

DELAND MUNICIPAL POLICE OFFICERS' RETIREMENT FUND
SUMMARY PLAN DESCRIPTION

February 2020

SECTION 1

INTRODUCTION

This summary plan description is intended to inform you and your beneficiaries about the benefits provided by the City of DeLand Municipal Police Officers' Retirement Plan (hereinafter, the "Plan"). It is current through the latest Plan amendment set forth in Ordinance No. 2017-07. Contained within this booklet is a brief summary of the benefits provided by the Plan, as well as a brief description of the powers of the Retirement Committee.

This booklet is designed as a guide and should be recognized as a summary of the Plan. In the event of a conflict between this booklet and the actual statutes, charter provisions, ordinances, and resolutions that create this Plan, those foundational provisions control. If you have any questions concerning this booklet or any of its provisions, you should address your questions in writing to the Retirement Committee, DeLand Municipal Police Officers' Retirement Fund, 209 West Howry Avenue, DeLand, Florida 32720.

SECTION 2

WHAT IS THE PLAN?

The Plan is a defined benefit plan established in accordance with City of DeLand Ordinance No. 72-46, as restated and amended. It is considered a "local law plan." Also affecting this Pension Fund are certain provisions of Part VII of Chapter 112 and Chapter 185 of the Florida Statutes, as applicable. Benefits provided under the Plan are also subject to collective bargaining between the City of DeLand and Teamsters Local 385. Article 18 of the 2015-2016 collective bargaining agreement sets forth pension-related agreements.

The Plan is an irrevocable trust designed to provide retirement, death, and disability benefits to "police officers," as such term is defined by Section 185.02(16), Florida Statutes, who are employed by the City of DeLand. As an irrevocable trust, the monies contained in the Plan can never be used for

shawnany purpose other than providing retirement benefits for participants as well as their beneficiaries and to defray the reasonable expenses of the Plan.

A defined benefit plan provides a plan participant, at normal retirement, a specified percentage of pay multiplied by the number of years of service during which the participant was an employee of the City. This benefit is guaranteed through a combination of participant contributions, City and State contributions, and investment earnings on the assets of the Plan. In addition, the full faith and credit of the City of DeLand guarantees the financial security of the Plan.

SECTION 3

WHO IS ELIGIBLE TO BE A PARTICIPANT?

Participation in the Plan is mandatory for all full-time police officers employed by the City of DeLand. As participants, police officers are required to contribute seven and three-quarters percent (7.75%) of salary to the Plan. The City makes payment of these contributions on behalf of the participants in lieu of a payroll deduction from the participants' earnings; this is called a "pick-up" by the city. The contributions are then placed directly in the Plan and considered participant contributions.

The purpose of "pick-up" is to allow an employee to defer taxation on participant contributions until such time as an employee actually receives a pension. This may result in a lower payment of tax by the employee since taxes paid in the future on monies earned in the present may be reduced by inflation and by the decline in salary which accompanies retirement. The "pick-up" has been in operation since September 29, 1990, and is authorized pursuant to City ordinance and Section 414(h)(2) of the Internal Revenue Code.

SECTION 4

WHO MANAGES THE PLAN?

The sole and exclusive management and administration of the Plan is vested in the control of the retirement committee, sometimes called a Board of Trustees. Your Plan has five (5) trustees; two

(2) of which are elected by the participants, two (2) of the trustees are appointed by the City Council, and a fifth trustee is elected by a majority of the other four trustees.

The retirement committee is responsible for directing the investment of the assets of the Plan to ensure that there will be adequate monies for future benefits. Those investments are made by professional money managers whose performance is monitored by an independent investment consultant on a quarterly basis.

The Plan also employs professional actuaries who help determine the participants' benefits and contributions due from the City, a certified public accountant to audit the Plan's financial records, and an attorney with expertise in the area of public pension law to advise the retirement committee. With the assistance of these professionals, the retirement committee is responsible for interpreting and applying the Plan and making determinations concerning all claims for benefits.

