

ORDINANCE NO. 867

AN ORDINANCE RELATING TO EMPLOYEES' PENSIONS AND TO AMEND ORDINANCE NO. 801.

WHEREAS, the City Council of the City of Grand Junction on December 21, 1949, adopted Ordinance No. 801 (Chapter 18, Sections 8 to 24, inclusive, 1952 Compiled Ordinances of the City of Grand Junction, Colorado) relating to pensions for employees of the City, which ordinance provides that on January 1, 1953, the City Council shall review the plan therein set forth and decide whether in its opinion the plan is workable;

WHEREAS, it was the intent of the City Council, and is the intent and meaning of such ordinance, that such review and decision be made and formulated prior to January 1, 1953;

WHEREAS, the City Council has reviewed such plan and is of the opinion that the same with amendments in addition to those herein contained is workable, that changes should be made in the plan, that such changes should not be made prior to January 1, 1953, and until certain pending questions have been resolved, that the opinion of the City Council as to workability of the plan might change, and that the right of the City of Grand Junction to discontinue the plan or not to place the same in operation should be preserved;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GRAND JUNCTION, COLORADO:

1. As of January 1, 1953, the City Council is of the opinion that the plan referred to in Section 17 of said Ordinance No. 801, with amendments is workable.

2. Such plan may be discontinued by ordinance.

3. That Section 11 of said Ordinance No. 801 (Chapter 18, Section 18, 1952 Compiled Ordinances) be and the same is hereby amended to read as follows:

APPLICATION TO PRESENT EMPLOYEES: This plan shall apply to present employees of the City of Grand Junction and they shall be given credit for previous full-time employment with the City, but no retirement payments shall be made or commenced before January 1, 1954, or such earlier date as may be provided by ordinance or resolution.

4. That Section 13 of said Ordinance No. 801 (Chapter 18, Section 20, 1952 Compiled Ordinances) be and the same is hereby amended to read as follows:

**TERMINATION OF EMPLOYMENT.** If any employee who is under this plan voluntarily ceases to work for the City of Grand Junction or is discharged, he shall

receive an amount of money equal to the total contributions he has made to the fund, such amount to be paid in a lump sum within thirty days after written demand therefor. If such cessation of employment is such that it will not interrupt his full time employment, as provided in paragraph 10 above, the employee may leave his contribution in the fund until such time as he is again employed, at which time his service will again count toward retirement.

5. That Section 17 of said Ordinance No. 801 (Chapter 18, Section 24, 1952 Compiled Ordinances) be and the same is hereby amended to read as follows:

NO VESTED RIGHTS TO PENSION. Nothing in this plan is intended to nor shall it be construed to create a debt for any year which is a charge against the City's revenues for any future year. The possibility of obtaining a pension shall be a mere expectancy and no employee participating in this plan shall obtain or have any vested rights to a pension or to the continuation of his employment with the City. Prior to January 1, 1954, the City Council shall review this plan and decide whether in its opinion the plan is workable. If it decides that the plan is not workable and that it should be discontinued, the money contributed by the employees shall be returned to them as soon as reasonably possible and the balance of the fund shall be returned to the City of Grand Junction. If the City Council determines that changes shall be made in the plan, it may make such changes by ordinance. And in the event that the plan is thought to be workable and it continuous over a long period of years, the payment of pensions shall be contingent upon there being sufficient money in the fund, and the City shall only be responsible for the contributions hereinabove set forth. If the fund is not sufficient to pay the full pension to all of the retired employees, they shall be paid a pro rata amount which the board determines to be feasible, and the City of Grand Junction shall not in any way become liable for the full payment of the retirement benefits.

6. There has been assigned to Sections 1 and 2 hereof Section numbers 25 and 26, respectively, of Chapter 18, 1952 Compiled Ordinances of the City of Grand Junction.

Passed and adopted this 19th day of November, 1952.

/s/ W. D. Ela  
President of the City Council

ATTEST:

/s/ Helen C. Tomlinson  
City Clerk

I HEREBY CERTIFY that the foregoing ordinance, being Ordinance No. 867 was introduced, read and ordered published by the City Council of the City of Grand Junction, Colorado, at a regular meeting of said body held on the 5th day of November,

1952, and that the same was published in The Daily Sentinel, a newspaper published and in general circulation in said city at least ten days before its final passage.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of said City, this 20th day of November, 1952.

/s/ Helen C. Tomlinson  
City Clerk

First Pub 11-7-52

Final Pub 11-21-52