Dallas Public Fraud Prevention Services
Anonymous Hotline Reporting

POB 455
Addison, TX 75001-0455

www.dpfps.org

June 21, 2004

Ms. Mary K. Suhm
Dallas City Manager
1500 Marilla Street, Room 4EN
Dallas, Texas 75201-6390

RE: Texas Public Information Act - Open Records Request
Dallas Police & Fire Pension System
ID # 0301-093

Dear Ms. Suhm:

In our letter of November 15, 2003, we requested information regarding competitive bids for legal services noting that on January 13, 2000, February 8, 2001, and December 12, 2002, the Board of Trustees for the Dallas Police & Fire Pension System unanimously approved hourly rate increases for its outside legal counsel, Lawson & Fields, P.C. (Exhibit "**A**").

On December 15, 2003, the Administrator for the Dallas Police & Fire Pension System responded to our request stating that "the quality of the legal advice upon which we will rely is our most important consideration" while failing to produce any information regarding competitive bids that may have been considered by the Board of Trustees (Exhibit "**B**").

We understand that the Dallas Police & Fire Pension System has disbursed $1,067,983.00 in pension assets to outside legal counsel during the four year fiscal period from 1999 through 2002 (Exhibit "**C**"). Respectfully, we are requesting a copy of the Dallas Police & Fire System's policy regarding competitive bids. If none, please explain.

Please note that we are making this request pursuant to the Texas Public Information Act, Chapter 552, Texas Government Code. In addition, please note that we are requesting that the City Manager's office compile information responsive to this Open Records Request, and that a written itemized statement of estimated charges be provided in advance of work being started should the estimated charge exceed $10.

Please advise should you have comments or require additional information. Thank you.

Sincerely,

Columbus A. Alexander, III, CPA
Certified Fraud Examiner
www.dpfps.org

cc: Mayor Laura Miller
Dallas City Councilmembers
Shirley Acy, City Secretary

Dallas Public Fraud Prevention Services
Anonymous Hotline Reporting

POB 455
Addison, TX 75001-0455
www.dpfps.org

November 15, 2003

Mr. Teodoro J. Benavides
Dallas City Manager
1500 Marilla Street, Room 4EN
Dallas, Texas 75201-6390

RE: Texas Public Information Act – Open Records Request
Dallas Police & Fire Pension System
ID # 0301-021

Dear Mr. Benavides:

On January 13, 2000, February 8, 2001, and December 12, 2002, the Board of Trustees for the Dallas Police & Fire Pension System unanimously approved *hourly rate increases* for its outside legal counsel, Lawson Fields & Calhoun, P.C. (Exhibit "**A**", Exhibit "**B**", Exhibit "**C**").

Pursuant to the Texas Public information Act (Texas Open Records Act), Chapter 552, Texas Government Code, please identify *all competitive bids* evaluated by the Board of Trustees prior to its unanimously approval of the aforementioned mentioned hourly rate increases. Please include the following for each competitive bid considered by the Board of Trustees:

1. Name of the competing law firm;
2. Competing law firm's address;
3. Date of competitive bid; and
4. Proposed competitive billing rates.

Please note that we are requesting that your office compile information responsive to this Open Records Request. Copies of documents are preferred, but should documents responsive to this request no longer be available, please note that there is also considerable knowledge within the Board to include the Chairman who has served the Board of Trustees continuously since 1983 (Exhibit "**D**").

Please advise should you have comments or require additional information. Thank you.

Respectfully,

Columbus A. Alexander, III, CPA
Certified Fraud Examiner
www.dpfps.org

cc: Honorable Mayor Laura Miller
Shirley A. Acy, City Secretary

* * * * * * * *

The meeting recessed at 1:26 p.m.

The meeting reconvened at 1:35 p.m.

* * * * * * *

10. TEXPERS and NCPERS reports

Mr. Tettamant reported on current developments relating to TEXPERS and NCPERS.

After discussion, a motion was made by Mr. Shaw to receive and file the TEXPERS and NCPERS reports. The motion was seconded by Mr. Edge and unanimously approved by the Board.

* * * * * * * *

11. Amendment to the contract for legal counsel with Lawson & Fields, P.C.

Lawson & Fields, P.C., the System's outside legal counsel, has requested an hourly rate adjustment. The last adjustment was in 1997.

