

BY AUTHORITY

ORDINANCE NO. _____
SERIES OF 2021

COUNCIL BILL NO. 21-0690
COMMITTEE OF REFERENCE:
Finance & Governance

A BILL

For an ordinance modifying Article XII (Retirement) of chapter 18 of the Denver Revised Municipal Code to amend the 1963 Retirement Plan with regard to certain definitions and other matters.

WHEREAS, pursuant to Section 18-405(g) of the Revised Municipal Code of the City and County of Denver (code), the Retirement Board is responsible for making recommendations to the city for amendments to the plan when in the judgment of the Retirement Board such changes are necessary; provided that such recommendations are accompanied by a report of the plan's actuary setting forth the effect of such amendments; and,

WHEREAS, section 401(a)(17) of the Internal Revenue Code limits the amount of compensation that can be taken into account to calculate a benefit under a qualified defined benefit retirement plan; and

WHEREAS, the code currently adopts such limits by reference in DRMC Sec. 18-404(5); and

WHEREAS, it is the judgment of the Retirement Board that the limit set forth in section 401(a)(17) should be applied to compensation for all purposes, including the calculation of contributions to the Plan; and

WHEREAS, the council accepts the Retirement Board's recommendations above.

NOW, THEREFORE, BE IT ENACTED BY THE COUNCIL OF THE CITY AND COUNTY OF DENVER:

Section 1. That Subsection 15 of Section 18-402 of the D.R.M.C. relating to certain definitions shall be amended by adding the language underlined, to read as follows:

Sec. 18-402. Definitions.

(15) Gross pay, compensation and salary shall not include any amounts exceeding the limit set forth in section 401(a)(17) of the Internal Revenue Code.

