

Provision	Page #	Plan Provisions	Comments
Empower Plan Number		582905-01	
Is there any pending litigation or regulatory issues with this plan?		No	
Employer Name (1)	AA 1	City of Delray Beach	
Employer's Physical Address (1)	Email	100 NW First Avenue, Delray Beach, FL 33444	
Employer's Phone Number(1)	Email	(561) 243-7000	
Company TIN/EIN# (1)	Form W-9	59-6000308	
Participating Employers? If so, include name, original date of participation, EIN		N/A	
Plan Name (2)	Silent	City of Delray Beach 457(b) Plan	
Plan Year/Limitation Year (3)	AA 1	12/31	
Short Plan Year End (3)		N/A	
Plan Status (New or restated) (4)		Restated	
Initial Plan Effective Date (4.c)	Silent	lisa to provide (est: 1/1/1995)	
Amendment or restated effective date (4.d)		2/11/2026	
Contribution Types			
Frozen plan or contributions suspended effective (5.a.1)	Silent	N/A	
Pre tax elective deferrals (5.b)	BPD 6, 28	Allowed	
Will match apply to pre tax elective deferrals? (5.b)	AA 3	Yes	
Roth (5.b.3)	AA 2	Allowed	
Nonelective (5.c)		N/A	For anyone hired on or after 2/11/2026, ER Match will be deposited into the 401(a) plan. Anyone hired prior to 2/11/2026, who did not elect to participate in the 401(a), their Employer match is made into the 457(b).
Rollover (5.d)	BPD 16	Allowed	
Does the plan have contribution types other than those listed above or in addition to the allowable rollover contributions types to be provide in the rollovers question below?	Silent	See Comment column	For anyone hired on or after 2/11/2026, ER Match will be deposited into the 401(a) plan. Anyone hired prior to 2/11/2026, who did not elect to participate in the 401(a), their Employer match is made into the 457(b).
Does the plan have contribution types that are frozen, now new contributions being made?	Silent	N/A	
Definition of Disability - plan administrator defines	Silent	Yes	
Excluded Employees			
None (6.a)	AA 1	Applies	
Part-time employees defined as working () hours per week (6.b.1)		N/A	
Hourly paid (6.b.2)		N/A	
Leased (6.b.3)		N/A	
Other (6.b.4)		N/A	
Do independent contractors participate? (7)	AA 1; BPD 6, 8	No	Confirm whether the plan allows independent contractors to participate.

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Compensation			
Compensation Definition (8)	BPD 6	415(c)(3) (Simplified/Safe Harbor 415)	
Excluded Compensation			
None (8.d)	BPD 6	Applies	Confirm there are no amounts excluded from compensation.
Fringe benefits (8.e.1)			
Elective Contributions (8.e.2)			
Bonuses (8.e.3)			
Overtime (8.e.4)			
Other (8.e.5)			
Plan Year or Participating Compensation (8.f or .g)			
Post Severance Compensation			
Inclusions			
None (9.a)			
Regular pay (9.b.1)	BPD 12	Include	
Leave cash-outs (9.b.2)	BPD 12	Include	
Nonqualified deferred compensation (9.b.3)	Silent	Exclude	
Salary continuation for disabled participants (9.b.4)	Silent	Exclude	
Differential wage payments (9.b.5)	AA 4	Include	
Describe alternative definition (9.b.6)			
Normal/Early Retirement Age			
Normal Retirement age			
Participant designation Not earlier than (age) and may not be later than (age) 70 1/2 (10.b)	BPD 7	Not earlier than the age the participant would be eligible to receive a full and unreduced pension benefit under the Employer's pension plan and not later than 70 ½. If the Participant is not eligible to receive benefits under the Employer's pension plan, the Participant may designate a Normal Retirement Age that is not earlier than age 65 nor later than age 70 ½	
Police			
Participant designation Not earlier than (age not earlier than 40) and may not be later than (age) 70 1/2 (10.c.2)	BPD 7	Not earlier than age 40 and not later than age 70 1/2	
Firefighters			
Participant designation Not earlier than (age not earlier than 40) and may not be later than (age) 70 1/2 (10.d.2)	BPD 7	Not earlier than age 40 and not later than age 70 1/2	
Eligibility			
None (11.a)	BPD 8	Applies	
Entry Date			
First day of the month (coinciding with or next following) (12.a)	AA 6; BPD 8	Applies (removed with Secure; updated to as soon as administratively feasible)	
First day of the plan year (coinciding with or next following) (12.b)		N/A	
Date of hire (12.c)		Yes	
Other (12.d)		N/A	