The elected and appointed trustees serve terms of four years. There are no term limits. The trustees receive no compensation for their service, and may only receive reimbursement for expenses incurred on behalf of the Plan. In order to keep up on the latest trends in pension management, trustees regularly attend schools and seminars pertaining to the management of pension funds for public employees.

The fiscal year of the Plan is October 1st through September 30th. The Plan's records are kept on a fiscal year basis. All records and books of the Plan, except medical records, are available for public inspection at the office of the City Clerk.

SECTION 5

HOW DO I EARN CREDITS TOWARD MY PENSION?

Credited service is based on completed calendar months of continuous, uninterrupted service with the City. A participant is considered "vested" upon completion of ten (10) years of credited service. The term "vested" means that a participant need not render any further service as an employee of the City in order to receive a pension benefit upon attaining eligibility for a benefit. If a participant who is

not vested leaves the service of the City, all accumulated contributions are refunded to the participant without interest.

SECTION 6

WHAT BENEFITS DO I RECEIVE UPON RETIREMENT?

The Pension Fund provides for three types of retirement: normal retirement, early retirement and disability retirement.

Normal Retirement -

A participant is eligible for a normal retirement benefit when the participant has attained age fifty-five (55) and ten (10) years of credited service, or has attained twenty (20) years of credited service regardless of age. Provided, however, that a participant may continue employment beyond normal retirement date.

The normal retirement benefit provides that a participant receives a monthly benefit of three (3%) percent of the member's final monthly compensation, multiplied by the number of years and completed calendar months of credited service.

Final monthly compensation means one-twelfth of the average annual compensation of the five highest-income years of the last ten years of creditable service prior to retirement, termination, or death.

Early Retirement -

A participant is eligible for an early retirement benefit when the participant has attained age fifty (50) and ten (10) years of credited service. The early retirement benefit is calculated in the same manner as a normal retirement benefit except that the early retirement benefit is reduced by an actuarial factor that takes into account the participant's younger age and the earlier commencement of retirement income. This actuarial reduction factor shall not exceed three percent for each year by which a participant's age at retirement precedes normal retirement age.

Disability Retirement -

In the unfortunate event that a participant becomes disabled prior to taking a retirement benefit, a disability benefit may be available under the Plan. If a participant has suffered a service-connected injury, illness, or disease which wholly prevents the participant from rendering useful and efficient service as a police officer, a service-connected disability pension benefit may be available. This disability pension benefit is equal to the greater of the participant's accrued retirement benefit or sixty percent (60%) of a participant's final monthly compensation at the time of disability.

If a participant is wholly prevented from rendering useful and efficient service as a police officer due to a non-service connected injury, illness or disease a non-service-connected disability pension benefit may be available. This disability pension benefit is equal to the greater of the participant's accrued retirement benefit or fifty percent (50%) of a participant's final monthly compensation at the time of disability.

Cost-of-Living Adjustments (COLA) –

On January 1 of each year, all participants and beneficiaries of participants who retired prior to January 1, 2008, shall receive an annual COLA equal to one-half of one percent (0.5%) of the participant's benefit amount as of the annual adjustment date. Any participant or beneficiary of a participant who retires after January 1, 2008, must have attained normal retirement date to be eligible to receive the COLA. All participants employed on or after March 21, 2011, or the beneficiaries of such participants that attain the earlier of (1) the receipt of a benefit for a minimum of three years or (2) age 55, shall be entitled to the above-stated COLA plus an additional annual one and one-half percent (1.5%) COLA effective on the participant's date of retirement or entry into DROP and each year thereafter.

SECTION 7

WHAT IF I DIE BEFORE I AM RETIRED?

