



To: Honorable Mayor and City Council Members
CC: Chris Lowe, City Administrator
From: Anna-Marie Keena, City Clerk
Date: June 15, 2015
Re: Consider Resolution No. 2015-18: Authorizing Trustees of the Governmental Defined Contribution Plan for the Employees of the City of Baldwin City, Kansas

Background:

The City of Baldwin City is committed to offering a comprehensive and affordable array of benefits to its employees. Over the past year, the City has been reviewing its benefits and saw an opportunity to provide employees a means for education and/or consultation about the defined contribution plan and trust opportunities ["plan"] already at their disposal.

In order to accomplish this, conversations were conducted with those staff members who voluntarily participate with the plan as well as the City's current plan provider on how best to improve the process. The goal is to increase employee comfort by providing a means to educate staff on their opportunities. It was determined that McDaniel Knutson of Lawrence Kansas, would be a better fit to administrate the plan as well as counsel our staff should they choose to work directly with a plan advisor. McDaniel Knutson can also conduct onsite financial wellness seminars to educate staff on various financial planning topics designed to enable our staff to better prepare for retirement. The plan itself, adopted by the City on January 26, 2011, will not change.

Request:

Currently, former City Administrator Jeff Dingman and former City Clerk Darcy Higgins are listed as the trustees of the plan. Action tonight would authorize Bradford Smith and Anna-Marie Keena to replace those former employees as the plan trustees.

Enclosures: Trustee Authorization

Staff Recommendation: Staff recommends the City Council adopt Resolution No. 2015-18: Authorizing Trustees of the Governmental Defined Contribution Plan for the Employees of the City of Baldwin City, Kansas.

2015-18

CERTIFICATE OF RESOLUTION

The undersigned Authorized Signatory of City of Baldwin¹ (the "Company"), hereby certifies that the following is a true and accurate copy of the resolutions which were duly adopted by the City Council² on June 15, 2015³; that the passage of said resolutions was in all respects legal; and that the resolutions have not been modified or rescinded as of the date hereof:

WHEREAS, the Company established the City of Baldwin 401(a) Pension Plan⁴, effective January 20, 2011⁵, for the benefit of certain employees of the Company; and

WHEREAS, pursuant to Article IX of the Plan, the Company has the right to amend the Plan; and

WHEREAS, pursuant to Article VII of the Plan, the Company has the authority to appoint and/or remove Trustees of the Plan; and

WHEREAS, the Company deems it necessary to amend the Plan, effective June 1, 2015⁶, to

- remove a Trustee or Trustees of the Plan.
- appoint a Trustee or Trustees of the Plan.

NOW, THEREFORE, BE IT RESOLVED, that the amendment to the Plan, attached hereto and incorporated by reference, hereby presented to the City Council⁷ at this meeting, be approved and adopted in its entirety, and that the proper individuals of the Company are hereby authorized and directed to execute and deliver to the Trustee of the Plan one or more counterparts of the amendment.

The undersigned further certifies that the amendment to the Plan attached hereto is a true copy of the amendment to the Plan approved and adopted in the foregoing resolutions.

Name: Marilyn Pearse

Date _____

Title: Mayer

Marilyn Pearse

¹ Company name.
² The name of the company's governing body -- e.g., Board of Directors, Partners.
³ Date of meeting in which changes were decided.
⁴ Insert the name of the plan as it appears on the adoption agreement and Form 5500.
⁵ Insert the original effective date of the plan.
⁶ Insert the effective date of the change in trustee(s).
⁷ Same as footnote 2.

NOTICE OF RESIGNATION OR APPOINTMENT OF TRUSTEE

Re: City of Baldwin 401(c) Pension Plan
(plan name)

Notice is hereby given that effective at the close of business on _____, I, _____, Trustee or Authorized Representative for the Trustee of the Plan named above, tender my resignation. By such time, all assets and other responsibilities of said Trustee shall be transferred to the remaining Trustee or a successor Trustee.

ACKNOWLEDGEMENT

_____	_____
Resigning Trustee	Date
_____	_____
Plan Administrator	Date
_____	_____
Company Officer	Date

Now on this _____ day of _____, 20____, pursuant to Notice of Resignation or Appointment of Trustee, I, Bradford Smith hereby agree to serve as Trustee for the City of Baldwin 401(c) Pension Plan.
(plan name)

As Trustee, I agree to forthwith enter upon said trust, receive and hold in custody all trust assets delivered to it, and generally to perform all obligations incumbent upon it, all as provided in the trust agreement between the Trustee and the plan named above.

_____	_____
Trustee	Date

NOTICE OF RESIGNATION OR APPOINTMENT OF TRUSTEE

Re: City of Baldwin 401(a) Pension Plan
(plan name)

Notice is hereby given that effective at the close of business on _____, I, _____, Trustee or Authorized Representative for the Trustee of the Plan named above, tender my resignation. By such time, all assets and other responsibilities of said Trustee shall be transferred to the remaining Trustee or a successor Trustee.

ACKNOWLEDGEMENT

_____	_____
Resigning Trustee	Date
_____	_____
Plan Administrator	Date
_____	_____
Company Officer	Date

Now on this _____ day of _____, 20____, pursuant to Notice of Resignation or Appointment of Trustee, I, Anna Keenan hereby agree to serve as Trustee for the City of Baldwin 401(a) Pension Plan.
(plan name)

As Trustee, I agree to forthwith enter upon said trust, receive and hold in custody all trust assets delivered to it, and generally to perform all obligations incumbent upon it, all as provided in the trust agreement between the Trustee and the plan named above.

Trustee

Date

AMENDMENT

to the City of Baldwin 401(a) Pension Plan
(plan name)

Amendment made this _____ day of _____, 2015, to the City of Baldwin 401(a) Pension Plan ⁸Plan (hereinafter called the "Plan").

Pursuant to the provisions of Articles XI and VII of the Plan and the action of the City Council ⁹ in effectuation thereof, the Adoption Agreement, a part of the Plan, is hereby amended as stated below, effective June 1, 2015 ¹⁰:

1. The list of Trustees is hereby amended to be as follows:

NAME	TITLE
<u>Bradford Smith</u>	<u>Finance Director</u>
<u>Anna Keena</u>	<u>City Clerk</u>
_____	_____
_____	_____

IN WITNESS WHEREOF, and as evidence of the adoption of this Amendment, the City Council ¹¹ have caused the same to be executed by its duly authorized delegate this _____ day of _____, 20____.

ATTEST:

Collin Bielser
Collin Bielser, Acting City Clerk

City of Baldwin
(company name)
By: Marilyn Pearse
Name: Marilyn Pearse
Title: Mayor

⁸ Same as footnote 4 (plan name).

⁹ Same as footnote 2.

¹⁰ Same as footnote 6 (effective date of change in trustee(s)).

¹¹ Same as footnote 2.