

---

**From:** Avalos, Elizabeth  
**Sent:** Friday, May 04, 2007 12:31 PM  
**To:** Avalos, Elizabeth; AllCounty; Adams, Stacy; Alimi, Mohammad; 'Amy Hatcher'; Bewley, James S.; 'California Nurses Assn'; Dadian, Dawn; Devins, Frances; Flores, Jose (Chaplain); 'Fresno Deputy Sheriffs Assn'; 'Gloria Cantu'; Gomez, Eulalio; Gonzales, David J; Heizenrader, Robin; 'Independent County employees Assn'; Kader, Phil; 'Keven Smith'; Larkin, Curtis; Lewis, Dennis-DDA; Lopez, Henry; Nakagawa, Wendy; 'SEIU'; 'Stationary Engineers - Local 39'; Thompson, Kevin; Tiger, Joseph; 'Tom Abshire (E-mail0'; 'Wayne Wu - Fresno Co. Firefighters Assn'  
**Cc:** Pena, Roberto; Van Wyk, Becky  
**Subject:** RE: Refund of Unfunded Actuarial Accrued Liability included in Cost of Living Contribution

Dear Member:

We have received a number of e-mails asking for clarification of the refund process described in yesterday's e-mail. As a result, we are providing the following clarifications/instructions:

- Please DO NOT change your income tax withholdings with the County of Fresno.
- The refund process has no impact on any payroll information you have on file with the County of Fresno. You will receive a letter from FCERA that includes the amount of the refund AND a withholding form that must be returned to FCERA by July 13, 2007 if you elect not to have any income tax withholdings on the refund.
- The refund calculations will be completed by mid-June and the amount of your refund will be included in the letters described above.
- The County of Fresno has no information on the refund amount, tax withholdings, or timing of the refund. All questions should be directed to FCERA at 559.457.0681.
- The refunds will be issued through FCERA's disbursement bank, The Bank of New York and reported as income on a Form 1099R issued through the Bank of New York in January 2008.
- Although the refunds are taxable, there is no penalty attached to the refund as it is a correction of the plan, not a voluntary withdrawal by the member.
- Transfer to an IRA, deferred compensation or other tax deferred account is not available as this refund is a plan correction.
- The refund process was established for all members, thus FCERA will not keep the excess contributions on deposit and reduce your future contributions.
- FCERA does not know the state withholding rate at this time. It will be posted on the website when we obtain the information and it will be provided in the letters distributed in mid-June.

Please contact me if you have additional questions. Thank you.

Becky Van Wyk, CPA, CGFM  
Assistant Retirement Administrator  
Fresno County Employees' Retirement Association  
phone 559.457.0681, ext 104  
fax 559.457.0318