CalPERS

EXHIBIT

California
Public Employees' Retirement System

AMENDMENT TO CONTRACT

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

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 July 1, 1945, and witnessed July 1, 1945, and as amended effective January 1, 195, June 1, 193, October 1, 1954, July 1, 1959, September 20, 1963, November 13, 1964, September 17, 1965, September 13, 1968, Decemer 29, 1972, August 16, 1973, November 1, 1974, June 27, 1975, December 12, 1975, May 20, 1994, July 14, 1998, May 15, 1999, September 28, 2001, May 10, 2002, August 30, 2002, December 17, 2004, June 2, 2006, June 11, 2011, December 16, 2011, June 13, 2012, March 9, 2018, January 11, 2019, January 10, 2020, January 8, 2021, January 7, 2022, April 28, 2023, December 8, 2023, and October 25, 2024, which provides for participation of Public Agency in said System, Board and Public Agency hereby agree as follows:

A. Paragraphs 1 through 19 are hereby stricken from said contract as executed effective October 25, 2024, and hereby replaced by the following paragraphs numbered 1 through 19 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 50 for classic local police members and those classic local fire members entering membership in the fire classification on or prior to June 11, 2011, age 55 for classic local fire members entering membership for the first time in the fire classification after June 11, 2011, and age 57 for new local safety members.

2. Public Agency shall participate in the Public Employees' Retirement System from and after July 1, 1945, 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).

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. CROSSING GUARDS HIRED ON OR AFTER JUNE 1, 1953;

b. PARKING ATTENDANTS HIRED ON OR AFTER SEPTEMBER 1, 1973; AND

c. GENERAL SERVICE WORKER (R.E.S.E.T) PROGRAM HIRED ON OR AFTER MAY 15, 1999, AND FOR ONE YEAR. AFTER THAT TIME, SHOULD AN INDIVIDUAL REMAIN IN EMPLOYMENT AND WORK 1,000 HOURS IN A FISCAL YEAR, THE INDIVIDUAL MUST BE BROUGHT INTO MEMBERSHIP.

6. Prior to January 1, 1975, those members who were hired by Public Agency on a temporary and/or seasonal basis not to exceed 6 months were excluded from PERS membership by contract. Government Code Section 20336 superseded this contract provision by providing that any such temporary and/or seasonal employees are excluded from PERS membership subsequent to January 1, 1975. Legislation repealed and replaced said Section with Government Code Section 20305 effective July 1, 1994.

7. This contract shall be a continuation of the contract of the Redevelopment Agency of the City of Riverside, hereinafter referred to as "Former Agency". The accumulated contributions, assets and liability for prior and current service under the Former Agency's contract shall be merged pursuant to Section 20508 of the Government Code. Such merger occurred August 21, 1987.

8. The percentage of final compensation to be provided for each year of credited prior and current service for classic local miscellaneous members in employment before and not on or after August 30, 2002, shall be determined in accordance with Section 21354 of said Retirement Law, subject to the reduction provided therein for service on and after January 1, 1958, the effective date of Social Security coverage, and prior to December 31, 1982, termination of Social Security, for members whose service has been included in Federal Social Security (2% at age 55 Full and Modified).

9. The percentage of final compensation to be provided for each year of credited prior and current service for classic local miscellaneous members in employment on or after August 30, 2002, shall be determined in accordance with Section 21354.5 of said Retirement Law, subject to the reduction provided therein for service on and after January 1, 1958, the effective date of Social Security coverage, and prior to December 31, 1982, termination of Social Security, for members whose service has been included in Federal Social Security (2.7% at age 55 Full and Modified).

10. 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).

11. The percentage of final compensation to be provided for each year of credited prior and current service as a classic local police member and those classic local fire members entering membership on or prior to June 11, 2011, shall be determined in accordance with Section 21362.2 of said Retirement Law (3% at age 50 Full).

12. The percentage of final compensation to be provided for each year of credited current service as a classic local fire member entering membership in the fire classification after June 11, 2011, shall be determined in accordance with Section 21363.1 of said Retirement Law (3% at age 55 Full).

13. 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).

