

**City of Gainesville**  
**CONSOLIDATED POLICE & FIRE PENSION PLAN**

Election to leave the Deferred Retirement Option Program (DROP) of the City of Gainesville Consolidated Pension Plan is hereby made for:

Name: aaaaaaaaaaaaaaaaaaaaaaaaaaaaaaaaaa"Go ployee ID #: aaaaaaaaaaaaaaaaaaaaaaaaaaaaaaaaaa  
Application Date: aaaaaaaaaaaaaaaaaaaaaaaaaa"Last day in DROP: aaaaaaaaaaaaaaaaaaaaaaaaaaaaaaaaaa  
Pension Service Date: aaaaaaaaaaaaaaaaaaaaaaaaaaF ate Of Birth: aaaaaaaaaaaaaaaaaaaaaaaaaaaaaaaaaa  
Position: aaaaaaaaaaaaaaaaaaaaaaaaaaaaaaaaaa"Go ck"aaa  
Department: aaaaaaaaaaaaaaaaaaaaaaaaaaaaaaaaaa Phone #: aaaaaaaaaaaaaaaaaaaaaaaaaaaaaaaaaa  
Address: aaaaaaaaaaaaaaaaaaaaaaaaaaaaaaaaaa"  
City: aaaaaaaaaaaaaaaaaaaaaaaaaaaaaaaaaa  
State: aaaaaa" \ kr < aaaaaaaaaa"County: \_\_\_\_\_

You are advised that if after retirement has been approved and/or benefits paid it is determined that the initially projected or actually paid benefit amount was higher or lower than the member, retiree, or beneficiary was entitled to, then such benefit may be adjusted so as to provide the actuarial equivalent of the benefit to which the member, retiree, or beneficiary was entitled.

You are also advised that you must comply with all reasonable requests of the City of Gainesville to recertify annually your eligibility to receive pension benefits as provided in Section 2-527(m) of the City of Gainesville Code of Ordinances.

It is a crime for a person willfully and knowingly to make any false, fraudulent, or misleading oral or written statement or withholds or conceals material information to obtain any benefit available under this plan.

\_\_\_\_\_  
Signature of Member

\_\_\_\_\_  
Date

\_\_\_\_\_  
Risk Management Representative

\_\_\_\_\_  
Date



## NOTICE TO RETIREES REGARDING RE-EMPLOYMENT AFTER RETIREMENT

To avoid disqualification of the Plans and ensure that retirement benefits are only distributed to members who have legitimately retired in compliance with the Internal Revenue Code and Income Tax Regulations, the City will review all City employees' applications for retirement and any other relevant information to verify that the City employee is legitimately retiring before providing any retirement benefit payment. ***Retirement benefit payments will not be issued to City employees who do not legitimately retire.*** For example, a City employee who "retires" on a Friday with an agreement in place to return to work with the City on Monday in any capacity (as a regular employee, temporary employee, or independent contractor in any City department even if the department is different than the employee's previously assigned department) will not be eligible to receive retirement benefit payments because the employee has not legitimately retired as required by law or the Plans, except in cases where an employee returns to work for the City for less than eight (8) hours per week or the employee is age 62 or older.

It should be noted that re-employment with an employer other than the City of Gainesville will not affect retirees' ability to continue to receive their retirement benefits.

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### To be signed by City employees who are under the age of 62 on their retirement date:

I swear or affirm that I have read this Notice to Retirees Regarding Re-Employment after Retirement and that the following statements are true and correct to the best of my knowledge and belief:

- (1) I will terminate my employment with the City of Gainesville on my retirement date;
- (2) There is no understanding or agreement in place at the time of my retirement for me to return to work for the City of Gainesville in any capacity after my retirement date;
- (3) I am not a current applicant for any open regular or temporary position with the City of Gainesville;
- (4) I have not received a verbal or written offer of re-employment as a regular or temporary employee or a verbal or written offer to provide services as an independent contractor after my retirement date from any employee or representative of the City of Gainesville; and
- (5) I understand that re-employment after my retirement with the City of Gainesville may impact my ability to continue to receive my retirement benefit payments during my period of re-employment.

