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PUBLIC PENSIONS - TEXAS

City of Dallas v. Employees' Retirement Fund of City of Dallas

Supreme Court of Texas - March 15, 2024 - S.W.3d - 2024 WL 1122438

Pension fund for city employees brought action against city for declaratory judgment that a city ordinance that placed term limits on fund's directors was void and unenforceable.

City filed counterclaims, seeking to enjoin the fund from seating two elected board members for additional terms in violation of the ordinance.

The 44th District Court granted summary judgment in favor of the city. Fund appealed. The Dallas Court of Appeals reversed and rendered. City's petition for review was granted.

The Supreme Court held that:

- Ordinance creating term limits for board members repealed by implication ordinance in different chapter requiring board approval, and
- Veto power was unenforceable.

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