



**Cincinnati Retirement System
Rules of the Board of Trustees**

Revised June, 2008

**Cincinnati Retirement System
Rules of the Board of Trustees**

Table of Contents

Rule I	Order of Business	2
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**Cincinnati Retirement System
Rules of the Board of Trustees**

Rule I Order of Business

- A. Noting of Attendance
- B. Approval of Minutes
- C. Approval of Consent Agenda
- D. Statement of the Finance Department
- E. Reports of the Secretary and the Committees
- F. Unfinished Business
- G. New Business
- H. Communications
- I. Adjournment

Rule II Rules of Order

The Board of Trustees of the Retirement System adopts *Robert's Rules in Plain English* by Doris P. Zimmerman (Scott, Foresman 1997)

Rule III Meeting Place and Time

Regular meetings of the Board of Trustees are held on the first Thursday of each month at 2:00 P.M. in City Council Committee Room B, unless the Monday, Tuesday, Wednesday, or Thursday of that week is a City holiday, in which event the regular meeting shall be held on the first Friday of that month at 2:00 P.M. in the City Council Committee Room B. Six members of the Board constitute a quorum.

Rule IV Open Meetings

All meetings of the Board and its Committees are open to the public, except that the Board and its Committees may adjourn into Executive Session under circumstances permitted under Ohio Revised Code Section 121.22. The Secretary has the duty to cause minutes to be prepared of all meetings and keep the minutes available to the public.

Rule V Special Meetings

Special meetings of the Board of Trustees may be held at the call of the Chairman or on written demand, signed by two Trustees, filed with the Secretary of the Board of Trustees not less than 24 hours before the time of the meetings, and not less than 12 hours notice to each member. The call for the meeting must state the time, date, location, and subjects to be considered at the meeting and be posted on the City Web Page, in compliance with Ohio Revised Code Section 121.22. No other subject may be discussed except with the approval of a majority of the Board.

**Cincinnati Retirement System
Rules of the Board of Trustees**

Rule VI Election of Chair and Vice-Chair

Each December of the even-numbered years, the Board shall elect one of its members as Chair and another as Vice-Chair, to serve for two-year terms. If a vacancy in the office of the Chair occurs, then the Vice-Chair shall succeed the Chair. The Board shall elect a member to fill any unexpired term of the Vice-Chair.

Rule VII Election of Employee-Member and Retiree-Member Trustee

EMPLOYEE TRUSTEE ELECTION

The Employee Trustee election, shall be voted on by every full time employee, part time employee, seasonal employee employed at the time of the election, and newly hired employee that has actually started to work, additionally ballots for the employee trustee shall be provided to each employee that is classified as a deferred retiree, every employee on leave of any type as well as on vacation. This includes contributing members to the Cincinnati Retirement System employed by the City of Cincinnati, U.C. - Medical, U.C. - College and Hamilton County.

Ballots shall contain a water mark, imprinted on the ballot in a location and of a design as determined by the Administration of the Retirement Division, and changed with each election. Official election returned envelopes shall be imprinted with a series of alpha characters and sequentially numbered in a location and of a design as determined by the Administration of the Retirement Division, and changed with each election.

Returned election ballots must be contained within a sealed, official return envelope. Neither copied nor reproduced ballots, unsealed envelopes, or unofficial return envelopes will be counted.

A. Nomination Notice

- 1) Notice of the Opening of Nominations shall be distributed on the Monday prior to the first (1st) Tuesday of April (approximately **60** days prior to the election date).
- 2) Opening of Nominations shall be on the first (1st) Tuesday of April
- 3) Nomination notice shall be prepared and distributed by the Retirement Division.
- 4) The Nomination Notice shall contain the term being voted on, the deadline for nominations, the deadline for candidates position papers, the date for the posting of candidate names having provided valid nominating petition forms, the opening and closing date of the election and within the Retirement Division office the contact persons name, telephone number and email address.
- 5) Notice of the opening of the nomination process shall be distributed to all departments, boards and commissions, of members eligible to vote.

