the City Clerk. Those forms are attached.
5. Provide for a 20-day period between the Adoption of the Resolution of Intention and the Adoption of the final Ordinance. Final Adoption of the Ordinance will be January 15, 2020 (28 days from introduction). The Ordinance will be effective February 22, 2020.
6. Certification that the City's Police Officers' Mid-Management Association, the City's Police Captains Association and the City's

Professional Chief Fire Officers Association members have approved the contract amendment and understand and agree that the required member contribution rate for members subject to Section 20516 (Employees Sharing Additional Cost) of 3% for classic local police members in the Monterey Park Police Officers' Mid-Management Association, Monterey Park Police Captains Association and the Professional Chief Fire Officers Association and .5% for PEPRA local police members in the Monterey Park Police Officers' Mid-Management Association, Monterey Park Police Captains Association and the Professional Chief Fire Officers Association. An employee election has been conducted. The results and City Clerk's certification is Attachment 9.

Note: These resolution and certifications are CalPERS documents and cannot be altered.

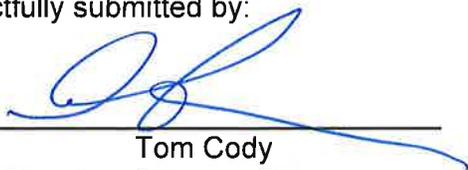
The City's MPPOMMA, MPPCA, and PCOA members have voted a majority agreement to proceed with the amendment and to bear the cost of the employee share of PERS.

**FISCAL IMPACT:**

Effective the date of the amendment to the contract, the City's CalPERS "employee" rate for MPPOMMA, MPPCA, and PCOA "Classic" and MPPOMMA, MPPCA, and PCOA PEPRA will increase 3.0% and 0.5%, respectively.

City Council approved the MOU for MPPOMMA, MPPCA, and PCOA on October 2, 2019. The proposed CalPERS contract amendment reflects additional employees' contributions to the pension plan and to offset members' additional pension contributions; the City will compensate MPPOMMA and MPPCA members with a salary increase of 3%. For PCOA members, the City will contribute 3% regular monthly salary to the PCOA Classic members' 401(a) Plan and a fixed \$185 to the PCOA PEPRA members' 401(a) Plan. The 2019-2020 budget includes the appropriation to fund the MOU changes and there is no additional cost for the CalPERS contract revision.

Respectfully submitted by:



Tom Cody  
Director of Human Resources  
and Risk Management

Approved by:



---

Ron Bow  
City Manager

Reviewed by:



---

Karl H. Berger  
Assistant City Attorney

**ATTACHMENTS:**

1. Resolution No. 12107 (MPPOMMA MOU)
2. Resolution No. 12108 (MPPCA MOU)
3. Resolution No. 12109 (PCOA MOU)
4. Sample Amendment to CalPERS Contract
5. Resolution of Intention to Approve an Amendment to Contract
6. Ordinance
7. Certification of Compliance with Government Code Section 7507 – Form PERS-12A
8. Certification of Governing Body Action – Form PERS-CON-12
9. Certification of Employee Election - Form PERS-CON-15
10. City of Monterey Park/CalPERS Contract

**ATTACHMENT 1**  
**Resolution No. 12107 (MPPOMMA MOU)**

**RESOLUTION NO. 12107**

**A RESOLUTION APPROVING THE MEMORANDUM OF UNDERSTANDING FOR CONTRACT YEAR 2018-2022 BETWEEN THE CITY OF MONTEREY PARK AND THE MONTEREY PARK POLICE OFFICERS' MID-MANAGEMENT ASSOCIATION.**

The City Council for the City of Monterey Park does resolve as follows:

**SECTION 1:** The City, acting by and through its City Council appointed negotiation team, and representatives of the Monterey Park Police Officers' Mid-Management Association (MPPOMMA), a duly recognized employee organization representing the City of Monterey Park Police Officers' Mid-Management Association employees, met and conferred in good faith and fully communicated and exchanged information concerning wages, retirement funding, hours, and the terms and conditions of employment for contract year 2018-2022.

**SECTION 2:** The appointed representatives of the parties agreed on certain matters as stated in the attached MOU and recommended that the City and the Union implement those agreements.

**SECTION 3:** MPPOMMA accepted the Memorandum of Understanding ("MOU") attached as Exhibit "A," and incorporated by reference.

**SECTION 4:** The City Council approves the MOU for Contract Year 2018-2022 between the City of Monterey Park and the Monterey Park Police Officers' Mid-Management Association (MPPOMMA).

**SECTION 5:** The City Manager is authorized to execute the MOU on the City's behalf in a form approved by the City Attorney.

**SECTION 6:** This Resolution will become effective immediately upon adoption and will remain effective unless repealed or superseded.

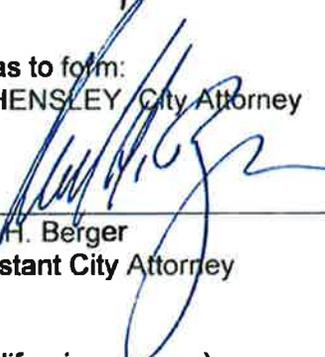
**SECTION 7:** The City Clerk will certify to the passage and adoption of this Resolution; will enter the same in the book of original Resolutions of said City; and will make a minute of the passage and adoption thereof in the record of proceedings of the City Council of said City, in the minutes of the meeting at which the same is passed and adopted.

PASSED, AND ADOPTED this 2<sup>nd</sup> day of October, 2019

  
Hans Liang  
Mayor, City of Monterey Park

ATTEST  
  
Vincent Chang, City Clerk

Approved as to form:  
MARK D. HENSLEY, City Attorney

By:   
Karl H. Berger  
Assistant City Attorney

State of California )  
County of Los Angeles ) ss.  
City of Monterey Park )

I, Vincent D. Chang, City Clerk of the City of Monterey Park, California, do hereby certify that the foregoing Resolution No. 12107 was duly and regularly adopted by the City Council of the City of Monterey Park at a meeting held on this 2<sup>nd</sup> day of October, 2019 by the following vote:

AYES: Council Members: Chan, Real Sebastian, Ing, Liang  
NOES: Council Members: None  
ABSENT: Council Members: Lam  
ABSTAIN: Council Members: None

Dated this 2<sup>nd</sup> day of October, 2019

  
Vincent D. Chang, City Clerk  
City of Monterey Park,  
California



**MEMORANDUM OF UNDERSTANDING**

**between**

**THE CITY OF MONTEREY PARK, CALIFORNIA**

**and**

**THE MONTEREY PARK POLICE OFFICERS' MID-MANAGEMENT  
ASSOCIATION**

**FOUR-YEAR AGREEMENT: 07/01/2018 – 06/30/2022**

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between  
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and  
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Effective the beginning of the pay period following January 1, 2021, the salary range for Police Lieutenant and Police Sergeant will be increased by 2.7%.

Effective the beginning of the pay period following January 1, 2022, the salary range for Police Lieutenant and Police Sergeant will be increased by 3.5%.

Salary ranges for Police Lieutenant and Police Sergeant are listed in Addendum A.

Longevity: The City will provide a monthly longevity payment of one-hundred dollars (\$100) per month upon completion of twenty (20) years of continuous service. The longevity payment will increase to three-hundred fifty dollars (\$350) per month upon completion of twenty-five (25) years of continuous service.

The parties agree that this is special compensation and shall be reported as such to CalPERS, to the extent legally permissible, pursuant to Title 2 CCR, Section 571(a)(1).

Acting Pay: Unit members assigned by the Police Chief, or his/her designee to perform the duties of a higher level rank shall be compensated with acting pay as \$50 a day extra pay for no more than \$200 in a twenty-eight day scheduling period.

**PERFORMANCE EVALUATIONS:** No step raises, or other performance-based compensation, shall be delayed by more than sixty (60) calendar days due to the City failing to evaluate the affected employee's performance in a timely manner. However, if an employee who is due a performance evaluation that includes a possible merit increase, does not receive their performance evaluation within sixty (60) calendar days after the date of their annual evaluation date, the merit increase shall process retroactive to the date of the employee's anniversary date for merit increase consideration. The employee is to notify their supervisor and Human Resources at the time the sixty (60) calendar days have been exceeded. A personnel action form will be completed and the merit increase shall be made retroactive to the employee's anniversary date.

### **ARTICLE 30 - SENIORITY**

Time which has been spent in a position designated by the Department as an "acting position" does not qualify as seniority for time served within the acting position rank as credit for completion of a probationary period for the acting rank, or as credit for time in rank for merit pay step increases.

### **ARTICLE 31 - RETIREMENT**

A. **Retirement Benefits** - Retirement Benefits as provided in contract, dated November 1, 1952, with the Public Employees' Retirement System and as follows:

1. Effective June 24, 1989, "Single Highest Year" option;
2. Effective March 20, 1976, "Post Retirement Survivor" option;
3. Effective May 8, 1999, "1959 Survivor's Benefit" - Level 4;

4. Effective August 18, 2001, "3% @ 55" formula Retirement Plan.
  5. Effective November 1, 2003, Military Service Credit as Public Service
- B. All employees who are classic members under the Public Employees Retirement Law shall pay 9% of compensation earnable as the employee contribution to CalPERS.
- C. Employees who are classic members have the retirement formula that existed with the City on December 31, 2012, 3%@55 with single highest year for final compensation. (Tier 1)
- D. Employees who are 'New Members' as defined by the California Public Employees' Pension Reform Act of 2013 (PEPRA) (e.g., an employee hired on or after 1/1/2013 who has never been a CalPERS member or member of a reciprocal system or who has had a break in CalPERS service of at least 6 months or more) will constitute a second tier and be subject to all the applicable PEPRA provisions, which include but are not limited to the following retirement benefits:

Tier 2: "New Members" will have the retirement formula 2.7%@57 and the three year average final compensation. New members contribute one-half of the total normal cost of their retirement benefits as determined annually by CalPERS. In 2016, that contribution is 12%.

- E. Cost-Sharing  
Classic Employees:

**Employee Paid Retirement Contribution:** Classic employees currently pay the nine percent (9%) member contribution. Effective the payroll period following the 2019 CalPERS contract amendment approval, Employees shall also pay an additional three percent (3%) retirement contribution as cost sharing pursuant to Government Code section 20516(a). In accordance with IRS Code section 414(h)(2), the cost sharing will then be treated as a pre-tax deduction.

**'New Member' Employees:**

"New Member" employees pay their one-half the total normal cost as determined by CalPERS. As of July 1, 2019, that contribution is 12.25%. Effective the payroll period following the CalPERS contract amendment approval, "new members" will contribute .5% cost sharing pursuant to Government Code section 20516(a) in addition to their one-half of the total normal cost as determined by CalPERS. In accordance with IRS Code section 414(h)(2), the cost sharing will then be treated as a pre-tax deduction.

For example, if the required PEPRA contribution is 12.25%, then "new members" will contribute 12.25% (1/2 the normal cost) and .5% as cost-sharing, for a total employee contribution of 12.75%.

The parties agree to cost-sharing of the employer retirement rate as noted above. The City will pursue a contract amendment with CalPERS for the cost-sharing portion of employee contributions toward retirement. The parties agree to complete the contract amendment process. Cost sharing will begin as noted above.

If, at some future date, unit members no longer agree to cost sharing, the City will simultaneously reduce the salary range for all Unit members by 3% and reduce any impacted employees' base pay accordingly.

### **ARTICLE 32 - MEDICAL EXAMINATION**

A medical examination of any employee may be required by the City when job related and consistent with business necessity and will be administered by a medical doctor selected by the City. The City agrees to pay the full cost of the medical examination.

### **ARTICLE 33 - DEFERRED COMPENSATION PLAN**

A deferred compensation plan will be available to all members of the Police Officers Mid-Management Association. Participation in this deferred compensation plan is at the option of the individual employee.

#### **A. One-Time Deferred Compensation Special 457 Catch-up Provision:**

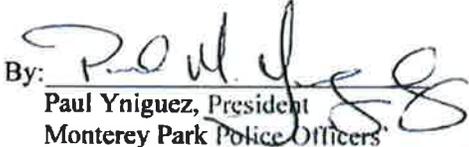
(One-Time is defined by law as an election to "catch-up" underutilized deferrals to a 457 plan, once in a singular year or multiple years, not to exceed 3 years) Federal Law allows 457 participants a one-time catch-up provision to make deferrals to "catch-up" underutilized deferrals from prior years during any or all of the three calendar years ending before the tax year they reach the plans normal retirement age. Normal retirement age for "classic" safety members of PERS is fifty-five (55) years old and fifty-seven (57) years old for "new" members of PERS. All 457 plans of an employer must have the same normal retirement age (NRA). For purposes of the deferred compensation special 457 catch-up provision for the City of Monterey Park, the normal retirement age range shall be considered 51 thru 62 years old.

The intent of this section is to facilitate association members in the final three (3) years prior to their stated retirement date in converting the hourly rate of accrued compensable leave to monies into their contribution to one of the City's deferred compensation providers in accordance with IRS regulations/Federal Law. After an employee defers compensable accrued leave, balances of 120 hours must remain or be maintained in both their sick and vacation accrual banks. If an employee defers compensable leave from a bank that has a formula of payout at retirement (i.e. 50% sick leave at retirement) the deferral does not recalculate the remaining balance. All sick leave hours, per MOU provisions, will be on a fifty percent basis (i.e. a conversion of 100 hours will result in the salary equivalent to 50 hours being deposited into the employees deferred compensation

IN WITNESS WHEREOF, the parties hereto have caused this Memorandum of Understanding to be executed this 2<sup>nd</sup> day of October 2019.

MONTEREY PARK POLICE OFFICERS'  
MID-MANAGEMENT ASSOCIATION

CITY OF MONTEREY PARK

By:   
Paul Yniguez, President  
Monterey Park Police Officers'  
Mid-Management Association

By:   
Ron Bow  
City Manager

By:  <sup>JA</sup>  
Brent Archibald, Lieutenant  
Monterey Park Police Officers'  
Mid-Management Association

By:   
Thomas J. Cody, Director  
Human Resources & Risk Management

**ATTACHMENT 2**  
Resolution No. 12108 (MPPCA MOU)

**RESOLUTION NO. 12108**

**A RESOLUTION APPROVING THE MEMORANDUM OF UNDERSTANDING FOR CONTRACT YEAR 2018-2022 BETWEEN THE CITY OF MONTEREY PARK AND THE MONTEREY PARK POLICE CAPTAINS' ASSOCIATION.**

The City Council for the City of Monterey Park does resolve as follows:

**SECTION 1:** The City, acting by and through its City Council appointed negotiation team, and representatives of the Monterey Park Police Captains' Association (MPPCA), a duly recognized employee organization representing the City of Monterey Park's Police Captains' Association employees, met and conferred in good faith and fully communicated and exchanged information concerning wages, retirement funding, hours, and the terms and conditions of employment for contract year 2018-2022.

**SECTION 2:** The appointed representatives of the parties agreed on certain matters as stated in the attached MOU and recommended that the City and the Union implement those agreements.

**SECTION 3:** MPPCA accepted the Memorandum of Understanding ("MOU") attached as Exhibit "A," and incorporated by reference.

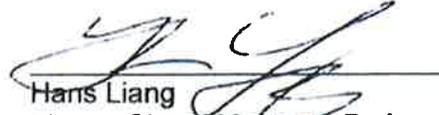
**SECTION 4:** The City Council approves the MOU for Contract Year 2018-2022 between the City of Monterey Park and the Monterey Park Police Captains' Association (MPPCA).

**SECTION 5:** The City Manager is authorized to execute the MOU on the City's behalf in a form approved by the City Attorney.

