

INTRODUCED BY: ALDERWOMAN SAUNDERS ALDERMAN HARPER
 ALDERWOMAN MANESTAR ALDERMAN WYNN
 ALDERMAN LEAHY ALDERMAN ROBERTSON
 ALDERMAN TOOHEY ALDERMAN KRAMER

AN ORDINANCE PROVIDING FOR THE ADOPTION OF THE FIRST AMENDMENT TO THE FIFTH AMENDED AND RESTATED POLICE AND FIRE FIGHTERS' PENSION PLAN; PROVIDING FOR THE REPEAL OF ALL CONFLICTING ORDINANCES; AND PROVIDING FOR THE EFFECTIVE DATE OF THIS ORDINANCE

WHEREAS, by Ordinance No. 943, the Board of Aldermen of the City of Brentwood, Missouri adopted the City of Brentwood Police and Fire Fighters' Pension Plan (the "Police and Fire Fighters' Pension Plan") which was formerly called the "City of Brentwood Police and Firemen's Pension Plan"; and

WHEREAS, the Board of Aldermen of the City of Brentwood has adopted several amendments to the Police and Fire Fighters' Pension Plan since the adoption of Ordinance No. 943; and

WHEREAS, the Internal Revenue Service required the Police and Fire Fighters' Pension Plan be amended as a condition to its issuance of the most recent favorable determination letter for such Plan; and

WHEREAS, the Board of Trustees of the City of Brentwood Police and Fire Fighters' Pension Trust, recommends the Police and Fire Fighters' Pension Plan be amended as required by the Internal Revenue Service;

NOW, THEREFORE, Be it ordained by the Board of Aldermen of the City of Brentwood, Missouri, as follows:

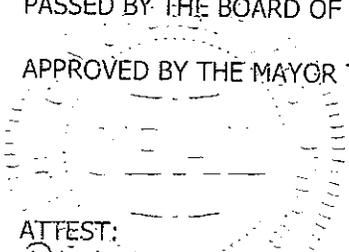
SECTION 1. The First Amendment to the Fifth Amended and Restated City of Brentwood Police and Fire Fighters' Pension Plan, attached hereto as Exhibit A, is hereby approved and such First Amendment to the Fifth Amended and Restated Plan is hereby adopted in its entirety.

SECTION 2. All ordinances and parts of ordinances in conflict with this ordinance are, to the extent of such conflict, hereby repealed.

SECTION 3. This ordinance shall be in full force and effect from and after the date of its passage.

PASSED BY THE BOARD OF ALDERMEN THIS 15th DAY OF September, 2014.

APPROVED BY THE MAYOR THIS 15th DAY OF September, 2014.



ATTEST:

Bola Akande

Bola Akande,
City Clerk/City Administrator

Pat Kelly

Pat Kelly, Mayor

1st Reading: 9/15/14

2nd Reading: 9/15/14

EXHIBIT A

FIRST AMENDMENT TO THE FIFTH AMENDMENT AND RESTATEMENT OF THE CITY OF BRENTWOOD POLICE AND FIRE FIGHTERS' PENSION PLAN

Add the following new Section 11.25:

11.25 STATUS AS A GOVERNMENT PLAN. As a government plan within the meaning of Section 414(d) of the Code, it is intended that the Plan satisfy those provision of Section 401(a) of the Code which are applicable to government plans and the Plan shall be interpreted to carry out such intent.