**Cincinnati Retirement System
Rules of the Board of Trustees**

- 6) It shall be the responsibility of these departments, boards and commissions to ensure the distribution and posting of this notice.

B. Nominations

- 7) Nomination petition forms shall contain the name of the candidate and as a petition state the position the candidate is seeking on each page.
- 8) Candidates shall seek election in either the expired term or the unexpired term, but shall not be allowed to be a candidate for both at the same time.
- 9) Valid nomination petition forms submitted, for a single candidate for both an expired and unexpired term, shall require such candidate to declare candidacy to the Retirement Division for only one term, within 5 working days of notification. Notification can occur by telephone call, email, or written. Candidates failing to notify the Retirement Division office within the time limits may be declared ineligible, as a candidate.
- 10) Nomination shall require no less than 25 signatures and printed names of those meeting the qualification to vote in the employee trustee election.
- 11) Along with the nomination form each candidates shall separately provide the Retirement Division with their official work address, their email address at work if applicable or their personal email address, their telephone number at work, Department and Division employed by, their official title, the number of years employed and their city supplied cell phone number upon submitting their nomination form.
- 12) Nomination petition forms shall be returned to the Retirement Division office (Room 240 City Hall) no later than 4:00 p.m. on the 4th Monday of April (approximately 45 calendar days prior to the election close date).
- 13) Nomination petition forms returned by U.S. mail must be postmarked no later than the deadline.
- 14) The Retirement Division office shall authenticate each name, and notify the candidate within five (5) work days, if there are not enough readable or valid names.
- 15) The list of validated candidates' names shall be distributed to all departments, boards and commissions, by the Retirement Division, eight (8) days after the closing of the nominations.
- 16) If the nomination form of only one candidate name has been submitted, by the deadline, and such nomination form contains the minimum 25 validated signatures, the election shall be declared closed and such candidate shall be recommended by the election committee for approval by the Board.

C. Candidates Position Paper

- 1) Each candidate shall provide the Retirement Division office with a position paper in Microsoft WORD format or in a PDF format, containing no more than 200 words, on only one (1) page, by 4:00 p.m. on 4th Monday of April (approximately 45 calendar days prior to the election close date).
- 2) Each position paper can be emailed, mailed via inner office mail, U.S. mail, or hand delivered in either a printed format on contained on a floppy disc or CD.

**Cincinnati Retirement System
Rules of the Board of Trustees**

- 3) Candidates' position papers returned by U.S. mail must be postmarked no later than the deadline.
- 4) Candidates' position paper shall be included with each ballot.
- 5) Candidates' position paper shall not contain any profanity, nor derogatory comments regarding other candidates.

D. Ballots

- 1) Ballots for an expired term shall be of a significantly different color than those for an unexpired term.
- 2) Ballots for an unexpired term shall also contain the wording "UNEXPIRED TERM" in bold capitalized lettering larger than all other fonts centered at the top of each such ballot.
- 3) The position of the name of each candidate, and the write-in space shall be rotated on the ballots so that no single candidate's name shall appear as the first name a greater number of times.
- 4) A space shall be provided for a "write in" candidate, of an eligible member.
- 5) A ballot shall be marked only once, for only one candidate.
- 6) Ballots shall not be reproduced nor copied.
- 7) Ballots shall be distributed to all departments, boards and commissions, of members eligible to vote, by the Retirement Division, no later than one day before the beginning of the election.
- 8) The heads of all departments, boards and commissions, of members eligible to vote, shall ensure the timely distribution of the ballots.
- 9) Employees not receiving a ballot from the place of employment may request a duplicate ballot.
- 10) Request for a duplicate ballot shall be submitted to the Retirement Office.
- 11) A duplicate ballot shall be of a different color and marked "DUPLICATE"
- 12) A duplicate ballot shall be mailed to the employees' home address, or picked up in person within the Retirement Division office, Room 240, City Hall after signing as receiving such.
- 13) The CRS Board, the Retirement Division nor the Election Committee assumes any responsibility if the duplicate ballot is not returned by the deadline.
- 14) Ballots shall be returned only in the official election return envelope provided.
- 15) Ballots in the official election return envelope provided shall be returned by U.S. mail, inner-office mail, or deposited directly into the locked "Ballot Box" located within the Retirement Division office, front desk area in Room 240, City Hall.
- 16) Returned ballots in the official election return envelope provided shall remain secure within the locked ballot box, within the vault of the Treasurer, of the City of Cincinnati, during non-business hours.
- 17) Returned ballots shall be signed for and released to the Chair of the Election Committee on the day of the counting of ballots.
- 18) Ballots received by U.S. mail, after the close of the election, but having a readable postmark before the close of the election shall be counted.

