

**SUBMITTAL TO THE FLOOD CONTROL AND  
WATER CONSERVATION DISTRICT  
BOARD OF SUPERVISORS  
COUNTY OF RIVERSIDE, STATE OF CALIFORNIA**



ITEM: 14.5  
(ID # 29010)

**MEETING DATE:**  
Tuesday, October 28, 2025

**FROM :** FLOOD CONTROL DISTRICT

**SUBJECT:** FLOOD CONTROL DISTRICT: Approval of Plan Amendments to Allow In-Service Distributions at Age 59½ in the 401(a) Money Purchase and Supplemental Retirement Plan, All Districts. [\$0] (Companion Item to MT 28983)

**RECOMMENDED MOTION:** That the Board of Supervisors:

1. Approve the Riverside County Flood Control and Water Conservation District ("District") Nonstandardized Governmental Profit Sharing/401(k) Plan Adoption Agreement #001 to amend to the District's 401(a) Money Purchase Plan to allow in-service distributions beginning at age 59½, in accordance with provisions authorized under the federal SECURE Act of 2019 (SECURE 1.0);
2. Approve the Riverside County Flood Control and Water Conservation District Nonstandardized Governmental Profit Sharing/401(k) Plan Adoption Agreement #001 to amend the District's Supplemental Contribution Plan to allow in-service distributions beginning at age 59½, in accordance with provisions authorized under the federal SECURE Act of 2019 (SECURE 1.0);
3. Authorize the Chairperson to sign four (4) copies of each amendment;
4. Instruct the Clerk of the Board to retain one (1) copy of each signed amendment; and
5. Instruct the Clerk of the Board to return three (3) copies of each signed amendment to Human Resources for distribution.

**ACTION:Policy**

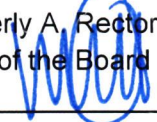
  
Edwin Quinonez 10/6/2025

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**MINUTES OF THE BOARD OF SUPERVISORS**

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

Ayes: Medina, Spiegel, Washington, Perez, and Gutierrez  
Nays: None  
Absent: None  
Date: October 28, 2025  
xc: Flood, HR (Companion Item 3.23)

Kimberly A. Rector  
Clerk of the Board  
By:   
Deputy

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OF SUPERVISORS  
COUNTY OF RIVERSIDE, STATE OF CALIFORNIA**

<b>FINANCIAL DATA</b>	<b>Current Fiscal Year:</b>	<b>Next Fiscal Year:</b>	<b>Total Cost:</b>	<b>Ongoing Cost</b>
<b>COST</b>	\$ 0	\$ 0	\$ 0	\$ 0
<b>NET COUNTY COST</b>	\$ 0	\$ 0	\$ 0	\$ 0
<b>SOURCE OF FUNDS:</b> N/A			<b>Budget Adjustment:</b> No	
			<b>For Fiscal Year:</b> 25/26	

**C.E.O. RECOMMENDATION:** Approve

**BACKGROUND:**

**Summary**

Internal Revenue Service and Department of Labor regulations require plans such as the 401(a) Money Purchase Plan and Supplemental Contribution Plan to be amended periodically to reflect legislative and regulatory changes and updates.

The SECURE Act of 2019 (Public Law 116-94), known as SECURE 1.0, introduced new provisions for service distributions, primarily focusing on in-service withdrawals and emergency withdrawals. One key change of this legislation allows government defined contribution plans, including 401(a) plans, to permit in-service distributions to participants who have reached age 59½.

The proposed plan amendments will enable eligible employees to access a portion or all of their vested 401(a) account balances upon reaching age 59½, while still actively employed with the County of Riverside. This optional benefit enhances retirement flexibility for participants and aligns the District's plans with modern federal standards.

Implementation of this provision requires formal amendment of the District's 401(a) Plan documents. These amendments have been reviewed by County Counsel for legal sufficiency and by external counsel specializing in tax-qualified retirement plans to ensure compliance with Internal Revenue Code §401(a) and SECURE 1.0 provisions. There are no mandatory distributions required under this change, and participants must initiate the request and meet the age requirement to be eligible.

The 401(a) Money Purchase Plan and Supplemental Retirement plan primarily address the availability of in-service distributions.

**Impact on Residents and Businesses**

There is no direct impact on residents or business in the County of Riverside.

**ATTACHMENTS:**

Attachment A: 53677.002 Adoption Agreement

Attachment B: 53677.004 Adoption Agreement

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OF SUPERVISORS  
COUNTY OF RIVERSIDE, STATE OF CALIFORNIA

DPB:bad  
P8/264130

  
Douglas Cordonez Jr. 10/15/2025

  
Aaron Gettis, Chief of Deputy County Counsel 10/15/2025

**PARTICIPATING EMPLOYER ADOPTION PAGE**

Check the appropriate selection below and complete this page if a Participating Employer (other than the Employer that signs the Signature Page above) will participate as a Participating Employer.

- (a) **Participating Employer is a Related Employer.**
- (b) **Participating Employer is an unrelated Employer participating under a Multiple Employer Plan.**

[Note: See Section 16 of the Plan for rules relating to the adoption of the Plan by a Participating Employer. If there is more than one Participating Employer, each one should execute a separate Participating Employer Adoption Page. Any reference to the "Employer" in this Adoption Agreement is also a reference to the Participating Employer, unless otherwise noted.]