In the event that participant's service is terminated by reason of death on or prior to his or her normal retirement date, benefits are payable to the participant's designated beneficiary. The benefits payable to the participant's surviving beneficiary is the benefit which can be supported by the greater of A or B, where A is the single sum value of the participant's accrued deferred benefit at date of death and B is the lesser of twenty-four (24) times the participant's final monthly compensation at date of death or one-hundred (100) times the participant's anticipated monthly normal retirement benefit. However, the designated beneficiary may elect to receive distribution of benefits in any other actuarially equivalent manner or form as they may request and the retirement committee may approve.

SECTION 8

HOW DO I RECEIVE MY RETIREMENT BENEFIT?

Various benefit options are available when a participant elects retirement. The standard form of retirement is ten (10) years certain, which means that a participant shall receive a monthly benefit payable until the participant's death, however, if the participant dies before receiving benefits for a period of ten (10) years (i.e., 120 monthly payments), the same monthly benefit will be paid to the designated beneficiary or estate for the balance of the ten (10) year period (i.e., the remainder of the 120 monthly payments). The plan also provides joint and survivor benefits that provide a lifetime benefit to the designated beneficiary. These options permit a lifetime survivor benefit equal to fifty percent (50%), sixty-six and two-thirds percent (66 2/3%), seventy-five percent (75%) and one-hundred percent (100%) of the monthly retirement benefit payable to the participant. Any optional form of benefit shall be reduced to the actuarial equivalent to the standard form. Additionally, the plan provides for a single life annuity option or the payment of any other actuarially equivalent benefit approved by the retirement committee or provided by law. These benefits begin on the first day of the month coincident with or next following the participant's actual retirement date. The amount of any optional form of benefit shall be adjusted to the actuarial equivalent to the standard form.

SECTION 9

HOW DO I APPLY FOR BENEFITS?

Application for retirement benefits is made by filing an application with the Retirement committee. Application for disability retirement benefits requires the completion of an application and submission to such medical examinations as are determined by the retirement committee.

If an application for benefits is denied, suspended, or terminated, in whole or in part, then the participant shall be furnished with a Notice of Denial, Suspension, or Termination in writing. The participant may file a written Notice of Appeal after receipt of the Notice of Denial, Suspension or Termination. The retirement committee shall hold a public hearing to hear the appeal, at which time the participant will have the opportunity to be represented by counsel, to present evidence and testimony in support of the application, and to make arguments in support of the application. The retirement committee shall rule on the appeal and issue a written decision. If the retirement committee denies the appeal, whether in whole or in part, then the retirement committee's written decision shall set forth specific reasons for such denial and specific references to the relevant plan provisions.

If the participant is dissatisfied with the retirement committee's decision, he or she has the opportunity to appeal that decision by filing a petition for common law certiorari in the Circuit Court of Volusia County, Florida.

SECTION 10

ARE PENSION BENEFITS SUBJECT TO CLAIMS FROM ANY CREDITOR?

Under state law and local ordinance, this Plan is exempt from claims of most creditors. The only exception is an income deduction order rendered by a court for payment of child support or alimony. The income deduction order will only affect your pension once you begin receiving benefits pursuant to the terms of the Plan.

While the Plan itself is exempt from claims of most creditors, the retiree is not. Once the money actually passes to the retiree, that money loses its protection from creditors.

SECTION 11

ARE MY PENSION BENEFITS TAXABLE?

Retirement payments and non-service connected disability pensions may be taxable as ordinary income. The retiree will receive a tax form from the Plan at the end of each year, reporting the income received. Service-connected disability retirement pensions may be considered tax exempt. For specific tax advice on your retirement, you should consult a qualified tax expert.

SECTION 12

LIMITATIONS ON BENEFITS

The Internal Revenue Service and Florida Statutes place certain limitations on the maximum benefits payable by the Plan which, in rare instances, could result in participants receiving benefits lower than those set forth in this booklet.