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

### To be signed by City employees who are over the age of 62 on their retirement date:

I swear or affirm that I have read this notice to Retirees Regarding Re-Employment after Retirement and understand if I desire to return to work for the City of Gainesville, my retirement benefits will be unaffected.

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

**CITY OF GAINESVILLE DROP DISTRIBUTION FORM**

General Employee's Pension Plan     Consolidated Pension Plan     Regular     Reverse

Participant: \_\_\_\_\_ Date Leaving DROP: \_\_\_\_\_

OR

Participant's Named Beneficiary (If Participant Is Deceased): \_\_\_\_\_

Employee ID: \_\_\_\_\_

\_\_\_\_\_ I have been given the Special Tax Notice Regarding Plan Payments and I understand that I have the option to receive a cash payment of my DROP plan monies and/or can elect a direct rollover to an eligible retirement plan.

\_\_\_\_\_ I further understand that principal and interest on my DROP account is only earned through my last day in the DROP.

\_\_\_\_\_ I understand that federal income tax at a rate of 20% will be withheld from my taxable distribution that is paid to me.

TOTAL DROP DISBURSEMENT            \$ \_\_\_\_\_ as determined by the above referenced date

I hereby request a cash payment in the amount of \$ \_\_\_\_\_

I hereby request a direct rollover in the amount of \$ \_\_\_\_\_.

[NOTE TO PARTICIPANT: IF YOU ELECT A DIRECT ROLLOVER, YOU MUST OBTAIN INSTRUCTIONS FROM YOUR FINANCIAL INSTITUTION AS TO EXACTLY HOW YOUR ROLLOVER SHOULD BE MADE PAYABLE]

Payment by Check

Payment by Wire

Make rollover payable to:

\_\_\_\_\_ as Custodian/Trustee for \_\_\_\_\_

Account No.

Send to:

Attention (Name):

Address:

City/State/Zip:

- The recipient of my transferred distribution is:
- a 457 Deferred Compensation Plan
  - an Individual Retirement Account
  - an Individual Retirement Annuity
  - a 401 (a) Qualified Retirement Plan
  - a 401 (b) Annuity

By making this rollover request I have hereby requested to waive the 30-day waiting period for my distribution. I understand the distribution will be processed in accordance with this election as soon as practical after the Plan administrator receives my election form.

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

\_\_\_\_\_  
Participant

\_\_\_\_\_  
Mailing Address

A participant or beneficiary who fails to elect a method of payment within 60 days of termination of the DROP, the plan will pay a lump sum, less any required withholding.

**PLAN ADMINISTRATOR CERTIFICATION**

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

\_\_\_\_\_  
Plan Administrator or Designee

## SPECIAL TAX NOTICE REGARDING PLAN PAYMENTS

This notice explains how you can continue to defer federal income tax on your retirement plan savings in the Plan and contains important information you will need before you decide how to receive your Plan benefits. All references to "the Code" are references to the Internal Revenue Code of 1986, as amended. This notice summarizes only the federal (not state or local) tax rules which apply to your distribution. Because these rules are complex and contain many conditions and exceptions which we do not discuss in this notice, you may need to consult with a professional tax advisor before you receive your distribution from the Plan.

### A. TYPES OF PLAN DISTRIBUTIONS

**Eligibility for rollover.** The Code classifies distributions into two types: (1) distributions you may roll over ("eligible rollover distributions") and (2) distributions you may not roll over. You also may receive a distribution under which part of the distribution is an eligible rollover distribution and part is not eligible for rollover. An eligible rollover distribution is a payment by you or the Plan Administrator of all or part of your benefit to another plan or IRA that allows you to continue to postpone taxation of that benefit until it is paid to you. The Plan Administrator will assist you in identifying which portion of your distribution is an eligible rollover distribution and which portion is not eligible for rollover.

