

ORDINANCE O-2024-

A BILL FOR AN ORDINANCE AMENDING SECTION 3.04.885 OF THE LONGMONT
MUNICIPAL CODE ADOPTING AMENDMENTS TO THE CITY OF LONGMONT “OLD
HIRE” POLICE PENSION PLAN AND “OLD HIRE” FIRE PENSION PLAN

THE COUNCIL OF THE CITY OF LONGMONT, COLORADO, ORDAINS:

Section 1

The Council finds:

Pursuant to sections 4.9 and 4.10 of the Home Rule Charter, the Longmont City Council has, by section 3.04.885 of the Longmont Municipal Code, previously adopted certain pension plans and trust agreements for City employees promulgated by the City and its pension attorneys; and

The City, in consultation with the City Attorney’s Office and its pension attorneys, has amended the City of Longmont “Old Hire” Police Pension Plan and the City of Longmont “Old Hire” Fire Pension Plan; and

The Council has determined to adopt the amendments to the City of Longmont “Old Hire” Police Pension Plan and the City of Longmont “Old Hire” Fire Pension Plan now before the Council.

Section 2

In this Ordinance, ellipses indicate material not reproduced as the Council intends to leave that material in effect as it now reads.

1 Section 3

2 The Council approves and authorizes execution of the amendments of the City of
3 Longmont “Old Hire” Police Pension Plan and the City of Longmont “Old Hire” Fire Pension Plan
4 as described herein.

5 Section 4

6 Effective January 1, 2020, the City Council amends Article 5, Section 6 of the City of
7 Longmont “Old Hire” Police Officers’ Pension Plan by adding the italicized language and deleting
8 the struck language to read as follows:

9 Section 6. Required Distribution of Retirement Benefits. Distributions shall be
10 made in accordance with the requirements of regulations under Code Section
11 401(a)(9) as applicable to governmental plans, including the minimum incidental
12 death benefit requirements and the required beginning date rule. The required
13 beginning date rule is that distribution of a Participant's benefit shall begin no later
14 than the April 1 following the later of the calendar year in which the Participant
15 attains ~~age 70½~~*the applicable age as defined in Code section 401(a)(9)(C)(v)* or
16 terminates employment with the Employer.

17 Section 5

18 Effective January 1, 2020, the City Council amends Article 5, Section 6 of the City of
19 Longmont “Old Hire” Firefighters’ Pension Plan by adding the italicized language and deleting
20 the struck language to read as follows:

21 Section 6. Required Distribution of Retirement Benefits. Distributions shall be
22 made in accordance with the requirements of regulations under Code Section
23 401(a)(9) as applicable to governmental plans, including the minimum incidental

1 death benefit requirements and the required beginning date rule. The required
2 beginning date rule is that distribution of a Participant's benefit shall begin no later
3 than the April 1 following the later of the calendar year in which the Participant
4 attains ~~age 70½~~*the applicable age as defined in Code section 401(a)(9)(C)(v)* or
5 terminates employment with the Employer.

6 Section 6

7 The Council amends paragraph E and F of section 3.04.885 of the Longmont Municipal
8 Code, by adding the italicized language and deleting the struck language to read as follows:

9 3.04.885 Pension plans adopted by reference.

10 Under sections 4.9 and 4.10 of the Charter, the city council adopts the following,
11 all as promulgated by the city and its pension attorneys:

12 . . .

13 E. The City of Longmont "Old Hire" Police Officers' Pension Plan, as amended and
14 restated effective January 1, 1992, and as amended and restated effective January
15 1, 2001, and as amended and restated effective January 1, 2002, and as amended
16 effective March 28, 2005, and as amended effective January 1, 2008; and as
17 amended effective January 1, 2012; and as amended effective January 1, 2013; and
18 as amended and restated effective January 1, 2014, by Ordinance No. 2014-03; and
19 as restated effective January 1, 2014 by Ordinance No. 2015-01; and as amended
20 effective January 1, 2022; *and as amended effective January 1, 2020 by Ordinance*
21 *O-2024-10;*

22 F. The City of Longmont "Old Hire" *Firefighters* ~~'Police Officers'~~ Pension Plan, as
23 amended and restated effective January 1, 1992, and as amended and restated

effective January 1, 2001, and as amended and restated effective January 1, 2002,
and as amended effective March 28, 2005, and as amended effective January 1,
2008; and as amended effective January 1, 2012; and as amended effective January
1, 2013; and as amended and restated effective January 1, 2014, by Ordinance No.
2014-03, and again restated effective January 1, 2014 by Ordinance No. 2015-01;
and as amended and restated effective January 1, 2019, by Ordinance No. O-2018-
57; and as amended effective January 1, 2022; *and as amended effective January
1, 2020 by Ordinance O-2024-10.*

Section 7

To the extent only that they conflict with this ordinance, the Council repeals any conflicting
ordinances or parts of ordinances. The provisions of this ordinance are severable, and invalidity of
any part shall not affect the validity or effectiveness of the rest of this ordinance.

Introduced this _____ day of _____, 2024.

Passed and adopted this _____ day of _____, 2024.

MAYOR

ATTEST:

CITY CLERK

NOTICE: THE COUNCIL WILL HOLD A PUBLIC HEARING ON THIS ORDINANCE AT
7:00 P.M. ON THE _____ DAY OF _____, 2024, AT THE LONGMONT CITY
COUNCIL MEETING.

1 APPROVED AS TO FORM:

2
3
4
5 _____
6 ASSISTANT CITY ATTORNEY

_____ DATE

7
8
9 _____
10 PROOFREAD

_____ DATE

11
12 APPROVED AS TO FORM AND SUBSTANCE:

13
14
15 _____
16 ORIGINATING DEPARTMENT

_____ DATE

17
18 CA File: 24-002700