SECTION 13

FORFEITURE OR DISQUALIFICATION OF BENEFITS

Once vested, benefits under this Plan are non-forfeitable except for a few limited exceptions. A participant who is convicted of or whose employment is terminated because of the admitted commission, aid, or abatement of certain felonies specified in section 112.3173, Florida Statutes, shall, after a full hearing, forfeit all rights and benefits under the Plan, except for the return of accumulated participant contributions without interest.

A participant shall not be entitled to receive disability benefits if the disability is a result of excessive and habitual use of drugs, intoxicants, or narcotics; injury or disease sustained while willfully and illegally participating in fights, riots, civil insurrections or while committing a felony; injury or disease

sustained while serving in any armed forces; injury or disease sustained after termination of city employment; injury or disease sustained while working for an employer other than the city; or injury or disease sustained as a result of an act of war.

SECTION 14

SUMMARY

The foregoing summary plan description has been designed to help answer some of your questions about how your Plan is organized and managed. Nothing in this document is intended to amend the Plan as set forth in municipal ordinance. In the event of any conflict between this booklet and those laws, the provisions in the law control.

SECTION 15

ADMINISTRATION AND TRUSTEES

The Fund is administered by the retirement committee. The Chairman of the retirement committee is authorized as the registered agent to accept service of process on behalf of the Fund. The trustees are:

Chris Jaques – Chairman

John Anderson

Tom Ellis

James Rybinski

Michael Brooks

You may write or contact the retirement committee or any of the trustees at the following address:

DeLand Municipal Police Officers' Retirement Plan
DeLand Police Department
219 West Howry Avenue
DeLand, Florida 32720

CITY OF DELAND POLICE OFFICERS' RETIREMENT PLAN

DEFERRED RETIREMENT OPTION PROGRAM

THE "DROP" PLAN

CITY OF DELAND MUNICIPAL POLICE OFFICERS' RETIREMENT PLAN

DEFERRED RETIREMENT OPTION PROGRAM

The City of DeLand Municipal Police Officers' Retirement Plan Board of Trustees submitted to the City Commission and received approval for the establishment of a new benefit program for eligible Police Officers' Retirement Plan members. That program is the Deferred Retirement Option Plan also referred to as the "DROP" Plan. The Plan allows members who have met the eligibility requirement for normal retirement to have their retirement benefits deposited, monthly into a DROP account, earning interest, while simultaneously continuing to work (but not earning additional credit for retirement). The purpose of this program is to provide a way for retirees to accumulate additional savings while continuing employment.

The following DROP summary is provided to assist you in understanding the DROP and whether participating in the DROP will be beneficial for you. Employees considering utilizing the DROP should consult with a financial planner or tax advisor prior to submitting the attached Notice and Application particularly on what tax consequences there are in entering the DROP plan.

DROP Summary

- 1. What is a DROP?** Under the Deferred Retirement Option Plan (DROP), you may "retire" and instead of having your monthly retirement benefit paid directly to you or deposited in your bank, it will be paid into a DROP account, where it will earn interest, tax deferred, for as long as you participate in the DROP up to a maximum of sixty (60) months (5 years). In the meantime your contributions to the Retirement Plan are eliminated and you continue to work for the City of DeLand Municipal Police up to the date you pre-selected to stop participation in the DROP. When the DROP period ends, you **must** terminate employment. At that time, you will receive payment of the accumulated DROP benefits **and** monthly retirement benefits from the Police Officers' Retirement Plan. The amount of monthly retirement benefit received will be the same amount as determined when you entered the DROP, plus any cost-of-living increases approved during the period of time you were in the DROP.
- 2. When can I DROP?** You can enter the DROP when you reach your normal retirement date. Normal retirement age for employees in the Police Officers' Pension Fund is once you have reached fifty-five (55) years of age and have ten (10) years of credited service with the City of DeLand **or** twenty (20) years of credited service regardless of age. If you reached normal retirement prior to the adoption of this benefit, you may participate immediately in the DROP. However, you must do so no later than sixty (60) days after the Board of Trustees provides you with notice of this option.
- 3. Who is eligible to DROP?** Vested Police Officers' Retirement Plan members who have reached their normal retirement date.

