

ORDINANCE O-2024-

A BILL FOR AN ORDINANCE AMENDING SECTION 3.04.885 OF THE LONGMONT  
MUNICIPAL CODE, ADOPTING AN AMENDED AND RESTATED CITY OF LONGMONT  
GENERAL EMPLOYEES' RETIREMENT PLAN

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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 General Employees' Retirement Plan; and

The Council has determined to adopt the amendments to the City of Longmont General  
Employees' Retirement 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.

Section 3

The Council approves and authorizes execution of the amendments of the City of  
Longmont General Employees' Retirement Plan as described herein.

1 Section 4

Effective January 1, 2020, the Council amends Article 6, section 13 of the City of Longmont General Employees' Retirement Plan by adding the italicized language and deleting the struck language to read as follows:

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

### 13 Section 5

4           The Council amends paragraph D of section 3.04.885 of the Longmont Municipal Code,  
5    by adding italicized material, to read as follows:

3.04.885 Pension plans adopted by reference.

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

9 . . .

D. The City of Longmont General Employees' Retirement Plan, as amended and restated effective January 1, 2002, and further amended by Amendment No. One, effective June 9, 2003, and as amended by Amendment No. two, effective January 1, 2005, and as amended and restated effective January 1, 2006, by Ordinance

No. 2005-101; and as amended in 2008, by Ordinance No. 2008-93, and as amended November 10, 2009. by Ordinance No. O-2009-77; and as amended and restated effective January 1, 2012, by Ordinance Nos. O-2011-92 and O-2011-93; and as amended and restated effective January 1, 2013, by Ordinance No. O-2012-78; and as amended and restated effective January 1, 2014, by Ordinance Nos. O-2013-54, O-2014-03 and O-2015-01; and as amended and restated effective January 1, 2015, by Ordinance No. O-2014-68; and as amended and restated effective January 1, 2017, by Ordinance No. O-2016-77; and as amended and restated effective January 1, 2018 by Ordinance No. 2018-26; and as amended effective January 1, 2020, by Ordinance No. O-2020-54 ; and as amended effective January 1, 2022; by Ordinance O-2021-64 ; and as amended effective January 1, 2022; *and as amended effective January 1, 2020 by Ordinance O-2024-08;*

...

#### Section 6

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.

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MAYOR

1 ATTEST:

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3  
4 \_\_\_\_\_  
5 CITY CLERK  
6  
7

8 NOTICE: THE COUNCIL WILL HOLD A PUBLIC HEARING ON THIS ORDINANCE AT  
9 7:00 P.M. ON THE \_\_\_\_\_ DAY OF \_\_\_\_\_, 2024, AT THE LONGMONT CITY  
10 COUNCIL MEETING.  
11  
12

13 APPROVED AS TO FORM:  
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16 \_\_\_\_\_  
17 ASSISTANT CITY ATTORNEY

\_\_\_\_\_  
DATE

18  
19  
20 \_\_\_\_\_  
21 PROOFREAD

\_\_\_\_\_  
DATE

22  
23  
24 APPROVED AS TO FORM AND SUBSTANCE:  
25  
26

27 \_\_\_\_\_  
28 ORIGINATING DEPARTMENT

\_\_\_\_\_  
DATE

29  
30 CA File: 24-002700