After discussion, a motion was made by Mr. Edge to approve the requested contract rate adjustment for Lawson & Fields, P.C., subject to the final approval of the Administrator. The motion was seconded by Mr. Shaw and unanimously approved by the Board.

* * * * * * * *

12. Special request of Michael Barnett.

In accordance with the terms of Section 551.071 of the Texas Government Code, the Board went into a closed executive legal session at 12:47 p.m.

The meeting was reopened at 1:15 p.m.

The Board found that based on the facts presented to the Board, the provisions of the Combined Plan give Michael Barnett no rights. Mr. Barnett alleges that the lack of timeliness and completeness of the information given him by the City Secretary as representative of this Board denied him the opportunity to make a rational choice regarding his pension rights in March 1974. He has threatened legal action against the System. The System has potential defenses to his claim. In order to avoid the expense and uncertainty of litigation with Mr.

6. **IRS determination letters:**

   a. System Employees Money Purchase Plan
   b. Combined Pension Plan
   c. City of Dallas 401(k) Plan

Mr. Tettamant stated that Mr. Fields, the System's attorney, has advised that it is appropriate for the System now to apply for an IRS determination letter for the System employees' Money Purchase Plan to ensure that it is a qualified plan. Mr. Tettamant reported that the System has received the IRS determination letters for the Combined Pension Plan and the City of Dallas 401(k) Plan.

After discussion, Mr. Edge made a motion to (a) authorize Lawson & Fields to proceed with the tax qualification process for the System employees' Money Purchase Plan, (b) receive and file the IRS determination letter for the Combined Pension Plan, and (c) receive and file the IRS determination letter for the 401(k) Plan. Mr. Tomasovic seconded the motion, which was unanimously approved by the Board.

* * * * * * * * *

7. **Contract rate adjustment requested by Lawson & Fields, P.C.**

Lawson and Fields, P.C., the System's outside legal counsel, has requested an hourly rate adjustment. The last adjustment was in January 2000.

After discussion, Mr. Edge made a motion to approve the requested contract rate adjustment for Lawson & Fields, P.C. Mr. McCollum seconded the motion, which was unanimously approved by the Board.

* * * * * * * * *

8. **Akard Place 2001 Budget**

In accordance with the Terms of Section 551.072, Texas Government Code, the Board went into a closed executive real estate session at 2:15 p.m.

The meeting was reopened at 2:20 p.m.

Mr. Tettamant, Messrs. Fitzenhagen and Yagmur, Ms. Tucker and Ms. Mullis discussed the proposed 2001 operating budget for Akard Place.

Regular Board Meeting
Thursday, December 12, 2002

7. **Resolution in support of a constitutional amendment (continued)**

After discussion, Mr. Edge made a motion to approve the resolution proposed by TEXPERS in support of a constitutional amendment to protect public pensions in Texas. Messrs. Tomasovic and Shaw jointly seconded the motion, which was unanimously approved by the Board.

* * * * * * * * *

8. **Billing rates for Lawson, Fields, McCue, Lee, & Campbell, P.C. for 2003**

Mr. Tettamant stated that Lawson, Fields, McCue, Lee, & Campbell, P.C., the System's outside legal counsel, has requested an hourly rate adjustment. The last adjustment was in February 2001.

After discussion, Mr. Wachsman made a motion to approve the requested contract rate adjustment for Lawson, Fields, McCue, Lee, & Campbell, P.C. Mr. Mays seconded the motion, which was unanimously approved by the Board.

* * * * * * * * *

9. **Request of Elisabetha Buhk, widow of Marvin A. Buhk, pensioner, for survivor benefits**

Mr. Tettamant briefed the Board that Mrs. Elisabetha Buhk is the widow of retired police officer Marvin A. Buhk. At its regular meeting on June 13, 2002, the Board denied Mrs. Buhk's appeal of a staff decision to deny her survivor benefits after the death of her husband in August 2001. Mrs. Buhk, along with her legal representative, Janet Randle, appeared before the Board at its October 10, 1002 meeting to appeal the Board's earlier decision. The Board took no action on Mrs. Buhk's request at this meeting with the understanding that Mrs. Buhk and her attorney intended to return at a later meeting to respond to issues and concerns raised by the Board in regard to the appeal. Mrs. Buhk and her attorney now have prepared a formal argument in support of Mrs. Buhk's claim to survivor benefits and seek to continue the appeal of the denial of benefits.