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Salary Reduction Contributions			
Maximum allowed by law (no limitations) (13.a)	BPD 7	Applies	
Special NRA Catch-Up Contributions			
Are they allowed? (13.c)	BPD 11	Allowed	
If allowed, will they be taken into account for matching contributions? (13.c.1 or 2)			
Are age 50 catch-up contributions allowed? (13.e or f)	BPD 11	Allowed	See note below on Super Catch Up under Secure 1.0
Are participants allowed to make deferrals from sick, vacation or back pay? (14.a or b)	AA 2	Allowed	Within 2 years of retirement a participant receives 1/3rd payout of sick / vacation annually based upon a 1 time election Confirm with payroll how its being treated for purposes of the 402(g) limit
Automatic Enrollment			
Is automatic enrollment allowed? (15.a or b)	AA 2	No	
Matching Formula			
Fixed uniform rate/amount. The employer will make matching contributions equal to () % of the participant's elective deferrals (16.a)	AA 3	100% on the first 3% of deferrals	
Allocation conditions		N/A	
None (16.m)		Yes	
Discretionary - prorata (17.a)		N/A	
Time and Method of Payment of Account			
Timing			
Specify (18.e)	BPD 18	As soon as administratively practicable following the Participant's formal request for the distribution. The Participant may request the distribution at any time following Severance from Employment.	If a, b, c, d, or e is elected then employer must track, monitor and approve distributions. An exception is if standard language is used in 18.e. that allows Empower to review/approve distributions. If immediate: "As soon as administratively practicable following the Participant's formal request for the distribution. The Participant may request the distribution at any time following Severance from Employment." . I

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Forms of Distribution			
Lump sum (18.f)	BPD 19	Allowed	
Installments (18.g)	BPD 19	Allowed	
Installments for required minimum distributions (18.h)		N/A	
Annuity (18.i)	BPD 19	Allowed	
Specify (18.j)	BPD 19	Partial Distribution	
Can a participant elect to postpone their distribution? (18.k, l or m)	BPD 18	The Participant has the right to elect the timing of the distribution and may elect the method from the elections marked in f. through j.	
Is spousal consent required for distributions?	Silent	No	
Is spousal consent required for beneficiary changes?	AA 4; BPD 6	No	
Mandatory Distributions			Discuss with the committee
Not allowed (18.n)			
\$1,000 (18.o)			
\$5,000 (18.o)			
\$7,000 (snap on amendment)			\$5,000 will need to be reflected in the Adoption Agreement, with the snap on amendment reflecting the increase to \$7,000 until the SECURE 2.0 Interim Amendment is available.
Include or exclude rollovers? (18.p)	BPD 29	Include	
Beneficiary Distribution Elections			
Immediate (19.a)		N/A	
Next calendar year (19.b)	BPD 20, 22	Spouse - begin by 12/31 of the year following the death, or by 12/31 or the year the participant would have attained age 70 1/2 Non-spouse - begin by 12/31 of the year following the death	Unable to automate - can this be changed to As Beneficiary Elects? Yes
As beneficiary elects (19.c)			
Describe (19.d)			

