



R20-1145

RISK MANAGEMENT AND  
EMPLOYEE BENEFIT SERVICES  
BOARD OF TRUSTEES

February 24, 2020

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Ms. Vanessa Holiday  
Pension Committee Secretary  
City of Stockbridge  
4640 N. Henry Blvd.  
Stockbridge, GA 30281

**RE: Georgia Municipal Employees Benefit System (GMEBS) Defined Benefit Retirement Plan; City of Stockbridge; Executed Amended and Restated Retirement Plan Documents**

Dear Ms. Holiday:

Enclosed are the executed amended and restated Adoption Agreement and General Addendum for the City of Stockbridge's Georgia Municipal Employees Benefit System (GMEBS) Defined Benefit Retirement Plan (Plan). The amendment to the Plan updates the Pension Committee and also provides that elected officials and municipal legal officers in such positions on and after January 1, 2020, will receive \$50.00 a month per year of credited service beginning on or after January 1, 2020. The amendment became effective February 10, 2020.

Since the City restated its Plan in conjunction with the amendment, we are returning the executed amended and restated Adoption Agreement and General Addendum to you in a new Restated Retirement Plan notebook. The Restated Retirement Plan notebook contains the following documents:

1. The restated GMEBS Master Plan document and Amendment 1 to the GMEBS Master Plan document;
2. The March 30, 2018, IRS favorable determination letter for the GMEBS Defined Benefit Volume Submitter Plan;
3. The executed Adoption Agreement;
4. The executed General Addendum; and
5. The restated GMEBS Retirement Trust Agreement and Amendment 1 to the Trust Agreement.

Please mark the previous Adoption Agreement and General Addendum "superseded by February 10, 2020, Adoption Agreement and General Addendum."

Sincerely,

Caroline Dorsey  
Associate General Counsel

Encl.



DEPARTMENT OF THE TREASURY  
INTERNAL REVENUE SERVICE  
WASHINGTON, D.C. 20224

TAX EXEMPT AND  
GOVERNMENT ENTITIES  
DIVISION

Plan Description: Volume Submitter Defined Benefit Plan  
FFN: 315E0630007-001 Case: 201400042 EIN: 58-0907810  
Letter Serial No: J501718a  
Date of Submission: 01/24/2014

GEORGIA MUNICIPAL ASSOCIATION INC  
P.O. BOX 105377  
ATLANTA, GA 30348

Contact Person:  
Janell Hayes  
Telephone Number:  
513-975-6319  
In Reference To: TEGE:EP:7521  
Date: 03/30/2018

Dear Applicant:

In our opinion, the form of the plan identified above is acceptable under section 401 of the Internal Revenue Code for use by employers for the benefit of their employees. This opinion relates only to the acceptability of the form of the plan under the Internal Revenue Code. It is not an opinion of the effect of other Federal or local statutes.

You must furnish a copy of this letter, a copy of the approved plan, and copies of any subsequent amendments to adopting employers if the practitioner is authorized to amend the plan on their behalf, to each employer who adopts this plan. Effective on or after 10/31/2011, interim amendments adopted by the practitioner on behalf of employers must provide the date of the adoption by the practitioner.

This letter considers the changes in qualification requirements contained in the 2012-Cumulative List of Notice 2012-76, 2012-52 I.R.B. 775.

Our opinion on the acceptability of the form of the plan is not a ruling or determination as to whether an employer's plan qualifies under Code section 401(a). However, an employer that adopts this plan may rely on this letter with respect to the qualification of its plan under Code section 401(a), as provided for in Rev. Proc. 2015-36, 2015-27 I.R.B. 20, and outlined below. Rev. Proc. 2018-4, 2018-1 I.R.B. 146, should be reviewed to determine the eligibility of an adopting employer to submit a determination letter application and the items necessary for filing an application for a determination letter. The terms of the plan must be followed in operation.

Except as provided below, our opinion does not apply with respect to the requirements of Code sections 401(a)(4), 401(a)(26), 401(l), 410(b) and 414(s). Our opinion does not apply for purposes of Code section 401(a)(10)(B) and section 401(a)(16) if an employer ever maintained another qualified plan for one or more employees who are covered by this plan as described in section 19.02(1) of Rev. Proc. 2015-36.

Our opinion applies with respect to the requirement of Code section 410(b) and 401(a)(26) (other than the Code section 401(a)(26) requirements that apply to a prior benefit structure) if 100 percent of all nonexcludable employees benefit under the plan. Employers that elect a safe harbor benefit formula and a safe harbor compensation definition can also rely on an advisory letter with respect to the nondiscriminatory amounts requirement under Code section 401(a)(4).

Our opinion does not constitute a determination that the plan is a Code section 414(d) governmental plan. This letter is not a ruling with respect to the tax treatment for contributions which are picked up by a governmental employing unit within the meaning of Code section 414(h)(2).