Mrs. Buhk's attorney, Ms. Randle, presented her argument in support of Mrs. Buhk's claim to survivor benefits and the appeal of the Board's earlier denial of survivor benefits.

In accordance with the terms of Section 551.071 of the Texas Government Code, the meeting was closed to the public at 2:12 p.m. for an executive legal session.

The meeting was reopened at 12:25 p.m.

7. **Legal issues**

   a. Police Officer and Firefighter pay lawsuits
   b. Update on legal action in reference to Attorney General's opinion regarding open records request
   c. Jim Gholston v. Dallas Police & Fire Pension System
   d. Hancock Agricultural Investment Group litigation regarding patent rights to apple trees
   e. Park Police

In accordance with the terms of Section 551.071 of the Texas Government Code, the meeting was closed to the public at 2:23 p.m. for an executive legal session.

Discussions were held with legal counsel regarding the above items.

The meeting was reopened at 3:05 p.m.

Mr. Davenport, the System's General Counsel, reported that the City Attorney's office has responded to the Park Police's attorney concerning their claims of alleged discriminatory treatment. The City has denied their request.

After discussion, Mr. Edge made a motion to receive and file the legal briefings. Mr. Tomasovic seconded the motion, which was unanimously approved by the Board.

* * * * * * * *

8. **Billing rates for Lawson, Fields, McCue, Lee, & Campbell, P.C. for 2003**

Mr. Tettamant stated that at its December 12, 2002 meeting, the Board approved an hourly rate adjustment for the services of Lawson, Fields, McCue, Lee, & Campbell, P.C., the System's outside legal counsel. Lawson, Fields, McCue, Lee, & Campbell, P.C., has requested the adjustment be revised to provide for the inclusion of an additional associate (Nicole LeBoeuf) and a correction to the rate for another associate (Deborah Wakefield).

After discussion, Mr. Wachsman and Mr. Mays jointly made a motion to approve the requested revision to the contract rate adjustment for Lawson, Fields, McCue, Lee & Campbell, P.C. Mr. Edge seconded the motion, which was unanimously approved by the Board.

* * * * * * * * *

6. **IRS determination letters:**

   a. System Employees Money Purchase Plan
   b. Combined Pension Plan
   c. City of Dallas 401(k) Plan

Mr. Tettamant stated that Mr. Fields, the System's attorney, has advised that it is appropriate for the System now to apply for an IRS determination letter for the System employees' Money Purchase Plan to ensure that it is a qualified plan. Mr. Tettamant reported that the System has received the IRS determination letters for the Combined Pension Plan and the City of Dallas 401(k) Plan.

After discussion, Mr. Edge made a motion to (a) authorize Lawson & Fields to proceed with the tax qualification process for the System employees' Money Purchase Plan, (b) receive and file the IRS determination letter for the Combined Pension Plan, and (c) receive and file the IRS determination letter for the 401(k) Plan. Mr. Tomasovic seconded the motion, which was unanimously approved by the Board.

* * * * * * * * *

7. **Contract rate adjustment requested by Lawson & Fields, P.C.**

Lawson and Fields, P.C., the System's outside legal counsel, has requested an hourly rate adjustment. The last adjustment was in January 2000.

After discussion, Mr. Edge made a motion to approve the requested contract rate adjustment for Lawson & Fields, P.C. Mr. McCollum seconded the motion, which was unanimously approved by the Board.

* * * * * * * * *

8. **Akard Place 2001 Budget**

In accordance with the Terms of Section 551.072, Texas Government Code, the Board went into a closed executive real estate session at 2:15 p.m.

The meeting was reopened at 2:20 p.m.

Mr. Tettamant, Messrs. Fitzenhagen and Yagmur, Ms. Tucker and Ms. Mullis discussed the proposed 2001 operating budget for Akard Place.

Exhibit “D”

Gerald Brown Biography

Mr. Brown has served continuously on the Board of Trustees since 1983. He currently serves as Chairman of the Board of Trustees and is a member of the Administrative Advisory Committee. He has served the citizens of Dallas, Texas since 1975 as a firefighter, currently holding the rank of Lieutenant.

