



Agenda Item No. 4

To: Finance-Auditing Committee/Committee of the Whole
Meeting of March 13, 2008

From: Joseph M. Wire, Auditor-Controller
Celia G. Kupersmith, General Manager

Subject: **APPROVE GRANTING AUTHORITY TO THE AUDITOR-
CONTROLLER, THE PLAN ADMINISTRATOR FOR THE GOLDEN
GATE BRIDGE, HIGHWAY AND TRANSPORTATION DISTRICT
SUPPLEMENTAL RETIREMENT PLAN, TO ADOPT CERTAIN
AMENDMENTS TO THE PLAN**

Recommendation

The Finance-Auditing Committee recommends that the Board of Directors adopt a resolution to authorize the Plan Administrator (Auditor-Controller), after consultation with the District Attorney, to adopt and execute amendments to the Golden Gate Bridge, Highway and Transportation District Supplemental Retirement Plan and Trust (the "Plan") that are limited to areas that:

1. Facilitate administration of the Plan;
2. Ensure the Plan operates consistent with the Board of Directors intent in adopting the Plan or as necessary to comply with the changes in the governing laws; and,
3. Secure favorable determination letters from the Internal Revenue Service (IRS) as may be necessary.

Summary

At the Board of Directors Meeting of July 9, 2004, the Board adopted Resolution No. 2004-067 authorizing various actions relative to the implementation of the Supplemental Retirement Plan and Trust (Plan). The specific reason for creation of the Plan was to offset a previously unanticipated limit on includable compensation under the California Public Employees Retirement System (CalPERS). The Plan also serves as a vehicle to confer supplemental pension contributions that may be authorized from time to time in connection with the officer evaluation and compensation process. Under the terms of the resolution that created the Plan, the duties of the "Plan Administrator" were delegated to the District's Auditor-Controller and the Auditor-Controller was empowered to engage necessary actuarial and investment advisory and to take all other actions necessary to effectuate, implement and administer the Plan.

Because minor or administrative amendments are needed occasionally to the Plan, Staff and the Attorney recommend that the Board adopt the attached proposed resolution granting authorization to the Auditor-Controller, only after consultation with the District Attorney, to adopt and execute certain amendments to the Plan. These amendments are limited to facilitating administration of the Plan, securing a favorable determination letter from the IRS, and ensuring that the Plan reflects, and operates in accordance with, the Board's intent and statutory or regulatory changes. Any such amendments that otherwise affect a benefit under the Plan must be approved by the Board.

Due to recent updates made in how the District processes and accounts for employee contributions to CalPERS, the attached resolution permits the CFO to amend the Plan to clarify the Plan's acceptance of the employee contributions once the applicable limit on compensation has been reached under CalPERS. Similar changes to the Plan may be needed in the future to reflect changes to CalPERS benefits, the tax law or underlying employments contracts previously approved by the Board. The resolution permits the CFO to execute amendments of this nature.

Fiscal Impact

There is no fiscal impact associated with this item.

Attachment - Proposed Resolution

GOLDEN GATE BRIDGE, HIGHWAY AND TRANSPORTATION DISTRICT

RESOLUTION NO. 2008-XXX

**APPROVE GRANTING AUTHORITY TO THE AUDITOR-CONTROLLER OF THE
DISTRICT TO ADOPT CERTAIN AMENDMENTS TO THE GOLDEN GATE BRIDGE,
HIGHWAY AND TRANSPORTATION DISTRICT SUPPLEMENTAL RETIREMENT
PLAN AND TRUST**

March 14, 2008

WHEREAS, the Golden Gate Bridge, Highway and Transportation District Supplemental Retirement Plan and Trust (the “Plan”) was adopted by the District effective July 1, 2004; and

WHEREAS, on occasion, minor or administrative amendments are needed to the Plan to facilitate administration, secure a favorable determination letter from the Internal Revenue Service, ensure that the Plan operates in accordance with the Board's intent or to comply with statutory or regulatory changes; now therefore be it

RESOLVED, effective January __, 2008, that the Board of Directors authorizes the Auditor-Controller of the District, after consultation with the District’s attorney, to adopt and execute amendments to the Plan to facilitate administration of the Plan, secure a favorable determination letter from the Internal Revenue Service, ensure the Plan reflects and operates consistent with the Board of Directors intent in adopting such Plan or as necessary to comply

with changes in the governing laws, to reflect changes to relevant tax rules and to reflect relevant provisions of employment contracts previously approved by this Board..

ADOPTED this ____ day of _____, 200__, by the following vote of the Board:

AYES ():
NOES ():
ABSENT ():

President, Board of Directors

ATTEST: _____
Janet S. Tarantino
Secretary of the District