

**SUBMITTAL TO THE WASTE RESOURCES
MANAGEMENT DISTRICT BOARD OF SUPERVISORS**



ITEM: 15.1
(ID # 28982)

MEETING DATE:
Tuesday, October 28, 2025

FROM : WASTE RESOURCES MANAGEMENT DISTRICT (WRMD)

SUBJECT: DEPARTMENT OF WASTE RESOURCES: 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 Directors:

1. Approve the County of Riverside Nonstandardized Governmental Profit Sharing/401(k) Plan Adoption Agreement #001 to amend to the County'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 County of Riverside Nonstandardized Governmental Profit Sharing/401(k) Plan Adoption Agreement #001 to amend the County'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 Waste Resources for distribution.

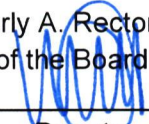
ACTION:Policy


Andrew Cortez 9/30/2025

MINUTES OF THE BOARD OF SUPERVISORS

On motion of Director Gutierrez, seconded by Director 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: Waste (Companion Item 3.23)

Kimberly A. Rector
Clerk of the Board
By: 
Deputy

**SUBMITTAL TO THE WASTE RESOURCES MANAGEMENT DISTRICT
BOARD OF SUPERVISORS**

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: 25/26 - 27/28	

C.E.O. RECOMMENDATION: Approve

BACKGROUND:

Summary

Internal Revenue Service (IRS) and Department of Labor (DOL) 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 Waste Resources Management District. This optional benefit enhances retirement flexibility for participants and aligns the County's plans with modern federal standards.

Implementation of this provision requires formal amendment of the County'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 impact on the residents or businesses of the County.

Attachments:

- Attachment A - 53677.002 Adoption Agreement
- Attachment B - 53677.004 Adoption Agreement

Crystal Carrillo
Crystal Carrillo, Senior Management Analyst 10/20/2025

Aaron Gettis
Aaron Gettis, Chief of Deputy County Counsel 10/16/2025

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 Waste Resources Management 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: 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). 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 Waste Resources Management District

(Name of Participating Employer)

YXSTIAN GUTIERREZ

CHAIR, BOARD OF DIRECTORS

(Name of authorized representative)

Yxstian Gutierrez

(Title)

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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Riverside County Waste Resources Management District

(Name of Participating Employer)

YXSTIAN GUTIERREZ

CHAIR, BOARD OF DIRECTORS

(Name of authorized representative)

(Title)

Yxstian Gutierrez

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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