Lt. Brown is an active member of the Texas Association of Public Employee Retirement Systems (TEXPERS), the National Conference on Public Employee Retirement Systems (NCPERS), and has served as an Advisory Board member of the Real Estate Investments for Pension Funds. He has been a speaker at numerous pension seminars and conferences. He attended the University of Texas at Arlington.

Richard L. Tettamant,
Administrator

Brian F. Blake,
Assistant Administrator

Donald C. Rohan,
Assistant Administrator

DALLAS POLICE & FIRE PENSION SYSTEM

CERTIFIED MAIL
7000 1530 0005 5023 8856

Board of Trustees

Gerald Brown, Chairman
Gary W. Edge
Donald W. Hill
John M. Mays
Rector McCollum
Steven G. Shaw
Maxine Thornton-Reese
George J. Tomasovic
Steven H. Umlor
Richard H. Wachsman

December 15, 2003

Fraud Investigations
Dallas Public Fraud Prevention Services
P.O. Box 455
Addison, TX 75001-0455

Re: Second Request ID# 0301-021

Your original request and your second request identified above asked about information on competitive bids for legal services. Both were received in our office on December 8, 2003. We again suggest that our responses to you will be much more timely if you address them to us, rather than the City Manager.

While the System insists that the legal fees it pays be in line with those of comparable professionals, the quality of the legal advice upon which we will rely is our most important consideration. The Board of Trustees reviews and approves the hourly rates set for legal services. You already have their minutes on this issue.

Very truly yours,

Richard L. Tettamant

Richard L. Tettamant
Administrator

c: Teodoro J. Benevides
City Manager

2301 N. Akard Street • Suite 200 • Dallas, Texas 75201
Phone 214.638.3863 • Fax 214.638.6403

Dallas Public Fraud Prevention Services
Anonymous Hotline Reporting

Exhibit "C"

POB 455
Addison, TX 75001-0455
www.dpfps.org

November 14, 2003

Mr. Teodoro J. Benavides
Dallas City Manager
1500 Marilla Street, Room 4EN
Dallas, Texas 75201-6390

RE: Texas Public Information Act – Open Records Request
Dallas Police & Fire Pension System
ID # 0301-011

Dear Mr. Benavides:

In a letter dated September 29, 2003, the Dallas Police & Fire Pension System provided information responsive to our Open Records Request of September 16, 2003, that, among other items, noted that expense for outside legal counsel during the four year fiscal period from 1999 through 2002 was $1,067,983 (Exhibit "**A**").

Pursuant to the Texas Public information Act (Texas Open Records Act), Chapter 552, Texas Government Code, we are requesting the following additional information regarding the Dallas Police & Fire Pension System, its employees, and it's Board of Trustees:

1. Legal expense for in-house and/or City of Dallas counsel for fiscal 1999, 2000, 2001, and 2002.

Please note that we are requesting that this Open Records Request be handled by your office, and agree to pay the charges related to this request for information. However, please provide a written itemized statement of estimated charges in advance of work being started should the expected charge exceed $40.

Please advise should you have comments or require additional information. Thank you.

Respectfully,

Columbus A. Alexander, III, CPA
Certified Fraud Examiner
www.dpfps.org

cc: Honorable Mayor Laura Miller
Shirley A. Acy, City Secretary

Exhibit "A"

Richard L. Tettamant,
Administrator

Brian F. Blake,
Assistant Administrator

Donald C. Rohan,
Assistant Administrator

DALLAS
POLICE & FIRE
PENSION SYSTEM

Board of Trustees

Gerald Brown, Chairman
Gary W. Edge
Donald W. Hill
John M. Mays
Rector McCollum
Steven G. Shaw
Maxine Thornton-Reese
George J. Tomasovic
Steven H. Umlor
Richard H. Wachsman

VIA FACSIMILE and US Mail
972.931.0176

September 29, 2003

Fraud Investigations
Dallas Public Fraud Prevention Services
POB 455
Addison, TX 75001-0455

RE: Open Records Request dated September 16, 2003
ID# 0301-010

To Whom It May Concern:

On or about September 16, 2003, you forwarded the attached open records request to Mr. Teodoro J. Benavides, Dallas City Manager, requesting information regarding "the Dallas Police and Fire Pension System, its employees, and its Board of Trustees (collectively, the "Pension System"). The City of Dallas forwarded the request to the Pension System. The Pension System received your request on September 22, 2003.

