

SAN FRANCISCO BAY AREA RAPID TRANSIT DISTRICT

MEMORANDUM

TO: Board of Directors **DATE:** August 13, 2019
FROM: Jeana Zelan Peterson
SUBJECT: Amendment to Money Purchase Pension Plan

Attached please find a resolution to amend the District's Money Purchase Pension Plan to provide for additional contributions on behalf of the General Manager in accordance with the Board's direction at its July 25, 2019 meeting.



Jeana Zelan Peterson

cc: Board Appointed Officers (w/attachments)
AGM, Administration (w/attachments)

Motion: Adoption of the attached resolution "In the Matter of An Amendment to the Money Purchase Pension Plan."

BEFORE THE BOARD OF DIRECTORS OF THE
SAN FRANCISCO BAY AREA RAPID TRANSIT DISTRICT

In the Matter of An
Amendment to the Money
Purchase Pension Plan

Resolution No. _____

WHEREAS, at its July 25, 2019 meeting, the Board expressed its wish to provide additional contributions to the Money Purchase Pension Plan on behalf of the General Manager equal to \$30,000 per year, provided the General Manager makes the maximum deferral contributions to the District's Deferred Compensation Plan under Internal Revenue Code Sections 457(e)(15) and (18); and

WHEREAS, California Government Code Section 7507 requires that adoption of a retirement benefit change occur no less than two weeks after the actuarial impact upon future annual costs is made public at a public meeting; and

WHEREAS, at the July 25, 2019 meeting it was publicly disclosed that the actuarial impact upon future annual costs to the District of this change will not exceed \$30,000 per year; and

NOW, THEREFORE, BE IT RESOLVED that the Board approves the attached Amendment No. 14 to the February 1, 2013 Restatement of the Money Purchase Pension Plan, effective August 26, 2019, which adds subsection (f) to current Section 3.01, and authorizes the Board President to sign the amendment on behalf of the Board.

Adopted: _____

AMENDMENT FOURTEEN TO THE
SAN FRANCISCO BAY AREA RAPID TRANSIT DISTRICT
MONEY PURCHASE PENSION PLAN
(As Restated Effective February 1, 2013)

The San Francisco Bay Area Rapid Transit District Money Purchase Pension Plan (as Restated Effective February 1, 2013) (the "Plan") is hereby amended, effective August 26, 2019, as follows:

Subsection (f) of Section 3.01 is added as follows:

- (f) On behalf of the General Manager appointed July 25, 2019, an additional amount equal to \$30,000 per year. The Employer contribution described in this subsection (f) shall be contributed to the General Manager's Plan Account ratably for each payroll period occurring during the Plan Year; provided, however, in the event the General Manager terminates employment during the Plan Year, the remaining balance of such contribution for such year shall be contributed in a lump-sum amount for the General Manager's final payroll period. Furthermore, such contribution is conditioned on the General Manager electing to defer to the San Francisco Bay Area Rapid Transit District's Deferred Compensation Plan, for each Plan Year, the maximum annual applicable dollar amount described in Internal Revenue Code Sections 457(e)(15) and (18) (the "Maximum Deferral Amount"). In the event the General Manager does not, for any Plan Year, defer to the Deferred Compensation Plan the Maximum Deferral Amount, then any Employer contribution described in this subsection (f), for such Plan Year, shall be forfeited from the General Manager's Plan Account.

The foregoing Amendment No. Fourteen to the Plan is adopted this ____ day of August, 2019.

SAN FRANCISCO BAY AREA
RAPID TRANSIT DISTRICT

By: _____
Its: Board President