

**TOWN OF MEAD, COLORADO
ORDINANCE NO. 835**

**AN ORDINANCE OF THE TOWN OF MEAD, COLORADO, AMENDING
CHAPTER 2, ARTICLE IV, OF THE MEAD MUNICIPAL CODE REGARDING
PARTICIPATION IN THE STATEWIDE DEFINED BENEFIT PLAN AND
STATEWIDE DEATH & DISABILITY PLAN ADMINISTERED BY THE FIRE
AND POLICE ASSOCIATION OF COLORADO FOR MEMBERS OF THE
MEAD POLICE DEPARTMENT IN LIEU OF COVERING MEMBERS UNDER
THE FEDERAL "SOCIAL SECURITY ACT".**

WHEREAS, C.R.S. 31-31-101, declares that the establishment of police officers' pension plans in the state is a matter of statewide concern that affects the public safety and general welfare; and

WHEREAS, C.R.S. 31-31-401, declares that every employer shall provide the pension benefits of the Statewide Defined Benefit Plan established by statute for members hired after April 8, 1978; and

WHEREAS, C.R.S. 31-31-802, declares that every employer shall provide the Statewide Death & Disability Plan established by statute for members hired after April 7, 1978; and

WHEREAS, in the opinion of the Board of Trustees, the extension of the Statewide Defined Benefit Plan to police officers of the Town of Mead will be of great benefit to the officers of the Town by providing that said officers may participate in the portability of the provisions of the Statewide Defined Benefit Plan, enabling new hires to bring with them their credits in the Statewide Defined Benefit Plan earned by prior employment with other Colorado municipalities and/or by their ability to take earned benefits from their employment with the Town of Mead to future Colorado employment opportunities; and

WHEREAS, it is the intent of the Board of Trustees of the Town of Mead as part of the establishment of the Mead Police Department to participate in the Statewide Defined Benefit Plan and the Statewide Death & Disability Plan administered by the Fire and Police Pension Association of Colorado, 5290 DTC Parkway, Suite 100, Greenwood Village, CO 80111-2721, in lieu of covering members under the Federal "Social Security Act"; and

WHEREAS, participation in the Statewide Defined Benefit Plan and the Statewide Death & Disability Plan requires the Town to execute certain documents and agreements with the Fire and Police Pension Association of Colorado;

NOW THEREFORE, BE IT ORDAINED by the Board of Trustees of the Town of Mead, Weld County, Colorado, that:

Section 1. Chapter 2, Article IV, of the *Mead Municipal Code* is hereby amended by the addition of a new Sec. 2-4-20, to read as follows:

"Sec. 2-4-20. Police Statewide Defined Benefit Plan and Statewide Death & Disability Plan. The Board of Trustees hereby authorizes the Town of Mead to participate in the Statewide Defined Benefit Plan and the Statewide Death & Disability Plan administered by the Fire and Police Pension Association of Colorado and directs the enrollment of the members of the Mead Police Department in said statewide benefit plans as provided by statute."

Section 2. The Mayor and Town Clerk are hereby authorized and directed to affix their signatures to this ordinance and those documents necessary for the Town to participate in the Statewide Defined Benefit Plan and the Statewide Death & Disability Plan administered by the Fire and Police Pension Association of Colorado.

Section 3. Effective Date. This ordinance shall be published and become effective as provided by law.

Section 4. Severability. If any part, section, subsection, sentence, clause or phrase of this ordinance is for any reason held to be invalid, such invalidity shall not affect the validity of the remaining sections of the ordinance. The Board of Trustees hereby declares that it would have passed the ordinance including each part, section, subsection, sentence, clause or phrase thereof, irrespective of the fact that one or more part, section, subsection, sentence, clause or phrase is declared invalid.


Section 5. Repealer. All ordinances or resolutions, or parts thereof, in conflict with this ordinance are hereby repealed, provided that such repealer shall not repeal the repealer clauses of such ordinance nor revive any ordinance thereby.

Section 6. Certification. The Town Clerk shall certify to the passage of this ordinance and make not less than one copy of the adopted Code available for inspection by the public during regular business hours.

INTRODUCED, READ, PASSED, AND ADOPTED THIS 30th DAY OF January, 2017.

ATTEST:

TOWN OF MEAD

By 
Linda Blackston, MMC, Town Clerk

By 
Gary R. Shields, Mayor