**SECTION 6:** This Resolution will become effective immediately upon adoption and will remain effective unless repealed or superseded.

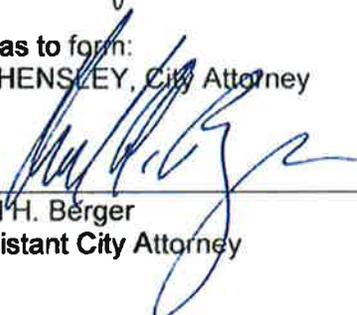
**SECTION 7:** The City Clerk will certify to the passage and adoption of this Resolution; will enter the same in the book of original Resolutions of said City; and will make a minute of the passage and adoption thereof in the record of proceedings of the City Council of said City, in the minutes of the meeting at which the same is passed and adopted.

PASSED, AND ADOPTED this 2<sup>nd</sup> day of October, 2019

  
Hans Liang  
Mayor, City of Monterey Park

ATTEST:  
  
\_\_\_\_\_  
Vincent Chang, City Clerk

Approved as to form:  
MARK D. HENSLEY, City Attorney

By:   
\_\_\_\_\_  
Karl H. Berger  
Assistant City Attorney

State of California )  
County of Los Angeles ) ss.  
City of Monterey Park )

I, Vincent D. Chang, City Clerk of the City of Monterey Park, California, do hereby certify that the foregoing Resolution No.12108 was duly and regularly adopted by the City Council of the City of Monterey Park at a meeting held on this 2<sup>nd</sup> day of October, 2019 by the following vote:

AYES: Council Members: Chan, Real Sebastian, Ing, Liang  
NOES: Council Members: None  
ABSENT: Council Members: Lam  
ABSTAIN: Council Members: None

Dated this 2<sup>nd</sup> day of October, 2019

  
\_\_\_\_\_  
Vincent D. Chang, City Clerk  
City of Monterey Park,  
California



**MEMORANDUM OF UNDERSTANDING**

**between**

**THE CITY OF MONTEREY PARK, CALIFORNIA**

**and**

**THE MONTEREY PARK POLICE CAPTAINS' ASSOCIATION**

**FOUR-YEAR AGREEMENT: 07/01/2018 – 06/30/2022**

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and  
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4. Performance evaluations and consideration of merit adjustments shall be due annually on the employee's anniversary of the probationary appointment to his/her position classification. Any employee on a leave of absence (paid or unpaid) for more than 30 days in a rating period shall have their annual review date adjusted accordingly. No step raises, or other performance-based compensation, shall be delayed by more than sixty (60) calendar days due to the City failing to evaluate the affected employee's performance in a timely manner. However, if an employee who is due a performance evaluation that includes a possible merit increase, does not receive their performance evaluation within sixty (60) calendar days after the date of their annual evaluation date, the merit increase shall process retroactive to the date of the employee's anniversary date for merit increase consideration. The employee is to notify their supervisor and Human Resources at the time the sixty (60) calendar days have been exceeded. A personnel action form will be completed and the merit increase shall be made retroactive to the employee's anniversary date.
5. Recommendations for step increases or denial of step increases must be accompanied by a performance evaluation to substantiate performance. An Employee Appraisal and Development Report shall be completed and forwarded to the Human Resources Department prior to any department approved increase being processed for payment. In order for employees to receive increases in a timely manner, the Report should be received by the Human Resources Department by the beginning of the pay period in which the increase is due.
6. Nothing in this Article shall prevent the Chief of Police from exercising management rights to suspend, reduce, demote, layoff, or terminate for cause an employee in accordance with City Personnel Rule XIII - Changes in Employment Status, or Rule XIV - Separation from the Service, or Rule XV - Disciplinary Proceedings.

#### ARTICLE 29- RETIREMENT

- A. Retirement Benefits - Retirement Benefits as provided in contract, dated November 1, 1952, with the Public Employees' Retirement System and as follows:
  1. Effective July 1, 1995, PERS "2% @ 50" formula Retirement Plan;
  2. Effective June 24, 1989, "Single Highest Year" option;
  3. Effective March 20, 1976, "Post Retirement Survivor" option;
  4. Effective May 8, 1999, "1959 Survivor's Benefit" - Level 4;
  5. Effective August 18, 2001, "3% @ 55" formula Retirement Plan;
  6. Effective November 1, 2003, Military Service Credit as Public Service.
- B. All employees who are classic members under the Public Employees' Retirement Law shall pay 9% of compensation earnable as the employee contribution to CalPERS.
- C. Employees who are classic members have the retirement formula that existed with the City on December 31, 2012, 3%@55 with single highest year for final compensation (Tier 1).
- D. Employees who are 'New Members' as defined by the California Public Employees' Pension

Reform Act of 2013 (PEPRA) (e.g., an employee hired on or after 1/1/2013 who has never been a CalPERS member or member of a reciprocal system or who has had a break in CalPERS service of at least 6 months or more) will constitute a second tier and be subject to all the applicable PEPRA provisions, which include but are not limited to the following retirement benefits:

Tier 2: "New Members" will have the retirement formula 2.7%@57 and the three year average final compensation. New members contribute one-half of the total normal cost of their retirement benefits as determined by CalPERS. In 2016, that contribution is 12%.

E. Cost-Sharing  
Classic Employees:

Employee Paid Retirement Contribution: Classic employees currently pay the nine percent (9%) member contribution. Effective the payroll period following the 2019 CalPERS contract amendment approval, Employees shall also pay an additional three percent (3%) retirement contribution as cost sharing pursuant to Government Code section 20516(a). In accordance with IRS Code section 414(h)(2), the cost sharing will then be treated as a pre-tax deduction.

'New Member' Employees:

"New Member" employees pay their one-half the total normal cost as determined by CalPERS. As of July 1, 2019, that contribution is 12.25%. Effective the payroll period following the CalPERS contract amendment approval, "new members" will contribute .5% cost sharing pursuant to Government Code section 20516(a) in addition to their one-half of the total normal cost as determined by CalPERS. In accordance with IRS Code section 414(h)(2), the cost sharing will then be treated as a pre-tax deduction.

For example, if the required PEPRA contribution is 12.25%, then "new members" will contribute 12.25% (1/2 the normal cost) and .5% as cost-sharing, for a total employee contribution of 12.75%.

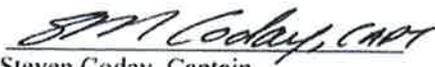
The parties agree to cost-sharing of the employer retirement rate as noted above. The City will pursue a contract amendment with CalPERS for the cost-sharing portion of employee contributions toward retirement. The parties agree to complete the contract amendment process. Cost sharing will begin as noted above.

If, at some future date, unit members no longer agree to cost sharing, the City will simultaneously reduce the salary range for all Unit members by 3% and reduce any impacted employees' base pay accordingly.

### ARTICLE 30 - MEDICAL EXAMINATION

A medical examination may be required by the City when job related and consistent with business necessity to ensure the employee is free from any physical, emotional, or mental condition that might adversely affect the exercise of powers of a peace officer as permitted by Government Code 1031(f). The exam will be administered by a medical doctor selected by the City. The City agrees to pay the full cost of the medical examination.

**MONTEREY PARK POLICE  
CAPTAINS' UNIT**

By:   
Steven Coday, Captain  
Monterey Park Police Department

By:   
Kelly Gordon, Captain  
Monterey Park Police Department

**CITY OF MONTEREY PARK**

By:   
Ron Bow  
City Manager

By:   
Thomas J. Cody, Director  
Human Resources & Risk Management

**ATTACHMENT 3**  
**Resolution No. 12109 (PCOA MOU)**

**RESOLUTION NO. 12109**

**A RESOLUTION APPROVING THE MEMORANDUM OF UNDERSTANDING FOR CONTRACT YEAR 2018-2022 BETWEEN THE CITY OF MONTEREY PARK AND THE MONTEREY PARK PROFESSIONAL CHIEF OFFICERS' ASSOCIATION.**

The City Council for the City of Monterey Park does resolve as follows:

**SECTION 1:** The City, acting by and through its City Council appointed negotiation team, and representatives of the Monterey Park Professional Chief Officers' Association (PCOA), a duly recognized employee organization representing the City of Monterey Parks Fire Battalion Chief Officer employees, met and conferred in good faith and fully communicated and exchanged information concerning wages, retirement funding, hours, and the terms and conditions of employment for contract year 2018-2022.

**SECTION 2:** The appointed representatives of the parties agreed on certain matters as stated in the attached MOU and recommended that the City and the Union implement those agreements.

**SECTION 3:** PCOA accepted the Memorandum of Understanding ("MOU") attached as Exhibit "A," and incorporated by reference.

**SECTION 4:** The City Council approves the MOU for Contract Year 2018-2022 between the City of Monterey Park and the Monterey Park Professional Chief Officers' Association (PCOA).

**SECTION 5:** The City Manager is authorized to execute the MOU on the City's behalf in a form approved by the City Attorney.

**SECTION 6:** This Resolution will become effective immediately upon adoption and will remain effective unless repealed or superseded.

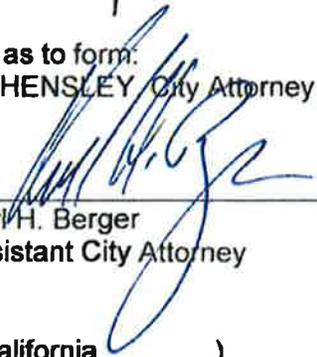
**SECTION 7:** The City Clerk will certify to the passage and adoption of this Resolution; will enter the same in the book of original Resolutions of said City; and will make a minute of the passage and adoption thereof in the record of proceedings of the City Council of said City, in the minutes of the meeting at which the same is passed and adopted.

PASSED, AND ADOPTED this 2<sup>nd</sup> day of October, 2019

  
\_\_\_\_\_  
Hans Liang  
Mayor, City of Monterey Park

ATTEST:  
  
\_\_\_\_\_  
Vincent Chang, City Clerk

Approved as to form:  
MARK D. HENSLEY, City Attorney

By:   
\_\_\_\_\_  
Karl H. Berger  
Assistant City Attorney

State of California            )  
County of Los Angeles       ) ss.  
City of Monterey Park        )

I, Vincent D. Chang, City Clerk of the City of Monterey Park, California, do hereby certify that the foregoing Resolution No. 12109 was duly and regularly adopted by the City Council of the City of Monterey Park at a meeting held on this 2<sup>nd</sup> day of October, 2019 by the following vote:

AYES:            Council Members: Chan, Real Sebastian, Ing, Liang  
NOES:            Council Members: None  
ABSENT:         Council Members: Lam  
ABSTAIN:        Council Members: None

Dated this 2<sup>nd</sup> day of October, 2019

  
\_\_\_\_\_  
Vincent D. Chang, City Clerk  
City of Monterey Park,  
California



**MEMORANDUM OF UNDERSTANDING**

**between**

**THE CITY OF MONTEREY PARK, CALIFORNIA**

**and**

**THE MONTEREY PARK PROFESSIONAL CHIEF OFFICERS'  
ASSOCIATION**

**FOUR-YEAR AGREEMENT: July 1, 2018 – June 30, 2022**

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Between  
THE CITY OF MONTEREY PARK  
and  
THE MONTEREY PARK PROFESSIONAL CHIEF OFFICERS' ASSOCIATION  
(Four-Year Agreement July 1, 2018 - June 30, 2022)**

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- D. The parties agree that this is special compensation and shall be reported as such to CalPERS, to the extent legally permissible, pursuant to Title 2 CCR, Section 571 (a)(2) – Educational Incentive Pay.

#### ARTICLE 19 - TRAVEL REIMBURSEMENT

Mileage is reimbursed for travel in connection with City business. Prior approval must be obtained from the immediate supervisor or Fire Chief. Mileage forms are available in the department and, if travel is required frequently during a month, reimbursement will be made once each month. Completed mileage forms shall be submitted to the Fire Chief.

#### ARTICLE 20 - RETIREMENT BENEFITS

A. Retirement benefits are provided pursuant to a contract with the California Public Employees' Retirement System (CalPERS). For all Safety employees, the contract includes the Post Retirement Survivor option, the 1959 Survivor's benefit – Level 4, and Military Service Credit as Public Service.

B. Employees who are "classic" members under the CalPERS regulations have the retirement formula that existed with the City on December 31, 2012, 3%@55 with single highest year for final compensation. Classic employees shall pay nine percent (9%) compensation earnable as the employee contribution to CalPERS.

C. Employees who are "new members" as defined by the California Public Employees' Pension Reform Act of 2013 (PEPRA) (e.g., an employee hired on or after 1/1/2013 who has never been a CalPERS member or a member of a reciprocal system or who has had a break in service of at least six months or more) will have the retirement formula 2.7%@57 with a three year average for final compensation. New members contribute one-half the total normal cost as set by CalPERS each year.

D. Cost-Sharing  
Classic Employees:

Employee Paid Retirement Contribution: Classic employees currently pay the nine percent (9%) member contribution. Effective the payroll period following the 2019/20 CalPERS contract amendment approval, Employees shall also pay an additional three percent (3%) retirement contribution (up to twelve percent 12%) as cost sharing pursuant to Government Code section 20516(a). In accordance with IRS Code section 414(h)(2), the cost sharing will then be treated as a pre-tax deduction.

'New Member' Employees:

"New Member" employees pay their one-half the total normal cost as determined by CalPERS. As of July 1, 2019, that contribution is 12.25%. Effective the payroll period following the CalPERS contract amendment approval, "new members" will contribute .5% cost sharing pursuant to Government Code section 20516(a) in addition to their one-half of the total normal cost as determined by CalPERS. In

accordance with IRS Code section 414(h)(2), the cost sharing will then be treated as a pre-tax deduction.

For example, if the required PEPPRA contribution is 12.25%, then “new members” will contribute 12.25% (1/2 the normal cost) and .5% as cost-sharing, for a total employee contribution of 12.75%.

The parties agree to cost-sharing of the employer retirement rate as noted above. The City will pursue a contract amendment with CalPERS for the cost-sharing portion of employee contributions toward retirement. The parties agree to complete the contract amendment process. Cost sharing will begin as noted above.

If, at some future date, unit members no longer agree to cost sharing, the City will simultaneously reduce the salary range for all Unit members by 3% and reduce any impacted employees’ base pay accordingly.

## ARTICLE 21 - SALARIES AND WAGES

### SALARY RANGES

- A. Salary ranges for classifications in this unit are identified in Addendum A.
- B. Effective the beginning of the pay period following January 1, 2021, the salary range for Division Chief will be increased by 2.5%.
- C. Longevity Pay

The City will provide a monthly longevity payment of one-hundred dollars (\$100) per month upon completion of twenty (20) years of continuous service. The longevity payment will increase to three-hundred fifty dollars (\$350) per month upon completion of twenty-five (25) years of continuous service.

The parties agree that this is special compensation and shall be reported as such to CalPERS, to the extent legally permissible, pursuant to Title 2 CCR, Section 571 (a)(1).

#### D. Salary Range Advancement

Advancement within the 5-step salary range shall be subject to the terms and conditions as set forth under City policy.

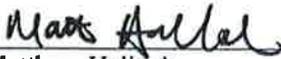
#### E. EMT-D Premium Pay

1. Following Department of Health Services approval of the Fire Department’s AED program, individuals who are in possession of valid certification as Emergency Medical Technician – Defibrillator (EMT-D) shall receive \$200.00 per month premium pay. Individuals holding an EMT-P (Paramedic) certification are not eligible for premium pay under this section

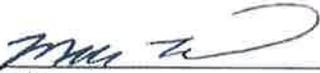
IN WITNESS HEREOF, the parties hereto have caused this Memorandum of Understanding to be executed this 2nd day of October, 2019.