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

    a. Section 21573 (Third Level of 1959 Survivor Benefits).

    b. Section 21222.1 (One-Time 5% Increase - 1970). Legislation repealed said Section effective January 1, 1980.

    c. Section 21222.2 (One-Time 5% Increase - 1971). Legislation repealed said Section effective January 1, 1980.

    d. Sections 21624 and 21626 (Post-Retirement Survivor Allowance).

    e. Section 21024 (Military Service Credit as Public Service).

    f. Section 21325 (One-Time 3% to 15% Increase For Local Miscellaneous Members and Local Safety Members Who Retired or Died Prior to January 1, 1974). Legislation repealed said Section effective January 1, 2002.

    g. Section 21326 (One-Time 1% to 7% Increase For Local Miscellaneous Members and Local Safety Members Who Retired or Died Prior to July 1, 1974). Legislation repealed said Section effective January 1, 2002.

    h. Section 20042 (One-Year Final Compensation) for classic local fire members entering membership on or prior to June 11, 2011, classic local miscellaneous members entering membership on or prior to December 16, 2011, and for those classic local police members entering membership on or prior to June 13, 2012.

    i. Section 21335 (3% Cost-of-Living Allowance, base year 1981).

j. Section 21635 (Post-Retirement Survivor Allowance to Continue After Remarriage).

k. Section 21548 (Pre-Retirement Option 2W Death Benefit) for local miscellaneous members only.

l. Section 20475 (Different Level of Benefits): Section 21363.1 (3% @ 55 Full formula) and Section 20037 (Three-Year Final Compensation) are applicable to classic local fire members entering membership for the first time with this agency in the fire classification after June 11, 2011.

Section 20037 (Three-Year Final Compensation) is applicable to classic local miscellaneous members entering membership for the first time with this agency in the miscellaneous classification after December 16, 2011.

Section 20037 (Three-Year Final Compensation) is applicable to classic local police members entering membership for the first time with this agency in the police classification after June 13, 2012.

m. Section 20516 (Employees Sharing Additional Cost):

From and after March 9, 2018, and until January 11, 2019, 1.5% for first tier and second tier classic local police members.

From and after January 11, 2019, and until January 10, 2020, 3% for first tier and second tier classic local police members.

From and after January 10, 2020, and until April 28, 2023, 4.5% for first tier and second tier classic local police members.

From and after January 11, 2019, and until January 10, 2020, 2.5% for first tier and second tier classic local fire members.

From and after January 10, 2020, and until January 8, 2021, 5% for first tier and second tier classic local fire members.

From and after January 8, 2021, and until January 7, 2022, 7% for first tier and second tier classic local fire members.

From and after January 7, 2022, 8% for first tier and second tier classic local fire members.

From and after April 28, 2023, 5.5% for first tier and second tier classic local police members in the Riverside Police Administrators' Association.

From and after April 28, 2023, and until December 8, 2023, 5.5% for first tier and second tier classic local police members in the Unrepresented Police Management group.

From and after April 28, 2023, 4.5% for first tier and second tier classic local police members in the Riverside Police Officers' Association.

From and after April 28, 2023, 4.5% for first tier and second tier classic local police members in the Riverside Police Officers' Association, Supervisory Unit.

From and after December 8, 2023, 1% for third tier classic local fire members in the Riverside Firefighters' Association.

From and after December 8, 2023, and until October 25, 2024, 6.5% for first tier and second tier classic local police members in the Unrepresented Police Management group.

From and after December 8, 2023, 1% for third tier classic local fire members in the Riverside Fire Management group.

From and after October 25, 2024, and until the effective date of this amendment to contract, 7% for first tier and second tier classic local police members in the Unrepresented Police Management group.

From and after the effective date of this amendment to contract, 7.5% for first tier and second tier classic local police members in the Unrepresented Police Management group.

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.

15. Public Agency, in accordance with Government Code Section 20790, ceased to be an "employer" for purposes of Section 20834 effective on December 12, 1975. Accumulated contributions of Public Agency shall be fixed and determined as provided in Government Code Section 20834, and accumulated contributions thereafter shall be held by the Board as provided in Government Code Section 20834.

16. 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.

17. 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.

18. 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.

19. 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

BY_____
MELODY BENAVIDES, CHIEF
PENSION CONTRACTS AND PREFUNDING
PROGRAMS DIVISION
PUBLIC EMPLOYEES' RETIREMENT SYSTEM

PLEASE DO NOT SIGN "EXHIBIT ONLY"

CITY COUNCIL
CITY OF RIVERSIDE

BY_____
PRESIDING OFFICER

_____
Witness Date

Attest:

_____
Clerk

PLEASE DO NOT SIGN "EXHIBIT ONLY"