

ORDINANCE NO. 4336

AN ORDINANCE to amend and reordain Section 2-5-51 (RETIREMENT PLAN B ADOPTED FOR POLICE, FIRE DEPARTMENT AND SHERIFF PERSONNEL; EFFECTIVE DATE; SIGNING OF CONTRACTS, ETC.), and Section 2-2-65 (ALTERATION, AMENDMENT OR REPEAL OF PLANS), of Article D (RETIREMENT AND INSURANCE), Chapter 5 (OFFICERS AND EMPLOYEES), Title 2 (GENERAL GOVERNMENT) of The Code of the City of Alexandria, Virginia, 1981, as amended.

THE CITY COUNCIL OF ALEXANDRIA HEREBY ORDAINS:

Section 1. That Section 2-5-51 of The Code of the City of Alexandria, Virginia, 1981, as amended, be, and the same is, amended and reordained to read as follows:

Sec. 2-5-51 Retirement plan--adopted for police, fire department and sheriff personnel; effective date; signing of contracts, etc.

- (a) The Adefined benefit@ retirement and disability income plan known as the ACity of Alexandria Pension Plan for Firefighters and Police Officers,@ as the same may be adopted and amended from time to time by resolution of the city council, is hereby adopted for the personnel of the police and fire departments of the city covered by such plan and first employed before February 13, 1979, unless prior to May 30, 1979, an employee covered under such plan has elected to convert to a "defined contribution" plan as provided for such employees prior to January 1, 2004.
- (b) The Adefined contribution@ retirement plan known as the ACity of Alexandria Retirement Income Plan for Firefighters and Police Officers,@ as the same may be adopted and amended from time to time by resolution of the city council, for the personnel of the police and fire departments of the city first employed on and after February 13, 1979, and covered by such plan, is hereby converted from a defined contribution plan to a combined defined contribution plan and defined benefit plan effective January 1, 2004, subject to the provisions of Section 2-5-65 of this code, and shall be known as the ACity of Alexandria Firefighters and Police Officers Pension Plan.@ On and after February 21,



at the time of such alteration, amendment or repeal shall have accrued for participants or beneficiaries shall not be affected thereby; and provided, further, that to the extent an altered, amended or replacement plan permits, a plan participant may elect to transfer, exchange or forego all or part of such participant=s previously accrued benefit for participation in, or benefits under, such altered, amended or replacement plan . If the city council repeals a plan, it shall, except to the extent an election has been made pursuant to this section, continue to be administered as to the amount of benefits which shall have accrued prior to the repeal in accordance with its terms and provisions and those of the aforesaid sections of this code for the sole benefit of the then participants, any beneficiaries then receiving retirement allowances or benefits and any future persons entitled to receive benefits in accordance therewith who are so designated by any of the said participants.

Section 3. That upon the date and at the time of its final passage this ordinance shall become effective as of January 1, 2004, *nunc pro tunc*.

WILLIAM D. EUILLE

Mayor

Final Passage: February 21, 2004