



## ARLINGTON COUNTY, VIRGINIA

County Board Agenda Item  
Meeting of November 13, 2010

### SUPPLEMENTAL REPORT

**DATE:** November 11, 2010

**SUBJECT:** Advertise amendments to Chapters 21 and 46 of the Arlington County Code.

**DISCUSSION:** This is a supplemental report to clarify ordinance language to specify the option to opt out of the defined benefit plan applies only to employees in the Management Accountability Program.

County Manager: *BMD/mjs*

County Attorney: *[Signature]*

Staff: Marcy Foster, Human Resources

29.

**AN ORDINANCE TO AMEND, REENACT AND RECODIFY CHAPTER 46  
(RETIREMENT ORDINANCES) OF THE ARLINGTON COUNTY CODE.  
BE IT ORDAINED that the Arlington County Code is amended, reenacted and  
recodified as follows:**

**§ 46-27. Eligibility requirements.**

\*\*\*

(a) Except for employees who are covered by section 46-44(h) and persons appointed as county manager who elect not to become members within sixty (60) days after appointment, employees of the county board hired after February 8, 1981, who have not reached normal retirement age (age sixty-two (62)), or in the case of police officers, firefighters, and deputy sheriffs, age fifty-two (52) as of the first day of employment, and all employees of the school board hired after February 8, 1981, and before July 1, 2001, who have not reached normal retirement age (age sixty-two (62)) are members of the system. Notwithstanding the foregoing, retirement benefits under this Chapter shall not be provided to employees in the Management Accountability Program, as defined in Administrative Regulation 2.7, who have entered into an agreement for inclusion in a deferred compensation plan when the agreement prohibits inclusion in any other retirement system established by the county, pursuant Virginia Code 51.1-800(d). Notwithstanding the foregoing, there shall be no age restrictions on membership for persons hired on or after January 1, 1991. Employees who did not meet the eligibility requirements related to age at the time of hire shall have the option to join the system and elect to purchase service credit for service back to January 1, 1991. Such election must be made by December, 1991.

\*\*\*

**§ 46-55. Social Security Option.**

A member who has retired from service pursuant to Section 46-37 (service retirement) may elect to receive an increased retirement allowance until his Social Security full retirement age as defined as of January 1, 2001 or at the early Social Security reduced benefit age if the member elects to receive Social Security at an early age and a decreased retirement thereafter, so that a member will receive a uniform or nearly uniform retirement allowance when the member's retirement allowance is added to the member's anticipated federal Social Security primary benefits.

\*\*\*

**§ 46-44. Benefits upon withdrawal from employment or death.**

\*\*\*

(b) If a member has ceased to be an employee, other than by death or by retirement, after completion of five (5) or more years of service and has not elected in writing as prescribed by the County Manager to withdraw the total amount of his contribution account, he will be eligible to receive a deferred vested retirement allowance commencing on his normal retirement date.