**MONTEREY PARK PROFESSIONAL  
CHIEF OFFICERS' ASSOCIATION**

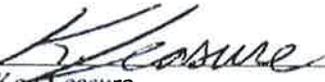
**CITY OF MONTEREY PARK**

By:   
Matthew Hallock  
Division Chief

By:   
Ronald Bow  
City Manager

By:   
Mark Khail  
Division Chief

By:   
Thomas J. Cody, Director  
Human Resources & Risk Management

By:   
Ken Leasure  
Division Chief

**ATTACHMENT 4**  
**Sample Amendment to CalPERS Contract**



## EXHIBIT

California  
Public Employees' Retirement System

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# AMENDMENT TO CONTRACT

Between the  
Board of Administration  
California Public Employees' Retirement System  
and the  
City Council  
City of Monterey Park

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The Board of Administration, California Public Employees' Retirement System, hereinafter referred to as Board, and the governing body of the above public agency, hereinafter referred to as Public Agency, having entered into a contract effective November 1, 1952, and witnessed August 11, 1952, and as amended effective March 1, 1961, July 1, 1963, March 15, 1969, January 1, 1971, March 20, 1976, April 3, 1976, June 27, 1987, June 24, 1989, July 7, 1990, December 31, 1990, June 15, 1996, May 8, 1999, June 24, 2000, October 7, 2000, August 18, 2001, November 1, 2003, April 5, 2008, June 27, 2009, January 9, 2010, July 17, 2010, June 15, 2019 and October 19, 2019 which provides for participation of Public Agency in said System, Board and Public Agency hereby agree as follows:

- A. Paragraphs 1 through 17 are hereby stricken from said contract as executed effective October 19, 2019, and hereby replaced by the following paragraphs numbered 1 through 17 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 classic local miscellaneous members, age 62 for new local miscellaneous members, age 55 for classic local safety members and age 57 for new local safety members.

PLEASE DO NOT SIGN "EXHIBIT ONLY"

2. Public Agency shall participate in the Public Employees' Retirement System from and after November 1, 1952 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. Public Agency agrees to indemnify, defend and hold harmless the California Public Employees' Retirement System (CalPERS) and its trustees, agents and employees, the CalPERS Board of Administration, and the California Public Employees' Retirement Fund from any claims, demands, actions, losses, liabilities, damages, judgments, expenses and costs, including but not limited to interest, penalties and attorney fees that may arise as a result of any of the following:
  - (a) Public Agency's election to provide retirement benefits, provisions or formulas under this Contract that are different than the retirement benefits, provisions or formulas provided under the Public Agency's prior non-CalPERS retirement program.
  - (b) Any dispute, disagreement, claim, or proceeding (including without limitation arbitration, administrative hearing, or litigation) between Public Agency and its employees (or their representatives) which relates to Public Agency's election to amend this Contract to provide retirement benefits, provisions or formulas that are different than such employees' existing retirement benefits, provisions or formulas.
  - (c) Public Agency's agreement with a third party other than CalPERS to provide retirement benefits, provisions, or formulas that are different than the retirement benefits, provisions or formulas provided under this Contract and provided for under the California Public Employees' Retirement Law.
4. 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).

PLEASE DO NOT SIGN "EXHIBIT ONLY"

5. 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. **MISCELLANEOUS EMPLOYEES AGE 55 OR OVER ON APRIL 13, 1976; AND**
  - b. **PART-TIME RECREATION LEADER POOL MANAGER/SWIM COACH FOR THE FIRST 36 MONTHS OF EMPLOYMENT.**
6. The percentage of final compensation to be provided for classic local miscellaneous members in employment before and not on or after April 5, 2008 for each year of credited prior service is 0% and the percentage of final compensation to be provided for each year of credited current service is 100% and determined in accordance with Section 21354 of said Retirement Law (2% at age 55 Full).
7. The percentage of final compensation to be provided for classic local miscellaneous members in employment on or after April 5, 2008 and prior to January 9, 2010 for each year of credited prior service is 0% and the percentage of final compensation to be provided for each year of credited current service is 100% and determined in accordance with Section 21354.4 of said Retirement Law (2.5% at age 55 Full).
8. The percentage of final compensation to be provided for classic local miscellaneous members in employment on or after January 9, 2010 for each year of credited prior service is 0% and the percentage of final compensation to be provided for each year of credited current service is 100% and determined in accordance with Section 21354.5 of said Retirement Law (2.7% at age 55 Full).
9. The percentage of final compensation to be provided for each year of credited prior and current service as a new local miscellaneous member shall be determined in accordance with Section 7522.20 of said Retirement Law (2% at age 62 Full).
10. The percentage of final compensation to be provided for each year of credited prior and current service as a classic local safety member shall be determined in accordance with Section 21363.1 of said Retirement Law (3% at age 55 Full).
11. The percentage of final compensation to be provided for each year of credited prior and current service as a new local safety member shall be determined in accordance with Section 7522.25(d) of said Retirement Law (2.7% at age 57 Full).

PLEASE DO NOT SIGN "EXHIBIT ONLY"

12. Public Agency elected and elects to be subject to the following optional provisions:

- a. Section 20965 (Credit for Unused Sick Leave).
- b. Section 20042 (One-Year Final Compensation) for classic members only.
- c. Sections 21624 and 21626 (Post-Retirement Survivor Allowance) for local safety members only.
- d. Section 21574 (Fourth Level of 1959 Survivor Benefits).
- e. Section 21024 (Military Service Credit as Public Service).
- f. Section 21548 (Pre-Retirement Option 2W Death Benefit) for local miscellaneous members only.
- g. Section 20903 (Two Years Additional Service Credit).
- h. Section 20516 (Employees Sharing Additional Cost):

From and after June 15, 2019, 3% for classic local fire members in the Monterey Park Firefighters' Association.

From an after June 15, 2019, .5% for new local fire members in the Monterey Park Firefighters' Association.

From and after October 19, 2019, 3% for classic local police members in the Monterey Park Police Officers' Association.

From and after October 19, 2019, .5% for new local police members in the Monterey Park Police Officers' Association.

From and after the effective date of this amendment to contract, 3% for classic local police members in the Monterey Park Police Officers' Mid-Management Association and Monterey Park Police Captains' Association.

From and after the effective date of this amendment to contract, 3% for classic local fire members in the Monterey Park Professional Chief Officers' Association.

From and after the effective date of this amendment to contract, .5% for new police members in the Monterey Park Police Officers' Mid-Management Association and Monterey Park Police Captains' Association.

PLEASE DO NOT SIGN "EXHIBIT ONLY"

From and after the effective date of this amendment to contract, .5% for new fire members in the Monterey Park Professional Chief Officers' Association.

The portion of the employer's contribution that the member agrees to contribute from his or her compensation, over and above the member's normal contribution ("Cost Sharing Percentage") shall not exceed the Employer Normal Cost Rate, as that rate is defined in the CalPERS Actuarial Valuation for the relevant fiscal year. If the Cost Sharing Percentage will exceed the relevant Employer Normal Cost Rate, the Cost Sharing Percentage shall automatically be reduced to an amount equal to, and not to exceed, the Employer Normal Cost Rate for the relevant fiscal year.

13. Public Agency, in accordance with Government Code Section 20834, shall not be considered an "employer" for purposes of the Public Employees' Retirement Law. Contributions of the Public Agency shall be fixed and determined as provided in Government Code Section 20834, and such contributions hereafter made shall be held by the Board as provided in Government Code Section 20834.
14. 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.
15. Public Agency shall also contribute to said Retirement System as follows:
  - a. Contributions required per covered member on account of the 1959 Survivor Benefits provided under Section 21574 of said Retirement Law. (Subject to annual change.) In addition, all assets and liabilities of Public Agency and its employees shall be pooled in a single account, based on term insurance rates, for survivors of all local miscellaneous members and local safety members.
  - b. A reasonable amount, as fixed by the Board, payable in one installment within 60 days of date of contract to cover the costs of administering said System as it affects the employees of Public Agency, not including the costs of special valuations or of the periodic investigation and valuations required by law.
  - c. A reasonable amount, as fixed by the Board, payable in one installment as the occasions arise, to cover the costs of special valuations on account of employees of Public Agency, and costs of the periodic investigation and valuations required by law.

16. 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.
17. 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 \_\_\_\_\_ day of \_\_\_\_\_.

BOARD OF ADMINISTRATION  
PUBLIC EMPLOYEES' RETIREMENT SYSTEM

CITY COUNCIL  
CITY MONTEREY PARK

BY \_\_\_\_\_  
ARNITA PAIGE, CHIEF  
PENSION CONTRACTS AND PREFUNDING  
PROGRAMS DIVISION

BY \_\_\_\_\_  
PRESIDING OFFICER

\_\_\_\_\_  
Witness Date

Attest,

Clerk

**ATTACHMENT 5**  
**Resolution of Intention to Approve an Amendment  
to Contract**

**RESOLUTION NO. \_\_\_\_\_**

**A RESOLUTION OF INTENTION  
TO APPROVE AN AMENDMENT TO CONTRACT  
BETWEEN THE  
BOARD OF ADMINISTRATION  
CALIFORNIA PUBLIC EMPLOYEES' RETIREMENT SYSTEM  
AND THE  
CITY COUNCIL  
CITY OF MONTEREY PARK**

WHEREAS, the Public Employees' Retirement Law permits the participation of public agencies and their employees in the Public Employees' Retirement System by the execution of a contract, and sets forth the procedure by which said public agencies may elect to subject themselves and their employees to amendments to said Law; and

WHEREAS, one of the steps in the procedures to amend this contract is the adoption by the governing body of the public agency of a resolution giving notice of its intention to approve an amendment to said contract, which resolution shall contain a summary of the change proposed in said contract; and

WHEREAS, the following is a statement of the proposed change:

To provide Section 20516 (Employees Sharing Additional Cost) of 3% for classic local police members in the Monterey Park Police Officers' Mid-Management Association and Monterey Park Police Captains' Association; 3% for classic local fire members in the Monterey Park Professional Chief Officers' Association; .5% for new local police members in the Monterey Park Police Officers' Mid-Management Association and Monterey Park Police Captains' Association and .5% for new local fire members in the Monterey Park Professional Chief Officers' Association.

NOW, THEREFORE, BE IT RESOLVED that the governing body of the above agency does hereby give notice of intention to approve an amendment to the contract between said public agency and the Board of Administration of the Public Employees' Retirement System, a copy of said amendment being attached hereto, as an "Exhibit" and by this reference made a part hereof.

SIGNATURES ON NEXT PAGE

Resolution No. \_\_\_\_\_  
Page 2 of 2

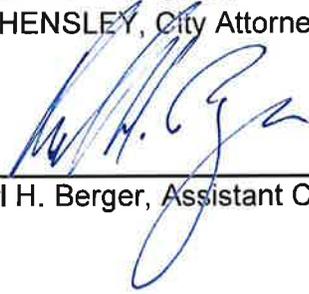
**PASSED, ADOPTED AND APPROVED** this \_\_\_\_ day of \_\_\_\_\_, 2019.

\_\_\_\_\_  
Hans Liang  
Mayor, City of Monterey Park

ATTEST:

\_\_\_\_\_  
Vincent D. Chang, City Clerk

APPROVED AS TO FORM:  
MARK D. HENSLEY, City Attorney

By:   
\_\_\_\_\_  
Karl H. Berger, Assistant City Attorney

State of California )  
County of Los Angeles) §  
City of Monterey Park )

I, Vincent D. Chang, City Clerk of the City of Monterey Park, California, do hereby certify that the foregoing Resolution No. \_\_\_\_\_ was duly and regularly adopted by the City Council of the City of Monterey Park at a regular meeting held on the \_\_\_\_ day of \_\_\_\_\_, 2019 by the following vote:

Ayes:            Council Members:  
Nays:            Council Members:  
Absent:          Council Members:  
Abstain:        Council Members:

Dated this \_\_\_\_ day of \_\_\_\_\_, 2019.

\_\_\_\_\_  
Vincent D. Chang, City Clerk  
City of Monterey Park, California

**ATTACHMENT 6**  
Ordinance

**ORDINANCE NO. \_\_\_\_\_**

**An Ordinance of the City Council of the City of Monterey Park authorizing  
an amendment to the contract between the City Council of the City of  
Monterey Park and the Board of Administration of the California Public  
Employees' Retirement System.**

The City Council of the City of Monterey Park does ordain as follows:

SECTION 1. That an amendment to the contract between the City Council of the City of Monterey Park and the Board of Administration, California Public Employees' Retirement System is hereby authorized, a copy of said amendment being attached hereto, marked Exhibit, and by such reference made a part hereof as though herein set out in full.

SECTION 2. The Mayor of the City Council City of Monterey Park is hereby authorized, empowered, and directed to execute said amendment for and on behalf of said Agency.

SECTION 3. This Ordinance shall take effect 30 days after the date of its adoption, and prior to the expiration of 15 days from the passage thereof shall be published at least once in *The Wave*, a newspaper of general circulation, published and circulated in the County of Los Angeles and thenceforth and thereafter the same shall be in full force and effect.

SECTION 4. The City Clerk shall certify to the passage and adoption of this Ordinance and to its approval by the Mayor and said Ordinance shall become effective thirty days after adoption.

PASSED, APPROVED AND ADOPTED this \_\_\_\_\_ day of \_\_\_\_\_, 2019.

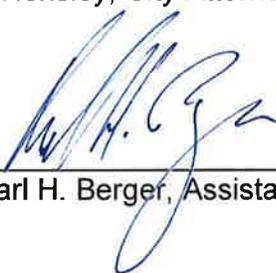
\_\_\_\_\_  
Hans Liang, Mayor  
City of Monterey Park, California

ATTEST:

\_\_\_\_\_  
Vincent D. Chang, City Clerk  
City of Monterey Park, California

APPROVED AS TO FORM:  
Mark D. Hensley, City Attorney

By:

  
Karl H. Berger, Assistant City Attorney

State of California )  
County of Los Angeles) §  
City of Monterey Park )

I, Vincent D. Chang, City Clerk of the City of Monterey Park, California, do hereby certify that the foregoing Resolution No. \_\_\_\_\_ was duly and regularly adopted by the City Council of the City of Monterey Park at a regular meeting held on the \_\_\_ day of \_\_\_\_\_, 2019 by the following vote:

Ayes:	Council Members:
Nays:	Council Members:
Absent:	Council Members:
Abstain:	Council Members:

Dated this \_\_\_ day of \_\_\_\_\_, 2019.

\_\_\_\_\_  
Vincent D. Chang, City Clerk  
City of Monterey Park, California

**ATTACHMENT 7**  
**Certification of Compliance with Government**  
**Code Section 7507 – Form PERS-12A**



California Public Employees' Retirement System  
 Financial Office | Pension Contracts and Prefunding Programs Division  
 P.O. Box 942703, Sacramento, CA 94229-2703  
 888 CalPERS (or 888-225-7377) | TTY: (877) 249-7442 | [www.calpers.ca.gov](http://www.calpers.ca.gov)

**Certification of Compliance with  
 Government Code Section 7507**

I hereby certify that in accordance with Government Code section 7507, the future annual costs as determined by the California Public Employees' Retirement System for the increase or change in retirement benefit(s) have been made public at a public meeting of the \_\_\_\_\_  
 City Council of the \_\_\_\_\_  
 City of Monterey Park

(governing body)

(public agency)

on \_\_\_\_\_ which is at least two weeks prior to the adoption of the Resolution /  
 (date)

Ordinance. Adoption of the retirement benefit increase or change will not be placed on the consent calendar.