The information you requested for fiscal years 1999 through 2002 is provided in the table below.

Fiscal Year End

	1999	2000	2001	2002
Plan Net Assets (Market)[1]	$2,069,704,731	$2,039,741,240	$1,888,386,893	$1,660,210,281
# of Personnel[1]	14	12	19	22
# of Trustees[1]	9	10	12	10
Actuarial Expense[2]	$134,656	$182,417	$114,708	$124,233
Legal Expense[23]	$200,877	$315,975	$186,309	$364,822

[1] As of December 31 of each year reported
[2] As of October 31 of each year reported
[3] Outside counsel - does not include expense for in-house or City of Dallas counsel

2301 N. Akard Street • Suite 200 • Dallas, Texas 75201
Phone 214.638.3863 • Fax 214.638.6403

Sincerely,

Richard L. Tettamant

Richard L. Tettamant
Administator

DR:ct

cc: Mr. Teodoro J. Benavides
Ms. Kimberly Tolbert
Mr. Gary Lawson

Dallas Public Fraud Prevention Services
Anonymous Hotline Reporting

POB 455
Addison, TX 75001-0455

www.dpfps.org

August 5, 2004

Texas Attorney General
Open Records Division
Education & Enforcement
P.O. Box 12548
Austin, Texas 787110

RE: Texas Public Information Act - Open Records Requests
Dallas Police & Fire Pension System
ID # 0301-900

Dear Sir/Madam:

Pursuant to the Texas Public Information Act, Chapter 552, the following Open Records Requests regarding the Dallas Police & Fire Pension System were issued during June 2004:

Attachment	ID Number	First Request	Second Request	Third Request
1	0301-033	06-10-04	07-01-04	07-15-04
2	0301-090	06-10-04	07-01-04	07-15-04
3	0301-091	06-10-04	07-01-04	07-15-04
4	0301-092	06-21-04	07-12-04	07-19-04
5	0301-093	06-21-04	07-12-04	07-19-04
6	0301-075	06-21-04	07-12-04	07-19-04
7	0301-076	06-21-04	07-12-04	07-19-04
8	0301-024	06-21-04	07-12-04	07-19-04

Despite both a second and third written attempt to obtain the information requested, we have not received a response (without exception) to any of the above listed Open Records Requests. Respectfully, we are requesting that the Office of the Attorney General, Open Records Division, intervene at this time for the purpose of compelling production of the information requested.

Thank you in advance for your anticipated assistance in resolving this matter.

Sincerely,

Columbus A. Alexander, III, CPA
Certified Fraud Examiner
www.dpfps.org

cc: Mayor Laura Miller
Mary Suhm, City Manager
Dallas City Councilmembers
Shirley Acy, City Secretary

Dallas Public Fraud Prevention Services
Anonymous Hotline Reporting

ATTACHMENT "1"

POB 455
Addison, TX 75001-0455

www.dpfps.org

June 10, 2004

Ms. Mary K. Suhm
Dallas City Manager
1500 Marilla Street, Room 4EN
Dallas, Texas 75201-6390

RE: Texas Public Information Act - Open Records Request
Dallas Police & Fire Pension System
ID # 0301-033

Dear Ms. Suhm:

On April 14, 2000, the Dallas Police and Fire Pension System acquired seven commercial properties in and around the downtown Dallas Victory Project area, to include the four-story office building now used by the Pension System for its offices and Board room.

On May 31, 2000, Kathryn A. Cox, Assistant Administrator for the Dallas Police and Fire Pension System, submitted her letter of resignation. A City of Dallas employee, Ms. Cox was compensated directly by the City of Dallas payroll for her services with the Pension System (Exhibit "**A**").

On June 2, 2000, the Dallas Police and Fire Pension System issued a payment in the amount of $21,600.00 to Ms. Cox (Exhibit "**B**"). Pursuant to the Texas Public Information Act, Chapter 552, please identify the reason for distributing $21,600.00 in pension assets to Kathryn Cox following her resignation of May 31, 2000.