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DISTRIBUTIONS PRIOR TO SEVERANCE OF EMPLOYMENT			
None (20.a)		N/A	
Unforeseeable emergency (20.b.1)	AA 2	Allowed	
De minimis exception (small accounts) (20.b.2)	BPD 23-24	Applies	Remove the distribution option
Will the Plan increase the De Minimis In-Service withdrawal limit to \$7,000?		N/A	
If so, what is the effective date?		N/A	
Participant election (20.b.2.a)		N/A	
Mandatory distribution (20.b.2.b)		N/A	
Hybrid: the plan administrator will distribute a participant's account that does not exceed (\$) and the participant may elect to receive all or any portion that exceeds (\$), but does not exceed \$5,000 (20.b.2.c)	BPD 23-24	N/A	
Age 70 1/2 (20.b.3)	AA 2	Allowed	
Purchase of service credits	BPD 18	Allowed	For general employees, there is an enhanced multiplier option "Air Time" that can be purchased. This is an option at MSQ on their forms. Empower confirming it can be added to the Purchase of Service Credit form.
Public safety officer distributions	AA 2	Not allowed	
Specify (20.b.4)			
Do the QDRO provisions apply? (21)	BPD 30	Yes	
Allocation of earnings, daily once restated. (22.a)	BPD 14	Daily	
HEART ACT PROVISIONS			
Continued Benefits accruals allowed? (23.a or b)	AA 4	No	
Deemed severance (23.c or d)	AA 4	No	
Vesting			
Immediate - 100% vesting for all money types (24.a)		100% Immediate	
Forfeitures			
Reallocate (24)		N/A	Not applicable if vesting is immediate
Reduce fixed contribution (24)		N/A	Not applicable if vesting is immediate
Pay plan expenses (24)		N/A	Not applicable if vesting is immediate
TRUSTEE			
Corporate trustee (28.b)		Empower Trust Company, LLC	
Address and phone number (28.b)		Use standard ETC address	
Will the corporate trustee be directed (nondiscretionary) trustee over all plan assets except () (28.c)?".		Yes	
LOANS			
Are they allowed? (29)	AA 1	No	Yes

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ROLLOVER CONTRIBUTIONS			
Participants only or eligible employees and participants (30.a or b)	BPD 16	Eligible Employees or Participants	
Rollover types allowed			
All (30.c)		N/A	
401(a)/401(k); 403(a); 403(b); pension; traditional IRA; SIMPLE IRA; SEP-IRA; SARSEP IRA; 457(b); Roth; Roth 403(b); Roth 457(b) (30.d)	BPD 17	401(a)/401(k); 403(a); 403(b); pension; traditional IRA; 457(b); Roth; Roth 403(b); Roth 457(b) Does not accept after-tax or Conduit, Simple, SEP and SARSEP IRAs.	The prior document only addresses IRAs under Code Section 408(a) and (b), which are Traditional IRAs. Does the plan accept all IRAs, including Conduit, Simple, SEP and SARSEP? A 403(a) plan is a special type of annuity-based retirement plan that is sponsored by an employer.
Rollover distribution timing			
Allowed at any time (30.e)	AA 2	No	
Not until a distributable event is met (30.f)	AA 2	Applies	
Specify (30.g)		N/A	
In-Plan Roth Rollover (see addendum)			
Are they allowed? (32)	AA 2, 6	Allowed	
Effective date for allowing In-Plan Roth Rollovers	AA (2020) 5	10/1/2021	
Transfer of Loans- Not allowed due to system limitations	AA 2; BPD 29	Not allowed	
Distribution Options - from current in-service distributions available OR different rules apply (list in-service allowed)	BPD 29	Current in-service distributions	
Source of In-Plan Roth Rollover Contributions	AA 2; BPD 29	All sources	
Limitations on In-Plan Roth Rollover	AA 2; BPD 29	None	
In-Plan Roth Transfer (see addendum)			
Applies/Does not Apply (33)	AA 2, 6	Allowed	
Effective date for allowing In-Plan Roth Transfers	AA (2020) 5	10/1/2021	
Transfer of Loans- Not allowed due to system limitations	AA 2; BPD 29	Not allowed	
Source of In-Plan Roth Rollover Contributions	AA 2; BPD 29	All sources	
Limitations on In-Plan Roth Transfer	AA 2; BPD 29	None	

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CARES Act			
Did the plan sign their CARES Act Amendment?		Not provided	
SECURE 1.0 Act			
Refer to the Regulatory Amendment Supplemental Form for SECURE 1.0 Elections	AA 6-9	Refer to the Regulatory Amendment Supplemental Form	Eliminate 1st day of the month provision, Allow Domestic Abuse distributions, \$1000 Emergency withdrawals permitted, Self-certification for unforeseeable emergency withdrawals, Distribution for qualified Federally declared natural disasters allowed, No Super Catch-ups, No QBADs, ISW not allowed at age 59-1/2
SECURE 2.0 Act			
Refer to the Regulatory Amendment Supplemental Form for SECURE 2.0 Elections	AA 6-9	Refer to the Regulatory Amendment Supplemental Form	