\_\_\_\_\_  
 Clerk/Secretary

\_\_\_\_\_  
 Title

Date \_\_\_\_\_

**ATTACHMENT 8**  
Certification of Governing Body Action – Form  
PERS-CON-12



California Public Employees' Retirement System  
 Financial Office | Pension Contracts and Prefunding Programs Division  
 P.O. Box 942703, Sacramento, CA 94229-2703  
 888 CalPERS (or 888-225-7377) | TTY: (877) 249-7442 | www.calpers.ca.gov

---

### Certification of Governing Body's Action

I hereby certify that the foregoing is a true and correct copy of a Resolution adopted by the

City Council

\_\_\_\_\_ of the

(governing body)

City of Monterey Park

\_\_\_\_\_ (public agency)

on \_\_\_\_\_  
 (date)

\_\_\_\_\_  
 Clerk/Secretary

\_\_\_\_\_  
 Title

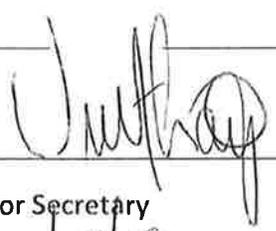
**ATTACHMENT 9**  
**Certification of Employee Election - Form PERS-  
CON-15**



California Public Employees' Retirement System  
 Financial Office | Pension Contracts and Prefunding Programs Division  
 P.O. Box 942703, Sacramento, CA 94229-2703  
 888 CalPERS (or 888-225-7377) | TTY: (877) 249-7442 | www.calpers.ca.gov

### Certification of Employee Election

I hereby certify that the following employees of the City of Monterey Park have expressed their approval or disapproval of said agency's intention to amend its contract to provide Section 20516 (Employees Sharing Additional Cost) of 3% for classic local police members in the Monterey Park Police Officers' Mid-Management Association and Monterey Park Police Captains' Association; 3% for classic local fire members in the Monterey Park Professional Chief Officers' Association; .5% for new local police members in the Monterey Park Police Officers' Mid-Management Association and Monterey Park Police Captains' Association and .5% for new local fire members in the Monterey Park Professional Chief Officers' Association on the basis described in the Resolution of Intention adopted by said agency's governing body on \_\_\_\_\_, \_\_\_\_\_, in such manner as to permit each employee to separately and secretly express his choice and that the outcome of such election was as follows:

	Number of employees eligible to vote	Number of votes approving said participation	Number of votes disapproving said participation
Local Police Officers as defined in section 20425	17 _____	15 _____	0 _____
Local Fire Fighters as defined in section 20433	3 _____	3 _____	0 _____
		 _____ Clerk or Secretary	
		12/3/19 _____ Date	

(Amendment)

PERS-CON-15 (Rev. 1/09/19)

**ATTACHMENT 10**  
**City of Monterey Park/CalPERS Contract**



California  
Public Employees' Retirement System

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**AMENDMENT TO CONTRACT**

**Between the  
Board of Administration  
California Public Employees' Retirement System  
and the  
City Council  
City of Monterey Park**

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The Board of Administration, California Public Employees' Retirement System, hereinafter referred to as Board, and the governing body of the above public agency, hereinafter referred to as Public Agency, having entered into a contract effective November 1, 1952, and witnessed August 11, 1952, and as amended effective March 1, 1961, July 1, 1963, March 15, 1969, January 1, 1971, March 20, 1976, April 3, 1976, June 27, 1987, June 24, 1989, July 7, 1990, December 31, 1990, July 3, 1993, June 15, 1996, May 8, 1999, June 24, 2000, October 7, 2000, August 18, 2001, November 1, 2003, April 5, 2008, June 27, 2009 January 9, 2010 which provides for participation of Public Agency in said System, Board and Public Agency hereby agree as follows:

- A. Paragraphs 1 through 15 are hereby stricken from said contract as executed effective January 9, 2010, and hereby replaced by the following paragraphs numbered 1 through 15 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 55 for local safety members.

2. Public Agency shall participate in the Public Employees' Retirement System from and after November 1, 1952 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. Public Agency agrees to indemnify, defend and hold harmless the California Public Employees' Retirement System (CalPERS) and its trustees, agents and employees, the CalPERS Board of Administration, and the California Public Employees' Retirement Fund from any claims, demands, actions, losses, liabilities, damages, judgments, expenses and costs, including but not limited to interest, penalties and attorneys fees that may arise as a result of any of the following:

  - (a) Public Agency's election to provide retirement benefits, provisions or formulas under this Contract that are different than the retirement benefits, provisions or formulas provided under the Public Agency's prior non-CalPERS retirement program.
  - (b) Public Agency's election to amend this Contract to provide retirement benefits, provisions or formulas that are different than existing retirement benefits, provisions or formulas.
  - (c) Public Agency's agreement with a third party other than CalPERS to provide retirement benefits, provisions, or formulas that are different than the retirement benefits, provisions or formulas provided under this Contract and provided for under the California Public Employees' Retirement Law.
  - (d) Public Agency's election to file for bankruptcy under Chapter 9 (commencing with section 901) of Title 11 of the United States Bankruptcy Code and/or Public Agency's election to reject this Contract with the CalPERS Board of Administration pursuant to section 365, of Title 11, of the United States Bankruptcy Code or any similar provision of law.
  - (e) Public Agency's election to assign this Contract without the prior written consent of the CalPERS' Board of Administration.

- (f) The termination of this Contract either voluntarily by request of Public Agency or involuntarily pursuant to the Public Employees' Retirement Law.
  - (g) Changes sponsored by Public Agency in existing retirement benefits, provisions or formulas made as a result of amendments, additions or deletions to California statute or to the California Constitution.
- 4. 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).
- 5. 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. **MISCELLANEOUS EMPLOYEES AGE 55 OR OVER ON APRIL 13, 1976; AND**
  - b. **PART-TIME RECREATION LEADER POOL MANAGER/SWIM COACH FOR THE FIRST 36 MONTHS OF EMPLOYMENT.**
- 6. The percentage of final compensation to be provided for local miscellaneous members in employment before and not on or after April 5, 2008 for each year of credited prior service is 0% and the percentage of final compensation to be provided for each year of credited current service is 100% and determined in accordance with Section 21354 of said Retirement Law (2% at age 55 Full).
- 7. The percentage of final compensation to be provided for local miscellaneous members in employment on or after April 5, 2008 and not on or after January 9, 2010 for each year of credited prior service is 0% and the percentage of final compensation to be provided for each year of credited current service is 100% and determined in accordance with Section 21354.4 of said Retirement Law (2.5% at age 55 Full).
- 8. The percentage of final compensation to be provided for local miscellaneous members in employment on or after January 9, 2010 for each year of credited prior service is 0% and the percentage of final compensation to be provided for each year of credited current service is 100% and determined in accordance with Section 21354.5 of said Retirement Law (2.7% at age 55 Full).

9. 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 21363.1 of said Retirement Law (3% at age 55 Full).
10. Public Agency elected and elects to be subject to the following optional provisions:
  - a. Section 20965 (Credit for Unused Sick Leave) for local miscellaneous members only.
  - b. Section 20042 (One-Year Final Compensation).
  - c. Sections 21624 and 21626 (Post-Retirement Survivor Allowance) for local safety members only.
  - d. Section 21574 (Fourth Level of 1959 Survivor Benefits).
  - e. Section 21024 (Military Service Credit as Public Service).
  - f. Section 21548 (Pre-Retirement Option 2W Death Benefit) for local miscellaneous members only.
  - g. Section 20903 (Two Years Additional Service Credit).
11. Public Agency, in accordance with Government Code Section 20834, shall not be considered an "employer" for purposes of the Public Employees' Retirement Law. Contributions of the Public Agency shall be fixed and determined as provided in Government Code Section 20834, and such contributions hereafter made shall be held by the Board as provided in Government Code Section 20834.
12. 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.
13. Public Agency shall also contribute to said Retirement System as follows:
  - a. Contributions required per covered member on account of the 1959 Survivor Benefits provided under Section 21574 of said Retirement Law. (Subject to annual change.) In addition, all assets and liabilities of Public Agency and its employees shall be pooled in a single account, based on term insurance rates, for survivors of all local miscellaneous members and local safety members.

- b. A reasonable amount, as fixed by the Board, payable in one installment within 60 days of date of contract to cover the costs of administering said System as it affects the employees of Public Agency, not including the costs of special valuations or of the periodic investigation and valuations required by law.
  - c. A reasonable amount, as fixed by the Board, payable in one installment as the occasions arise, to cover the costs of special valuations on account of employees of Public Agency, and costs of the periodic investigation and valuations required by law.
14. 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.
15. 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 <sup>17th per Mr. Blackwood.</sup> 16<sup>th</sup> day of July, 2010.

BOARD OF ADMINISTRATION  
PUBLIC EMPLOYEES' RETIREMENT SYSTEM

CITY COUNCIL  
CITY OF MONTEREY PARK

BY *Lori McGartland*  
LORI MCGARTLAND, CHIEF  
EMPLOYER SERVICES DIVISION  
PUBLIC EMPLOYEES' RETIREMENT SYSTEM

BY *[Signature]*  
PRESIDING OFFICER

6-16-10  
Witness Date

Attest:  
*[Signature]*  
Clerk



California  
Public Employees' Retirement System

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**AMENDMENT TO CONTRACT**

**Between the  
Board of Administration  
California Public Employees' Retirement System  
and the  
City Council  
City of Monterey Park**

---

The Board of Administration, California Public Employees' Retirement System, hereinafter referred to as Board, and the governing body of the above public agency, hereinafter referred to as Public Agency, having entered into a contract effective November 1, 1952, and witnessed August 11, 1952, and as amended effective March 1, 1961, July 1, 1963, March 15, 1969, January 1, 1971, March 20, 1976, April 3, 1976, June 27, 1987, June 24, 1989, July 7, 1990, December 31, 1990, July 3, 1993, June 15, 1996, May 8, 1999, June 24, 2000, October 7, 2000, August 18, 2001, November 1, 2003, April 5, 2008 and June 27, 2009 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 June 27, 2009, and hereby replaced by the following paragraphs numbered 1 through 15 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 55 for local safety members.

2. **Public Agency shall participate in the Public Employees' Retirement System from and after November 1, 1952 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. **Public Agency agrees to indemnify, defend and hold harmless the California Public Employees' Retirement System (CalPERS) and its trustees, agents and employees, the CalPERS Board of Administration, and the California Public Employees' Retirement Fund from any claims, demands, actions, losses, liabilities, damages, judgments, expenses and costs, including but not limited to interest, penalties and attorneys fees that may arise as a result of any of the following:**
  - (a) **Public Agency's election to provide retirement benefits, provisions or formulas under this Contract that are different than the retirement benefits, provisions or formulas provided under the Public Agency's prior non-CalPERS retirement program.**
  - (b) **Public Agency's election to amend this Contract to provide retirement benefits, provisions or formulas that are different than existing retirement benefits, provisions or formulas.**
  - (c) **Public Agency's agreement with a third party other than CalPERS to provide retirement benefits, provisions, or formulas that are different than the retirement benefits, provisions or formulas provided under this Contract and provided for under the California Public Employees' Retirement Law.**
  - (d) **Public Agency's election to file for bankruptcy under Chapter 9 (commencing with section 901) of Title 11 of the United States Bankruptcy Code and/or Public Agency's election to reject this Contract with the CalPERS Board of Administration pursuant to section 365, of Title 11, of the United States Bankruptcy Code or any similar provision of law.**
  - (e) **Public Agency's election to assign this Contract without the prior written consent of the CalPERS' Board of Administration.**
  - (f) **The termination of this Contract either voluntarily by request of Public Agency or involuntarily pursuant to the Public Employees' Retirement Law.**
  - (g) **Changes sponsored by Public Agency in existing retirement benefits, provisions or formulas made as a result of amendments, additions or deletions to California statute or to the California Constitution.**

4. 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).
5. 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. **MISCELLANEOUS EMPLOYEES AGE 55 OR OVER APRIL 13, 1976; AND**
  - b. **PART-TIME RECREATION LEADER POOL MANAGER/SWIM COACH FOR THE FIRST 36 MONTHS OF EMPLOYMENT.**
6. The percentage of final compensation to be provided for local miscellaneous members in employment before and not on or after April 5, 2008 for each year of credited prior service is 0% and the percentage of final compensation to be provided for each year of credited current service is 100% and determined in accordance with Section 21354 of said Retirement Law (2% at age 55 Full).
7. The percentage of final compensation to be provided for local miscellaneous members in employment on or after April 5, 2008 and not on or after the effective date of this amendment to contract for each year of credited prior service is 0% and the percentage of final compensation to be provided for each year of credited current service is 100% and determined in accordance with Section 21354.4 of said Retirement Law (2.5% at age 55 Full).
8. The percentage of final compensation to be provided for local miscellaneous members in employment on or after the effective date of this amendment to contract for each year of credited prior service is 0% and the percentage of final compensation to be provided for each year of credited current service is 100% and determined in accordance with Section 21354.5 of said Retirement Law (2.7% at age 55 Full).
9. 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 21363.1 of said Retirement Law (3% at age 55 Full).

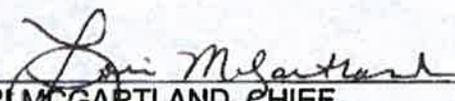
10. Public Agency elected and elects to be subject to the following optional provisions:
  - a. Section 20965 (Credit for Unused Sick Leave) for local miscellaneous members only.
  - b. Section 20042 (One-Year Final Compensation).
  - c. Sections 21624 and 21626 (Post-Retirement Survivor Allowance) for local safety members only.
  - d. Section 21574 (Fourth Level of 1959 Survivor Benefits).
  - e. Section 21024 (Military Service Credit as Public Service).
  - f. Section 21548 (Pre-Retirement Option 2W Death Benefit) for local miscellaneous members only.
11. Public Agency, in accordance with Government Code Section 20834, shall not be considered an "employer" for purposes of the Public Employees' Retirement Law. Contributions of the Public Agency shall be fixed and determined as provided in Government Code Section 20834, and such contributions hereafter made shall be held by the Board as provided in Government Code Section 20834.
12. 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.
13. Public Agency shall also contribute to said Retirement System as follows:
  - a. Contributions required per covered member on account of the 1959 Survivor Benefits provided under Section 21574 of said Retirement Law. (Subject to annual change.) In addition, all assets and liabilities of Public Agency and its employees shall be pooled in a single account, based on term insurance rates, for survivors of all local miscellaneous members and local safety members.
  - b. A reasonable amount, as fixed by the Board, payable in one installment within 60 days of date of contract to cover the costs of administering said System as it affects the employees of Public Agency, not including the costs of special valuations or of the periodic investigation and valuations required by law.
  - c. A reasonable amount, as fixed by the Board, payable in one installment as the occasions arise, to cover the costs of special valuations on account of employees of Public Agency, and costs of the periodic investigation and valuations required by law.

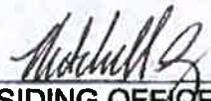
14. Contributions required of Public Agency and its employees shall be subject to adjustment by Board on account of amendments to the Public Employees' Retirement Law, and on account of the experience under the Retirement System as determined by the periodic investigation and valuation required by said Retirement Law.
15. 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.

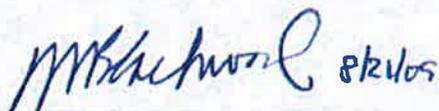
B. This amendment shall be effective on the 9<sup>th</sup> day of January, 2010.