4. **How long can I participate in the DROP?** You may participate for a maximum of sixty (60) months. When the sixty (60) months is over, you must terminate your employment with the City of DeLand Municipal Police as stated in Notice and Application to participate in the DROP.
5. **Can I terminate employment before any preselected DROP date?** Yes, you **may** terminate your employment anytime within the sixty (60) month period. However, you **must** terminate at the end of this five-year period.
6. **How much interest will my DROP account earn?** DROP accounts earn interest compounded monthly at an annual rate set by the City of DeLand Municipal Police Officers' Retirement Plan Board of Trustees. The current annual rate of interest is six and one-half percent (6.5%). The Board of Trustees along with the City shall review the stated rate of return on an annual basis in order to determine the necessity of any adjustment. DROP accounts are paid to you upon termination of employment in one of three ways; lump sum, direct rollover to an eligible retirement plan, or combined partial lump sum and direct rollover.
7. **Do I continue to contribute a percentage of my salary to the Retirement Plan?** No, once you enter the DROP program the City will no longer deduct a percentage from your salary and deposit it into the Retirement Plan.
8. **Is there a cost that I must pay for participation in the DROP?** Yes, to compensate the Retirement Plan for expenses related to administering the DROP, each member's account shall be charged an annual administrative fee. Such fee shall be reviewed and subject to change annually. An initial expense charge of one percent (1%) of the account balance shall be deducted from the member's account after each fiscal quarter at the rate of one quarter of one percent (0.25%) of the account's average daily balance during that quarter.
9. **Who is entitled to my DROP benefits if I should die before the end of my DROP participation?** Your designated beneficiary is eligible to receive all accumulated DROP benefits and will inherit your right to elect and receive the payout options.
10. **What if I become disabled while participating in DROP?** Once you enter the DROP plan, you will **not** be eligible for the City of DeLand Municipal Police Officers' Retirement Plan disability benefits. However, you will begin to receive the monthly retirement benefit that was determined when you began participation in the DROP and payment from your accumulated DROP account.
11. **Should I participate in the DROP or keep earning additional credit in the City of DeLand Municipal Police Officers' Retirement Plan?** One of the most important decisions you will have to make is whether you should participate in the DROP or continue earning credits in the City of DeLand Municipal Police Officers' Retirement Plan. To assist in this decision, the actuary can provide, upon request, an estimate of the benefits you will receive if you elect to participate in the DROP or if you decide to continue earning credits in the City of DeLand Municipal Police Officers' Retirement Plan. Upon receipt of these estimates, you should meet with your accountant, CPA, financial planner, etc., to review your total financial situation, including Police Officers' Retirement Plan benefits and/or DROP payments, personal

investments, and Social Security benefits, to determine which choice will be the best decision for your future.

