

ORDINANCE NO. 32802

An ordinance ordering a special election to be held in the city of Dallas on November 5, 2024, on the question of amending Chapter 40A of the Dallas City Code, known as the employees' retirement fund of the city of Dallas; adding, revising, and deleting various definitions; providing amended terms and term limits of the board; modifying the retirement fund board's powers and duties; specifying the date the board shall adopt the actuarially determined contribution rate, the current total adjusted total obligation rate, the current total obligation rate, and the pension obligation bond credit rate for each fiscal year; providing amended contribution amounts for the city and employees; providing a contribution maximum for Tier A and Tier B employees; providing that the city may contribute additional monies to the retirement fund in its sole discretion; amending the modifications of contribution rates; providing guardrails with respect to the calculation of the actuarially determined contribution and incorporating the guardrails into actuarial assumptions; amending the procedure to amend Chapter 40A; prescribing the form and wording of the ballot propositions; providing that only resident qualified voters are entitled to vote; providing for the use of an electronic voting system for early voting by personal appearance and a computerized voting system for voting on election day and for early voting by mail; providing for early voting locations; providing for an early voting ballot board to process early voting; providing for notice of the special election; and providing an effective date.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF DALLAS:

SECTION 1. That a special election is ordered to be held in the city of Dallas on Tuesday, November 5, 2024, between the hours of 7:00 a.m. and 7:00 p.m., for the purpose of submitting to

the qualified voters of the city of Dallas one proposition on the question of amending Chapter 40A of the Dallas City Code, known as the employees' retirement fund of the city of Dallas.

SECTION 2. That the proposition is to be expressed on the official ballot in a form substantially as follows:

PROPOSITION A

Shall Chapter 40A of the Dallas City Code, known as the employees' retirement fund of the City of Dallas, be amended in accordance with Ordinance No. 32801 to: add, revise, and delete various definitions; provide amended terms and term limits of the board; modify the retirement fund board's powers and duties; specify the date the board shall adopt the actuarially determined contribution rate, the current total adjusted total obligation rate, the current total obligation rate, and the pension obligation bond credit rate for each fiscal year; provide amended contribution amounts for the city and employees; provide a contribution maximum for Tier A and Tier B employees; provide that the city may contribute additional monies to the retirement fund in its sole discretion; amend the modifications of contribution rates; provide guardrails with respect to the calculation of the actuarially determined contribution and incorporating the guardrails into actuarial assumptions; and amend the procedure to amend Chapter 40A?

PROPOSICIÓN A

¿Se deberá enmendar el Capítulo 40A del Código de la Ciudad de Dallas, conocido como el fondo de jubilación de los empleados de la Ciudad de Dallas, de conformidad con la Ordenanza N.º 32801 para: agregar, revisar y eliminar varias definiciones; proporcionar términos enmendados y límites de mandato de la junta; modificar los poderes y deberes de la junta del fondo de jubilación; especificar la fecha en que la junta adoptará la tasa de contribución determinada actuarialmente, la tasa total de obligación ajustada actual, la tasa total de obligación actual y la tasa de crédito de bonos de obligación de pensión para cada año fiscal; proporcionar montos de contribución enmendados para la ciudad y los empleados; proporcionar un máximo de contribución para los empleados de Nivel A y Nivel B; disponer que la ciudad pueda contribuir con dinero adicional al fondo de jubilación a su exclusivo criterio; enmendar las modificaciones de las tasas de contribución; proporcionar límites con respecto al cálculo de la contribución determinada actuarialmente e incorporar estos límites en los supuestos actuariales; y enmendar el procedimiento para enmendar el Capítulo 40A?

ĐỀ XUẤT SỐ A

Chương 40A của Bộ luật Thành phố Dallas, được biết đến là quỹ hưu trí của nhân viên Thành phố Dallas, có được sửa đổi theo Đề xuất số 32801 để: thêm, sửa đổi và xóa nhiều định nghĩa; cung cấp các điều khoản đã sửa đổi và các giới hạn về nhiệm kỳ của hội đồng; điều chỉnh quyền hạn và nhiệm vụ của hội đồng quỹ hưu trí; chỉ định ngày hội đồng sẽ thông qua tỷ lệ đóng góp được xác định theo phương pháp tính toán và thống kê, mức tổng đóng góp bắt buộc được điều chỉnh hiện tại, mức tổng đóng góp bắt buộc hiện tại và tỷ lệ tín dụng trái phiếu nghĩa vụ lương hưu cho mỗi năm tài chính; cung cấp số tiền đóng góp đã điều chỉnh cho thành phố và nhân viên; cung

cấp mức đóng góp tối đa cho nhân viên Bậc A và Bậc B; quy định rằng thành phố có thể đóng góp thêm tiền vào quỹ hưu trí theo quyết định riêng của mình; sửa đổi các điều chỉnh về tỷ lệ đóng góp; cung cấp các biện pháp bảo vệ liên quan đến việc tính toán đóng góp được xác định?

SECTION 3. That the manner of conducting the special election must be in accordance with the ordinances and charter of the city of Dallas and the laws of the State of Texas applicable to the holding of special elections. The official ballots, together with such other election materials as are required by the Texas Election Code, as amended, must be printed in the English, Spanish, and Vietnamese languages and must contain such provisions, markings, and language as may be required by law.

