

**RESOLUTION 2015**

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**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN MARCOS, TEXAS, ADOPTING THE PUBLIC AGENCY RETIREMENT SYSTEM TRUST (“PARS”), INCLUDING THE PARS SECTION 457(B) ALTERNATIVE RETIREMENT PLAN; APPROVING AN AGREEMENT FOR ADMINISTRATIVE SERVICES WITH PHASE II SYSTEMS, DOING BUSINESS AS PUBLIC AGENCY RETIREMENT SERVICES; APPOINTING THE CITY MANAGER, OR HIS/HER SUCCESSOR OR HIS/HER DESIGNEE AS THE CITY’S PLAN ADMINISTRATOR FOR THE PARS SECTION 457(B) ALTERNATIVE RETIREMENT PLAN/TRUST; AUTHORIZING THE CITY’S PLAN ADMINISTRATOR TO IMPLEMENT THE PLAN(S), EXECUTE THE PARS LEGAL AND ADMINISTRATIVE DOCUMENTS ON BEHALF OF THE CITY AND TO TAKE WHATEVER ADDITIONAL ACTIONS ARE NECESSARY TO MAINTAIN THE CITY’S PARTICIPATION IN PARS AND TO MAINTAIN PARS COMPLIANCE OF ANY RELEVANT REGULATION ISSUED OR AS MAY BE ISSUED; THEREFORE, AUTHORIZING HIM/HER TO TAKE WHATEVER ADDITIONAL ACTIONS ARE REQUIRED TO ADMINISTER THE CITY’S PARS; AUTHORIZING THE CITY MANAGER OR HIS DESIGNEE TO EXECUTE THE ADMINISTRATIVE SERVICES AGREEMENT ON BEHALF OF THE CITY; AND DECLARING AN EFFECTIVE DATE.**

**RECITALS:**

**1.** It has been determined to be in the best interest of the City and its employees to provide a Qualifying Retirement System for City employees not currently eligible for such a Qualifying Retirement System, thereby meeting the requirements of Section 11332 of the Omnibus Budget Reconciliation Act (OBRA 90) and Section 3121(b)(7)(F) of the Internal Revenue Code (IRC).

**2.** The Public Agency Retirement System (“PARS”) has made such a system available to the City for its eligible employees and this system qualifies under OBRA 90 Section 11332, IRC Sections 3121(b)(7)(F) and 457(b), and meets the meaning of the term “retirement system” as given by Section 218(b)(4) of the Federal Social Security Act.

**BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SAN MARCOS, TEXAS:**

**PART 1.** The PARS Trust, including the PARS Section 457(b) Alternative Retirement Plan, which is effective October 1, 2015 (the Effective Date) for this employee benefit for employees employed on that date and hired thereafter.

**PART 2.** The attached Agreement for Administrative Services with Phase II

Systems, doing business as Public Agency Retirement Services is approved.

**PART 3.** The City Manager, or his/her successor or his/her designee is hereby appointed by the City Council as the City's Plan Administrator for the PARS Section 457(b) Alternative Retirement Plan/Trust; and

**PART 4.** The City's Plan Administrator is hereby authorized to implement the plan(s), execute the PARS legal and administrative documents on behalf of the City and to take whatever additional actions are necessary to maintain the City's participation in PARS and to maintain PARS compliance of any relevant regulation issued or as may be issued; therefore, authorizing him/her to take whatever additional actions are required to administer the City's PARS plan(s).

**PART 5.** This Resolution will be in full force and effect immediately from and after its passage.

**ADOPTED** this the                      day of                      2015.

Daniel Guerrero,  
Mayor

Attest:

Jamie Lee Pettijohn,  
City Clerk