**PARTICIPATING EMPLOYER INFORMATION:**

Name: Riverside County Flood Control and Water Conservation District

Address: \_\_\_\_\_

City, State, Zip Code: \_\_\_\_\_

**EMPLOYER IDENTIFICATION NUMBER (EIN):** \_\_\_\_\_

**FORM OF BUSINESS:** city or county government

**EFFECTIVE DATE:** The Effective Date should be completed to document whether this Plan is a new plan, restatement or amendment of a prior plan with respect to the Participating Employer. (Additional special Effective Dates may apply under **Modifications to Adoption Agreement** below.)

- New plan.** The Participating Employer is adopting this Plan as a new Plan effective \_\_. [Note: Date can be no earlier than the first day of the Plan Year in which the Plan is adopted.]
- Restated or amended plan.** The Participating Employer is adopting this Plan as a restatement or amendment of a prior plan.
  - (a) Name of plan(s) being restated or amended: Riverside County Money Purchase Plan
  - (b) This restatement/amendment is effective 1/1/2025 [Note: Date can be no earlier than the first day of the Plan Year in which the restatement or amendment is adopted.]
  - (c) The original effective date of the plan(s) being restated or amended is: 7-1-1998
- Cessation of participation.** The Participating Employer is ceasing its participation in the Plan effective as of: \_\_\_\_\_

**ALLOCATION OF CONTRIBUTIONS.** Any contributions made under this Plan (and any forfeitures relating to such contributions) will be allocated to all Participants of the Employer (including the Participating Employer identified on this Participating Employer Adoption Page).

To override this default provision, check below.

- Check this box if contributions made by the Participating Employer signing this Participating Employer Adoption Page (and any forfeitures relating to such contributions) will be allocated only to Participants actually employed by the Participating Employer making the contribution. If this box is checked, Employees of the Participating Employer signing this Participating Employer Adoption Page will not share in an allocation of contributions (or forfeitures relating to such contributions) made by the Employer or any other Participating Employer.

**MODIFICATIONS TO ADOPTION AGREEMENT.** The selections in the Adoption Agreement (including any special effective dates identified in Appendix A) will apply to the Participating Employer executing this Participating Employer Adoption Page.

To modify the Adoption Agreement provisions applicable to a Participating Employer, designate the modifications in subsections (a) or (b) below.

- (a) **Special Effective Dates.** Check this subsection (a) if different special effective dates apply with respect to the Participating Employer signing this Participating Employer Adoption Page. Attach a separate Addendum to the Adoption Agreement entitled "Special Effective Dates for Participating Employer" and identify the special effective dates as they apply to the Participating Employer.
- (b) **Modification of Adoption Agreement elections.** Section(s) \_\_\_\_\_ of the Agreement are being modified for this Participating Employer. The modified provisions are effective \_\_\_\_\_  
[Note: Attach a description of the modifications to this Participating Employer Adoption Page.]

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**SIGNATURE.** By signing this Participating Employer Adoption Page, the Participating Employer agrees to adopt (or to continue its participation in) the Plan identified on page 1 of this Adoption Agreement. The Participating Employer agrees to be bound by all provisions of the Plan and Adoption Agreement as completed by the signatory Employer, unless specifically provided otherwise on this Participating Employer Adoption Page. The Participating Employer also agrees to be bound by any future amendments (including any amendments to terminate the Plan) as adopted by the signatory Employer. By signing this Participating Employer Adoption Page, the individual below represents that he/she has the authority to sign on behalf of the Participating Employer.

Riverside County Flood Control and Water Conservation District

(Name of Participating Employer)

**KAREN SPIEGEL** CHAIR, BOARD OF **DIRECTORS**

(Name of authorized representative)

(Title)

*Karen S. Spiegel*

OCT 28 2025

(Signature)

(Date)

FORM APPROVED COUNTY COUNSEL

BY: MCT 09 OCT 25  
MICHAEL C. THOMAS DATE

ATTEST:  
KIMBERLY A. RECTOR, Clerk

By *[Signature]*  
DEPUTY

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**PARTICIPATING EMPLOYER INFORMATION:**

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Address: \_\_\_\_\_  
City, State, Zip Code: \_\_\_\_\_

**EMPLOYER IDENTIFICATION NUMBER (EIN):** \_\_\_\_\_

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- Restated or amended plan.** The Participating Employer is adopting this Plan as a restatement or amendment of a prior plan.
  - (a) Name of plan(s) being restated or amended: County of Riverside Supplemental Contribution Plan
  - (b) This restatement/amendment is effective 1/1/2025 [*Note: Date can be no earlier than the first day of the Plan Year in which the restatement or amendment is adopted.*]
  - (c) The original effective date of the plan(s) being restated or amended is: 11-22-2007
- Cessation of participation.** The Participating Employer is ceasing its participation in the Plan effective as of: \_\_\_\_\_

**ALLOCATION OF CONTRIBUTIONS.** Any contributions made under this Plan (and any forfeitures relating to such contributions) will be allocated to all Participants of the Employer (including the Participating Employer identified on this Participating Employer Adoption Page).

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Riverside County Flood Control and Water Conservation District

(Name of Participating Employer)

**KAREN SPIEGEL**

**CHAIR, BOARD OF DIRECTORS**

(Name of authorized representative)

(Title)

*Karen S. Spiegel*

OCT 28 2025

(Signature)

(Date)

FORM APPROVED COUNTY COUNSEL

BY: MCT 09 OCT 25  
MICHAEL C. THOMAS DATE

ATTEST:  
KIMBERLY A. REGATOR, Clerk

By   
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