

**BEFORE THE BOARD OF SUPERVISORS
COUNTY OF FRESNO, CALIFORNIA**

In the matter of:	)	RESOLUTION
	)	
AUTHORIZING THE	)	ADOPTING AND MAKING
DESIGNATION OF	)	GOVERNMENT CODE § 31458.4
BENEFICIARIES	)	APPLICABLE IN FRESNO COUNTY
	)	FOR FCERA MEMBERS'
	)	EX-SPOUSES TO DESIGNATE
	)	BENEFICIARIES
	)	

WHEREAS, the Fresno County Employees' Retirement Association ("FCERA") is the retirement system for the County of Fresno (the "County"), and for participating governmental employer entities (each a "Special District" or collectively, "Special Districts"), governed by the County Employees Retirement Law of 1937 ("CERL," Gov. Code, § 31450 *et seq.*) and the Public Employees' Pension Reform Act of 2013 ("PEPRA," Gov. Code § 7522 *et. seq.*);

WHEREAS, the Board of Supervisors of the County of Fresno (the "County Board of Supervisors") has not heretofore adopted Government Code § 31458.4 allowing a FCERA Member's ex-spouse ("alternate payee") who is receiving or is entitled to receive payments from FCERA pursuant to a court order dividing the community property interest in the FCERA Member's retirement allowance to designate one or more beneficiaries to receive those payments following the death of the alternate payee;

WHEREAS, Government Code § 31458.4 states among other things that if there is no designated beneficiary by the alternate payee, payment shall be made to the estate of the alternate payee;

WHEREAS, Government Code § 31458.4 authorizes the County Board of Supervisors to adopt, by resolution, and make the provisions of Government Code § 31458.4 applicable in Fresno County;

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1 WHEREAS, the County Board of Supervisors has been requested by the FCERA
2 Board of Retirement to so adopt and make applicable Government Code § 31458.4; and

3 WHEREAS, after duly giving all required public notices, and an opportunity for the
4 public to speak and present evidence for and against this Resolution, and having
5 complied with all applicable requirements of the law, the County Board of Supervisors
6 hereby resolves and takes the following actions.

7 **NOW, THEREFORE, BE IT RESOLVED:**

8 1. The County Board of Supervisors hereby adopts this Resolution and makes
9 the provisions of Government Code § 31458.4 applicable in Fresno County.

10 2. The Clerk of the Board of Supervisors shall transmit a certified copy of this
11 adopted Resolution to the Board of Retirement for FCERA and to FCERA; and

12 3. This Resolution shall be effective immediately upon its adoption by the
13 County Board of Supervisors.

14 THE FOREGOING was passed and adopted by the following vote of the Board of
15 Supervisors of the County of Fresno this 26th day of February 2019, to wit:

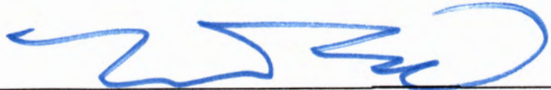
16 AYES: Supervisors Magsig, Mendes, Pacheco, Quintero

17 NOES: None

18 ABSENT: None

19 ABSTAINED: None

20 VACANT: District 2

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22 _____
23 Nathan Magsig, Chairman of the Board of
Supervisors of the County of Fresno

24 ATTEST:
25 BERNICE E. SEIDEL
26 Clerk, Board of Supervisors

27 By Susan Bishop
28 Deputy

Printed: