

**FIRST AMENDMENT TO THE INTERGOVERNMENTAL COOPERATION  
AGREEMENT  
BETWEEN THE CITY OF MILWAUKEE  
AND  
EMPLOYEES' RETIREMENT SYSTEM AND  
ANNUITY AND PENSION BOARD**

This First Amendment to the Agreement made February 18, 2003 by and between the City of Milwaukee (City), a municipal corporation, organized and existing under the laws of the State of Wisconsin and the Charter of the City of Milwaukee, and the Milwaukee Employees' Retirement System and Annuity and Pension Board (ERS), a body corporate and politic, organized and existing under the laws of the State of Wisconsin and the Charter of the City of Milwaukee.

WHEREAS, On December 20, 2002, the Common Council adopted Resolution file Number 020952, approving the Intergovernmental Cooperation Agreement between the City and the ERS; and

WHEREAS, On February 18, 2003, the City and the ERS, entered into an Intergovernmental Cooperation Agreement relative to administrative and operation expenses of the ERS; and

WHEREAS, The parties desire to amend the Agreement;

NOW, THEREFORE, In consideration of the mutual covenants hereinafter stated, the parties do hereby agree to amend the Agreement dated May 22, 2003 as follows:

1. The indirect rate shall be revised to 4.2% commencing July 1, 2007, as a result of ERS's move from City Hall.
2. Section II of the Agreement shall be amended to add provision E to read as follows:

E. Compensation of Secretary and Executive Director of the ERS. The City, acting through its Comptroller Office or other City departments, upon request of the ERS Annuity and Pension Board, shall

- Enroll the Secretary and Executive Director of the ERS (“Director”) in the City’s payroll system, as an employee of the ERS, and pay to the Director a salary biweekly in the amount designated by the ERS Annuity and Pension Board.
- Enroll the Secretary and Executive Director of the ERS in the City’s medical and dental insurance/reimbursement programs, and other employee benefit programs generally available to City management employees, as such programs may exist from time to time (“Furnished Employee Benefits”).

The ERS shall reimburse the City, as provided for in Charter Ordinance 36-08-3, for the cost of the salary and any Furnished Employee Benefits, in an amount computed by or at the direction of the City Comptroller, paid to the Director, and all costs incurred by the City for administering this provision.

3. These changes constitute the entire amendment to the Contract between the parties made February 18, 2003 as amended. All other covenants, provisions, terms, and conditions of the Contract shall remain in force until further amended by mutual agreement of the parties.

**IN WITNESS WHEREOF**, the parties have had their presence duly executed in their respective names by their respective officers as of the day and year first written above.

IN THE PRESENCE OF:

CITY OF MILWAUKEE

\_\_\_\_\_  
Date

\_\_\_\_\_  
Tom Barrett, Mayor

\_\_\_\_\_  
Date

\_\_\_\_\_  
Ronald D. Leonhardt, City Clerk

COUNTERSIGNED:

\_\_\_\_\_  
Date

\_\_\_\_\_  
W. Martin Morics, Comptroller

IN THE PRESENCE OF:

ANNUITY AND PENSION BOARD  
OF THE EMPLOYES' RETIREMENT  
SYSTEM OF THE CITY OF  
MILWAUKEE

\_\_\_\_\_  
Date

\_\_\_\_\_  
W. Martin Morics, President  
Employes' Retirement System

\_\_\_\_\_  
Date

\_\_\_\_\_  
Martin Matson, Acting Director  
Employes' Retirement System

Date: \_\_\_\_\_

BCC:bcc

10/15/07  
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