12. **Where can I receive advice on my personal financial needs in determining whether to participate in the DROP program?** The Board of Trustees strongly encourages you to thoroughly review your financial situation and clearly understand the DROP before making your selection. You should meet with your accountant or a financial planner to assist you in your decision.
13. **Does enrolling in DROP for a certain period of time require the city to keep me employed for at least that period?** No, your employer/employee relationship is not changed by DROP. You may terminate your employment or the City of DeLand Municipal Police may terminate you in the same manner as before DROP participation.
14. **What forms do I need to complete to participate in the DROP?** The forms that are required to enroll in DROP are available from the Board of Trustees and are attached to this Summary.
15. **How will my DROP benefits be taxed?** If you elect to have your DROP assets rolled over to an eligible retirement plan (definition provided in the following question) there will be no taxes due until you begin to withdraw funds from the eligible retirement plan. If you elect to receive a total or partial lump sum of your DROP assets the lump sum amount will be taxed as ordinary income the year you receive it. The City of DeLand Municipal Police Officers' Retirement Plan is required to retain 20% tax withholding on these assets prior to distribution to you. There is an additional 10% tax if you receive any payment prior to attaining 59 ½ years of age. When you file your income taxes that year you may also owe additional taxes, depending on your tax bracket. For example, a lump sum distribution of \$100,000 would require the City of DeLand Municipal Police Officers' Retirement Plan to automatically withhold 20% or \$20,000. Income taxes filed for that year would reflect the lump sum amount paid plus the credit for 20% tax already withheld. A member in the 28% tax bracket would owe an additional 8% tax or \$8,000, in effect reducing the lump sum benefit from \$100,000 to \$72,000. In addition, other taxes may be due.
16. **If I decide to rollover my DROP benefits what can I roll them into?** The law states that rollovers must be paid directly to the custodian of an eligible retirement plan as defined in §402(c)(8)(B) of the Internal Revenue Code (IRC). Eligible retirement plans include an individual retirement account (IRA) as described in §408(a), IRC; an individual retirement annuity [§408(b), IRC, except an endowment contract]; a qualified trust, and an annuity plan as described in §403(a), IRC. If you die, your beneficiary will only be eligible to rollover your DROP benefits into an individual retirement account or an individual retirement annuity as described in §402(c)(9), IRC.
17. **Can I change my option while participating in DROP?** No, once participation in DROP begins, your retirement option choice is final and you cannot change your option.

18. **Am I covered for Social Security while participating in DROP?** Yes, if you begin DROP participating after age 60 and you plan to participate for the whole 5 years, remember that you need to enroll in Medicare when you first turn age 65. If you enroll late, you may have to pay higher premiums.

19. **How do I commence my enrollment in the DROP?** The Application and Notice that must be submitted to the City of DeLand Municipal Police Officers' Retirement Plan Board of Trustees is attached. You may also contact the Board of Trustees should you have any questions regarding the DROP.

CITY OF DELAND MUNICIPAL POLICE OFFICERS'
RETIREMENT FUND

**NOTICE OF ELECTION AND APPLICATION TO PARTICIPATE IN THE DEFERRED
RETIREMENT OPTION PLAN (DROP) AND
RESIGNATION OF EMPLOYMENT**

This Notice of Election and Application must be submitted to the City of Deland Police Officers' Retirement Fund prior to beginning participation in the DROP.

Name: _____ Social Security No. _____

Home Mailing Address: _____ Zip Code _____

Job Title: _____ Birth Date: _____

Department: _____

DROP begin date: ____/____/____ **DROP termination and resignation date:** ____/____/____
(Not more than sixty (60) months after DROP begin date)

ACKNOWLEDGMENTS BY PARTICIPANT

I elect to participate in the Deferred Retirement Option Plan (DROP) and have resigned my employment effective on the date stated above and hereby make application to participate in the DROP, as authorized in accordance with Section 23-76 of the City of DeLand Code of Ordinances. I hereby acknowledge and agree to the foregoing and the following:

I understand that to receive a DROP benefit I must terminate employment with the City of Deland Municipal Police Department.

I understand that I cannot add additional service, change options, or change my type of retirement after the above DROP begin date.

I understand that the earliest date my participation in the DROP can begin is the first date I reach my normal retirement date as determined by City of DeLand Code of Ordinances.

I understand that my DROP participation cannot exceed a maximum of sixty (60) months, although I may elect to participate in the DROP for less than sixty (60) months.

I understand that participation in the DROP does not guarantee my employment for the DROP period.

I understand that when my participation in the DROP begins, my DROP benefit will be the benefit option I have selected below.

I understand that my DROP benefit will accrue with interest, currently at the rate of 6.5% for the duration of my DROP participation.

I understand that the rate of interest shall be reviewed annually by the Deland Municipal Police Officers' Retirement Fund, Board of Trustees (hereafter referred to as the "Board") and may be reduced or increased in their discretion if they deem such action is required. I hereby acknowledge that I understand and accept this risk.

