

RESOLUTION NO. 2020 -125

**A RESOLUTION AUTHORIZING THE CITY MANAGER TO COMPLETE AND SIGN CERTAIN FORMS PROVIDED BY THE GEORGIAL MUNICIPAL EMPLOYEE BENEFIT SYSTEM THAT ARE REQUIRED TO FILE A DETERMINATION LETTER FROM THE INTERNAL REVENUE SERVICE APPROVING PROVISIONS CONTAINED IN THE CITY OF POWDER SPRINGS GENERAL ADDENDUM TO DEFINED BENEFIT RETIREMENT PLAN DOCUMENTS; PROVIDING FOR AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.**

**WHEREAS**, the City of Powder Springs ("City") previously adopted the restated Georgia Municipal Employees Benefit System ("GMEBS") Defined Benefit Retirement Plan documents on October 21, 2019, and the General Addendum to the restated Adoption Agreement incorporated provisions that are not included in the standard GMEBS Master Plan, Adoption Agreement, and General Addendum.

**WHEREAS**, because the General Addendum contained one or more "outside-the-box" provisions, the City technically cannot rely upon the IRS approval letter received for the GMEBS Plan, and in order to have reliance, the City must obtain a separate determination letter from the IRS addressing the items included in the General Addendum;

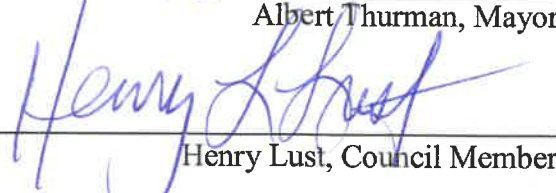
**WHEREAS**, retirement plans with 'outside-the-box' provisions must file regularly for an up-to-date IRS letter before July 31, and the GMEBS has made arrangements with law firm that handled the original restatement filing with the IRS to represent the City in seeking the IRS determination letter to cover items included in the General Addendum at no cost to the City;

**WHEREAS**, the retirement plan's previously filed letter in 2012 expires on July 31, 2020 and the City must complete certain IRS Forms and return as soon as possible in advance of the filing deadline of July 31, and the City desires to authorize the City Manager to complete and return said forms;

**NOW, THEREFORE, IS IT HEREBY RESOLVED** by the Mayor and Council for the City of Powder Springs that the City Manager is authorized to complete and sign the IRS forms provided to the City Manager by GMEBS that are required in order to seek an IRS determination letter to cover items included in the City's General Addendum to its restated defined benefit retirement plan. This resolution shall become effective immediately upon adoption.

**SO RESOLVED** this 20<sup>th</sup> day of July 2020.

  
Albert Thurman, Mayor

  
Henry Lust, Council Member

  
Doris Dawkins, Council Member

[additional signatures follow]

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Thelma C Farmer

Thelma C Farmer, Council Member

Patrick Bordelon

Patrick Bordelon, Council Member

Patricia Wisdom

Patricia Wisdom, Council Member

ATTEST:

Kelly Axt  
Kelly Axt, City Clerk