**Plans that may accept a rollover.** You may roll over an eligible rollover distribution either to a traditional IRA or to an eligible employer plan that accepts rollovers. An "eligible employer plan" includes a plan qualified under Code §401(a), including a 401(k) plan, profit sharing plan, defined benefit plan, stock bonus plan (including an ESOP), and money purchase plan; a §403(a) annuity plan; a §403(b) tax-sheltered annuity; and an eligible §457(b) plan maintained by a governmental employer (governmental 457 plan). **YOU MAY NOT ROLL OVER A DISTRIBUTION TO A ROTH IRA, A SIMPLE IRA OR A COVERDELL EDUCATION SAVINGS ACCOUNT (FORMERLY KNOWN AS AN EDUCATIONAL IRA).** Any reference in this notice to an IRA is only to a traditional IRA.

**Deciding where to roll over a distribution.** An eligible employer plan is not legally required to accept a rollover. Before you decide to roll over your payment to another employer plan, you should find out whether the plan accepts rollovers and, if so, the types of distributions it accepts as a rollover. Even if a plan accepts rollovers, it might not accept rollovers of certain types of distributions, such as after-tax amounts. If this is the case, and your distribution includes after-tax amounts, you may wish instead to roll your distribution over to an IRA or to split your rollover amount between the employer plan in which you will participate and an IRA. You also should find out about any documents you must complete before a receiving plan or IRA sponsor will accept a rollover. If an employer plan accepts your rollover, the plan may restrict subsequent distributions of the rollover amount or may require your spouse's consent for any subsequent distribution. A subsequent distribution from the plan that accepts your rollover also may be subject to different tax treatment than distributions from this Plan. Check with the administrator of the plan that is to receive your rollover, regarding subsequent distributions and taxation of the amount you will roll over, prior to making the rollover.

**Distributions not eligible for rollover.** An eligible rollover distribution means any distribution to you of all or any portion of your account balance under the Plan except: (1) a distribution which is part of a series of substantially equal periodic payments; (2) a required minimum distribution; (3) hardship distributions; (4) ESOP dividends; (5) corrective distributions; or (6) loans treated as distributions.

1. *Substantially equal periodic payments.* You may not roll over a distribution if it is part of a series of substantially equal payments made at least once a year and which will last for: (1) your lifetime (or your life expectancy), (2) your lifetime and your beneficiary's lifetime (or life expectancies), or (3) a period of 10 years or more.

2. *Required minimum distributions.* Beginning in the year in which occurs the later of your retirement or your attainment of age 70 1/2, the Code may require the Plan to make "required minimum distributions" to you. You may not roll over the required minimum distributions. Special rules apply if you own more than 5% of the Employer.

3. *Hardship distributions.* A hardship distribution is not eligible for rollover.

4. *ESOP dividends.* Cash dividends paid to you on employer stock held in an employee stock ownership plan cannot be rolled over.

5. *Corrective distributions.* A distribution from the plan to correct a failed nondiscrimination test or because legal limits on certain contributions were exceeded cannot be rolled over.

6. *Loans treated as taxable "deemed" distributions.* The amount of a plan loan that becomes a taxable deemed distribution because of a default cannot be rolled over. However, a loan offset amount is eligible for rollover, as discussed in Part C below. Ask the Plan Administrator if distribution of your loan qualifies for rollover treatment.

**After-tax Contributions.**[1] If you made after-tax contributions to the Plan, you may roll over these contributions into either an IRA or certain employer plans that accept rollovers of the after-tax contributions. The following rules apply:

1. *Rollover into an IRA.* You may roll over your after-tax contributions to an IRA either directly or indirectly. The Plan Administrator will assist you in identifying how much of your payment is the taxable portion and how much is the after-tax portion.

If you roll over after-tax contributions to an IRA, it is your responsibility to keep track of, and report to the IRS on the applicable forms, the amount of these after-tax contributions. This will enable you to determine the nontaxable amount of any future distributions from the IRA.

Once you roll over your after-tax contributions to an IRA, you may NOT later roll over those amounts to an employer plan, but may roll over your after-tax contributions to another IRA.

