

SUBMITTAL TO THE BOARD OF SUPERVISORS
COUNTY OF RIVERSIDE, STATE OF CALIFORNIA



ITEM: 3.30
(ID # 23627)

MEETING DATE:

Tuesday, December 12, 2023

FROM : HUMAN RESOURCES:

SUBJECT: HUMAN RESOURCES: Approve the Amendment No. 1 to the County of Riverside Part-Time and Temporary Employees' Retirement Plan Agreement All Districts. [Total Cost \$0]

RECOMMENDED MOTION: That the Board of Supervisors:

1. Approve Amendment No. 1 to County of Riverside Part-Time and Temporary Employees' Retirement Plan Agreement, effective January 1, 2024 (Attachment A); and,
2. Authorize the Chair to sign two (2) copies of Amendment No. 1; and
3. Instruct the Clerk of the Board to retain one (1) copy of Amendment No. 1 and return one (1) copy of the document to Human Resources to file.

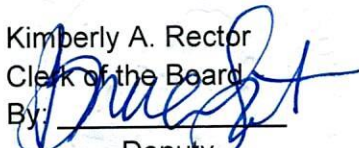
ACTION:


Sarah Franco, Assistant County Executive Officer 11/28/2023

MINUTES OF THE BOARD OF SUPERVISORS

On motion of Supervisor Gutierrez, seconded by Supervisor Perez and duly carried by unanimous vote, IT WAS ORDERED that the above matter is approved as recommended.

Ayes: Jeffries, Spiegel, Washington, Perez and Gutierrez
Nays: None
Absent: None
Date: December 12, 2023
xc: HR

Kimberly A. Rector
Clerk of the Board
By: 
Deputy

**SUBMITTAL TO THE BOARD OF SUPERVISORS COUNTY OF RIVERSIDE,
STATE OF CALIFORNIA**

FINANCIAL DATA	Current Fiscal Year:	Next Fiscal Year:	Total Cost:	Ongoing Cost
COST	\$ 0	\$ 0	\$ 0	\$ 0
NET COUNTY COST	\$ 0	\$ 0	\$ 0	\$ 0
SOURCE OF FUNDS: N/A			Budget Adjustment: No	
			For Fiscal Year: 23/24	

C.E.O. RECOMMENDATION: Approve

BACKGROUND:

Summary

The County of Riverside Part-Time and Temporary Employees' Retirement Plan (Plan) was approved by the Board on August 10, 1999, and then amended and restated on July 30, 2013. On December 7, 2021, the Board approved the fully restated Plan Document effective July 1, 2021. The Federal tax law applicable to the Plan was revised pursuant to the Setting Every Community Up for Retirement Enhancement (SECURE Act) and the Consolidated Appropriations Act, 2023 (known as "SECURE 2.0", collectively the "SECURE Acts"). The plan Amendment No. 1 is to update certain Plan provisions to conform to the SECURE Acts and other non-substantive clarifying language. Sections throughout the plan document have been updated to comply with the SECURE Acts.

The Plan is provided to eligible employees in lieu of participation in Social Security and the CalPERS retirement plan. It's a defined benefit retirement plan designed to pay benefits equivalent to Social Security in compliance with Internal Revenue Service (IRS) Code Section 3121(b)(7)(F) Safe Harbor regulations.

While participating in the Plan, eligible employees pay a contribution equal to 3.75% of their eligible compensation (up to the annual allowable Social Security limit), and the County pays a contribution that is determined periodically through an annual actuarial valuation. There is no additional cost to the County for any of the recommended changes.

The Plan is intended to comply with all applicable laws and regulations.

Impact on Residents and Businesses

There is no impact on residents or businesses.

Additional Fiscal Information

This request is an update to the Plan Document Amendment only. There is no fiscal impact from this action.