SECTION 4. That the boundaries of the election precincts in which the election is to be held are defined by Ordinance No. 20231, as amended by Ordinance Nos. 20741, 21350, 21579, 22343, 22693, 23348, 24800, 25696, 27484, 28147, 28937, and 29375. Locations of the polling places in the election precincts are listed in the attached Exhibit A, attached to this ordinance, but which locations may be changed by Dallas County, and which changes, if any, are hereby made part of this ordinance by reference and can be found by visiting the Dallas County webpage: <https://www.dallascountyvotes.org/voters/> or by contacting:

Dallas County Elections Department
1520 Round Table Drive
Dallas, Texas 75247
Tel: (214) 819-6389

SECTION 5. That each voter must vote in the precinct in which the voter resides, and only resident qualified voters are entitled to vote.

SECTION 6. That a person qualified to vote and residing in the city of Dallas, but not within any precinct described in Ordinance No. 20231, as amended by Ordinance Nos. 20741, 21350, 21579, 22343, 22693, 23348, 24800, 25696, 27484, 28147, 28937, and 29375 may vote in the precinct nearest the person's residence, and for that purpose the person's residence will be

considered as part of that city election precinct. A person who has registered in a city election precinct, but whose residence is not in the city of Dallas, is not entitled to vote in the special election even though the person may own property subject to taxation in the city.

SECTION 7. That early voting by personal appearance will be by the use of an electronic voting system in accordance with the Texas Election Code, as amended. That tallying of early voting by mail will be by the use of a computerized voting system in accordance with the Texas Election Code, as amended. Early voting will be conducted at the following main locations and at the other locations during the dates and times designated in Exhibit B, attached to this ordinance, but which locations may be changed by Dallas County, and which changes, if any, are hereby made part of this ordinance by reference and can be found by visiting the Dallas County webpage: <https://www.dallascountyvotes.org/voters/> or by contacting:

Dallas County Elections Department
1520 Round Table Drive
Dallas, Texas 75247
Tel: (214) 819-6389

SECTION 8. That applications for early voting ballots to be voted by mail must be mailed to the following:

- For Dallas County: Early Voting Clerk
Dallas County Elections Department
1520 Round Table Drive
Dallas, Texas 75247
- For Collin County: Early Voting
Collin County Elections Administration Office
2010 Redbud Boulevard, Suite 102
McKinney, Texas 75069
- For Denton County: Early Voting Clerk
Denton County Elections Administration Office
P. O. Box 1720
Denton, Texas 76202

Applications for ballots by mail must be received no later than the close of business on Friday, October 25, 2024.

SECTION 9. That applications for early voting ballots to be voted by mail may, pursuant to Section 84.007 of the Texas Election Code, be sent to the following email addresses:

- For Dallas County: evapplications@dallascounty.org
- For Collin County: absenteemailballoting@collincountytx.gov
- For Denton County: elections@dentoncounty.gov

SECTION 10. That the early voting ballots will be processed by an early voting ballot board to be created in accordance with the Texas Election Code, as amended.

SECTION 11. That the mayor, or in the mayor’s absence, or inability to act, the mayor pro tem, shall give notice of the special election by causing the notice to be published in a newspaper within the city and posted on the city’s public meeting bulletin board in accordance with applicable state law.

SECTION 12. That this ordinance will take effect immediately from and after its passage and publication in accordance with the provisions of the Charter of the City of Dallas, and it is accordingly so ordained.

APPROVED AS TO FORM:

TAMMY L. PALOMINO, City Attorney

By 
 Assistant City Attorney

Passed AUG 14 2024



PROOF OF PUBLICATION – LEGAL ADVERTISING

The legal advertisement required for the noted ordinance was published in the Dallas Morning News, the official newspaper of the city, as required by law, and the Dallas City Charter, Chapter XVIII, Section 7.

DATE ADOPTED BY CITY COUNCIL AUG 14 2024

ORDINANCE NUMBER 32802

DATE PUBLISHED AUG 17 2024

ATTESTED BY:



Agenda Information Sheet

File #: 24-2533

Item #: 92.

STRATEGIC PRIORITY: Government Performance & Financial Management

AGENDA DATE: August 14, 2024

COUNCIL DISTRICT(S): NA

DEPARTMENT: City Secretary's Office

EXECUTIVE: Bilierae Johnson

SUBJECT

An ordinance ordering a special election to be held in the city of Dallas on November 5, 2024, on the question of amending Chapter 40A of the Dallas City Code, known as the employees' retirement fund of the city of Dallas - Financing: No cost consideration to the City (See Fiscal Information)

BACKGROUND

The City of Dallas Employees' Retirement Fund (ERF) was established by ordinance in November 1943 and became effective in January 1944 after ratification by the voters of the City of Dallas. Chapter 40A of the Dallas City Code establishes benefits and contribution requirements, and the requirements for changing them. ERF is a single-employer defined benefit pension plan sponsored by the City of Dallas (the "City"), and it provides retirement, disability, and death benefits to its members.

All employees of the City are members, except police officers, fire fighters, part-time employees working less than one-half time, temporary employees, individuals working under contract, and individuals whose salaries are paid in part by another government agency. Elected officials and non-salaried appointee members of city boards or commissions are not members. Members are entitled to retirement benefits at the date of eligibility for retirement or to survivor benefits after two years of service.

The ERF's actuarial firm conducts an annual actuarial valuation.

Chapter 40A of the Dallas City Code requires all interested parties to approve any changes: Dallas ERF Board, Dallas City Council, and the voters of the City of Dallas. Except as provided in Section 40A-35(b), the current ordinance may not be amended except by a proposal initiated by either the board or the city council that results in an ordinance approved by the board, adopted by the city council, and approved by a majority of the voters voting at a special election.

This action orders a special election on retirement fund amendments in accordance with the

provisions of Section 3.005 of the Texas Election Code. Section 3.005 of the Texas Election Code requires that an election must be ordered not later than the 62nd day before election day.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

This item has no prior action.

FISCAL INFORMATION

No cost consideration to the City. A future agenda item will outline costs to the City.