RESOLUTION NO. 2015-2

BOARD OF TRUSTEES
EMPLOYEES' RETIREMENT FUND
OF THE CITY OF DALLAS

OCTOBER 13, 2015

WHEREAS, pursuant to Dallas City Code Chapter 40A (Chapter 40A) Section 40A-4, the Board has the power and duty to administer the Employees' Retirement Fund of the City of Dallas (Fund) in accordance with Chapter 40A and adopt rules and regulations not inconsistent with Chapter 40A and the Constitution and laws of the State of Texas; and

WHEREAS, a member or inactive member eligible for a retirement pension is entitled to a pension for life computed on the amount of credited service of the member or inactive member (See Chapter 40A-(16)(a)); and

WHEREAS, a member or inactive member eligible for a retirement pension is entitled to a pension beginning from the date of eligibility, but not before the member or inactive member's last paid day of employment with the city (See Chapter 40A-(16)(b)); and

WHEREAS, surviving spouses of retirees and of certain active and inactive members of the Fund, become entitled to a life annuity unless such retirees, active members or inactive members have selected another eligible person to receive the life annuity and the spouse has consented to the selection; and

WHEREAS, each member or inactive member who is married at the time a death benefit option is selected must designate the spouse as beneficiary under the full survivor option or, if not eligible for the full survivor option, under the one-half survivor option, unless the spouse consents in writing to the designation of a different beneficiary or selection of a different death benefit option (See Chapter 40A-22 (b)(1)); and

WHEREAS, a retiree who dies shall have death benefits determined and distributed in accordance with the provisions of the retirement option selected at retirement and approved by the Board of Trustees of this Fund ("Board") (See Chapter 40A-23(c)); and

WHEREAS, no expenditure may be made from the Fund without the approval of the Board (See Chapter 40A-4(c));

WHEREAS, the Board has become aware that some retirees and beneficiaries may incur hardships during the period between the time they become eligible for benefits and the next regular meeting of the Board; and

WHEREAS, a spouse who marries or remarries a retiree after retirement, is not eligible for a survivor annuity, or for any other death benefit, except as the retiree's heir or designee(See Chapter 40A-23(c)).

NOW, THEREFORE, BE IT RESOLVED THAT, the Board of Trustees of the Employees' Retirement Fund of the City of Dallas adopts the following procedures regarding payments to eligible benefit recipients:

The Board authorizes, the Chair of the Board or the Executive Director to direct payment to, eligible retiree applicants, survivor applicants or designee applicants during emergency periods of any amounts that have become payable under the terms of the Fund's Plan. Emergency periods include time frames during which the Board is unable to meet with the constituted quorum necessary to conduct Fund business for a period greater than thirty (30) days.

Further, in the event of death of an active or retired member, the Board authorizes the Chair of the Board or the Executive Director to pay benefits to eligible beneficiaries according to 40A-22 and 40-23 that have become payable for periods between scheduled Board meetings.

EMPLOYEES' RETIREMENT FUND OF THE CITY OF DALLAS

Carla D. Brewer

Carla D. Brewer, Board Chair

ATTEST:

Cheryl D. Alston
Executive Director

APPROVED AS TO FORM:

Gary Lawson, Esq.
Strasburger & Price, LLP