



## ***SOUTH FEATHER WATER & POWER AGENCY***

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**TO:** Board of Directors

**FROM:** Steve Wong, Finance Division Manager

**DATE:** September 16, 2008

**RE:** CalPERS 457 Plan  
Agenda Item for 9/23/08 Board of Directors Meeting

Earlier this year the Agency entered into contract with the California Public Employees' Retirement System (CalPERS) for a defined benefit retirement program for Agency employees. In addition to the defined benefit retirement program, CalPERS also offers a voluntary-participation IRS 457 Deferred Compensation Plan. SFWPA employees have expressed interest in having this plan available for their participation.

Employees can currently voluntarily participate in IRS 457 Deferred Compensation plans with Nationwide Insurance, ICMA (International City Managers Association), Hartford Insurance and Lincoln National. The CalPERS 457 plan would provide an additional tax-deferred retirement savings option for employees, with no addition expense to the Agency.

The CalPERS 457 plan offers 17 different investment portfolios as well as a self-managed option. There is also a loan provision providing employees with the ability to borrow from their plan accounts. Assistance and account access for plan participants is available online or through a toll-free telephone line.

The following action will facilitate recording the deed:

**"I move adoption of Resolution 08-9-1, authorizing adoption of the California Public Employees' Deferred Compensation Plan and authorizing the General Manager to execute the Employer Adoption Agreement adopting the California Public Employees' Deferred Compensation Plan for the benefit of South Feather Water and Power Agency employees."**



**Resolution 08-9-1**  
**South Feather Water and Power Agency**

**RESOLUTION APPROVING ADOPTION OF CALIFORNIA  
PUBLIC EMPLOYEES' DEFERRED COMPENSATION PLAN**

WHEREAS, South Feather Water and Power Agency desires to establish an additional deferred compensation plan for the benefit of its employees; and,

WHEREAS, the Board of Administration (the "Board") of the California Public Employees' Retirement System ("CalPERS") has established the California Public Employees Deferred Compensation Plan (the "CalPERS Plan") which may be adopted by a governmental employer the employees of which are public employees; and,

WHEREAS, South Feather Water and Power Agency believes that the CalPERS Plan and the investment options available thereunder will provide valuable benefits to its employees; and,

WHEREAS, the Board has appointed CitiStreet LLC, a joint venture between Citigroup and State Street Bank and Trust Company ("CitiStreet") to perform administrative services under the CalPERS Plan and to act as the Board's agent in all matters relating to the administration of the CalPERS Plan.

NOW, THEREFORE, BE IT RESOLVED that South Feather Water and Power Agency adopts the CalPERS Plan for the benefit of its employees and authorizes and directs the General Manager to execute the attached adoption agreement on behalf of South Feather Water and Power Agency and to provide CitiStreet with such information and cooperation as may be needed on an ongoing basis in the administration of the CalPERS plan. A copy of this resolution, the agreement, and any attachments thereto shall be on file in the office of South Feather Water and Power Agency.

PASSED AND ADOPTED by the Board of Directors of the South Feather Water and Power Agency at the regular meeting of said Board on the 23<sup>rd</sup> day of September 2008 by the following vote:

AYES:  
NOES:  
ABSTAINED:  
ABSENT:

(seal)

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James Edwards, President

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Michael C. Glaze, Secretary

## SECRETARY'S CERTIFICATE

MICHAEL C. GLAZE, certifies that: he is the Secretary of the Board of Directors of the South Feather Water and Power Agency; the foregoing is a true and correct copy of a resolution duly and regularly adopted by the Board of Directors of the South Feather Water and Power Agency at a meeting of said Board duly and regularly held on the 25<sup>th</sup> day of march 2008 at which meeting a quorum was present and voted; and, said resolution has not been rescinded and is in full force and effect.

September 23, 2008

Date

Michael C. Glaze, Secretary of the Board of Directors  
of the South Feather Water and Power Agency

(seal)



# SUPPLEMENTAL INCOME PLANS

## EMPLOYER ADOPTION AGREEMENT

By executing this Agreement, the employer identified below (the "Employer") adopts the California Public Employees' Deferred Compensation Plan (the "Plan") for the benefit of its employees. The Employer further agrees and represents as follows:

1. The Employer is a political subdivision of the State of California eligible to adopt the Plan for the benefit of its employees.
2. The Employer has duly adopted a resolution (copy attached) or taken such other official action as required for its lawful adoption and implementation of this Plan and has authorized the undersigned to execute this agreement on behalf of the Employer.
3. The Employer has been furnished with and reviewed a copy of the Plan document which explains the rights and obligations of the Employer under the Plan, as well as the rights and options available to the Employer's employees under the Plan; the Employer agrees to follow the terms of the Plan document, which are incorporated herein by reference.
4. The Employer understands and agrees that all amounts deferred under the Plan are to be invested in the Public Employees' Deferred Compensation Fund (the "Fund"), an investment entity established to hold amounts deferred under the Plan, and that the Employer shall have no right to sell, redeem, or otherwise liquidate its investments in the Fund, except as provided under Article 9 of the Plan.
5. The Employer understands that, except for certain responsibilities delegated to the Employer under the Plan, the administration of the Plan and Fund is subject to the exclusive control of the Board of Administration of the Public Employees' Retirement System (the "Board"). The Employer further understands that the Board has appointed CitiStreet LLC, a joint venture between Citigroup and State Street Bank and Trust Company ("CitiStreet") to perform administrative services under the Plan and to act as the Board's agent in all matters relating to administration of the Plan; the Employer agrees to deal directly with CitiStreet (or any successor agent duly appointed by the Board) on all matters relating to its participation in the Plan and to cooperate with CitiStreet in the dissemination of Plan information to the Employer's employees. For purposes of this Agreement, the term "administrative services" shall include, but not be limited to, establishing and maintaining accounts for Plan participants, providing regular accounting reports, and other general record keeping and administrative functions necessary for proper maintenance of the Plan.
6. The information set forth on the attached specifications data page is complete and accurate and may be relied upon by the Board and CitiStreet in the administration of the Plan on behalf of the Employer and its employees, unless and until the Employer has provided CitiStreet with a written modification of such specifications.
7. The Employer has been furnished with a copy of a manual that describes the procedures to be followed by the Employer in the administration of the Plan for its employees, and the Employer agrees to adhere to the procedures set forth in that manual, and in any revisions thereof, or procedural notices that are hereafter furnished to the Employer.
8. The Employer agrees to make the Plan available to its employees and otherwise to abide by this Agreement commencing on the effective date shown on the attached specifications page; this Agreement shall remain in full force and effect unless terminated by the Employer or the Board upon sixty (60) days notice.

(Name of Employer) \_\_\_\_\_

By: \_\_\_\_\_

(Title) \_\_\_\_\_

Date: \_\_\_\_\_

Accepted by CitiStreet on behalf of the Board of Administration of the Public Employees' Retirement System

By: \_\_\_\_\_

Date: \_\_\_\_\_ Witness: \_\_\_\_\_