**GENERAL ADDENDUM TO THE  
GEORGIA MUNICIPAL EMPLOYEES BENEFIT SYSTEM  
DEFINED BENEFIT RETIREMENT PLAN  
ADOPTION AGREEMENT**

This is an Addendum to the Adoption Agreement completed by the City of Stockbridge, Georgia as follows (complete one or more sections, as applicable):

\*\*\* Items (1) through (14) of the General Addendum – Not Applicable \*\*\*

(15) Other (may include, but shall not be limited to, provisions relating to Master Plan Sections 6.03, 6.06, 8.04, 8.06, 8.08, 8.09, 8.10, 8.12, 9.01 and 9.02):

(a) \$5,000.00 Post-Retirement Lump Sum Death Benefit Available to Certain Participants - Effective March 31, 1993, Participants who retire with 10 years of continuous Service immediately prior to Retirement or who have a minimum of 20 years of Total Credited Service, or who qualify for Disability Retirement after the completion of at least 10 years of Credited Service, are entitled to designate a beneficiary to receive a \$5,000 lump sum death benefit upon the death of the Retired Participant. This provision shall be administered in accordance with and subject to the terms of Article VII, Section 2 c. of the City of Stockbridge Retirement Plan in effect immediately prior to January 1, 2003. Said terms are incorporated herein by reference. For purposes of this provision, Retired Participants shall include 1) Participants who have satisfied the qualifications for Normal Retirement and have begun drawing their retirement benefit even though they have not yet Terminated employment with the City (In-Service Distribution; see Adoption Agreement, Section 14(B)(2)); and 2) Retired Participants who return to Service with the City and continue to draw their Retirement benefits (See Adoption Agreement, Section 16(A)).

(b) Application of Lump Sum Post-Retirement Death Benefit Set Forth in Section 8.12(b) of the Master Plan – Notwithstanding any provision of the Master Plan, the Adoption Agreement, or this Addendum to the contrary, in the event that a Retired Participant to whom subsection

15(a) above applies elects Option A as described in Section 7.01 of the Master Plan (single life annuity) upon his or her Retirement on or after July 1, 2011 and the Retired Participant dies prior to receiving at least 36 months of retirement payments, the following lump sum post-retirement death benefit shall be payable with respect to such Retired Participant in lieu of the benefit otherwise payable under Section 8.12(b) of the Master Plan (check one):

Only the lump sum post-retirement death benefit set forth in subsection 15(a) above shall be payable. The lump sum death benefit applicable to a Participant pursuant to subsection 15(a) of this Addendum shall be in lieu of, and not in addition to, the lump sum death benefit set forth in Section 8.12(b) of the Master Plan. The lump sum death benefit set forth in Section 8.12(b) of the Master Plan shall not be applicable under this Plan.

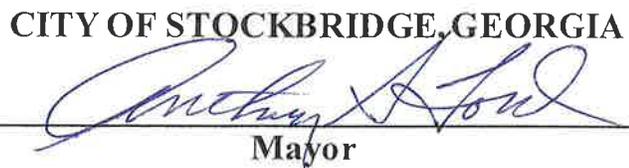
Only the lump sum post-retirement death benefit set forth in subsection 15(a) above shall be payable; provided, however, that if the amount of the lump sum post-retirement death benefit which would be payable with respect to the Retired Participant pursuant to the provisions of Section 8.12(b) of the Master Plan would be greater than the amount of the lump sum post-retirement death benefit set forth in subsection 15(a) above, then the lump sum post-retirement death benefit established in Section 8.12(b) of the Master Plan shall be payable instead of the lump-sum post-retirement death benefit set forth in subsection 15(a) above.

Both the lump sum post-retirement death benefit set forth in subsection 15(a) above and the lump sum post-retirement death benefit established in Section 8.12(b) of the Master Plan shall be payable.

The terms of the foregoing Addendum to the Adoption Agreement are approved by the Mayor and Council of the City of Stockbridge, Georgia this 10th day of February, 2020.

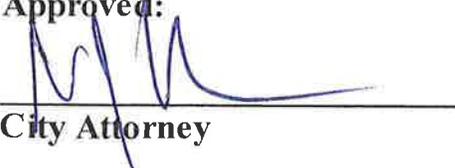
Attest:

  
City Clerk

CITY OF STOCKBRIDGE, GEORGIA  
  
Mayor

(SEAL)

Approved:

  
\_\_\_\_\_  
City Attorney

The terms of the foregoing Addendum are approved by the Board of Trustees of the Georgia Municipal Employees Benefit System.

IN WITNESS WHEREOF, the Board of Trustees of the Georgia Municipal Employees Benefit System has caused its Seal and the signatures of its duly authorized officers to be affixed this 19<sup>th</sup> day of February, 2020.

Board of Trustees  
Georgia Municipal Employees  
Benefit System

(SEAL)

  
\_\_\_\_\_  
Secretary

# Plan Document on File in the Clerk's Office