**Cincinnati Retirement System
Rules of the Board of Trustees**

E. Election

- 1) The election shall be open as of the fourth (4th) Tuesday of May.
- 2) The election shall be closed as of 4:00 p.m. on the first Monday of June.

F. Counting of Ballots

- 1) The ballots shall be counted on the second (2nd) day after the election close.
- 2) The chair of the election committee shall notify the candidates seeking election, of the time and location for the counting of ballots.
- 3) Each candidate shall have the opportunity to attend and witness the counting of ballots, or to designate a proxy as their official representative to attend and witness the counting of the ballots, prior to the initiation of the counting process.
- 4) The chair of the Election committee shall declare the Election Committee closed for the purpose of the “counting of the ballots. The Chair of the Election Committee shall brief the candidates or the proxies of a candidate of the procedure for the count, as well as the appeal process regarding the count. During the counting process the candidate or the proxy of a candidate shall remain seated in their assigned seat. The counting of ballots or any other item regarding the counting shall remain confidential. A violation of this confidentiality of the election count shall result in the candidate or proxy violating such to be recommended for disqualification.
- 5) No other persons other than the candidates or their proxy, along with the Election Committee Members or designated assistance shall be present during the count.
- 6) The counting of the ballots shall follow the Election Committee policy for such.
- 7) The Election Committee shall, after a brief executive meeting, then open to the public their special election committee meeting after completion of the count. A report shall be submitted for the committees’ consideration and approval pertaining to the summary count of issued ballots, returned valid ballots, invalidated ballots, duplicate ballots issued, duplicate ballots returned, and writes in ballots. A report shall then be submitted for the committees’ consideration and approval pertaining to the count of valid ballots, by candidate names, writes in candidate names.

G. Tied Vote Results

If two candidates tie in the count of valid ballots received, the following process shall be used to resolve the tie.

- 1) The chair of the election committee shall set the time and location for resolving a tie.
- 2) Both candidates involved in the tie shall be present at the meeting to resolve the tie.
- 3) A tie shall be resolved by the chair of the election committee, by means of the flipping of a coin, once.
- 4) The candidate having the greater time as a member of the CRS shall call the coin while still in the air.
- 5) The coin shall fall to the ground.
- 6) If the coin lands on the side called, then that candidate is declared the recommended elected candidate (pending Board approval and administration of the oath of office).

**Cincinnati Retirement System
Rules of the Board of Trustees**

H. Taking of Office

- 1) The chair of the election committee and one other Board member shall submit a request to the chair of the Board for a “special Board meeting” for the sole purpose of considering for approval the recommendation of the election committee regarding the election results, if the recommendation from the Election Committee has not been prepared for Board consideration at the Board meeting following the election.
- 2) The candidate with the greatest number of valid votes or in the instance of tied vote results, the winner of the tie shall be declared the election committees elected candidate of the election, pending Board approval of the Election committee recommendation and completion of the Oath of Office.
- 3) A notary provided by the City shall conduct the oath of office, after the Board has approved the election committee’s recommendation, within no more than 10 days of the closing of the election
- 4) The Board approved elected employee trustee, may then be seated as well as vote at all Board meetings.
- 5) The chair of the Board will then seek of the newly elected trustee their desired committee assignment, and make appropriate Board committee assignments.

