

MAE:jt
12/12/83

RESOLUTION NO. 4

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MILL CREEK, WASHINGTON, AUTHORIZING THE CITY MANAGER TO INVESTIGATE THE ESTABLISHMENT OF A MUNICIPAL EMPLOYEE'S BENEFIT TRUST FOR THE EMPLOYEES OF THE CITY OF MILL CREEK.

WHEREAS, the City of Mill Creek was incorporated as of September 30, 1983, pursuant to the optional municipal code (Title 35A RCW), and

WHEREAS, the City has never contributed to the Social Security System established pursuant to the Federal Old Age, Survivors, Disability and Health Insurance Act, and therefore the City has the option to establish its own retirement, survivor and disability benefit plan in lieu of and as a substitute for the Federal Social Security System, now, therefore

THE CITY COUNCIL OF THE CITY OF MILL CREEK, WASHINGTON, HEREBY RESOLVES AS FOLLOWS:

1. That the City Manager shall investigate the establishment of an Employee's Retirement Benefit Plan for the benefit of the employees of the City of Mill Creek and their designated beneficiaries;
2. That the City Manager shall investigate the establishment of an Employee's Survivor and Disability Benefit Plan for the employees of the City of Mill Creek and their designated beneficiaries;

3. That such retirement benefit plan and survivor and disability benefit plan shall be in lieu of and a substitute for contributions to the Federal Social Security System, established pursuant to the Federal Old Age, Survivors, Disability and Health Insurance Act;

4. That the City of Mill Creek, on behalf of itself and its employees specifically does not intend to make contributions to the Federal Social Security System; provided a municipal employee's benefit trust is duly established consisting of an Employee's Retirement Benefit Plan and an Employee's Survivor and Disability Benefit Plan; and

5. That the City of Mill Creek desires to participate in the Municipal Employee's Benefit Trust agreement established and sponsored by the City of Bellevue and requests that the Municipal Employee's Benefit Trust Committee for the City of Bellevue consider this resolution as the City of Mill Creek's formal application to such committee for its approval of Mill Creek's participation in such trust agreement; and

6. That the City Manager shall prepare a retirement benefit plan and a survivor and disability benefit plan that has, among other features, the following:

a. Participation shall be mandatory for all city employees who customarily work 87 or more hours per month;

b. Participation shall be voluntary for all city employees who customarily work less than 87 hours per month; and

c. That these plans should be designed to meet all requirements of the Internal Revenue Service for qualification;

7. That the City Manager shall explore and negotiate with appropriate insurance carriers for a policy designed to provide survivors and disability insurance to all participating employees;

8. That any trust agreement entered into shall provide that all contribution may be withdrawn from the trust in the event the IRS does not qualify the City's MEBT plan;

9. That for those part-time employees who elect not to participate in MEBT the City will nevertheless make a contribution equivalent to the amount that would be required by social security and may receive from the employee a voluntary contribution equivalent to any that would be required by such employee for social security. These amounts shall be deposited in a trust account. If the City's MEBT plan does not receive IRS qualification and the City is thereby required to retroactively participate in social security such amounts will be applied toward social security contributions. If the City's MEBT plan receives IRS qualification such part-time employees' voluntary contribution will be returned to that employee and the City's contribution returned to the general fund; and

10. That the City Manager shall consider all options available to the City for the establishment of a retirement,

survivor and disability benefit program in lieu of federal social security.

RESOLVED this 13th day of December, 1983.

APPROVED:

Sid Hanson
MAYOR, SID HANSON

ATTEST/AUTHENTICATED:

Michele Schutz
CITY CLERK, MICHELE SCHUTZ

APPROVED AS TO FORM:
OFFICE OF THE CITY ATTORNEY

BY John J. Walsh

FILED WITH THE CITY CLERK: December 13, 1983
PASSED BY THE CITY COUNCIL: 12-13-83
RESOLUTION NO. 4

MILL CREEK DISTRIBUTION SCHEDULE

ORDINANCE NO. _____ () First Reading
RESOLUTION OF INTENTION NO. _____
RESOLUTION NO. 4 (x) First Reading
SUBJECT MATTER RESOLUTION RE ESTABLISHMENT OF A MUNICIPAL
EMPLOYEE'S BENEFIT TRUST

CONFORM AS TO DATES & SIGNATURES:

- (x) Filed with the City Clerk 12/13/83
- (x) Passed by the City Council 12/13/83
- (x) Signed by the Mayor 12/13/83
- (x) Signature of City Clerk _____
- () Posting Date(s) _____ and _____
- (x) Effective Date 12/13/83

DISTRIBUTE CONFORMED COPIES AS FOLLOWS:

- () The Everett Herald or _____
- (x) Ordinance or Resolution Book
- () Zoning, comprehensive plan, comprehensive street plan book
- () 3 copies to Association of Washington Cities (35A.39.010)
- (x) Attorney
- () Building Inspector
- () City Clerk/Treasurer
- () City Council
- () City Engineer
- () City Manager
- () Fire District 7 and 11
- () Police Department
- () _____
- () _____
- () _____
- () _____
- () _____
- () _____

CERTIFIED COPIES:

- () _____
- () _____
- () _____
- () _____

ALL EXHIBITS OR OTHER ATTACHMENTS ARE AFFIXED TO THE ABOVE DOCUMENT AND TO THE COPY TO BE PUBLISHED IF PUBLICATION IS REQUIRED.

Michelle Schutz
CITY CLERK

12-14-83
DATE