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ATTACHMENT:

ATTACHMENT A: COUNTY OF RIVERSIDE PART-TIME AND TEMPORARY
EMPLOYEES' RETIREMENT PLAN AMENDMENT NO. 1


Gregg Gu, Chief Deputy County Counsel 11/30/2023

COUNTY OF RIVERSIDE
AMENDMENT NO 1 TO THE
COUNTY OF RIVERSIDE PART-TIME AND TEMPORARY EMPLOYEES'
RETIREMENT PLAN

RECITALS

WHEREAS, the COUNTY OF RIVERSIDE (the "Employer") sponsors the COUNTY OF RIVERSIDE PART-TIME AND TEMPORARY EMPLOYEES' RETIREMENT PLAN (the "Plan"); and

WHEREAS, the Plan was fully restated effective July 1, 2021, by action of the County's Board of Supervisors on December 7, 2021 (the "2021 Restatement"); and

WHEREAS, Section 10.1 of the Plan the Employer reserves the right to amend the Plan; and

WHEREAS, the Federal tax law applicable to the Plan was revised pursuant to the Setting Every Community Up for Retirement Enhancement (SECURE Act) and the Consolidated Appropriations Act, 2023 (known as "SECURE 2.0", collectively the "SECURE Acts"); and

WHEREAS, the Employer desires to update certain Plan provisions to conform to the SECURE Acts.

NOW, THEREFORE, the Plan is amended, effective January 1, 2024, as follows:

1. **Section 2.36 (Required Beginning Date).** Section 2.36 of the Plan (Required Beginning Date) shall be amended by substituting the following for the first sentence therein:

"A Participant's Required Beginning Date is April 1st of the calendar year following the later of the calendar year in which the Participant reaches age 70½ (for Participants born before July 1, 1949) or age 72 (Participants born on or after July 1, 1949 and before January 1, 1951) or age 73 (Participants born on or after January 1, 1951 and before January 1, 1960) or age 75 (Participants born on or after January 1, 1960) or, if later, the calendar year in which the Participant actually retires."

2. **Section 5.2 (Benefits Exceeding \$1,000).** Section 5.2 of the Plan (Benefits Exceeding \$1,000) shall be amended by substituting the following for subsections (a) and (b) therein:

(a) If the Actuarial Equivalent of the Accrued Benefit exceeds \$1,000 and is less than \$7,000, the Participant may request immediate distribution of such amount.

(b) If the Actuarial Equivalent of the Accrued Benefit is at least \$7,000, the Participant's benefit is not distributable before the Participant reaches his or her Normal Retirement Age."

3. **Section 6.1 (Form of Benefit Distribution).** Section 6.1 of the Plan shall be amended in its entirety by substituting the following therein:

"6.1 FORM OF BENEFIT DISTRIBUTION

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Unless a cash-out has occurred pursuant to Section 5.1(d), the benefit of a Participant will be distributed in accordance with the following:

(a) Standard Form of Distribution: If the Actuarial Equivalent of the Participant's Accrued Benefit is \$7,000 or less, the Accrued Benefit shall be distributed as a single lump sum. If the Actuarial Equivalent of the Participant's Accrued Benefit is more than \$7,000, then the Accrued Benefit shall be distributed as a straight life annuity payable in equal installments for the life of the Participant that terminates upon his or her death."

4. Section 9.4 of the Plan shall be amended in its entirety by substituting the following therein:

"9.4 ADMINISTRATIVE COSTS

The cost of administration of this Plan shall be paid by the Trustee from plan assets, on the direction of the Administrator. If there are insufficient assets to pay the cost of administration, the cost shall be paid by the Employer."

5. In all other respects the Plan will remain as provided in the 2021 Restatement.
6. In all other respects the Plan will remain as provided in the 2021 Restatement.
7. **Effective Date.** This Amendment No. 1 to the County of Riverside Part-Time and Temporary Retirement Plan is effective January 1, 2024.

(Signature Page Follows)

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RETIREMENT PLAN

IN WITNESS WHEREOF, the Parties hereto have caused their duly authorized representatives to execute this Amendment.

COUNTY OF RIVERSIDE, a political subdivision of the State of California

By: 
Clerk of the Board
Kimberly Rector

Dated: 12/12/2023

By: 
Kevin Jeffries
Chair, Board of Supervisors

Dated: 12/12/2023

APPROVED AS TO FORM:

Minh Tran, County Counsel

By: Katherine Wilkins
Katherine Wilkins
Deputy County Counsel