BOARD OF ADMINISTRATION  
PUBLIC EMPLOYEES' RETIREMENT SYSTEM

CITY COUNCIL  
CITY OF MONTEREY PARK

BY   
LORI MCGARTLAND, CHIEF  
EMPLOYER SERVICES DIVISION  
PUBLIC EMPLOYEES' RETIREMENT SYSTEM

BY   
PRESIDING OFFICER

  
Witness Date

Attest:  
  
Clerk



California  
Public Employees' Retirement System

---

**AMENDMENT TO CONTRACT**

Between the  
Board of Administration  
California Public Employees' Retirement System  
and the  
City Council  
City of Monterey Park

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The Board of Administration, California Public Employees' Retirement System, hereinafter referred to as Board, and the governing body of the above public agency, hereinafter referred to as Public Agency, having entered into a contract effective November 1, 1952, and witnessed August 11, 1952, and as amended effective March 1, 1961, July 1, 1963, March 15, 1969, January 1, 1971, March 20, 1976, April 3, 1976, June 27, 1987, June 24, 1989, July 7, 1990, December 31, 1990, July 3, 1993, June 15, 1996, May 8, 1999, June 24, 2000, October 7, 2000, August 18, 2001, November 1, 2003 and April 5, 2008 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 April 5, 2008, 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 55 for local safety members.

2. Public Agency shall participate in the Public Employees' Retirement System from and after November 1, 1952 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. Public Agency agrees to indemnify, defend and hold harmless the California Public Employees' Retirement System (CalPERS) and its trustees, agents and employees, the CalPERS Board of Administration, and the California Public Employees' Retirement Fund from any claims, demands, actions, losses, liabilities, damages, judgments, expenses and costs, including but not limited to interest, penalties and attorneys fees that may arise as a result of any of the following:
  - (a) Public Agency's election to provide retirement benefits, provisions or formulas under this Contract that are different than the retirement benefits, provisions or formulas provided under the Public Agency's prior non-CalPERS retirement program.
  - (b) Public Agency's election to amend this Contract to provide retirement benefits, provisions or formulas that are different than existing retirement benefits, provisions or formulas.
  - (c) Public Agency's agreement with a third party other than CalPERS to provide retirement benefits, provisions, or formulas that are different than the retirement benefits, provisions or formulas provided under this Contract and provided for under the California Public Employees' Retirement Law.
  - (d) Public Agency's election to file for bankruptcy under Chapter 9 (commencing with section 901) of Title 11 of the United States Bankruptcy Code and/or Public Agency's election to reject this Contract with the CalPERS Board of Administration pursuant to section 365, of Title 11, of the United States Bankruptcy Code or any similar provision of law.
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- (f) The termination of this Contract either voluntarily by request of Public Agency or involuntarily pursuant to the Public Employees' Retirement Law.
  - (g) Changes sponsored by Public Agency in existing retirement benefits, provisions or formulas made as a result of amendments, additions or deletions to California statute or to the California Constitution.
- 4. 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).
- 5. 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. **MISCELLANEOUS EMPLOYEES AGE 55 OR OVER APRIL 3, 1976; AND**
  - b. **PART-TIME RECREATION LEADER POOL MANAGER/SWIM COACH FOR THE FIRST 36 MONTHS OF EMPLOYMENT.**
- 6. The percentage of final compensation to be provided for local miscellaneous members in employment before and not on or after April 5, 2008 for each year of credited prior service is 0% and the percentage of final compensation to be provided for each year of credited current service is 100% and determined in accordance with Section 21354 of said Retirement Law (2% at age 55 Full).
- 7. The percentage of final compensation to be provided for local miscellaneous members in employment on or after April 5, 2008 for each year of credited prior service is 0% and the percentage of final compensation to be provided for each year of credited current service is 100% and determined in accordance with Section 21354.4 of said Retirement Law (2.5% at age 55 Full).

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 21363.1 of said Retirement Law (3% at age 55 Full).
9. Public Agency elected and elects to be subject to the following optional provisions:
  - a. Section 20965 (Credit for Unused Sick Leave) for local miscellaneous members only.
  - b. Section 20042 (One-Year Final Compensation).
  - c. Sections 21624 and 21626 (Post-Retirement Survivor Allowance) for local safety members only.
  - d. Section 21574 (Fourth Level of 1959 Survivor Benefits).
  - e. Section 21024 (Military Service Credit as Public Service).
10. Public Agency, in accordance with Government Code Section 20834, shall not be considered an "employer" for purposes of the Public Employees' Retirement Law. Contributions of the Public Agency shall be fixed and determined as provided in Government Code Section 20834, and such contributions hereafter made shall be held by the Board as provided in Government Code Section 20834.
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. Contributions required per covered member on account of the 1959 Survivor Benefits provided under Section 21574 of said Retirement Law. (Subject to annual change.) In addition, all assets and liabilities of Public Agency and its employees shall be pooled in a single account, based on term insurance rates, for survivors of all local miscellaneous members and local safety members.

- b. A reasonable amount, as fixed by the Board, payable in one installment within 60 days of date of contract to cover the costs of administering said System as it affects the employees of Public Agency, not including the costs of special valuations or of the periodic investigation and valuations required by law.
- c. A reasonable amount, as fixed by the Board, payable in one installment as the occasions arise, to cover the costs of special valuations on account of employees of Public Agency, and costs of the periodic investigation and valuations required by law.

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 27 day of June, 2009.

BOARD OF ADMINISTRATION  
PUBLIC EMPLOYEES' RETIREMENT SYSTEM

CITY COUNCIL  
CITY OF MONTEREY PARK

BY *Lori McGartland*  
LORI MCGARTLAND, CHIEF  
EMPLOYER SERVICES DIVISION  
PUBLIC EMPLOYEES' RETIREMENT SYSTEM

BY *[Signature]*  
PRESIDING OFFICER

*[Signature]*

Witness Date

Attest: *[Signature]*  
Clerk



California  
Public Employees' Retirement System

---

**AMENDMENT TO CONTRACT**

Between the  
Board of Administration  
California Public Employees' Retirement System  
and the  
City Council  
City of Monterey Park

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The Board of Administration, California Public Employees' Retirement System, hereinafter referred to as Board, and the governing body of the above public agency, hereinafter referred to as Public Agency, having entered into a contract effective November 1, 1952, and witnessed August 11, 1952, and as amended effective March 1, 1961, July 1, 1963, March 15, 1969, January 1, 1971, March 20, 1976, April 3, 1976, June 27, 1987, June 24, 1989, July 7, 1990, December 31, 1990, July 3, 1993, June 15, 1996, May 8, 1999, June 24, 2000, October 7, 2000, August 18, 2001 and November 1, 2003 which provides for participation of Public Agency in said System, Board and Public Agency hereby agree as follows:

- A. Paragraphs 1 through 13 are hereby stricken from said contract as executed effective November 1, 2003, 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; age 55 for local police members and age 50 for local fire members.

2. Public Agency shall participate in the Public Employees' Retirement System from and after November 1, 1952 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.
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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. **MISCELLANEOUS EMPLOYEES AGE 55 OR OVER APRIL 3, 1976; AND**
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5. The percentage of final compensation to be provided for local miscellaneous members in employment before and not on or after the effective date of this amendment to contract for each year of credited prior service is 0% and the percentage of final compensation to be provided for each year of credited current service is 100% and determined in accordance with Section 21354 of said Retirement Law (2% at age 55 Full).
6. The percentage of final compensation to be provided for local miscellaneous members in employment on or after the effective date of this amendment to contract for each year of credited prior service is 0% and the percentage of final compensation to be provided for each year of credited current service is 100% and determined in accordance with Section 21354.4 of said Retirement Law (2.5% at age 55 Full).
7. The percentage of final compensation to be provided for each year of credited prior and current service as a local fire member shall be determined in accordance with Section 21362 of said Retirement Law (2% at age 50 Full).

8. The percentage of final compensation to be provided for each year of credited prior and current service as a local police member shall be determined in accordance with Section 21363.1 of said Retirement Law (3% at age 55 Full).
9. Public Agency elected and elects to be subject to the following optional provisions:
  - a. Section 20965 (Credit for Unused Sick Leave) for local miscellaneous members only.
  - b. Section 20042 (One-Year Final Compensation).
  - c. Sections 21624 and 21626 (Post-Retirement Survivor Allowance) for local safety members only.
  - d. Section 21574 (Fourth Level of 1959 Survivor Benefits).
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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.
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  - a. Contributions required per covered member on account of the 1959 Survivor Benefits provided under Section 21574 of said Retirement Law. (Subject to annual change.) In addition, all assets and liabilities of Public Agency and its employees shall be pooled in a single account, based on term insurance rates, for survivors of all local miscellaneous members and local safety members.
  - b. A reasonable amount, as fixed by the Board, payable in one installment within 60 days of date of contract to cover the costs of administering said System as it affects the employees of Public Agency, not including the costs of special valuations or of the periodic investigation and valuations required by law.

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

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 5<sup>th</sup> day of APRIL, 2008.

BOARD OF ADMINISTRATION  
PUBLIC EMPLOYEES' RETIREMENT SYSTEM

CITY COUNCIL  
CITY OF MONTEREY PARK

BY   
LORL MCGARTLAND, CHIEF  
EMPLOYER SERVICES DIVISION  
PUBLIC EMPLOYEES' RETIREMENT SYSTEM

BY   
PRESIDING OFFICER

3/7/2008

Witness Date

Attest:

  
Clerk



California  
Public Employees' Retirement System

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**AMENDMENT TO CONTRACT**

**Between the  
Board of Administration  
California Public Employees' Retirement System  
and the  
City Council  
City of Monterey Park**

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The Board of Administration, California Public Employees' Retirement System, hereinafter referred to as Board, and the governing body of the above public agency, hereinafter referred to as Public Agency, having entered into a contract effective November 1, 1952, and witnessed August 11, 1952, and as amended effective March 1, 1961 July 1, 1963, March 15, 1969, January 1, 1971, March 20, 1976, April 3, 1976, June 27, 1987, June 24, 1989, July 7, 1990, December 31, 1990, July 3, 1993, June 15, 1996, May 8, 1999, June 24, 2000, October 7, 2000 and August 18, 2001 which provides for participation of Public Agency in said System, Board and Public Agency hereby agree as follows:

- A. Paragraphs 1 through 13 are hereby stricken from said contract as executed effective August 18, 2001, and hereby replaced by the following paragraphs numbered 1 through 13 inclusive:
1. All words and terms used herein which are defined in the Public Employees' Retirement Law shall have the meaning as defined therein unless otherwise specifically provided. "Normal retirement age" shall mean age 55 for local miscellaneous members; age 55 for local police members and age 50 for local fire members.

2. Public Agency shall participate in the Public Employees' Retirement System from and after November 1, 1952 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. **MISCELLANEOUS EMPLOYEES AGE 55 OR OVER APRIL 3, 1976; AND**
  - b. **PART-TIME RECREATION LEADER POOL MANAGER/SWIM COACH FOR THE FIRST 36 MONTHS OF EMPLOYMENT.**
5. The percentage of final compensation to be provided for local miscellaneous members for each year of credited prior service is 0% and the percentage of final compensation to be provided for each year of credited current service is 100% and determined in accordance with Section 21354 of said Retirement Law (2% @ age 55 Full).
6. The percentage of final compensation to be provided for each year of credited prior and current service as a local fire member shall be determined in accordance with Section 21362 of said Retirement Law (2% at age 50 Full).
7. The percentage of final compensation to be provided for each year of credited prior and current service as a local police member shall be determined in accordance with Section 21363.1 of said Retirement Law (3% at age 55 Full).

8. Public Agency elected and elects to be subject to the following optional provisions:
  - a. Section 20965 (Credit for Unused Sick Leave) for local miscellaneous members only.
  - b. Section 20042 (One-Year Final Compensation).
  - c. Sections 21624 and 21626 (Post-Retirement Survivor Allowance) for local safety members only.
  - d. Section 21574 (Fourth Level of 1959 Survivor Benefits).
  - e. Section 21024 (Military Service Credit as Public Service), Statutes of 1976.
9. Public Agency, in accordance with Government Code Section 20834, shall not be considered an "employer" for purposes of the Public Employees' Retirement Law. Contributions of the Public Agency shall be fixed and determined as provided in Government Code Section 20834, and such contributions hereafter made shall be held by the Board as provided in Government Code Section 20834.
10. Public Agency shall contribute to said Retirement System the contributions determined by actuarial valuations of prior and future service liability with respect to local miscellaneous members and local safety members of said Retirement System.
11. Public Agency shall also contribute to said Retirement System as follows:
  - a. Contributions required per covered member on account of the 1959 Survivor Benefits provided under Section 21574 of said Retirement Law. (Subject to annual change.) In addition, all assets and liabilities of Public Agency and its employees shall be pooled in a single account, based on term insurance rates, for survivors of all local miscellaneous members and local safety members.
  - b. A reasonable amount, as fixed by the Board, payable in one installment within 60 days of date of contract to cover the costs of administering said System as it affects the employees of Public Agency, not including the costs of special valuations or of the periodic investigation and valuations required by law.

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

B. This amendment shall be effective on the 1<sup>st</sup> day of November, 2003.

BOARD OF ADMINISTRATION  
PUBLIC EMPLOYEES' RETIREMENT SYSTEM

CITY COUNCIL  
CITY OF MONTEREY PARK

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

BY *David J. ...*  
PRESIDING OFFICER

*Oct 3, 2003*  
Witness Date

Attest:

*David M. Barro*  
Clerk

AMENDMENT ER# 323  
PERS-CON-702A (Rev. 8/02)





California  
Public Employees' Retirement System

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**AMENDMENT TO CONTRACT**

Between the  
**Board of Administration**  
**California Public Employees' Retirement System**  
and the  
**City Council**  
**City of Monterey Park**

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The Board of Administration, California Public Employees' Retirement System, hereinafter referred to as Board, and the governing body of the above public agency, hereinafter referred to as Public Agency, having entered into a contract effective November 1, 1952, and witnessed August 11, 1952, and as amended effective March 1, 1961, July 1, 1963, March 15, 1969, January 1, 1971, March 20, 1976, April 3, 1976, June 27, 1987, June 24, 1989, July 7, 1990, December 31, 1990, July 3, 1993, June 15, 1996, May 8, 1999, June 24, 2000 and October 7, 2000 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 October 7, 2000, and hereby replaced by the following paragraphs numbered 1 through 13 inclusive:
1. All words and terms used herein which are defined in the Public Employees' Retirement Law shall have the meaning as defined therein unless otherwise specifically provided. "Normal retirement age" shall mean age 55 for local miscellaneous members, age 55 for local police members and 50 for local fire members.
  2. Public Agency shall participate in the Public Employees' Retirement System from and after November 1, 1952 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.

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- 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. **MISCELLANEOUS EMPLOYEES AGE 55 OR OVER APRIL 3, 1976; AND**
  - b. **PART-TIME RECREATION LEADER POOL MANAGER/SWIM COACH FOR THE FIRST 36 MONTHS OF EMPLOYMENT.**
  
- 5. The percentage of final compensation to be provided for local miscellaneous members for each year of credited prior service is 0% and the percentage of final compensation to be provided for each year of credited current service is 100% and determined in accordance with Section 21354 of said Retirement Law (2% @ 55 Full).
  
- 6. The percentage of final compensation to be provided for each year of credited prior and current service as a local fire member shall be determined in accordance with Section 21362 of said Retirement Law (2% at age 50 Full).
  
- 7. The percentage of final compensation to be provided for each year of credited prior and current service as a local police member shall be determined in accordance with Section 21363.1 of said Retirement Law (3% at age 55 Full). The required member contribution rate is 9% of reportable compensation.
  
- 8. Public Agency elected and elects to be subject to the following optional provisions:
  - a. Section 20965 (Credit for Unused Sick Leave) for local miscellaneous members only.
  - b. Section 20042 (One-Year Final Compensation).