I. Disqualification from Candidacy and as a Board Trustee

- 1) A candidate shall be disqualified from seeking election to the Board, or remaining as a Board Trustee for any of the following:
 - a) Civil conviction for Dishonesty or disciplinary decision confirming dishonesty.
 - b) Conviction of a felony, as an adult.
 - c) Failure of compliance with these election requirements.

J. Retirement or Dismissal During the Appointed or Elected Term

- 1) Any employee trustee having been administered the oath of office after the June **2007** election, that retirees or leaves employment of the City, U.C. Medical, U.C. College, or Hamilton County, or transfers to a different retirement system shall submit in writing and addressed to the Chair of the Board their resignation from the Board as of the effective date of retirement, transfer or dismissal.
- 2) The application of this section shall be applied prospectively forward, and shall not be applied in retrospect to any trustee before the trustee having been administered the oath of office from the June 2007 election.
- 3) Failure to submit such notification of any item contained within Section 10. Disqualification from Candidacy and as a Board Trustee upon discovery shall result in the immediate submission of a request for a “special Board meeting” for the purpose of discussion of the facts of the discovery and the potential of a recommendation by the Election Committee Chair in the instance of a candidate, or in the instance of a trustee for any Board member to make a motion to the Board for the immediate removal of such trustee from the CRS Board.

**Cincinnati Retirement System
Rules of the Board of Trustees**

RETIREE TRUSTEE ELECTION

The Retiree Trustee election, shall be voted on by every retiree, disability retiree, or beneficiary of a retiree. This includes retired members to the Cincinnati Retirement System retired from the City of Cincinnati, U.C. Medical, U.C. College and Hamilton County.

Ballots shall contain a water mark, imprinted on the ballot in a location and of a design as determined by the Administration of the Retirement Division, and changed with each election. Official election returned envelopes shall be imprinted with a series of alpha characters and sequentially numbered in a location and of a design as determined by the Administration of the Retirement Division, and changed with each election.

Returned election ballots must be contained within a sealed, official return envelope, neither copied nor reproduced ballots, unsealed envelopes, or unofficial return envelopes will be counted.

A. Nomination Notice

- 1) Notice of the opening of nominations shall be distributed on the Monday prior to the fourth (4th) Tuesday of June (approximately 70 days prior to the election date).
- 2) Opening of Nominations shall on the fourth (4th) Tuesday of June.
- 3) Nomination notice shall be prepared and distributed by the Retirement Division.
- 4) Opening of the Nomination notification for retiree trustee may be by postcard.
- 5) The Nomination Notice shall contain the term being voted on, the deadline for nominations, the deadline for candidates position papers, the date for the posting of candidate names having provided valid nominating petition forms, the opening and closing date of the election and the contact persons name, telephone number and email address within the Retirement Division office.
- 6) Notice of the opening of the nomination process shall be distributed to all individuals receiving a retirement pension from the CRS.

B. Nominations

- 1) Nomination petition forms shall contain the name of the candidate and as a petition state the position the candidate is seeking on each page.
- 2) Candidates shall seek election in either the expired term or the unexpired term, but shall not be allowed to be a candidate for both at the same time.
- 3) Valid nomination petition forms submitted, for a single candidate for both an expired and unexpired term, shall require such candidate to declare candidacy to the Retirement Division for only one term, within 5 working days of notification. Notification can occur by telephone call, email, or written. Candidates failing to notify the Retirement Division office within the time limits may be declared ineligible, as a candidate.
- 4) Nomination shall require no less than 25 signatures and printed names of those meeting the qualification to vote in the retiree trustee election.
- 5) Along with the nomination form each candidates shall separately provide the Retirement Division with their official home address, their email address if they have

**Cincinnati Retirement System
Rules of the Board of Trustees**

one, their telephone number at home, the Department and Division retired from, their official title at the time of retirement, the number of years employed, the year of their retirement and if available their personal cell phone number upon submitting their nomination form.