2. *Rollover into an employer plan.* You may roll over after-tax contributions from the Plan to another qualified plan using a direct rollover if the other plan provides separate accounting for amounts rolled over, including separate accounting for the after-tax employee contributions and earnings on those contributions. You may NOT roll over after-tax contributions from the Plan to a §403(b) tax-sheltered annuity, a §403(a) annuity plan, or a governmental 457 plan. If you want to roll over your after-tax contributions to an employer plan that accepts these rollovers, you cannot have the after-tax contributions paid to you first. You must instruct the Plan Administrator to make a direct rollover on your behalf. Also, you may not first roll over after-tax contributions to an IRA and then roll over that amount into an employer plan.

**30-Day Notice Period/Waiver.** After receiving this notice, you have at least 30 days to consider whether to receive your distribution or have the distribution directly rolled over. If you do not wish to wait until this 30-day notice period ends before your election is processed, you may waive the notice period by making an affirmative election indicating whether or not you wish to make a direct rollover. Your distribution then will be processed in accordance with your election as soon as practical after the Plan Administrator receives your election.

## B. DIRECT ROLLOVER

**Direct rollover process.** You may elect a direct rollover of all or any portion of an eligible rollover distribution. If you elect a direct rollover, the Plan Administrator will pay the eligible rollover distribution directly to your IRA or to another eligible employer plan which you have designated. For the cash portion of your distribution, if any, the Plan Administrator may give you a check negotiable by the trustee or custodian of the recipient eligible employer plan or IRA. You must deliver the check to that trustee/custodian. A direct rollover amount is not subject to taxation at the time of the rollover. The taxable portion of your direct rollover will be taxed later when you take it out of the IRA or the eligible employer plan. Depending on the type of plan, the later distribution may be subject to *different tax treatment* than it would be if you received a taxable distribution from this Plan. If you elect a direct rollover, your election form must include identifying information about the recipient IRA or plan.

**Treatment of periodic distributions.** If your Plan distribution is a series of payments over a period of less than ten years, each payment is an eligible rollover distribution. Your election to make a direct rollover will apply to all payments unless you advise the Plan Administrator of a change in your election. The Plan might not let you choose a direct rollover if your distributions for the year are less than \$200.

**Splitting a distribution/small distributions.** If your distribution exceeds \$500, you may elect a direct rollover of only a part of your distribution, provided the portion directly rolled over is at least \$500. If your distribution is \$500 or less, you must elect either a direct rollover of the entire amount or payment of the entire amount. The Plan might not let you choose a direct rollover if your distributions for the year are less than \$200.

**Change in tax treatment resulting from a direct rollover.** The tax treatment of any payment from the eligible employer plan or IRA receiving your direct rollover might be different than if you received your benefit in a taxable distribution directly from the Plan. For example, if you were born before January 1, 1936, you might be entitled to ten-year averaging or capital gain treatment, as explained below. However, if you roll over your benefit to a §403(b) tax-sheltered annuity, a governmental 457 plan, or an IRA, your benefit no longer will be eligible for that special treatment. See the sections below entitled "10% penalty tax if you are under age 59½" and "Special tax treatment if you were born before 1936."

## C. DISTRIBUTIONS YOU RECEIVE

**Taxation of eligible rollover distributions.** The taxable portion of an eligible rollover distribution which you elect to receive is taxable to you in the year you receive it unless, within 60 days following receipt, you roll over the distribution to an IRA or to another eligible employer plan.

**Withholding on eligible rollover distributions.** The taxable portion of your eligible rollover distribution is subject to 20% federal income tax withholding. You may not waive this withholding. For example, if you elect to receive a taxable eligible rollover distribution of \$5,000, the Plan will pay you only \$4,000 and will send to the IRS \$1,000 as income tax withholding. You will receive a Form 1099-R from the Plan reporting the full \$5,000 as a distribution from the Plan. The \$1,000 withholding amount applies against any federal income tax you may owe for the year. The direct rollover is the only means of avoiding this 20% withholding.