Secondly, please identify any and all payments made by the Pension System to third-parties on behalf of Kathryn Cox during calendar year 2000. Finally, please provide a copy of IRS Form 1099 as issued by the Pension System in support of all payments made to and on behalf its former Assistant Administrator, Kathryn A. Cox, during calendar year 2000.

Please note that we are requesting that your office provide information responsive to this Open Records Request, and that a written itemized statement of estimated charges be provided in advance of work being started should the estimated charge exceed $10.

Sincerely,

Columbus A. Alexander, III, CPA
Certified Fraud Examiner
www.dpfps.org

cc: Mayor Laura Miller
Dallas City Council Members
Shirley Acy, City Secretary

Dallas Public Fraud Prevention Services
Anonymous Hotline Reporting

ATTACHMENT "2"

POB 455
Addison, TX 75001-0455

www.dpfps.org

June 10, 2004

Ms. Mary K. Suhm
Dallas City Manager
1500 Marilla Street, Room 4EN
Dallas, Texas 75201-6390

RE: Texas Public Information Act - Open Records Request
Dallas Police & Fire Pension System
ID # 0301-090

Dear Ms. Suhm:

Each year the Dallas Police and Fire Pension System publishes an Annual Report that includes, among other items, a summary of events that occurred during that calendar year. The Year 2001 in Review section of the Pension System's 2001 Annual Report issued under transmittal to the Mayor and Dallas City Council includes the following statement (Exhibit "**A**):

> "The System acquired a four-story office building situated north of downtown Dallas on North Akard Street at the intersection of Cedar Springs Road. The System office occupies the second floor of the building, with the Board room and Conference Center located on the first floor."

In fact, the aforementioned office building was actually purchased by the Dallas Police & Fire Pension System on April 14, 2000, as part of seven commercial properties in and around the Dallas Victory Project area, and not during 2001 as stated in its 2001 Annual Report. A copy of a contemporaneous surveyor's map and filed deed indicating April 14, 2000, as the true and correct date of acquisition by the Dallas Police and Fire Pension System are enclosed for your perusal (Exhibit "**B**").

We take seriously the responsibility of public reporting, and are concerned by the erroneous information noted above. Respectfully, we request that the City Manager's office provide an explanation at the earliest possible time.

Sincerely,

Columbus A. Alexander, III, CPA
Certified Fraud Examiner
www.dpfps.org

cc: Mayor Laura Miller
Dallas City Councilmembers
Shirley Acy, City Secretary

Dallas Public Fraud Prevention Services
Anonymous Hotline Reporting

ATTACHMENT "3"

POB 455
Addison, TX 75001-0455

www.dpfps.org

June 10, 2004

Ms. Mary K. Suhm
Dallas City Manager
1500 Marilla Street, Room 4EN
Dallas, Texas 75201-6390

RE: Texas Public Information Act - Open Records Request
Dallas Police & Fire Pension System
ID # 0301-091

Dear Ms. Suhm:

On February 9, 2000, the Board of Trustees for the Dallas Police & Fire Pension System received a report on the progress of the due diligence review of the Akard Place Property, noting that the 40-day review period would end on March 6, 2000 (Exhibit "**A**"). The Akard Property is a group of seven commercial real estate properties located in and around the downtown Dallas Victory Project area (Exhibit "**B**").

On April 10, 2000, the Board of Trustees for the Dallas Police and Fire Pension System held an emergency meeting to consider L&B Realty Advisors' recommendation regarding the acquisition of the Akard Place Property. After a 5 minute closed executive session, the Board of Trustees voted to authorize the proposed transaction (Exhibit "**C**").

However, *prior to the 40-day review period*, and almost *three months before* the Board of Trustees voted to approve its acquisition, Articles of Incorporation were filed creating the legal entity that would acquire the Akard Place Property on behalf of the Dallas Police and Fire Pension System (Exhibit "**D**").

Pursuant to the Texas Public Information Act, Chapter 552, please provide a copy of the written authorization for the creation of PFP Akard Place, Inc. Please note that we are requesting that your office compile information responsive to this Open Records Request, and that a written itemized statement of estimated charges be provided in advance of work being started should the estimated charge exceed $10.