- 6) Nomination petition forms shall be returned to the Retirement Division office (Room 240 City Hall) no later than 4:00 p.m. on the 3rd Monday of July (approximately 50 calendar days prior to the election close date).
- 7) Nomination petition forms returned by U.S. mail must be postmarked no later than the deadline.
- 8) The Retirement Division office shall authenticate each name, and notify the candidate within five (5) work days, if there are not enough readable or enough valid names.
- 9) The list of validated candidates' names shall be posted on the Retirement Divisions web page, eight (8) days after the closing of the nominations.
- 10) If the nomination form of only one candidate name has been submitted, by the deadline, and such nomination form contains the minimum 25 validated signatures, the election shall be declared closed and such candidate shall be recommended by the election committee for approval by the Board.

C. Candidates Position Paper

- 1) Each candidate shall provide the Retirement Division office with a position paper in Microsoft WORD format or in a PDF format, containing no more than 200 words, on only one (1) page, by 4:00 p.m. on 3rd Monday of July (approximately 45 calendar days prior to the election close date).
- 2) Each position paper can be emailed, mailed via inner office mail, U.S. mail, or hand delivered in either a printed format or contained on a floppy disc or CD.
- 3) Candidates' position papers returned by U.S. mail must be postmarked no later than the deadline.
- 4) Candidates' position paper shall be included with each ballot.
- 5) Candidates' position paper shall not contain any profanity, nor derogatory comments regarding other candidates.

D. Ballots

- 1) Ballots for an expired term shall be of a significantly different color than those for an unexpired term.
- 2) Ballots for an unexpired term shall also contain the wording "UNEXPIRED TERM" in bold capitalized lettering larger than all other fonts centered at the top of each such ballot.
- 3) The position of the name of each candidate, and the write-in space shall be rotated on the ballots so that no single candidates name shall appear as the first name a greater number of times.
- 4) A space shall be provided for a "write in" candidate, of an eligible member.
- 5) A ballot shall be marked only once, for only one candidate.
- 6) Ballots shall not be reproduced nor copied.
- 7) Ballots shall be mailed, one day before the beginning of the election.
- 8) Retirees not receiving a ballot at the address of record may request a duplicate ballot.

**Cincinnati Retirement System
Rules of the Board of Trustees**

- 9) Request for a duplicate ballot shall be submitted to the Retirement Office.
- 10) A duplicate ballot shall be of a different color and marked "DUPLICATE"
- 11) A duplicate ballot shall be mailed to the retirees' home address, or picked up in person within the Retirement Division office, Room 240, City Hall after signing as receiving such.
- 12) The CRS Board, the Retirement Division nor the Election Committee assumes no responsibility if the duplicate ballot is not returned by the deadline.
- 13) Ballots shall be returned only in the official election return envelope provided.
- 14) Ballots in the official election return envelope provided shall be returned by U.S. mail, or directly deposited directly into the locked "Ballot Box" contained within the Retirement Division office, front desk area in Room 240, City Hall.
- 15) Returned ballots in the official election return envelope provided shall remain secure within the locked ballot box, within the vault of the Treasurer of the City of Cincinnati, during non-business hours.
- 16) Returned ballots shall be signed for and released to the Chair of the Election Committee on the day of the counting of ballots.
- 17) Ballots received by U.S. mail, after the close of the election, but having a readable postmark before the close of the election shall be counted.

E. Election

- 1) The election shall be open as of the second (2nd) Tuesday of August.
- 2) Due to the potential distance that the ballots may have to travel via U.S. Mail both to the retiree, and to be returned from the retiree, the ballot process for the retiree trustee shall be extended by seven (7) calendar days resulting in 21 days allowed for voting.
- 3) The election shall be closed as of 4:00 p.m. on the first Tuesday of September.

