

**FIRST AMENDMENT
TO THE
MEMORIAL HEALTHCARE SYSTEM
RSP GOLD PLAN**

WHEREAS, the South Broward Hospital District, DBA Memorial Healthcare System (the “Employer”), established and maintains the Memorial Healthcare System RSP Gold Plan (the “Plan”) effective as of January 1, 1989 (originally known as the South Broward Hospital District Voluntary Savings Plan) for the benefit of eligible employees; and

WHEREAS, the Plan was most recently amended and restated effective as of January 1, 2020 (the “2020 Plan Restatement”); and

WHEREAS, the Plan and the related annuity contracts and custodial accounts are intended to conform to and satisfy the requirements of Section 403(b) of the Internal Revenue Code of 1986, as amended; and

WHEREAS, Section 11.8 of the 2020 Plan Restatement provides that the Employer, by action of its Board of Commissioners, or the Executive Committee acting on its behalf, may amend the Plan at any time; and

WHEREAS, as a result of experiencing material adverse financial consequences due to the coronavirus disease 2019 (COVID-19) pandemic, the Employer now desires to suspend Employer matching contributions to be made to the Plan.

NOW THEREFORE, to effectuate the foregoing, the Plan is hereby amended as set forth hereinafter:

1. Section 4.5 of the 2020 Plan Restatement is amended by revising the penultimate paragraph thereof to read as follows, and by adding immediately thereafter the following new paragraph:

“Effective for the period beginning May 1, 2000 and ending December 31, 2000, for Plan Years beginning on and after January 1, 2001 and ending before January 1, 2020, and for the period beginning January 1, 2020 and ending May 23, 2020, the Employer matching contribution shall be made at a rate equal to a percentage (determined below) of the elective deferrals of each Employee who is eligible for Employer matching contributions, not to exceed 5 percent of Compensation during such Plan Year or other applicable period.

Years of Service	Employer Matching Contributions
0-3	30%
4	35%
5-9	45%
10 or more	55%

“Notwithstanding the foregoing provisions of this Section or any other provision of the Plan to the contrary, the Employer shall not make any Employer matching contributions with respect to elective deferrals attributable to an Employee’s Compensation earned on or after May 24, 2020. For the avoidance of doubt and for purposes of clarification, each Employee who is otherwise eligible for Employer matching contributions, but for the immediately preceding sentence, shall not be entitled to any Employer matching contributions with respect to elective deferrals attributable to Compensation earned on and after May 24, 2020.”

2. This First Amendment shall be effective as of May 23, 2020, which is the last day of the last biweekly payroll with respect to which elective deferrals will be entitled to Employer matching contributions.
3. In all other respects, the 2020 Plan Restatement shall be and remain unchanged by this First Amendment.

IN WITNESS WHEREOF, the Employer has caused this First Amendment to the Memorial Healthcare System RSP Gold Plan, as amended and restated effective as of January 1, 2020, to be executed on this 21st day of April, 2020.

**South Broward Hospital District, DBA
Memorial Healthcare System**

By: 

Its: President & CEO
(Title)