**60-day rollover option.** The direct rollover explained in Section B is not the only way to make a rollover. If you receive payment of an eligible rollover distribution, you still may roll over all or any portion of the distribution to an IRA or to another eligible

employer plan that accepts rollovers. If you decide to roll over the distribution, *you must make the rollover within 60 days of your receipt of the payment*. The portion of your distribution which you elect to roll over is not subject to taxation until you receive distributions from the IRA or eligible employer plan.

You may roll over 100% of your eligible rollover distribution even though the Plan Administrator has withheld 20% of the distribution for income tax withholding. If you elect to roll over 100% of the distribution, you must obtain *other money* within the 60-day period to contribute to the IRA or eligible employer plan to replace the 20% withheld. If you elect to roll over only the 80% which you receive, the 20% withheld will be subject to taxation.

*Example.* Assume the taxable portion of your eligible rollover distribution is \$5,000, and you do not elect a direct rollover. The Plan pays you \$4,000, withholding \$1,000 for income taxes. However, assume within 60 days after receiving the \$4,000 payment, you decide to roll over the entire \$5,000 distribution. To make the rollover, you will roll over the \$4,000 you received from the Plan and you will contribute \$1,000 from other sources (your savings, a loan, etc.). In this case, you will not have any tax liability with respect to the Plan distribution. The Plan will report a \$ 5,000 distribution for the year and you will report a \$5,000 rollover. When you file your income tax return, you may receive a refund of the \$1,000 withheld. If you roll over only the \$4,000 paid from the Plan, the \$1,000 you do not roll over is taxable. In addition, the \$1,000 you do not roll over may be subject to a 10% penalty tax. See the discussion in paragraph 5. When you file your income tax return, you still may receive an income tax refund, but the refund likely will be smaller because \$1,000 of the distribution is taxable.

**Withholding on distributions not eligible for rollover.** The 20% withholding does not apply to any taxable portion of your distribution that is *not* an eligible rollover distribution. You may elect whether to have federal income tax withholding apply to that portion. If you do not wish to have any income taxes withheld on that portion of your distribution, you will need to sign and date IRS Form W-4P, checking the box opposite line 1. The Plan Administrator will provide you Form W-4P if your distribution includes an amount that does not constitute an eligible rollover distribution. If you do *not* return the Form W-4P to the Plan Administrator prior to the distribution, the Plan Administrator will treat the failure to return the form as an *affirmative election* to have withholding apply.

**10% penalty tax if you are under age 59½.** If you receive a distribution from the Plan before you reach age 59½ and you do not roll over the distribution, the taxable portion of your distribution is subject to a 10% penalty tax in addition to any federal income taxes unless an exception applies. For example, the 10% penalty tax does not apply if you separate from service with the Employer during or after the year in which you attain age 55 (age 50 for public safety), and then receive a distribution. See IRS Form 5329 for more information on the 10% penalty tax.

The 10% penalty tax will not apply to distributions from a governmental 457 plan, except to the extent the distribution (including earnings) is attributable to an amount you rolled over *to* that plan from another type of eligible employer plan or IRA. Any amount rolled over *from* a governmental 457 plan to another type of eligible employer plan or to a traditional IRA will become subject to the additional 10% tax if it is distributed to you before you reach age 59½, unless one of the exceptions applies.

**Special tax treatment if you were born before 1936.** If your distribution is a "lump sum distribution," and you were born before 1936, you may elect special treatment, but only if you do not roll over any part of the lump sum distribution. If you roll over only a portion of your distribution to an IRA, a governmental 457 plan, or a 403(b) tax-sheltered annuity, this special tax treatment is not available for the rest of the payment. A lump sum distribution is a distribution, within one calendar year, of your entire vested account balance (including any nontaxable portion of your distribution) under the Plan (and certain similar plans maintained by the Employer). If you are not a self-employed individual, the distribution must occur after you attain age 59½ or after you have separated from service with the Employer. For a self-employed individual, a lump sum distribution must occur after the self-employed individual attains age 59½ or becomes disabled.