F. Counting of Ballots

- 1) The ballots shall be counted on the second (2nd) day after the election close.
- 2) The chair of the election committee shall notify the candidates seeking election, of the time and location for the counting of ballots.
- 3) Each candidate shall have the opportunity to attend and witness the counting of ballots, or to designate a proxy as their official representative to attend and witness the counting of the ballots, prior to the initiation of the counting process.
- 4) The chair of the Election committee shall declare the Election Committee closed for the purpose of the "counting of the ballots. The Chair of the Election Committee
- 5) shall brief the candidates or the proxies of a candidate of the procedure for the count, as well as the appeal process regarding the count. During the counting process the candidate or the proxy of a candidate shall remain seated in their assigned seat. The counting of ballots or any other item regarding the counting shall remain confidential. A violation of this confidentiality of the election count shall result in the candidate or proxy violating such to be recommended for disqualification.

**Cincinnati Retirement System
Rules of the Board of Trustees**

- 6) No other persons other than the candidates or their proxy, along with the Election Committee Members or designated assistance shall be present during the count.
- 7) The counting of the ballots shall follow the Election Committee policy for such.
- 8) The Election Committee shall, after a brief executive meeting, then open to the public their special election committee meeting after completion of the count. A report shall be submitted for the committees' consideration and approval pertaining to the summary count of issued ballots, returned valid ballots, invalidated ballots, duplicate ballots issued, duplicated ballots returned, and write-in ballots. A report shall then be submitted for the committees' consideration and approval pertaining to the count of valid ballots, by candidate names and write-in candidate names.

G. Tied Vote Results

If two candidates tie in the count of valid ballots received, the following process shall be used to resolve the tie.

- 1) The chair of the election committee shall set the time and location for resolving a tie.
- 2) Both candidates involved in the tie shall be present at the meeting to resolve the tie.
- 3) A tie shall be resolved by the chair of the election committee, by means of the flipping of a coin, once.
- 4) The candidate having the greater time as a member of the CRS shall call the coin while still in the air.
- 5) The coin shall fall to the ground.
- 6) If the coin lands on the side called, then that candidate is declared the recommended elected candidate (pending Board approval and administration of the oath of office).

H. Taking of Office

- 1) The chair of the election committee and one other Board member shall submit a request to the chair of the Board for a "special Board meeting" for the sole purpose of considering for approval the recommendation of the election committee regarding the election results, if the recommendation from the Election Committee has not been prepared for Board consideration at the Board meeting following the election.
- 2) The candidate with the greatest number of valid votes or in the instance of tied vote results, the winner of the tie shall be declared the election committees elected candidate of the election, pending Board approval of the Election committee recommendation and completion of the Oath of Office.
- 3) A notary provided by the City shall conduct the oath of office, after the Board has approved the election committee's recommendation, within no more than 10 days of the closing of the election. The Board approved elected employee trustee, may then be seated as well as vote at all board meetings.
- 4) The chair of the Board will then seek of the newly elected trustee their desired committee assignment, and make appropriate Board committee assignments.

**Cincinnati Retirement System
Rules of the Board of Trustees**

I. Disqualification from Candidacy and as a Board Trustee

- 1) A candidate shall be disqualified from seeking election to the Board, or remaining as a Board Trustee for any of the following:
 - a) Civil conviction for Dishonesty or disciplinary decision confirming
 - b) Dishonesty.
 - c) Conviction of a felony, as an adult.
 - d) Failure of compliance with these election requirements.

VACATED UNEXPIRED TERM:

J. Term With Less Than 6 Months Remaining

- 1) If the vacated unexpired term has less than six (6) months remaining from the effective date of the vacancy, but more than 90 days, till the scheduled election close date, the remainder of the unexpired term may be filled, with Board approval, by the candidate having received the next highest number of votes from the type of trustee position vacated from the previous election.
- 2) Such candidate shall be notified by letter of the offering.
- 3) Such candidate shall have three (3) work days to confirm or decline.
- 4) If all available candidates have declined the position, the position shall remain vacant, till filled by means of the scheduled election process.