I understand that upon entering the DROP, I will neither be eligible, nor shall, receive disability or pre-retirement death benefits from the Retirement Fund.

Participation in the DROP is irrevocable. Once I enter the DROP, my earnings and service with the City of Deland Municipal Police Department thereafter will not be used to determine my pension benefits.

The Board has adopted procedures for the administration of the DROP and reserves the right to change them from time to time. I have received and read a copy of these procedures. I agree to those provisions as they may be changed from time to time by the City Commission as recommended by the Board.

The DROP accounts will not be segregated from the rest of the pension trust fund. All monies in the fund will be invested according to the Investment Guidelines adopted by the Board, which are subject to revision from time to time.

The DROP is meant to comply with the provisions of the Internal Revenue Code and the Board will take no action that may jeopardize the qualification of the Retirement Fund. The Board, in their sole discretion, may defer payment if doing so would jeopardize the Retirement Fund's Internal Revenue Service tax qualification or violates the Internal Revenue Code. I understand that the payment of my DROP account may be deferred and may not be paid out according to my request.

I understand that my "DROP" will be based on my option selection and will accrue with interest and any cost-of-living adjustments for the duration of my "DROP" participation. Upon termination of my employment and "DROP", I must elect one of the following methods of payment of my "DROP" benefit within thirty (30) days after the end of any calendar quarter following my termination or retirement date.

___ 1. Lump Sum – All accrued "DROP" benefits, plus interest, less tax remitted to the Internal Revenue Service (IRS), shall be paid to me or my surviving beneficiary.

___ 2. Direct Rollover – All accrued "DROP" benefits, plus interest, shall be paid from the DROP directly to the custodian of an eligible retirement plan as defined in §402(c)(8)(B), Internal Revenue Code (IRC). If the benefit is to be paid to a surviving beneficiary, then the transfer of benefits shall be to an individual retirement account or annuity as described in §402(c)(9), IRC.

___ 3. Partial Lump Sum – A portion of the accrued "DROP" benefits shall be paid to me or my surviving beneficiary, less IRS tax, and the remaining "DROP" benefits shall be transferred directly to the custodian of an eligible retirement plan as defined in §402(c)(8)(B), IRC. However, in the case of an eligible rollover distribution to the surviving beneficiary of a deceased participant, an eligible retirement plan is an individual retirement account or annuity as described in §402(c)(9), IRC. The "DROP" participant or surviving beneficiary shall specify the proportions.

DESIGNATION OF DROP BENEFICIARY

Herein I have designated my DROP account beneficiary. I am under no duress in making this designation and have had the opportunity to seek the advice of legal counsel of my own choosing. I hereby acknowledge my designation of beneficiary as contained herein. All my previous beneficiary designations are null and void.

Primary Beneficiary: _____ Birth Date: _____

Social Security No. _____ Relationship: _____

Home Mailing Address: _____

Telephone Numbers: Home: _____ Work: _____

Contingent Beneficiary: _____ Birth Date: _____

Social Security No. _____ Relationship: _____

Home Mailing Address: _____

Telephone Numbers: Home: _____ Work: _____

Member's Signature (sign in the presence of a Notary) _____

State of Florida, County of _____

The foregoing instrument was acknowledged before me on this ___ day of _____, _____, by _____, named above, who personally appeared before me and who is personally known to me or who has produced _____ as identification and who did take an oath.

My Commission Expires: _____

(Notary Seal)

Notary Public, State of Florida: _____

(Name)

To be completed by City of DeLand's Designated Representative:

I acknowledge that DROP participation for the above-named employee will begin on ___/___/___, and I accept this, the employee's resignation effective ___/___/___ (the date of the employee's DROP participation will terminate).

Signature _____ **Printed Name** _____

Date signed _____ **Telephone No.** _____

Title _____

Distribution: The Original to Board, copy to member and copy to member's in personnel file.