

Dallas Public Fraud Prevention Services

Anonymous Hotline Reporting

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

SECOND REQUEST

07/01/04

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

**Regular Board Meeting
Wednesday, February 9, 2000**

Exhibit "A"

* * * * *

4. Police officer and firefighter pay lawsuits

In accordance with the provisions of Section 551.071, Texas Government Code, the Board went into a closed executive legal session at 9:41 a.m. to discuss the status of the pay lawsuits.

The meeting was reopened at 10:20 a.m.

No motion was made.

* * * * *

5. Potential office property purchase through L&B Realty Advisors

- a. Status of due diligence process**
- b. Contract with L&B for asset management of property**

Messrs. Fitzenhagen and Donahue reported on the progress of the due diligence review of the Akard Place property. The 40-day review period will end on March 6, 2000. The Board discussed the proposed contract with L&B Realty Advisors for asset management of the Akard Place property.

After discussion, a motion was made by Mr. Mays to receive and file the L&B due diligence report and approve the proposed contract with L&B Realty Advisors for asset management of the Akard Place property, subject to the final approval of the Administrator and the attorney. The motion was seconded by Mr. Edge and unanimously approved by the Board.

* * * * *

The meeting recessed at 10:31 a.m.

The meeting reconvened at 10:41 a.m.

* * * * *

6. INVESCO Realty Advisors

- a. contract revisions
 - b. potential investment opportunity
- a. Mr. Tettamant stated that at the October 1999 Workshop, the Board revised INVESCO's mandate, eliminating Real Estate Investment Trusts (REITs) over a two-year period. The revised contract reflects these changes. Associated with this mandate revision is a new fee schedule negotiated by the Administrator. Additionally, the INVESCO guidelines have been revised to reflect the elimination of REITs.

Dallas Central Appraisal District

Exhibit "B"

Commercial Property

There were 9 matches:

Address	City	Owner	Certified 2002
2085 MIDWAY RD	Carrollton 1	PFP MIDWAY OFFICE INC	\$6,612,820.00
2317 N AKARD ST	Dallas 7	PFP AKARD PLACE INC	\$2,254,190.00
2325 N AKARD ST	Dallas 3	PFP AKARD PLACE INC	\$274,280.00
1600 ASHLAND ST	Dallas 4	PFP AKARD PLACE INC	\$269,660.00
2307 CAROLINE ST	Dallas 7	PFP AKARD PLACE INC	\$618,290.00
2311 CAROLINE ST	Dallas 6	PFP AKARD PLACE INC	\$1,023,230.00
1601 CEDAR SPRINGS RD	Dallas 7	PFP AKARD PLACE INC	\$162,240.00
1703 CEDAR SPRINGS RD	Dallas 8	PFP AKARD PLACE INC	\$2,598,110.00
10670 N CENTRAL EXPY	Dallas 9	PFP SEARCH PLAZA INC	\$10,067,580.00

If Proposed Value is zero, listing may represent a subaccount.

Dallas Police and Fire Pension System
Monday, April 10, 2000
2:00 p.m.
2777 Stemmons Freeway, Suite 825
Dallas, Texas

Emergency meeting, Gary Edge, Deputy Vice-Chairman, presiding:

ROLL CALL

Board Members

Present: Gary Edge, Gerald Brown (via telephone), Dwight Walker (via telephone), George Tomasovic, John Mays

Absent: Steve Shaw, Councilmember Donald Hill, Councilmember John Loza, Councilmember Maxine Thornton-Reese, Councilmember Mary Poss

Staff: Richard Tettamant, Kathryn Cox, Fred Richmond, Linda Rickley, Don McMillan

Others: Jon Donahue

* * * * *

The meeting was called to order at 2:00 p.m.

DISCUSSION AND POSSIBLE ACTION REGARDING ITEMS FOR INDIVIDUAL CONSIDERATION

Executive Session – Real Estate.

In accordance with the provisions of Section 551.072, Texas Government Code, the Board went into a closed executive session-real estate at 2:00 p.m. with respect to the following:

Discussion and possible action regarding a potential transaction through L&B Realty Advisors

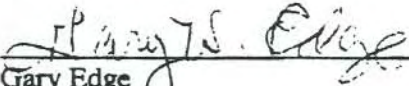
The meeting reopened at 2:05 p.m.

After discussion, a motion was made by Mr. Walker to approve the recommendation of L&B Realty Advisors regarding the proposed transaction. The motion was seconded by Mr. Brown and unanimously approved by the Board.

* * * * *

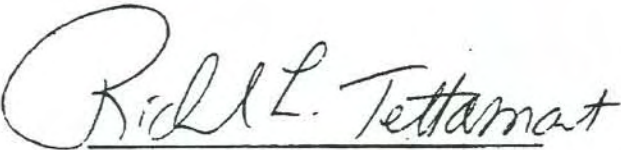
**Emergency Board Meeting,
Monday, April 10, 2000**

Mr. Tettamant stated that there was no further business to come before the Board. On a motion by Mr. Mays and a second by Mr. Tomasovic, the meeting adjourned at 2:06 p.m.



Gary Edge
Deputy Vice-Chairman

ATTEST:



Richard L. Tettamant
Secretary



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BUSINESS ORGANIZATIONS INQUIRY - VIEW ENTITY

Filing Number: 156640500 **Entity Type:** Domestic Business Corporation
Original Date of Filing: **January 18, 2000** **Entity Status:** In existence
Formation Date: N/A
Tax ID: 00000000000 **FEIN:**
Duration: Perpetual

Name: PFP AKARD PLACE, INC.
Address: [ADDRESS NOT PROVIDED]

REGISTERED AGENT		FILING HISTORY	NAMES	MANAGEMENT	ASSUMED NAMES	ASSOCIATED ENTITIES	
View Image	Document Number	Filing Type		Filing Date	Effective Date	Eff. Cond	Page Count
N/A	7011454	Articles Of Incorporation		January 18, 2000	January 18, 2000	No	N/A
N/A	7011455	Change Of Registered Agent/Office		June 20, 2000	June 20, 2000	No	N/A

[Order](#)

[Return to Search](#)

Instructions:

- To place an order for additional information about a filing press the 'Order' button.

Dallas Public Fraud Prevention Services

Anonymous Hotline Reporting

POB 455
Addison, TX 75001-0455

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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:

<u>Attachment</u>	<u>ID Number</u>	<u>First Request</u>	<u>Second Request</u>	<u>Third Request</u>
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

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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

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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

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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