

**CITY OF ROMULUS
ORDINANCE NO. 2020-002**

**APPENDIX B
CHAPTER 38
ROMULUS EMPLOYEES PENSION PLAN**

An Ordinance to amend the City of Romulus Code of Ordinances Chapter 38 Romulus Employees Pension Plan.

THE CITY OF ROMULUS ORDAINS:

Section 1: Short Title

This Ordinance amendment shall be known and cited as the Ordinance Amendment adding expanded Participant Loan provisions in the Romulus Employees' Pension Plan, as permitted under the Coronavirus Aid, Relief, and Economic Security Act (the "CARES Act") as signed into law on March 27, 2020.

Section 2: Section 38.5.9. of the City of Romulus Employees' Pension Plan Ordinance as restated January 25, 2016, is hereby amended effective as of March 27, 2020, by the addition of the following subsection at the endthereof:

- (i) CARES Act Loan Provisions. To the extent permitted under and consistent with the Coronavirus Aid, Relief, and Economic Security Act (the "CARES Act"), including any subsequent regulations issued under the CARES Act, the following provisions shall apply, superseding any conflicting provision set forth above in this section 38.5.9.
 - (i) A "CARES Act-Eligible Participant" is a Participant that meets, as evidenced by the Participant's self-certification, one or more of the following criteria:
 - (a) The Participant is diagnosed with the virus SARS-Co-V-2 or with coronavirus disease 2019 (COVID-19) by a test approved by the Centers for Disease Control and Prevention;
 - (b) The Participant's spouse or dependent (as defined in section 152 of the Internal Revenue Code) is diagnosed with such virus or disease by such a test; or
 - (c) The Participant experienced adverse financial consequences as a result of being quarantined, being furloughed or laid off or having work hours reduced due to such virus or disease, being unable to work due to lack of child care due to such virus or disease, closing or reducing hours of a business owned or operated by the individual due to such

virus or disease, or other factors as determined by the Secretary of the Treasury.

The Plan Administrator may rely on an employee's certification that the employee satisfies one or more of the above conditions in determining whether the Participant is a CARES Act-Eligible Participant.

- (ii) During the period between March 27, 2020 and September 23, 2020, a Participant who is a CARES Act-Eligible Participant may obtain a second loan from the Plan, subject to all of the loan limitations of subsection (b) of this section 38.5.9, including but not limited to the subsection (b)(iv) limit on the aggregate balance of all loans made to the Participant under this Plan.
- (iii) During the period between March 27, 2020 and December 31, 2020, a Participant who is a CARES Act-Eligible Participant who has a Plan loan that is not in default, or who obtains a new Plan loan prior to September 23, 2020, may make a one-time election by following the procedure adopted by the Plan, to:
 - (a) Stop loan repayments for the remainder of calendar year 2020; and
 - (b) Have his or her loan balance as of the end of the 2020 calendar year reamortized over the remainder of the loan term as of December 31, 2020 plus up to an additional 12 months.

Section 3: Repealer

All Ordinances or parts of ordinances in conflict with this ordinance are repealed only to the extent necessary to give this ordinance full force and effect.

Section 4: Savings

All proceedings pending and all rights and liabilities existing, acquired or incurred at the time this ordinance takes effect are saved and may be consummated according to the law in force when they were commenced.

Section 5: Severability

Should any clause, sentence, paragraph, subsection or section of this Article be declared void or otherwise invalid, for any reason, by any court, such declaration shall not affect any portion of this Article other than the part specifically declared to be void.

Section 6: Effective Date

This Ordinance shall take immediate effect upon publication in the Official Newspaper.

Passed and adopted by the City Council by the City of Romulus, County of Wayne, State of Michigan, on July 6, 2020

I, Ellen L. Craig-Bragg, Clerk for the City of Romulus, Michigan, do hereby certify that the foregoing is a true copy of an ordinance duly adopted by the Romulus City Council at its regular meeting held on 6th day of July, 2020.



Ellen L. Craig-Bragg, *Clerk*
City of Romulus, Michigan

ATTEST:



LeRoy D. Burcoff, Mayor

Within forty-five (45) days after the publication of any ordinance duly passed by the Council, a petition may be presented to the Council protesting against such ordinance continuing in effect. Said petition shall contain the text of such ordinance and shall be signed by not less than six percent (6%) of the registered electors at the last preceding election at which the Mayor of the City was elected. Said ordinance shall thereupon and thereby be suspended from operation and the Council shall immediately reconsider such ordinance.

INTRODUCED: June 22, 2020

ADOPTED: July 6, 2020

PUBLISHED: July 23, 2020