- c. Sections 21624 and 21626 (Post-Retirement Survivor Allowance) for local safety members only.
  - d. Section 21574 (Fourth Level of 1959 Survivor Benefits).
- 9. Public Agency, in accordance with Government Code Section 20834, shall not be considered an "employer" for purposes of the Public Employees' Retirement Law. Contributions of the Public Agency shall be fixed and determined as provided in Government Code Section 20834, and such contributions hereafter made shall be held by the Board as provided in Government Code Section 20834.
- 10. Public Agency shall contribute to said Retirement System the contributions determined by actuarial valuations of prior and future service liability with respect to local miscellaneous members and local safety members of said Retirement System.
- 11. Public Agency shall also contribute to said Retirement System as follows:
  - a. Contributions required per covered member on account of the 1959 Survivor Benefits provided under Section 21574 of said Retirement Law. (Subject to annual change.) In addition, all assets and liabilities of Public Agency and its employees shall be pooled in a single account, based on term insurance rates, for survivors of all local miscellaneous members and local safety members.
  - b. A reasonable amount, as fixed by the Board, payable in one installment within 60 days of date of contract to cover the costs of administering said System as it affects the employees of Public Agency, not including the costs of special valuations or of the periodic investigation and valuations required by law.
  - c. A reasonable amount, as fixed by the Board, payable in one installment as the occasions arise, to cover the costs of special valuations on account of employees of Public Agency, and costs of the periodic investigation and valuations required by law.
- 12. Contributions required of Public Agency and its employees shall be subject to adjustment by Board on account of amendments to the Public Employees' Retirement Law, and on account of the experience under the Retirement System as determined by the periodic investigation and valuation required by said Retirement Law.

13. Contributions required of Public Agency and its employees shall be paid by Public Agency to the Retirement System within fifteen days after the end of the period to which said contributions refer or as may be prescribed by Board regulation. If more or less than the correct amount of contributions is paid for any period, proper adjustment shall be made in connection with subsequent remittances. Adjustments on account of errors in contributions required of any employee may be made by direct payments between the employee and the Board.

B. This amendment shall be effective on the 18th day of August, 2001.

BOARD OF ADMINISTRATION  
PUBLIC EMPLOYEES' RETIREMENT SYSTEM

CITY COUNCIL  
CITY OF MONTEREY PARK

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

BY *Francisco Alonso*  
PRESIDING OFFICER

*July 24, 2001*  
Witness Date

Attest:

*David M. Benar*  
Clerk



California  
Public Employees' Retirement System

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**AMENDMENT TO CONTRACT**

Between the  
Board of Administration  
California Public Employees' Retirement System  
and the  
City Council  
City of Monterey Park

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The Board of Administration, California Public Employees' Retirement System, hereinafter referred to as Board, and the governing body of the above public agency, hereinafter referred to as Public Agency, having entered into a contract effective November 1, 1952, and witnessed August 11, 1952, and as amended effective March 1, 1961, July 1, 1963, March 15, 1969, January 1, 1971, March 20, 1976, April 3, 1976, June 27, 1987, June 24, 1989, July 7, 1990, December 31, 1990, July 3, 1993, June 15, 1996, May 8, 1999, and June 24, 2000 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 June 24, 2000, 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 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 November 1, 1952 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. **MISCELLANEOUS EMPLOYEES AGE 55 OR OVER ON APRIL 3, 1976; AND**
  - b. **PART-TIME RECREATION LEADER POOL MANAGER/SWIM COACH FOR THE FIRST 36 MONTHS OF EMPLOYMENT.**
  
5. The percentage of final compensation to be provided for local miscellaneous members for each year of credited prior service is 0% and the percentage of final compensation to be provided for each year of credited current service is 100% and determined in accordance with Section 21354 of said Retirement Law (2% @ age 55 Full).
  
6. The percentage of final compensation to be provided for each year of credited prior and current service as a local safety member shall be determined in accordance with Section 21362 of said Retirement Law (2% at age 50 Full).
  
7. Public Agency elected and elects to be subject to the following optional provisions:
  - a. Section 20965 (Credit for Unused Sick Leave) for local miscellaneous members only.
  - b. Section 20042 (One-Year Final Compensation).

- c. Sections 21624 and 21626 (Post-Retirement Survivor Allowance) for local safety members only.
  - d. Section 21574 (Fourth Level of 1959 Survivor Benefits).
- 8. Public Agency, in accordance with Government Code Section 20834, shall not be considered an "employer" for purposes of the Public Employees' Retirement Law. Contributions of the Public Agency shall be fixed and determined as provided in Government Code Section 20834, and such contributions hereafter made shall be held by the Board as provided in Government Code Section 20834.
- 9. 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.
- 10. Public Agency shall also contribute to said Retirement System as follows:
  - a. Contributions required per covered member on account of the 1959 Survivor Benefits provided under Section 21574 of said Retirement Law. (Subject to annual change.) In addition, all assets and liabilities of Public Agency and its employees shall be pooled in a single account, based on term insurance rates, for survivors of all local miscellaneous members and local safety members.
  - b. A reasonable amount, as fixed by the Board, payable in one installment within 60 days of date of contract to cover the costs of administering said System as it affects the employees of Public Agency, not including the costs of special valuations or of the periodic investigation and valuations required by law.
  - c. A reasonable amount, as fixed by the Board, payable in one installment as the occasions arise, to cover the costs of special valuations on account of employees of Public Agency, and costs of the periodic investigation and valuations required by law.
- 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.

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- 12. 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 7th day of October, 2000.

BOARD OF ADMINISTRATION  
PUBLIC EMPLOYEES' RETIREMENT SYSTEM

CITY COUNCIL  
CITY OF MONTEREY PARK

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

BY *Benjamin "Frank" Kento*  
PRESIDING OFFICER

*Oct. 7, 2000*  
Witness Date

Attest:  
*David M. Barron*  
Clerk *city clerk*

**AGREEMENT  
TO POOL  
1959 SURVIVOR BENEFITS ASSETS AND LIABILITIES  
BETWEEN THE  
BOARD OF ADMINISTRATION  
CALIFORNIA PUBLIC EMPLOYEES' RETIREMENT SYSTEM  
AND THE  
CITY COUNCIL  
CITY OF MONTEREY PARK**

WHEREAS, Government Code Section 21574 provides for a single employer rate to be established to provide benefits under said Section on account of members employed by contracting agencies electing to include the provision of said Section in their contracts; and

WHEREAS, Government Code Section 21574, requires pooling of all assets and liabilities of all contracting agencies subject to said Section;

NOW, THEREFORE BE IT AGREED, that assets and liabilities of the City of Monterey Park and its covered employees shall be pooled pursuant to the provisions of Government Code Section 21574.

BOARD OF ADMINISTRATION  
PUBLIC EMPLOYEES' RETIREMENT SYSTEM

CITY COUNCIL  
CITY OF MONTEREY PARK

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

BY *Lita Valenzuela*  
PRESIDING OFFICER

*18 aug. 20*  
Date



California  
Public Employees' Retirement System

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**AMENDMENT TO CONTRACT**

Between the  
Board of Administration  
California Public Employees' Retirement System  
and the  
City Council  
City of Monterey Park

---

The Board of Administration, California Public Employees' Retirement System, hereinafter referred to as Board, and the governing body of the above public agency, hereinafter referred to as Public Agency, having entered into a contract effective November 1, 1952, and witnessed August 11, 1952, and as amended effective March 1, 1961, July 1, 1963, March 15, 1969, January 1, 1971, March 20, 1976, April 3, 1976, June 27, 1987, June 24, 1989, July 7, 1990, December 31, 1990, July 3, 1993, June 15, 1996 and May 8, 1999 which provides for participation of Public Agency in said System, Board and Public Agency hereby agree as follows:

- A. Paragraphs 1 through 12 are hereby stricken from said contract as executed effective May 8, 1999, 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 members and age 50 for local safety members.
  2. Public Agency shall participate in the Public Employees' Retirement System from and after November 1, 1952 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.

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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. **MISCELLANEOUS EMPLOYEES AGE 55 OR OVER ON APRIL 3, 1976; AND**
  - b. **PART-TIME RECREATION LEADER POOL MANAGER/SWIM COACH FOR THE FIRST 36 MONTHS OF EMPLOYMENT.**
  
5. The percentage of final compensation to be provided for local miscellaneous members for each year of credited prior service is 0% and the percentage of final compensation to be provided for each year of credited current service is 100% and determined in accordance with Section 21354 of said Retirement Law (2% @ age 55 Full).
  
6. The percentage of final compensation to be provided for each year of credited prior and current service as a local safety member shall be determined in accordance with Section 21362 of said Retirement Law (2% at age 50 Full).
  
7. Public Agency elected and elects to be subject to the following optional provisions:
  - a. Section 20965 (Credit for Unused Sick Leave) for local miscellaneous members only.
  - b. Section 20042 (One-Year Final Compensation).

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- 9. 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.
- 10. Public Agency shall also contribute to said Retirement System as follows:
  - a. Contributions required per covered member on account of the 1959 Survivor Benefits provided under Section 21574 of said Retirement Law. (Subject to annual change.) In addition, all assets and liabilities of Public Agency and its employees shall be pooled in a single account, based on term insurance rates, for survivors of all local safety members.
  - b. A reasonable amount, as fixed by the Board, payable in one installment within 60 days of date of contract to cover the costs of administering said System as it affects the employees of Public Agency, not including the costs of special valuations or of the periodic investigation and valuations required by law.
  - c. A reasonable amount, as fixed by the Board, payable in one installment as the occasions arise, to cover the costs of special valuations on account of employees of Public Agency, and costs of the periodic investigation and valuations required by law.
- 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 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 24th day of June, 2000.

BOARD OF ADMINISTRATION  
PUBLIC EMPLOYEES' RETIREMENT SYSTEM

CITY COUNCIL  
CITY OF MONTEREY PARK

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

BY *John L. ...*  
PRESIDING OFFICER

*June 12, 2000*  
Witness Date

Attest:  
*Sandra M. ...*  
Clerk  
*City Clerk*

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**AGREEMENT TO POOL  
1959 SURVIVOR BENEFITS ASSETS AND LIABILITIES  
BETWEEN THE  
BOARD OF ADMINISTRATION  
CALIFORNIA PUBLIC EMPLOYEES' RETIREMENT SYSTEM  
AND THE  
CITY COUNCIL OF THE CITY OF MONTEREY PARK**

WHEREAS, Government Code Section 21574 provides for a single employer rate to be established to provide benefits under said Section on account of members employed by contracting agencies electing to include the provision of said Section in their contracts: and

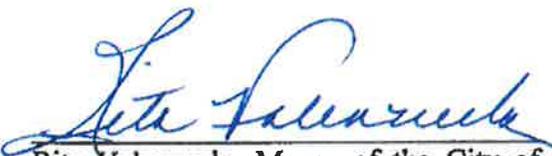
WHEREAS, Government Code Section 21574, requires pooling of all assets and liabilities of all contracting agencies subject to said Section;

NOW, THEREFORE BE IT AGREED, that assets and liabilities of the City of Monterey Park and its covered employees shall be pooled pursuant to the provisions of Government Code Section 21574.

BOARD OF ADMINISTRATION  
PUBLIC EMPLOYEES' RETIREMENT  
SYSTEM

CITY COUNCIL  
CITY OF MONTEREY PARK

  
Kenneth W. Marzlon, Chief  
Actuarial & Employer Services Division  
Public Employees' Retirement System

  
Rita Valenzuela, Mayor of the City of  
Monterey Park

\_\_\_\_\_  
Date

    MAY 17, 2000      
Date

California  
Public Employees' Retirement System

**AMENDMENT TO CONTRACT**

Between the  
Board of Administration  
California Public Employees' Retirement System  
and the  
City Council  
City of Monterey Park

The Board of Administration, California Public Employees' Retirement System, hereinafter referred to as Board, and the governing body of the above public agency, hereinafter referred to as Public Agency, having entered into a contract effective November 1, 1952, and witnessed August 11, 1952, and as amended effective March 1, 1961, July 1, 1963, March 15, 1969, January 1, 1971, March 20, 1976, April 3, 1976, June 27, 1987, June 24, 1989, July 7, 1990, December 31, 1990, July 3, 1993 and June 15, 1996 which provides for participation of Public Agency in said System, Board and Public Agency hereby agree as follows:

- A. Paragraphs 1 through 12 are hereby stricken from said contract as executed effective June 15, 1996, 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 members and age 50 for local safety members.
  2. Public Agency shall participate in the Public Employees' Retirement System from and after November 1, 1952 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. **MISCELLANEOUS EMPLOYEES AGE 55 OR OVER ON APRIL 3, 1976; AND**
  - b. **PART-TIME RECREATION LEADER POOL MANAGER/SWIM COACH FOR THE FIRST 36 MONTHS OF EMPLOYMENT.**
5. The percentage of final compensation to be provided for local miscellaneous members for each year of credited prior service is 0% and the percentage of final compensation to be provided for each year of credited current service is 100% and determined in accordance with Section 21353 of said Retirement Law (2% @ 60 Full).
6. The percentage of final compensation to be provided for each year of credited prior and current service as a local safety member shall be determined in accordance with Section 21362 of said Retirement Law (2% at age 50 Full).
7. Public Agency elected and elects to be subject to the following optional provisions:
  - a. Section 21571 (Basic Level of 1959 Survivor Benefits) for local miscellaneous and local fire members only.
  - b. Section 20965 (Credit for Unused Sick Leave) for local miscellaneous members only.
  - c. Section 20042 (One-Year Final Compensation).

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- d. Sections 21624 and 21626 (Post-Retirement Survivor Allowance) for local safety members only.
  - e. Section 21574 (Fourth Level of 1959 Survivor Benefits) for local police members only.
8. Public Agency, in accordance with Government Code Section 20834, shall not be considered an "employer" for purposes of the Public Employees' Retirement Law. Contributions of the Public Agency shall be fixed and determined as provided in Government Code Section 20834, and such contributions hereafter made shall be held by the Board as provided in Government Code Section 20834.
9. 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.
10. Public Agency shall also contribute to said Retirement System as follows:
- a. Contributions required per covered member on account of the 1959 Survivor Benefits provided under Section 21574 of said Retirement Law. (Subject to annual change.) In addition, all assets and liabilities of Public Agency and its employees shall be pooled in a single account, based on term insurance rates, for survivors of all local police members.
  - b. A reasonable amount, as fixed by the Board, payable in one installment within 60 days of date of contract to cover the costs of administering said System as it affects the employees of Public Agency, not including the costs of special valuations or of the periodic investigation and valuations required by law.
  - c. A reasonable amount, as fixed by the Board, payable in one installment as the occasions arise, to cover the costs of special valuations on account of employees of Public Agency, and costs of the periodic investigation and valuations required by law.
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.

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12. 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 8th day of May, 19 99.

BOARD OF ADMINISTRATION  
PUBLIC EMPLOYEES' RETIREMENT SYSTEM

CITY COUNCIL  
OF THE  
CITY OF MONTEREY PARK

BY *Lori McFauland*  
KENNETH W. MARZION, CHIEF  
ACTUARIAL & EMPLOYER SERVICES DIVISION  
PUBLIC EMPLOYEES' RETIREMENT SYSTEM

BY *Quay Chiu*  
PRESIDING OFFICER

*May 17, 1999*  
Witness Date

Attest:  
*Suzanne Serra*  
Clerk

32720548110011 0001

**AGREEMENT  
TO POOL  
1959 SURVIVOR BENEFITS ASSETS AND LIABILITIES  
BETWEEN THE  
BOARD OF ADMINISTRATION  
OF THE  
PUBLIC EMPLOYEES' RETIREMENT SYSTEM  
AND THE  
CITY COUNCIL  
OF THE  
CITY OF MONTEREY PARK**

WHEREAS, Government Code Section 21574 provides for a single employer rate to be established to provide benefits under said Section on account of members employed by contracting agencies electing to include the provision of said Section in their contracts; and

WHEREAS, Government Code Section 21574, requires pooling of all assets and liabilities of all contracting agencies subject to said Section;

NOW, THEREFORE BE IT AGREED, that assets and liabilities of the City of Monterey Park and its covered employees shall be pooled pursuant to the provisions of Government Code Section 21574.