Please advise should you have comments or require additional information. Thank you.

Sincerely,

Columbus A. Alexander, III, CPA
Certified Fraud Examiner
www.dpfps.org

cc: Mayor Laura Miller
Dallas City Councilmembers
Shirley Acy, City Secretary

Dallas Public Fraud Prevention Services
Anonymous Hotline Reporting

ATTACHMENT "4"

POB 455
Addison, TX 75001-0455

www.dpfps.org

June 21, 2004

Ms. Mary K. Suhm
Dallas City Manager
1500 Marilla Street, Room 4EN
Dallas, Texas 75201-6390

RE: Texas Public Information Act - Open Records Request
Dallas Police & Fire Pension System
ID # 0301-092

Dear Ms. Suhm:

During 2002, the forensic accounting firm CFOpros received payments from the Dallas Police & Fire Pension System (and agents on its behalf) totaling $64,362.17 (Exhibit "**A**"). However, amounts reported to the Board of Trustees for the same period were substantially lower at $25,000.00.

We take seriously the responsibility of public reporting, and are concerned by the erroneous information reported by the Dallas Police & Fire Pension System in its Professional Services Budget for fiscal 2001/2002 (Exhibit "**B**"). Respectfully, we request that the City Manager's office provide an explanation at the earliest possible time.

Sincerely,

Columbus A. Alexander, III, CPA
Certified Fraud Examiner
www.dpfps.org

cc: Mayor Laura Miller
Dallas City Councilmembers
Shirley Acy, City Secretary

Dallas Public Fraud Prevention Services
Anonymous Hotline Reporting

ATTACHMENT "5"

POB 455
Addison, TX 75001-0455

www.dpfps.org

June 21, 2004

Ms. Mary K. Suhm
Dallas City Manager
1500 Marilla Street, Room 4EN
Dallas, Texas 75201-6390

RE: Texas Public Information Act - Open Records Request
Dallas Police & Fire Pension System
ID # 0301-093

Dear Ms. Suhm:

In our letter of November 15, 2003, we requested information regarding competitive bids for legal services noting that on January 13, 2000, February 8, 2001, and December 12, 2002, the Board of Trustees for the Dallas Police & Fire Pension System unanimously approved hourly rate increases for its outside legal counsel, Lawson & Fields, P.C. (Exhibit "**A**").

On December 15, 2003, the Administrator for the Dallas Police & Fire Pension System responded to our request stating that "the quality of the legal advice upon which we will rely is our most important consideration" while failing to produce any information regarding competitive bids that may have been considered by the Board of Trustees (Exhibit "**B**").

We understand that the Dallas Police & Fire Pension System has disbursed $1,067,983.00 in pension assets to outside legal counsel during the four year fiscal period from 1999 through 2002 (Exhibit "**C**"). Respectfully, we are requesting a copy of the Dallas Police & Fire System's policy regarding competitive bids. If none, please explain.

Please note that we are making this request pursuant to the Texas Public Information Act, Chapter 552, Texas Government Code. In addition, please note that we are requesting that the City Manager's office compile information responsive to this Open Records Request, and that a written itemized statement of estimated charges be provided in advance of work being started should the estimated charge exceed $10.

Please advise should you have comments or require additional information. Thank you.

Sincerely,

Columbus A. Alexander, III, CPA
Certified Fraud Examiner
www.dpfps.org

cc: Mayor Laura Miller
Dallas City Councilmembers
Shirley Acy, City Secretary

Dallas Public Fraud Prevention Services
Anonymous Hotline Reporting

ATTACHMENT "6"

POB 455
Addison, TX 75001-0455

www.dpfps.org

June 21, 2004

Ms. Mary K. Suhm
Dallas City Manager
1500 Marilla Street, Room 4EN
Dallas, Texas 75201-6390

RE: Texas Public Information Act - Open Records Request
Dallas Police & Fire Pension System
ID # 0301-075

Dear Ms. Suhm:

On May 22, 2002, the Dallas Morning News published an article regarding the Dallas Police & Fire Pension System noting that "the system's accounts payable rolls contained numerous errors, incomplete postings and a wealth of omissions" and that "members of the system's management team were systematically procuring the personal bank records of employees" (Exhibit "**A**").