*Ten-year averaging.* If you receive a lump sum distribution and you were born before 1936, you can make a one-time election to figure the tax on the lump sum distribution under "10-year averaging" using 1986 tax rates. Ten-year averaging often reduces the tax you owe.

*Capital gain treatment.* If you receive a lump sum distribution, you were born before 1936 *and* you were a participant in the Plan before 1974, you may elect to have the part of your lump sum distribution attributable to your pre-1974 participation taxed as long-term capital gain at a rate of 20%.

*Income averaging election and limitations.* You must have completed at least five years of active participation in the Plan for special tax treatment to apply to the lump sum distribution election. You may elect special tax treatment, known as income averaging, by filing IRS Form 4972 with your income tax return. The instructions to Form 4972 provide further details regarding the reporting of your lump sum distribution and describe the rules for determining whether a distribution qualifies as a lump sum distribution. As a general rule, you may not elect income averaging for a lump sum distribution if you elected income averaging with respect to a prior lump sum distribution you received after December 31, 1986, or after you had attained age 59½. You may not elect this special tax treatment if you rolled amounts into this Plan from a §403(b) tax-sheltered annuity contract, from a governmental 457 plan or from an IRA not originally attributable to a qualified employer plan. You also may not elect income averaging if you previously rolled over another distribution from the Plan. Finally, you may not elect income averaging if you roll

over your distribution to an IRA, a governmental 457 plan or a §403(b) tax-sheltered annuity, and then take a distribution from the IRA, plan or annuity.

**Repayment of participant loans.** If you have an outstanding participant loan when you separate from service with the Employer, the Employer may reduce ("offset") your account balance by the outstanding loan balance. The loan offset is a distribution and is taxable to you unless you roll over the amount of the offset within 60 days of the date of the offset. Withholding does not apply if the loan offset is your only distribution. If you receive a distribution of cash or property in addition to the offset, withholding will apply to the entire distribution, but the withholding amount will not exceed the amount of cash or property (other than employer securities) you receive in addition to the offset. You may not roll over the amount of a defaulted plan loan that is a taxable *deemed* distribution.

**Government publications.** IRS Publication 575 and IRS Publication 590 provide additional information about the tax treatment of plan distributions and rollovers. These publications are available from your local IRS office, on the IRS's Internet Website at [www.irs.gov](http://www.irs.gov), or by calling 1-800-TAX-FORMS.

**Employer Securities.**[2] The Code provides a special rule for a distribution which includes Employer securities (i.e., stock of the Employer). In order to take advantage of this special rule: (1) the distribution must qualify as a lump sum distribution; or (2) the Employer stock must be attributable to after-tax employee contributions. Under this special rule, you have the option of not paying the tax on the "net unrealized appreciation" of the stock until you sell the stock. Net unrealized appreciation generally is the increase in the value of the Employer stock while the Plan held the stock. For example, if the Employer contributed Employer stock to your account when the stock was worth \$500 but the stock is worth \$800 when you receive it, you could elect not to pay the tax on the \$300 increase in value until you later sold the stock.

*Election against special rule.* You may elect not to have the special rule apply to net unrealized appreciation. If you elect not to apply the special rule, your net unrealized appreciation is taxable in the year of distribution, unless you roll over the stock. You may roll over the stock to an IRA or to another eligible employer plan in a direct rollover or a rollover which you make yourself. Generally, you no longer will be able to use the special rule for net unrealized appreciation if you roll the stock over to an IRA or to another eligible employer plan.

*Withholding requirements.* If you receive only Employer stock in a distribution that is eligible for rollover, withholding will not apply to the distribution. If you receive cash or property other than Employer stock, as well as Employer stock, in a distribution that is eligible for rollover, the plan will base the 20% withholding amount on the entire taxable amount paid to you (including the value of the Employer stock determined by excluding the net unrealized appreciation). However, the amount withheld will not exceed the cash or property (excluding Employer stock) paid to you.

*Income averaging.* If you receive Employer stock in a distribution which qualifies as a lump sum distribution, the income averaging election also may apply. See IRS Form 4972 for additional information on these rules.