**BOARD OF ADMINISTRATION  
PUBLIC EMPLOYEES' RETIREMENT SYSTEM**

**CITY COUNCIL  
OF THE  
CITY OF MONTEREY PARK**

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

BY *Grady Chen*  
PRESIDING OFFICER

Date March 17, 1999

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

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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 November 1, 1952, and witnessed August 11, 1952, and as amended effective March 1, 1961, July 1, 1963, March 15, 1969, January 1, 1971, March 20, 1976, April 3, 1976, June 27, 1987, June 24, 1989, July 7, 1990, December 31, 1990 and July 3, 1993, 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 July 3, 1993, 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 members and age 50 for local safety members.
  2. Public Agency shall participate in the Public Employees' Retirement System from and after November 1, 1952 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. MISCELLANEOUS EMPLOYEES AGE 55 OR OVER ON APRIL 3, 1976;  
AND
    - b. PART-TIME RECREATION LEADER AND POOL MANAGER/SWIM COACH FOR THE FIRST 36 MONTHS OF EMPLOYMENT.

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5. The percentage of final compensation to be provided for local miscellaneous members for each year of credited prior service is 0% and the percentage of final compensation to be provided for each year of credited current service is 100% and determined in accordance with Section 21251.13 of said Retirement Law (2% at age 60 Full).
6. The percentage of final compensation to be provided for each year of credited prior and current service as a local safety member shall be determined in accordance with Section 21362 of said Retirement Law (2% at age 50 Full).
7. Public Agency elected and elects to be subject to the following optional provisions:
  - a. Section 21571 (Basic Level of 1959 Survivor Benefits).
  - b. Section 20965 (Credit for Unused Sick Leave) for local miscellaneous members only.
  - c. Section 20042 (One-Year Final Compensation).
  - d. Sections 21624 and 21626 (Post-Retirement Survivor Allowance) for local safety members only.
8. Public Agency, in accordance with Government Code Section 20834, shall not be considered an "employer" for purposes of the Public Employees' Retirement Law. Contributions of the Public Agency shall be fixed and determined as provided in Government Code Section 20834, and such contributions hereafter made shall be held by the Board as provided in Government Code Section 20834.
9. 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.
10. 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.
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.

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12. 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 15 day of June, 19 96.

BOARD OF ADMINISTRATION  
PUBLIC EMPLOYEES' RETIREMENT SYSTEM

CITY COUNCIL  
OF THE  
CITY OF MONTEREY PARK

BY *Tennet W. Mayson*  
DIVISION CHIEF  
ACTUARIAL & EMPLOYER SERVICES DIVISION  
PUBLIC EMPLOYEES' RETIREMENT SYSTEM

BY *Alfred P. Bahlman*  
Presiding Officer

*June 13, 1996*  
Witness Date

Attest:  
*Sandra M. Barron*  
Clerk

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

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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 November 1, 1952, and witnessed August 11, 1952, and as amended effective March 1, 1961, July 1, 1963, March 15, 1969, January 1, 1971, March 20, 1976, April 3, 1976, June 27, 1987, June 24, 1989 and July 7, 1990, 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 July 7, 1990, 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 60 for local miscellaneous members, age 50 for local fire members and age 55 for local police members.
  2. Public Agency shall participate in the Public Employees' Retirement System from and after November 1, 1952 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. MISCELLANEOUS EMPLOYEES AGE 55 OR OVER ON APRIL 3, 1976.
5. The percentage of final compensation to be provided for local miscellaneous members for each year of credited prior service is 0% and the percentage of final compensation to be provided for each year of credited current service is 100% and determined in accordance with Section 21251.13 of said Retirement Law (2% at age 60 Full formula).
6. The percentage of final compensation to be provided for each year of credited prior and current service for local police members who did not elect within 90 days after notification by the Board to continue under the provisions of Section 21252.1 shall be determined in accordance with Section 21252.6 of said Retirement Law (2% at age 55 Full).
7. The percentage of final compensation to be provided for each year of credited prior and current service for local police members who elect within 90 days after notification by the Board to continue under the provisions of Section 21252.1 shall be determined in accordance with Section 21252.1 of said Retirement Law (One-half pay at age 55 Full).
8. The percentage of final compensation to be provided for each year of credited prior and current service as a local fire 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. Section 20862.8 (Credit for Unused Sick Leave) for local miscellaneous members only.
  - c. Section 20024.2 (One-Year Final Compensation).
  - d. Sections 21263 and 21263.1 (Post-Retirement Survivor Allowance) for local safety members only.
10. Public Agency, in accordance with Government Code Section 20759, shall not be considered an "employer" for purposes of the Public Employees' Retirement Law. Contributions of the Public Agency shall be fixed and determined as provided in Government Code Section 20759, and such contributions hereafter made shall be held by the Board as provided in Government Code Section 20759.

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- 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 31st day of November, 1990. EW

BOARD OF ADMINISTRATION  
PUBLIC EMPLOYEES' RETIREMENT SYSTEM

CITY COUNCIL  
OF THE  
CITY OF MONTEREY PARK

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

BY Judy Chu  
Presiding Officer

Dec 13, 1990  
Witness Date

Attest:  
Samuel M. Barua  
Clerk

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

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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 November 1, 1952, and witnessed August 11, 1952, and as amended effective March 1, 1961, July 1, 1963, March 15, 1969, January 1, 1971, March 20, 1976, April 3, 1976, June 27, 1987 and June 24, 1989, 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 June 24, 1989, 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 60 for local miscellaneous members, age 50 for local fire members and age 55 for local police members.
  2. Public Agency shall participate in the Public Employees' Retirement System from and after November 1, 1952 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).

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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. MISCELLANEOUS EMPLOYEES AGE 55 OR OVER ON APRIL 3, 1976.
5. The percentage of final compensation to be provided for local miscellaneous members for each year of credited prior service is 0% and the percentage of final compensation to be provided for each year of credited current service is 100% and determined in accordance with Section 21251.13 of said Retirement Law (2% at age 60 Full Formula).
6. The percentage of final compensation to be provided for each year of credited prior and current service for local police members who did not elect within 90 days after notification by the Board to continue under the provisions of Section 21252.1 shall be determined in accordance with Section 21252.6 of said Retirement Law (2% at age 55 Full).
7. The percentage of final compensation to be provided for each year of credited prior and current service for local police members who elect within 90 days after notification by the Board to continue under the provisions of Section 21252.1 shall be determined in accordance with Section 21252.1 of said Retirement Law (One-half pay at age 55 Full).
8. The percentage of final compensation to be provided for each year of credited prior and current service as a local fire 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. Section 20862.8 (Credit for Unused Sick Leave) for local miscellaneous members only.
  - c. Section 20024.2 (One-Year Final Compensation) for local safety members only.
  - d. Sections 21263 and 21263.1 (Post-Retirement Survivor Allowance) for local safety members only.
10. Public Agency, in accordance with Government Code Section 20759, shall not be considered an "employer" for purposes of the Public Employees' Retirement Law. Contributions of the Public Agency shall be fixed and determined as provided in Government Code Section 20759, and such contributions hereafter made shall be held by the Board as provided in Government Code Section 20759.

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- 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 7th day of July, 19 90.

BOARD OF ADMINISTRATION  
PUBLIC EMPLOYEES' RETIREMENT SYSTEM

CITY COUNCIL  
OF THE  
CITY OF MONTEREY PARK

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

BY Judy Chu  
Presiding Officer

June 26, 1990  
Witness Date

Attest:  
David M. Barro  
Clerk

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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 MONTEREY PARK**

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 November 1, 1952, and witnessed August 11, 1952, and as amended effective March 1, 1961, July 1, 1963, March 15, 1969, January 1, 1971, March 20, 1976, April 3, 1976 and June 27, 1987, 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 June 27, 1987, 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 members and age 55 for local safety members.
  2. Public Agency shall participate in the Public Employees' Retirement System from and after November 1, 1952 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).

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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. MISCELLANEOUS EMPLOYEES AGE 55 OR OVER ON APRIL 3, 1976.
5. The percentage of final compensation to be provided for local miscellaneous members for each year of credited prior service is 0% and the percentage of final compensation to be provided for each year of credited current service is 100% and determined in accordance with Section 21251.13 of said Retirement Law (2% @ 60 Full Formula).
6. The fraction of final compensation to be provided for each year of credited prior and current service for those local fire members who did not elect within 90 days of June 27, 1987 and those local police members who did not elect within 90 days of the effective date of this amendment to contract to continue under the provisions of Section 21252.1 shall be determined in accordance with Section 21252.6 of said Retirement Law (2% at age 55 Full).
7. The fraction of final compensation to be provided for each year of credited prior and current service for local fire members who elect within 90 days of June 27, 1987 and those local police members who elect within 90 days of the effective date of this amendment to contract to continue under the provisions of Section 21252.1 shall be determined in accordance with Section 21252.1 of said Retirement Law (One-half pay at age 55 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 Survivor Benefits) excluding Section 21382.2 (Increased 1959 Survivor Benefits) and Section 21382.4 (Third Level of 1959 Survivor Benefits).
  - b. Section 20862.8 (Unused Sick Leave Credit) for local miscellaneous members only.
  - c. Section 20024.2 (One-Year Final Compensation) for local safety members only.
  - d. Sections 21263 and 21263.1 (Post-Retirement Survivor Allowance) for local safety members only.
9. Public Agency, in accordance with Government Code Section 20759, shall not be considered an "employer" for purposes of the Public Employees' Retirement Law. Contributions of the Public Agency shall be fixed and determined as provided in Government Code Section 20759, and such contributions hereafter made shall be held by the Board as provided in Government Code Section 20759.

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

a. With respect to local miscellaneous members, the agency shall contribute the following percentages of salaries earned as members of said Retirement System:

(1) 5.962 percent until June 30, 2000 on account of the liability for current service benefits. (Subject to annual change.)

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

(1) 0.233 percent until June 30, 2000 on account of the liability for prior service benefits. (Subject to annual change.)

(2) 16.903 percent until June 30, 2000 on account of the liability for current service benefits. (Subject to annual change.)

c. 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.

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.

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.

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12. 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 24th day of June, 1989.

BOARD OF ADMINISTRATION  
PUBLIC EMPLOYEES' RETIREMENT SYSTEM

CITY COUNCIL  
OF THE  
CITY OF MONTEREY PARK

BY Malcolm K. Hebrank  
ASSISTANT EXECUTIVE OFFICER  
PUBLIC EMPLOYEES' RETIREMENT SYSTEM

BY Barry L. Hatch  
Presiding Officer

June 8, 1989  
Witness Date

Attest:  
David M. Barron  
Clerk

PERS-CON-702 (AMENDMENT)  
(Rev. 6/88)

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

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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 November 1, 1952, and witnessed August 11, 1952, and as amended effective March 1, 1961, July 1, 1963, March 15, 1969, January 1, 1971, March 20, 1976 and April 3, 1976, 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 April 3, 1976, 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 60 for local miscellaneous members and age 55 for local safety members.
  2. Public Agency shall participate in the Public Employees' Retirement System from and after November 1, 1952 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. MISCELLANEOUS EMPLOYEES AGE 55 OR OLDER ON APRIL 3, 1976.
5. The percentage of final compensation to be provided for local miscellaneous members for each year of credited prior service is 0% and the percentage of final compensation to be provided for each year of credited current service is 100% and determined in accordance with Section 21251.13 of said Retirement Law (2% @60 Full Formula).
6. No benefit is provided for service rendered prior to April 3, 1976 and such service does not constitute "state service" for any purpose of this contract or the Public Employees' Retirement Law, with respect to miscellaneous members only.
7. The fraction of final compensation to be provided for each year of credited prior and current service as a local police member shall be determined in accordance with Section 21252.1 of said Retirement Law (One-half pay at age 55 Full).
8. The fraction of final compensation to be provided for each year of credited prior and current service for those local fire members who did not elect within 90 days of the effective date of this amendment to contract to continue under the provisions of Section 21252.1 shall be determined in accordance with Section 21252.6 of said Retirement Law (2% at age 55 Full).
9. The fraction of final compensation to be provided for each year of credited prior and current service for local fire members who elect within 90 days of effective date of this amendment to contract to continue under the provisions of Section 21252.1 shall be determined in accordance with Section 21252.1 of said Retirement Law (One-half pay at age 55 Full).
10. 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 Survivor Benefits) excluding Section 21382.2 (Increased 1959 Survivor Benefits) and Section 21382.4 (Third Level of 1959 Survivor Benefits).
  - b. Section 20862.8 (Unused Sick Leave Credit) for local miscellaneous members only.
  - c. Section 20024.2 (One-Year Final Compensation) for local fire members only.
  - d. Sections 21263/21263.1 (Post-Retirement Survivor Allowance) for local safety members only.

11. Public Agency, in accordance with Government Code Section 20759, shall not be considered an "employer" for purposes of the Public Employees' Retirement Law. Contributions of the Public Agency shall be fixed and determined as provided in Government Code Section 20759, and such contributions hereafter made shall be held by the Board as provided in Government Code Section 20759.
12. Public Agency shall contribute to said Retirement System as follows:
- a. With respect to local miscellaneous members, the agency shall contribute the following percentages of salaries earned as members of said Retirement System:
    - (1) 7.024 percent until June 30, 2000 on account of the liability for current service benefits. (Subject to annual change.)
  - b. With respect to local safety members, the agency shall contribute the following percentages of salaries earned as members of said Retirement System:
    - (1) 0.236 percent until June 30, 2000 on account of the liability for prior service benefits. (Subject to annual change.)
    - (2) ~~20.145~~ <sup>19.910</sup> percent until June 30, 2000 on account of the liability for current service benefits. (Subject to annual change.)
  - c. 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.
  - 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.
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.

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14. 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. 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 27<sup>th</sup> day of June, 1987.

BOARD OF ADMINISTRATION  
PUBLIC EMPLOYEES' RETIREMENT SYSTEM

CITY COUNCIL  
OF THE  
CITY OF MONTEREY PARK

BY \_\_\_\_\_  
SANDRA C. LUND  
ASSISTANT EXECUTIVE OFFICER  
BENEFIT SERVICES

BY \_\_\_\_\_  
Presiding Officer

\_\_\_\_\_  
Witness Date

Attest:

\_\_\_\_\_  
Clerk

PERS-CON-702 (AMENDMENT)  
(Rev. 9/86)

*our original copy  
was erroneously  
sent to Agency.  
Photo copy for Dave  
for info only  
ll*

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

CITY COUNCIL  
OF THE  
CITY OF MONTEREY PARK

The Board of Administration, Public Employees' Retirement System, hereinafter referred to as Board and the CITY COUNCIL of the CITY OF MONTEREY PARK, hereinafter referred to as Public Agency, having entered into a contract under date of August 11, 1952, effective November 1, 1952, and as amended effective March 1, 1961, July 1, 1963, March 15, 1969, and January 1, 1971, and as provided by Chapter 316, 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 November 1, 1952, and are hereby replaced by the following paragraphs numbered 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 55 for local safety members.
  - 2. Public Agency shall participate in the Public Employees' Retirement System from and after November 1, 1952, making its employees as hereinafter provided, members of said System subject

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c. Employees other than local safety members (herein referred to as miscellaneous members).