During June/July 2002, outside legal counsel for the Dallas Police & Fire Pension System submitted invoices with a combined total of $18,821.25 that included among routine legal services, $11,131.00 in billings from a third-party vendor (Exhibit "**B**", Exhibit "**C**").

Pursuant to the Texas Public information Act, Chapter 552, Texas Government Code, please provide a copy of all invoices supporting the aforementioned $11,131.00 payments to Spaeth Communication by the law firm of Lawson Fields McCue Lee & Campbell, P.C., on behalf of its client, the Dallas Police & Fire Pension System.

Please note that we are requesting that the City Manager's office compile information responsive to this Open Records Request, and that a written itemized statement of estimated charges be provided in advance of work being started should the estimated charge exceed $10.

Please advise should you have comments or require additional information. Thank you.

Sincerely,

Columbus A. Alexander, III, CPA
Certified Fraud Examiner
www.dpfps.org

cc: Mayor Laura Miller
Dallas City Councilmembers
Shirley Acy, City Secretary

Dallas Public Fraud Prevention Services
Anonymous Hotline Reporting

ATTACHMENT "7"

POB 455
Addison, TX 75001-0455

www.dpfps.org

June 21, 2004

Ms. Mary K. Suhm
Dallas City Manager
1500 Marilla Street, Room 4EN
Dallas, Texas 75201-6390

RE: Texas Public Information Act - Open Records Request
Dallas Police & Fire Pension System
ID # 0301-076

Dear Ms. Suhm:

On August 9, 2002, outside legal counsel for the Dallas Police & Fire Pension System issued a cashier's check in the amount of $54,000.00 to a third-party vendor for "confidential services rendered." (Exhibit "**A**").

Pursuant to the Texas Public information Act, Chapter 552, Texas Government Code, please provide a copy of all vendor invoices supporting the aforementioned $54,000.00 payment by outside legal counsel for the Dallas Police & Fire Pension System. If none, please explain.

Please note that we are requesting that the City Manager's office compile information responsive to this Open Records Request, and that a written itemized statement of estimated charges be provided in advance of work being started should the estimated charge exceed $10.

Please advise should you have comments or require additional information. Thank you.

Sincerely,

Columbus A. Alexander, III, CPA
Certified Fraud Examiner
www.dpfps.org

cc: Mayor Laura Miller
Dallas City Councilmembers
Shirley Acy, City Secretary

Dallas Public Fraud Prevention Services
Anonymous Hotline Reporting

ATTACHMENT "8"

POB 455
Addison, TX 75001-0455

www.dpfps.org

June 21, 2004

Ms. Mary K. Suhm
Dallas City Manager
1500 Marilla Street, Room 4EN
Dallas, Texas 75201-6390

RE: Texas Public Information Act - Open Records Request
Dallas Police & Fire Pension System
ID # 0301-024

Dear Ms. Suhm:

Richard Tettamant has held the position of Administrator of the Dallas Police and Fire Pension System since 1993. He also served as Assistant Administrator of the Pension System for eight years. He joined the Pension System in 1982 (Exhibit "**A**").

Gerald Brown has served continuously on the Board of Trustees since 1983. He currently serves as Chairman of the Board of Trustees and is a member of the Administrative Advisory Committee (Exhibit "**B**").

During 1993, the law firm of Lawson & Fields, P.C. was incorporated. During its many years as outside legal counsel for the Dallas Police & Fire Pension System, the firm's name has changed, most recently to Lawson Fields & Calhoun, P.C. (Exhibit "**C**", Exhibit "**D**"). Pursuant to Texas Public Information Act, Chapter 552, Texas Government Code, please identify the date of the first contract for legal services between the Dallas Police & Fire Pension System and its outside legal counsel, Lawson Fields & Calhoun, P.C., and/or its member attorneys.

Please note that we are requesting that the City Manager's office compile information responsive to this Open Records Request, and that a written itemized statement of estimated charges be provided in advance of work being started should the estimated charge exceed $10.

Please advise should you have comments or require additional information. Thank you.

Sincerely,

Columbus A. Alexander, III, CPA
Certified Fraud Examiner
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cc: Mayor Laura Miller
Dallas City Councilmembers
Shirley Acy, City Secretary