

# AGENDA



**Date:** October 14, 2016

A special meeting of the Dallas Police and Fire Pension System Board of Trustees will be held at **9:00 a.m. on Thursday, October 20, 2016, in the Second Floor Board Room at 4100 Harry Hines Boulevard, Dallas, Texas.** Items of the following agenda will be presented to the Board:

**A. DISCUSSION AND POSSIBLE ACTION REGARDING ITEMS FOR INDIVIDUAL CONSIDERATION:**

**1. Plan amendment election**

Portions of the discussion under this topic may be closed to the public under the terms of Section 551.071 of the Texas Government Code.

- a. Further consideration of proposed Plan and DROP Policy changes
- b. Approval of proposed Plan language
- c. Election schedule
- d. Call for election

**2. Appointment of Interim Police Pensioner Trustee**

## **B. BRIEFING ITEMS**

### **Reports and concerns of active members and pensioners of the Dallas Police and Fire Pension System**

The term "possible action" in the wording of any Agenda item contained herein serves as notice that the Board may, as permitted by the Texas Government Code, Section 551, in its discretion, dispose of any item by any action in the following non-exclusive list: approval, disapproval, deferral, table, take no action, and receive and file. At the discretion of the Board, items on this agenda may be considered at times other than in the order indicated in this agenda.

At any point during the consideration of the above items, the Board may go into Closed Executive Session as per Texas Government Code, Section 551.071 for consultation with attorneys, Section 551.072 for real estate matters, Section 551.074 for personnel matters, and Section 551.078 for review of medical records.



# DISCUSSION SHEET

## ITEM #A1

**Topic:** Plan amendment election

Portions of the discussion under this topic may be closed to the public under the terms of Section 551.071 of the Texas Government Code.

- a. Further consideration of proposed Plan and DROP Policy changes
- b. Approval of proposed Plan language
- c. Election schedule
- d. Call for election

**Discussion:**

- a. The Board will consider further proposed Plan and DROP Policy changes.
- b. At the October 13, 2016 Board meeting, the Board discussed possible Plan changes. At that meeting, the Board directed staff to make revisions to the draft election materials based on the Plan changes discussed, and to present such revised election materials at the October 20, 2016 Special Board meeting.

A proposed ballot packet to be sent to each Member in the event an election is called will be provided for the Board's review. The packet includes a cover letter and a sample ballot. The Plan Amendment Election Procedure is attached.



## DISCUSSION SHEET

### ITEM #A1

(continued)

- c. A proposed election schedule will be provided for the Board's review, encompassing the Board's comments made at the October 13, 2016 Board meeting.
- d. The Board is required by Section 8.01(e) of the Plan to issue a notice calling for the election.

#### Staff

#### Recommendation:

- b. **Approve** Plan language for the proposed Plan amendments and the ballot package, including the cover letter, the ballot, all as revised and all subject to final approval of the Executive Director and Counsel.
- c. **Approve** the Plan amendment election schedule.
- d. **Approve** the call for the Plan amendment election.



D A L L A S  
**POLICE & FIRE**  
PENSION SYSTEM



## **COMBINED PLAN AMENDMENT ELECTION PROCEDURES**

As Amended Through September 9, 1999

# DALLAS POLICE AND FIRE PENSION SYSTEM

## COMBINED PLAN AMENDMENT ELECTION PROCEDURES

Adopted February 12, 1998  
As amended through September 9, 1999

### Section 1 Authority to Promulgate Rules

Pursuant to Section 7.01 of the Combined Pension Plan ("Combined Plan"), the Board of Trustees ("Board") of the Dallas Police and Fire Pension System ("System") has the authority to promulgate rules pertaining to the holding of Combined Plan amendment elections.

### Section 2 Administrative Responsibilities

The Board of Trustees of the System shall serve as the "Election Judge." The Board may delegate day to day responsibilities for the carrying out of the election to the Administrator and his administrative staff. As Election Judge, the Board of Trustees will supervise any election regarding amendments of the Combined Plan by vote of members on active service. If for any reason the Board of Trustees is unable to perform the duties of the Election Judge, as listed below, then the Administrator or an Assistant Administrator of the System shall serve as the Election Judge. If there is no Administrator or Assistant Administrator able to perform as Election Judge, the legal advisor to the System shall recommend to the Board and the Board shall select a qualified person, who may be another staff person working for the System to serve as the Election Judge.