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

Miscellaneous employees age 55 or older on April 3, 1976.

4. Public Agency, in accordance with Section 20740, Government Code, shall not be considered an "employer" for purposes of Chapter 6 of the Public Employees' Retirement Law. Contributions of the Public Agency shall be fixed as provided in Section 20759, Government Code, and contributions hereafter made shall be held by the Board as provided in Section 20759, Government Code.
5. No benefit is provided for service rendered prior to the effective date of this contract and such service does not constitute "state service" for any purpose of this contract or the Public Employees' Retirement Law, with respect to miscellaneous members only.
6. The fraction of final compensation to be provided for each year of credited service as a miscellaneous member shall be that provided in Section 21251.13 of said Retirement Law.
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. The fraction of final compensation to be



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the experience under the Retirement System as determined by the periodical investigation and valuation required by said Retirement Law.

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 regulations. 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 become effective on the 3rd day of April, 1976.

Witness our hands this 27<sup>th</sup> day of February 1976.

BOARD OF ADMINISTRATION  
PUBLIC EMPLOYEES' RETIREMENT SYSTEM

CITY COUNCIL OF THE  
CITY OF MONTEREY PARK

By Carl J. Blechinger  
Carl J. Blechinger,  
Executive Officer

By Matthew G. Martin  
Mayor

Approved as to form:

Attest:

MAR 15 10 12 AM '76

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

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The Board of Administration, Public Employees' Retirement System, hereinafter referred to as Board and the CITY COUNCIL of the CITY OF MONTEREY PARK, hereinafter referred to as Public Agency, having entered into a contract under date of August 11, 1952, effective November 1, 1952, and as amended effective March 1, 1961, July 1, 1963, March 15, 1969, and January 1, 1971, and as provided by 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 6 of said contract:

6. (g) Sections 21263 and 21263.1 (providing upon the death of a local safety member who has retired for service or disability for the continuation of the post-retirement survivor allowance to certain survivors). Allowance adjustments to commence on the first day of the calendar month coinciding with or next following the effective date of the amendment to provide this benefit.

B. Paragraph 7 (a) shall be stricken from said contract and the following Paragraph 7 (a) substituted therefor:

7. (a) With respect to local safety members,

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PUBLIC EMPLOYEE'S  
RETIREMENT SYSTEM

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C. This amendment shall be attached to said contract and shall become effective on the 20th day of March, 1976.

Witness our hands this 9<sup>th</sup> day of February 1976.

BOARD OF ADMINISTRATION  
PUBLIC EMPLOYEES' RETIREMENT SYSTEM

By Carl J. Blechinger  
Carl J. Blechinger,  
Executive Officer

CITY COUNCIL OF THE  
CITY OF MONTEREY PARK

By Matthew S. Martens  
Mayor

Approved as to form:

Bob Brown

Attest:

Laura Lee McNeill C.M.C.  
City Clerk

RECEIVED - SACRAMENTO  
PUBL. EMPLOYEE'S  
RETIREMENT SYSTEM

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Reply to Section 020

July 10, 1973

Mr. Thomas L. Kirchner  
Personnel Officer  
City of Monterey Park  
320 West Newmark Avenue  
Monterey Park, California 91754

Dear Mr. Kirchner:

Effective with payroll reports submitted for the first pay period commencing on or after July 1, 1973, the contribution rate for the Safety Member Category will be as follows:

<u>Safety Members</u>	
Prior Service	-0-
Death Benefit	0.098%
Other Current Service	10.584%
1959 Survivors	0.077%
<b>Total</b>	<u>10.759%</u>

This change in your agency contribution rate is occasioned by the termination of the prior service funding period (6/30/73) for safety members. Please notify the accounting unit in your agency of the above change and let us know if you have any questions.

Very truly yours,

KISUK YANG  
CHIEF ACTUARY

MC:ky

PUBLIC EMPLOYEES RETIREMENT SYSTEM QUADRENNIAL  
ACTUARIAL VALUATION FOR SAFETY MEMBERS OF

MONTEREY PARK CITY OF  
AS OF 7/ 1/1971

ER. 323

ATTENTION: MR. BIERY, DIRECTOR OF FINANCE

PERCENT OF PAYROLL

CURRENT SERVICE

NORMAL COST	\$	89079		7.088%	
UNFUNDED LIAB.	\$	1176312		3.496%	
			TOTAL		10.584%

PRIOR SERVICE

UNFUNDED LIAB.	\$	71545		2.878%	
			TOTAL		2.878%

DEATH BENEFITS

NORMAL COST	\$	1180		.094%	
UNFUNDED LIAB.	\$	1196		.004%	
			TOTAL		.098%

59 SURVIVOR BEN.

NORMAL COST	\$	707		.056%	
UNFUNDED LIAB.	\$	7016		.021%	
			TOTAL		.077%

TOTAL EMPLOYER RATE EFFECTIVE 7/ 1/1972		13.637%
PRESENT EMPLOYER RATE		13.062%
ANNUAL PAYROLL AS OF VALUATION	\$	1256719

MEMBERSHIP DATA AS OF VALUATION

ACTIVE	99	ANNUAL COST	\$ 171,379
INACTIVE	32		
RETIRED	22		

NOTE ADJUSTED AGENCY CONTRIBUTION RATES HAVE BEEN ESTABLISHED  
TO AMORTISE PS UNFUNDED LIABILITIES BY ~~XXXXXXXXXXXX~~

P.S. Please note that the prior service funding period has been extended to 7/1/73.

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EXHIBIT "A"

AN AMENDMENT TO THE CONTRACT BETWEEN THE CITY OF MONTEREY PARK AND THE BOARD OF ADMINISTRATION OF THE PUBLIC EMPLOYEES' RETIREMENT SYSTEM

The Board of Administration, Public Employees' Retirement System, hereinafter referred to as Board, and the City of Monterey Park, hereinafter referred to as Public Agency, having entered into a contract under date of August 11, 1952, effective November 1, 1952, and as amended effective March 1, 1961, July 1, 1963 and March 15, 1969, which provides for the 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:

6.(g) Section 21380-7 (providing for allowances for survivors of members covered under the program upon death before retirement).

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

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

a. 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) 2.858 percent until October 31, 1972 on account of the liability for prior service benefits.

(2) 10.204 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 1st day of January, 1971.

Witness our hands this 19th day of October, 1970.

EXHIBIT "A"

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

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The Board of Administration, Public Employees' Retirement System, hereinafter referred to as Board, and the City Council of the City of Monterey Park, hereinafter referred to as Public Agency, having entered into a contract under date of August 11, 1952, effective November 1, 1952, and as amended effective March 1, 1961, and July 1, 1963, which provides for the participation of Public Agency in said System, Board and Public Agency hereby agree as follows:

A. Paragraph 6 (d) shall be stricken from said Contract and the following paragraph substituted therefor:

6 (d) Section 21367.51 (providing a \$500 death benefit upon death after retirement).

B. Paragraphs 7 (a) and 7 (b) shall be stricken from said Contract and the following paragraph 7 (a) substituted therefor and paragraphs 7 (c) and 7 (d) shall be renumbered 7 (b) and 7 (c) respectively.

7 (a) 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) 2.858 percent until October 31, 1972 on account of the liability for prior service benefits.
- (2) 9.704 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 15th day of March, 1969.

Witness our hands this 10th day of February, 1969.

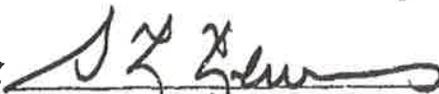
BOARD OF ADMINISTRATION PUBLIC  
EMPLOYEES' RETIREMENT SYSTEM

CITY COUNCIL OF THE  
CITY OF MONTEREY PARK

BY

  
William E. Payne

BY

  
G. L. Lewis

STATE EMPLOYEES' RETIREMENT SYSTEM

NINTH STREET, P.O. BOX 1953  
SACRAMENTO, CALIFORNIA 95809



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

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

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City of Monterey Park #0323

As a result of the quadrennial valuation conducted as of June 30, 1966,  
the contributions for the above agency are changed as follows:

	Safety	
Death benefit . . . . .	0.070%	
'59 Survivor benefits . . . . .		
Other current service . . . . .	9.592	
Current service total		<u>9.662%</u>
For prior service . . . . .		<u>2.858</u>
Total		<u>12.520%</u>

*Kisuk Yang*  
KISUK YANG  
ACTUARY

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"EXHIBIT A"

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

AND THE

CITY COUNCIL

OF THE

CITY OF MONTEREY PARK

The Board of Administration, State Employees' Retirement System, hereinafter referred to as Board, and the City Council of the City of Monterey Park, hereinafter referred to as Public Agency, having entered into a contract under date of August 11, 1952 effective November 1, 1952, and as amended effective March 1, 1961, which provides for participation of Public Agency in said System, Board and Public Agency hereby agree as follows:

A. Paragraph 6(b) is hereby stricken from said contract and the following paragraph 6(b) substituted therefor:

6(b) Section 20024.01 (defining "final compensation" on the basis of a period of three consecutive years).

B. This amendment shall be effective as of July 1, 1963.

Witness our hands this 27th day of May, 1963.

BOARD OF ADMINISTRATION  
STATE EMPLOYEES' RETIREMENT SYSTEM

CITY COUNCIL  
OF THE  
CITY OF MONTEREY PARK

BY W.M. Crankert  
Presiding Officer

BY William E. Payne  
Executive Officer  
708 19 9 20 611 123

ATTEST:  
Margaret L. Altman  
Clerk

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July 1963

Monterey Park, City of

As a result of the quadrennial valuation as of June 30, 1962, the contributions beginning July 1, 1963 are changed to the following:

For Current Service:			
Ordinary death benefits . . . . .	0.033	%	
'59 survivor benefits . . . . .	---	%	
Other current service . . . . .	7.863	%	7.896 %
For Prior Service . . . . .	3.357	%	
Total . . . . .	11.253	%	

STATE OF CALIFORNIA  
BOARD OF ADMINISTRATION  
**State Employees' Retirement System**

1227 O STREET  
SACRAMENTO 14

June 16, 1961

PLEASE DIRECT YOUR REPLY TO SECTION \_\_\_\_\_

REFER TO MEMBER ACCOUNT NUMBER \_\_\_\_\_

37720348110642  
10001

**City of Monterey Park**

Your agency's rate effective July 1, 1961 is as follows:

Prior Service . . . . .	4.281%
Current Service . . . . .	<u>8.068</u>
TOTAL . . . . .	12.352%

This change is being made because of action taken by the Board of Administration, State Employees' Retirement System, at its meeting of June 9, 1961, and is the result of previous Board action increasing the System's declared rate of interest from  $3\frac{1}{4}\%$  to  $3\frac{1}{2}\%$ . This is a reflection of increased investment income.

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

This notice is to be attached to your Contract with this System.

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

The Board of Administration, State Employees' Retirement System, hereinafter referred to as Board, and the City Council of the City of Monterey Park, hereinafter referred to as Public Agency, having entered into a contract under date of August 11, 1952, which provides for participation of Public Agency in said System, Board and Public Agency hereby agree as follows:

- A. 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."

- B. Paragraphs 3 through 13 are hereby stricken from said contract as executed effective November 1, 1952, and are hereby replaced by the following paragraphs numbered 3 through 9 inclusive:

- 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).

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

EXCLUDE EMPLOYEES OTHER THAN LOCAL FIREMEN AND POLICEMEN.

- 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 55 for local safety members.
- 5. Benefits on account of each year of prior service shall be 100 percent of the fraction of final compensation provided under Section 21253 of the Law and this contract for each year of current service upon retirement for service.

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6. 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. Section 21252.4 (providing for a guaranteed percentage of final compensation for each year of current service as a local safety member).
    - b. Section 20024 (defining "final compensation" on the basis of a period of five consecutive years).
    - c. Section 21258(b) (providing a minimum retirement allowance of \$720.00 per year).
    - d. Section 21367.5 (providing a \$300 death benefit upon death after retirement).
    - e. Section 20025 (providing an inclusion of compensation without limit in which compensation is a factor).
    - f. Section 20952.5 (providing for age 50 as the minimum voluntary retirement age for local safety members).
  7. Public Agency shall contribute to said Retirement System as follows:
    - a. 4.284 per cent of total salaries each month, beginning with the effective date of this Amendment for 20 years, less the years elapsed between the effective date of the Contract and the effective date of this Amendment.
    - b. 8.486 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 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 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.

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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.

C. This amendment shall be attached to said contract and shall become effective on the 1st day of March, 1961.

Witness our hands this 23rd day of January, 1961.

BOARD OF ADMINISTRATION  
STATE EMPLOYEES' RETIREMENT SYSTEM

CITY COUNCIL  
CITY OF MONTEREY PARK

William E. Payne  
William E. Payne, Executive Officer

BY Rita F. Oregon  
Presiding Officer

Attest:  
Marguerite L. Alstrom  
Clerk

STATE EMPLOYEES' RETIREMENT SYSTEM  
SACRAMENTO 14, CALIFORNIA



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# Contract

BETWEEN

CITY COUNCIL

NAME OF LEGISLATIVE BODY

OF

CITY OF MONTEREY PARK

NAME OF CITY, COUNTY, SCHOOL DISTRICT, OR OTHER PUBLIC AGENCY

AND THE

**BOARD OF ADMINISTRATION**

OF THE

**CALIFORNIA STATE EMPLOYEES' RETIREMENT SYSTEM**

**This Agreement** made this 11th day of August, 1952, by and between the Legislative Body of CITY OF MONTEREY PARK, hereafter referred to as "Public Agency," 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, Public Agency and Board hereby agree as follows:

1. Public Agency is to participate in the State Employees' Retirement System, subject to the provisions of the State Employees' Retirement Law.
2. Public Agency shall participate in said Retirement System, making its employees members of said System, from and after November 1, 1952.
3. Employees of Public Agency in the following classes shall become members of said Retirement System in accordance with the provisions of said Retirement Law, 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
	ON <u>July 31</u> , 19 <u>52</u>
a. Local Firemen, as defined in the State Employees' Retirement Law . . .	<u>20</u>
b. Local Policemen, as defined in the State Employees' Retirement Law . . .	<u>23</u>
c. County Peace Officers, as defined in the State Employees' Retirement Law . . .	<u>— — —</u>
d. Employees other than Local Firemen, Local Policemen, and County Peace Officers . . . . .	<u>— — —</u>

10. The provisions of Section 21367.5 of the State Employees' Retirement Law, providing a \$300 death benefit after retirement SHALL apply to employees of Public Agency who become members of said Retirement System.  
("shall" or "shall not")

11. The provisions of Section 20025 of the State Employees' Retirement Law, providing for the portion of compensation which shall be included in computations under the Retirement Law SHALL apply to employees of Public Agency who become members of said Retirement System.  
("shall" or "shall not")

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

- a. The sum of \$ 9,339.37 per annum, payable in equal monthly or ~~less~~ <sup>more</sup> frequent installments as Board shall require, for a period of 20 years, on account of the liability for benefits based on service rendered to Public Agency prior to the effective date hereof.
- b. 9.514 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 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.

13. Contributions required of Public Agency under paragraph 12 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.

WITNESS OUR HANDS the day and year first above written.

ATTEST:

Arthur W. Langley  
Clerk

City Council

Name of Legislative Body

of

The City of Monterey Park

Name of Public Agency

By James T. Bradshaw  
Presiding Officer

BOARD OF ADMINISTRATION  
STATE EMPLOYEES' RETIREMENT SYSTEM

ATTEST:

Earle Chapman  
Executive Officer

By [Signature]  
Vice-President, Board of Administration

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