

POLICE RETIREMENT BOARD ELECTION PROCEDURES

For the Five Police Officer Members and Two Retired Police Officer Members

I. Purpose

These procedures set forth a plan for the election of five (5) police officer members and two (2) retired police officer members to the Police Retirement Board (the "Board"), based on the requirements stated in Section 3.03 of Vernon's Annotated Civil Statutes of the State of Texas 6243n-1 governing the City of Austin Police Retirement System (the "Act").

- A. The terms of two police officer members elected in 2009 will expire in 2013 and every fourth subsequent year, and the terms of the three police officer members that were elected in 2007 will expire in 2011 and every fourth subsequent year.
- B. The term of one retired member elected in 2009 will expire in 2013 and every fourth subsequent year, and the term of one retired member that was elected in 2007 will expire in 2011 and every fourth subsequent year.
- C. The Retirement Board is composed of eleven members as follows:
 - One Council member designated by City Council
 - The City Manager or designee
 - Director of Finance or designee
 - One-citizen member appointed by the Board
 - (Two) retired police officer members elected by the retired members
 - (Five) police officer members elected by the police officer members
- D. The composition of the Board provides a balance of expertise and input for administering the affairs of the Police Retirement System. This Board meets monthly to approve benefits, review investments, consider improvements to the system and conduct other business.

II. Responsibilities

- A. The Board will review these election procedures to assure their conformity with the Retirement Act and will approve or amend them no later than August 31 of each odd-numbered year.
- B. The Board will coordinate the election process utilizing an Election Committee (the "Committee") and Staff support as needed.

III. Appointment of Election Committee (EC)

- A. After the election procedures are approved and not later than September 30th of each election year, the EC Chairperson will be appointed by the Board Chairperson. The Committee will consist of a Chairperson and three other members. The Chairperson and Committee members will consist of Board Members (one person who serves as a designated or appointed member, two police officer members and one retired member) who all are appointed by the Board Chairperson, and none of whom may be candidates in that election.

IV. Duties of the Election Committee

- A. In early October of each election year, the Committee Chairperson will send by mail to all police officer members and all retired police officer members of the system a notice regarding the number of Board positions to be filled and the time deadline and procedures for submitting Statements of Interest in serving on the Board. Eligible members who desire to be placed on the ballot must submit formal Statements of Intent to the Committee not later than twenty-one (21) days after the date the notice was mailed.
- B. On or before November 1, the Committee will convene to determine the eligibility of police officers and retired members who timely filed Statements of Interest. The Committee Chairperson will notify the Pension Administrator of the eligible candidates, submitting the Statements of Interest and the order in which they will be placed on the ballot, and will verify that the eligible candidates are correctly on the ballot.
- C. Not later than two weeks prior to the election day, the Committee Chairperson shall send by mail a notice of the upcoming election to all police officer members and retired members listing eligible candidates, enclosing for each such member the Statements of Interest from the candidates and one mail ballot with postage paid return envelope.
- D. The first City of Austin payday in December is Election Day. Ballots must be post marked on or before Election Day and received not later than seven (7) days after Election Day, or hand delivered to the Pension Office by 5:00 p.m. on Election Day. The notice to be sent pursuant to Paragraph IV C above, will set forth this requirement in bold print. Ballots received that meet the requirements of this paragraph will be counted; ballots received that do not meet the requirements of this paragraph are void and will not be counted. The Committee will establish a process for canvassing of ballots issued and timely post marked and received or hand delivered in accordance with these procedures and shall act as election judge.

- E. The Committee will convene following the election and count the ballots returned. The Committee may obtain assistance from staff in tabulating the votes.
- F. When the initial tabulation is complete, the Committee Chairperson will notify the candidates of the number of votes each candidate received and the apparent winners.
- G. Only a person who received votes in the election may challenge the tabulation of votes. To challenge such tabulation, such a person must file a written request for a recount with the Committee Chairperson within five days after the Chairperson has notified the candidates of the results as set forth in the preceding paragraph. The person making the challenge must print their name on the written notice of challenge and sign that document. In the event that a timely challenge is received, the Committee will again meet and recount the votes, and the Chairperson will advise the candidates as to the result of the recount.
- H. In the absence of a challenge, official election results will be announced and will become final on the first payday following the election.

V. General Provisions

A. Qualifications for Candidates

1. Each candidate must be on the police officer employee payroll or retired police officer member payroll and a member of the Austin Police Retirement System.
2. Eligibility to serve will be verified by computer listing.

B. Filing Statements of Interest

1. Candidates for police officer members and retired police officer members must file in writing a Statement of Interest to serve on the Board. The statement will include name, length of police department employment, job title (if applicable), brief description of area of job responsibility (if applicable), and brief personal statement of reasons for wanting to serve on the Board. As an option a candidate may include a photo for publishing.
2. Statements of interest should be sent to the Committee in care of the Pension Administrator.

C. Unopposed Candidates

The Board will declare any unopposed retired officer member candidate elected to the office without the necessity of conducting an election.
The Board will declare any unopposed active officer member candidate(s) elected to the office without the necessity of conducting an election.

D. Police Officer Members and Retired Members Eligible to Vote

1. All current City of Austin commissioned police officers and Cadets who are members of the Austin Police Retirement System will be eligible to cast a ballot for the police officer member candidates only. Staff Members of the Police Retirement System are ineligible to vote.
2. All current retired police officers that are members of the Austin Police Retirement System will be eligible to cast a ballot for the retired officer member candidate only. Surviving dependents and Staff members of the Austin Police Retirement System are ineligible to vote.
3. No person is eligible to vote for police officer members unless that person meets the definition of "police officer" set forth in Section 1.02(21) of the Act, and no person is eligible to vote for retired officer members unless that person meets the definition of "retired member" as set forth in Section 1.02(24) of the Act.

E. Announcement of Official Winners

1. The Committee Chairperson will announce official election results. The announcement will identify the winners and list each nominee showing the number of votes cast for each. The announcement will be sent to each nominee.
2. The Committee Chairperson will forward a general notification memo of election results to the Police Department after all final appeals are heard.

Approved by action of the Police Retirement Board on August 19, 2009.



Peter Morin, Chairperson