The System's staff shall:

- (1) Place each proposed amendment on the agenda of a special or regular Board meeting for the Board's review and approval or disapproval;
- (2) Obtains for the Board a letter from the System's actuary affirming whether each proposed amendment is actuarially sound;
- (3) Notify the Police and Fire Departments of the City of Dallas of any pending amendment election called by the Board;
- (4) Supervise the posting of notice calling for the election, together with distribution of such supplementary information as the Board deems appropriate to inform members on active service of the scope of each item being considered for approval at such election;
- (5) Place the election results on the agenda of a special or regular meeting of the Board to certify the results of the amendment election to the Board;



- (6) Contract with a suitable service provider for the electronic casting and tallying of secret ballots by electronic methods.
- (7) In the event printed ballots are used instead of (or in addition to electronic voting, as in the case of absentee voting for persons on active military duty), oversee the issuance of ballots to all members on active service, respectively, for deposit in ballot boxes at fire stations and police stations;
- (8) Conduct the election at the time designated by the Board;
- (9) Assure the integrity of the election process in order to avoid irregularities;
- (10) Collect the ballots for counting;
- (11) Upon the completion of the election period, report in writing by secure and confidential means the results of the count of ballots to the Board.
- (12) Upon the Board's certification pursuant to Section 3(e) below, notify the membership of the System of the results of the amendment election.

### **Section 3      Details of Amendment Election**

#### **(a)      Calling the Election**

The Board of Trustees shall call an election to amend the Combined Plan not less than three (3) and no more than six (6) weeks before the date the voting is to begin.

#### **(b)      Notice of Election**

- (1) The Administrator or an Assistant Administrator or staff person under their supervision shall send a notice of the amendment election to the Police and Fire Departments, which shall include relevant dates, items to be voted on, and rules.
- (2) This notice will be posted at least two (2) weeks prior to the date of election at all police stations, fire stations, City Hall, and all other places where Police Officers, Firefighters, and Fire Inspectors assemble for duty.

(c) **Voting**

- (1) Voting on amendments shall be held either by electronic means approved by the Board or by ballot boxes, reasonably accommodating all departmental shifts or watches over at least three (3) consecutive twenty-four (24) hour periods. The Board will set the dates that voting will begin and end. Within said dates, if printed ballots and ballot boxes are used then both the Police and Fire Departments shall set the hours for voting;
- (2) The Administrative Advisory Committee of the Board shall have the authority to determine the location of ballot boxes if any are used;
- (3) Ballots may be cast electronically or in the event of use of printed ballots and ballot boxes then in the form of those that are manually tabulated or those designed for machine tabulation. If machine tabulation ballots are utilized, copies of the official ballot need to be posted in the voting area;
- (4) A complete copy of the amendment(s) being voted upon must be posted at each voting location as well as those locations identified at 3(b)(2) above;
- (5) If printed ballots and ballot boxes are used, then each member on active service who votes must sign the voter registration list provided;
- (6) If electronic ballots are cast then adequate means of controlling a secret ballot, confirmation of valid ballots cast and the tabulation thereof shall be the obligation of the service entity engaged for such purposes.
- (7) Members may only vote once and can only vote by the method, and if applicable at a location, designated;
- (8) The Election Judge will receive a written report from any service engaged to receive, tabulate and confirm electronic ballots and if ballot boxes are used will count the ballots and certify the results of the election within forty eight (48) hours of the cessation of voting.

**(d) Election Re-count**

- (1) If a member who was eligible to vote desires a re-count of the ballots of an election, the member must file a written request within five (5) days after the results having been certified by the Board have been disseminated to the members. If the margin of difference in the announced vote total being contested is equal to or less than one per-cent (1%), then the recount will be done at the System's expense; however, if the margin is greater than one per cent (1%) then the member requesting a re-count must pay a non-refundable two hundred dollar (\$200.00) fee which must accompany the written request for the re-count. This money for the re-count will be placed into the System's Fund;
- (2) The Administrator shall supervise the re-count and the Board shall certify the results as provided herein.

**(e) Certification of the Election**

The Board shall certify the results of the election.

**Section 4 Retention of Ballots and Voter Registration Lists**

The ballots and voter registration list, or the electronic records thereof in the case of electronic voting, shall be kept by the Election Judge or the designee for a period of forty-five (45) days after the date the Board certifies the results of an election or longer if required under any records retention policy of the Board. If, after that time, there is no request for a re-count pending, then the ballots and voter registration lists shall be destroyed.

APPROVED on September 9, 1999 by the Board of Trustees of the Dallas Police and Fire Pension System.

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Gerald Brown  
Chairman

Attested:

[signature]

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Richard L. Tettamant  
Secretary



# DISCUSSION SHEET

## ITEM #A2

**Topic:** Appointment of Interim Police Pensioner Trustee

**Discussion:** Police Pensioner Trustee John Mays resigned his Board position on October 13, 2016; therefore, the Police Pensioner Trustee position will need to be filled. Mr. Mays' term was to expire in less than one year on May 31, 2017. Section 3.01 (d) states "If a vacancy occurs among the Pensioner Trustees, and one year or less remains before the end of the Trustee's term, the Board shall appoint a new Trustee from the Pensioners who retired from the same Department to serve for the period ending on the expiration of the elected Pensioner Trustee's term."



# DISCUSSION SHEET

## ITEM #B1

**Topic:** Reports and concerns of active members and pensioners of the Dallas Police and Fire Pension System

**Discussion:** This is a Board-approved open forum for active members and pensioners to address their concerns to the Board and staff.