



**Contra
Costa
County**

To: Board of Supervisors
From: Ann Elliott, Human Resources Director
Date: July 26, 2022

Subject: Contract extension with Great-West Trust Company, LLC for maintaining a trust for assets for the 457 Deferred Compensation Plan

RECOMMENDATION(S):

APPROVE and AUTHORIZE the County Administrator, or Designee, to execute an amendment with Great-West Trust Company, LLC, to extend the term of a contract for maintaining a trust for assets for the 457 Deferred Compensation Plan from August 1, 2022 through July 30, 2023.

FISCAL IMPACT:

The contract is funded by administration fees charged to participant 457 Deferred Compensation Plan accounts. There is no fiscal impact beyond overhead administrative support costs, which are offset through the Contra Costa County Deferred Compensation Plan (I.R.C. § 457) ("the Plan").

BACKGROUND:

In July of 2019, the County approved a contract with Great-West Life & Annuity Insurance Company, d/b/a Empower Retirement, with regards to administrative and recordkeeping services for the Contra Costa County Deferred Compensation Plan (I.R.C. § 457) ("the Plan"). At the same time, the Board of Supervisors also authorized entering into related contracts, including a trust agreement with Great-West Trust Company, LLC.

☒ APPROVE

☐ OTHER

☒ RECOMMENDATION OF CNTY ADMINISTRATOR

☐ RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **07/26/2022** ☒ APPROVED AS RECOMMENDED ☐ OTHER

Clerks Notes:

VOTE OF SUPERVISORS

AYE: John Gioia, District I Supervisor
Candace Andersen, District II Supervisor
Diane Burgis, District III Supervisor
Karen Mitchoff, District IV Supervisor
Federal D. Glover, District V Supervisor

I hereby certify that this is a true and correct copy of an action taken and entered on the minutes of the Board of Supervisors on the date shown.

ATTESTED: July 26, 2022

Monica Nino, County Administrator and Clerk of the Board of Supervisors

By: June McHuen, Deputy

Contact: Salma Sadiq,
925-655-2176

cc:

BACKGROUND: (CONT'D)

Under the trust agreement, the Great-West Trust Company, LLC, maintains a trust in connection with the Plan. The trust was established and operates for the exclusive benefit of trust funds for the Plan, which includes Plan contributions and assets. The Great-West Trust Company, LLC serves as the Trustee under the trust and, in this capacity, manages and invests the trust fund for the exclusive benefit of Plan participants and their beneficiaries. The trust agreement sets forth the general duties and powers of Great-West Trust Company, LLC. Such duties and powers include, but are not limited to, receiving contributions; administering the exclusive benefit trust fund; making payments from the trust; transferring and accepting property for eligible rollovers; and various ministerial acts. The Trust Agreement contains modified indemnification language and a limitation of liability.

Following the expiration of this extension, an additional option to renew the contract for one more year will remain under the parties' contact.

CONSEQUENCE OF NEGATIVE ACTION:

Without the contract amendment, the County will not have a contract in place for the maintenance of the trust fund in connection with the 457 Plan.