

Empower Annuity Insurance Company of America

**AMENDMENT NO. 11
TO
AGREEMENT FOR RECORDKEEPING AND COMMUNICATION SERVICES**

**§457(b) Deferred Compensation Plan
Group No. 88038-01
and
§3121 Plan
Group No. 88038-02**

THIS AMENDMENT No. 11 TO AGREEMENT NO. 25245 is entered into by and between Empower Annuity Insurance Company of America (fka Great-West Life & Annuity Insurance Company) (“Empower”), and the **County of Tulare** (“Plan Sponsor”) with respect to the services to be provided by Empower to the 457(b) Deferred Compensation Plan (“457(b) Plan”) Group Nos. 88038-01 and 88038-02 (hereafter referred to as the “Plan”).

The parties previously entered into Tulare County Agreement No. 25245, effective December 28, 2011, whereby Empower provides certain recordkeeping and communication services for the Plan Sponsor with respect to the Plan; and

The parties also previously entered into Amendment No. 1 to Agreement (Tulare County Agreement No. 25245-A), effective February 14, 2012; and

The parties also previously entered into Amendment No. 2 to Agreement (Tulare County Agreement No. 25245-B), effective July 30, 2013; and

The parties also previously entered into Amendment No. 3 to Agreement (Tulare County Agreement No. 25245-C), effective January 12, 2016; and

The parties also previously entered into Amendment No. 4 to Agreement (Tulare County Agreement No. 25245- D), effective February 14, 2017; and

The parties also previously entered into Amendment No. 5 to Agreement (Tulare County Agreement No. 25245-E), effective February 11, 2018.

The parties also previously entered into Amendment No. 6 to Agreement (Tulare County Agreement No. 25245-F), effective January 14, 2019.

The parties also previously entered into Amendment No. 7 to Agreement (Tulare County Agreement No. 25245-G), effective January 1, 2021.

The parties also previously entered into Amendment No. 8 to Agreement (Tulare County Agreement No. 25245-H), effective October 1, 2021.

The parties also previously entered into Amendment No. 9 to Agreement (Tulare County Agreement No. 25245-I), effective January 1, 2022.

The parties also previously entered into Amendment No. 10 to Agreement (Tulare County Agreement No. 25245-J), effective November 1, 2023.

NOW THEREFORE, in consideration of the covenants and conditions herein contained, and other good and valuable consideration as herein provided, the parties agree to amend the Agreement as follows:

ACCORDINGLY, IT IS AGREED:

1. **The following paragraph entitled For 3121 Plan (Group No. 88038-02 only) under Section 1.T. De Minimis Distributions for Governmental 457(b) Plans shall hereby be deleted in its entirety and replaced with the following paragraph:**

“For the 3121 Plan (Group No. 88038-02 only) The parties agree that Empower will perform de minimis distributions for Plan Participants to be rolled over into a Inspira Financial (formerly Millennium Trust) IRA without Participant consent. The distributions will be performed on Participant accounts that are forced out of the Plan with respect to the following:

- i) Participant has a balance below \$5,000 in the part-time plan;
- ii) Participant has not made a contribution to their account for a 24-month period or longer;
- iii) Participant is not a full-time or part-time employee of the County or the Superior Courts; and
- iv) De Minimum distributions will be performed annually on January 1st.”

2. In all other respects the Agreement shall remain in full force and effect.
3. This Amendment No. 11 will take effect on September 1, 2024, or such later date as this Agreement has been executed by both the Plan Sponsor and Empower (the “Effective Date”).

[SIGNATURE PAGE FOLLOWS]

THE PARTIES, having read and considered the above provisions, indicate their agreement by their authorized signatures below.

COUNTY OF TULARE

BY  Date: 9/10/2024

Name: Larry Micari (print name)
Chair, Board of Supervisors
"Plan Sponsor"

ATTEST: _____
Jason T. Britt
Administrative Officer/Clerk of the
Board of Supervisors of the County of Tulare

By 
Deputy Clerk



EMPOWER ANNUITY INSURANCE COMPANY OF AMERICA

BY  Date: 07/16/2024
Daniel A. Morrison

TITLE: Executive Vice President, Government Markets
"Empower"

Approved as to Form:
County Counsel

By Allison K. Pierce Date 07/23/2024
Allison K. Pierce
Deputy County Counsel

