



Legislation Text

File #: RES-17:071, **Version:** 1

RESOLUTION BY THE CITY COUNCIL OF THE CITY OF JONESBORO, ARKANSAS TO AMEND THE CITY OF JONESBORO, ARKANSAS NON-UNIFORMED EMPLOYEES 401(a) DEFINED CONTRIBUTION PLAN

WHEREAS, the City of Jonesboro, Arkansas, municipality of the State of Arkansas, (the "Employer") has previously established the City of Jonesboro, Arkansas Non-Uniformed Employees 401(a) Defined Contribution Plan (the "Plan"); and

WHEREAS, pursuant to Section 8.1 of the Plan, the Employer, by appropriate action of the City Council, has the right at any time and from time to time to amend the Plan; and

WHEREAS, in order to facilitate the issuance of a favorable IRS determination letter with respect to the Plan, the Employer desires to amend the Plan at this time in the manner set forth herein.

NOW THEREFORE BE IT RESOLVED BY THE CITY COUNCIL FOR THE CITY OF JONESBORO, ARKANSAS THAT:

Section 1: Section 1.20(a) of the Plan is hereby amended so as to now read as follows:

(a) including any amount which is contributed by the Employer at the election of the Participant pursuant to a salary reduction agreement and which is not includable in the gross income of the Participant by reason of Code Sections 125, 132(f)(4), 402(e)(3), 402(h)(1)(B), 403(b) or 457(b). For this purpose, amounts not includable in gross income under Code Section 125 shall be deemed to include any amounts not available to a Participant in cash in lieu of group health coverage because the Participant is unable to certify that the Participant has other health coverage, provided the Employer does not request or collect information regarding the Participants other health coverage

Section 2: The Mayor, Harold Perrin and City Clerk, Donna Jackson are hereby authorized by the City Council for the City of Jonesboro to execute all documents necessary to effectuate this agreement.

PASSED AND APPROVED this 6th day of June 2017.