(R-89-1491)

RESOLUTION NUMBER R- 272952

ADOPTED ON FEB 27 1989

WHEREAS, the Council of The City of San Diego adopted
Resolution No. R-255609 on January 4, 1982, establishing a
Supplemental Pension Savings Plan for eligible employees; and

WHEREAS, the plan has subsequently been amended on July 19, 1982, May 29, 1984, October 6, 1986 and January 12, 1987; and

WHEREAS, Resolution No. R-264418 adopted on November 12, 1985 authorized the City Manager to effectuate future changes in the plan without the requirement of a vote when such changes are necessary to bring the plan into legal conformance with federal or state law; and

WHEREAS, such changes have been incorporated into the plan as required by the Tax Reform Act of 1986; and

WHEREAS, rules for discrimination testing, limitations on annual additions, rules pertaining to the withdrawal of monies and rules concerning the distribution of benefits have been incorporated into the amended and restated plan; and

WHEREAS, an amendment to the plan document was submitted for a vote of the active participants on May 15 through May 29, 1987, to add an early retirement provision to the plan so that distributions prior age 59½, but within the City's early retirement age provision, are not subject to the ten percent (10%) excise tax on early distribution; and

WHEREAS, the results of the ballot were: Yes -3,341 (98.7%), No -40 (1.2%), Invalid -5 (1%); and

WHEREAS, a subsequent amendment was submitted for a vote of the active participants on June 10 through June 24, 1988, to (1) provide for an automatic payoff sixty days after termination; (2) add a hardship withdrawal provision; (3) allow for continuous

open enrollment; and (4) delete the classification of Police Recruit from eligibility; and

WHEREAS, the results of the ballot were: Yes -3,053 (94.6%), No -147 (4.5%), Invalid -28 (0.9%); NOW, THEREFORE,

BE IT RESOLVED, by the Council of The City of San Diego, that the City Manager be and he is hereby authorized and empowered to amend the Supplemental Pension Savings Plan to conform to the Tax Reform Act of 1986; to add an early retirement provision; to provide for an automatic payoff sixty days after termination; to add a hardship withdrawal provision; to allow for continuous open enrollment; and to delete the classification of Police Recruit from eligibility, said amendment and restatements to be shown in The City of San Diego Supplemental Pension and Savings Plan amended and restated document on file in the office of the City Clerk as Document No. RR-

APPROVED: JOHN W. WITT, City Attorney

Ву

John M. Kaheny

Deputy City Attorney

JMK:mb:mrh 02/08/89

Or.Dept:Risk.Mgmt.

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Passed and adopted by the Council of Th	e City of San Diago on	FEB 27 1989	
by the following vote:	e City of San Diego off		,,,,,
Council Members Abbe Wolfsheimer Ron Roberts Gloria McColl H. Wes Pratt Ed Struiksma J. Bruce Henderson Judy McCarty Bob Filner Mayor Maureen O'Connor	Yeas Nays	Not Present Ineligible	
AUTHENTICATED BY:	MAUREEN O'CONNOR Mayor of The City of San Diego, California.		
(Seal)		ARLES G. ABDELNOUR k of The City of San Diego, California.	,
	/ /	K Blackell Dep	outy.
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	Office of the City Clerk, San Diego, California		
	Resolution 27295	52 Adopted FEB 27 1989	

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