K. Term With More than 6 Months Remaining

- 1) If the vacated unexpired term has more than six (6) months remaining from the effective date of the vacancy, till the scheduled election close date, the remainder of the unexpired term shall be filled by a “special UNEXPIRED TERM” election.
- 2) It shall be the Boards determination of the specific “special UNEXPIRED TERM” election close date.
- 3) The process (nominations, candidate position paper, etc.) for a “special UNEXPIRED TERM” election shall follow the same process as described for a scheduled election, with the specific details being based on the type of trustee position vacated (employee or retiree).
- 4) If no candidate is available to fill the vacated unexpired term the Board may leave the position vacant or fill the position by a means as approved by the Board.

L. RETENTION AND DESTRUCTION OF BALLOTS AND RETURNED ENVELOPES

- 1) The destruction of ballots from elections as well as the envelopes used to return such ballots shall conform to the guild lines and/or retention schedules of the City of Cincinnati Records Retention Committee.

**Cincinnati Retirement System
Rules of the Board of Trustees**

Rule VIII Committees

The Chair shall annually appoint standing Investment, Benefits, Governance, and Elections Committees, comprised of no fewer than three members of the Board. The Chair shall fill any vacancies on committees as they may occur. The Chair may appoint special committees as needed to conduct the business of the Board. The Chair shall designate a member to chair each Committee. The Investment and Benefits Committees shall adopt a regular time and place for meeting. Other Committee meetings are at the call of the Committee Chair. Notice of all committee meetings shall be given in compliance with Ohio Revised Code Section 121.22.

Rule IX Matters Referred to Committees

The Secretary shall present matters immediately to the various committees. The committees are to submit their reports at the next scheduled Board meeting.

Rule X Attendance

Board members have the duty to attend the meetings of the Board and the meetings of such committees as to which they have been appointed. Board members serving ex officio may appoint a representative by proxy to attend, participate, and vote on all issues when such trustees find it impossible to attend any board or committee meeting. The Board may remove from a Board Committee any member who fails to attend in person or by proxy at least three-fifths of the regular and special meetings held by the Board committee during any two-year period.

Rule XI Special Hearings-Procedures

- A. Application for benefits: The Pension Manager or other person designated by the Secretary shall review every application for retirement allowances or other benefits under Chapter 203 of the Cincinnati Municipal Code. If the applicant is entitled to the retirement allowances or other benefits by reason of uncontroverted facts and clearly applicable law, the Pension Manager shall approve the application and advise the Board of that action. Otherwise, the Pension Manager shall recommend to the Benefits Committee that the application be granted or denied, in whole or in part. The Benefits Committee shall recommend to the Board that the application be granted or denied, in whole or in part.

- B. Denial of application for benefits:
 - 1) Disability Appeals
This rule applies when the Board of Trustees of the Cincinnati Retirement System either denies an application for a disability retirement benefit pursuant to CMC §203-41 or terminates or reduces a disability retirement benefit pursuant to CMC §203-53 and §203-55.

**Cincinnati Retirement System
Rules of the Board of Trustees**

- 2) After the Board of Trustees has either denied an application for, or reduced or terminated a disability retirement benefit, the member shall be notified in writing, via regular mail within seven days of such action.
- 3) The notice shall include the following information:
 - a) The Board of Trustee's denial, reduction or termination of the disability retirement benefit;
 - b) The member's right to submit a notice of intent to provide additional medical evidence. Such notice of intent shall be received by the Cincinnati Retirement System administrative office no later than thirty (30) calendar days from the date of the notice of denial, reduction, or termination;
 - c) Failure of a member to submit a notice of intent to provide additional medical evidence shall make the Board of Trustee's action final as to such application or benefit;
 - d) Such additional evidence relative to the submitted letter of intent shall be current medical evidence documented by a licensed physician specially trained in the field of medicine covering the illness or injury for which the disability is claimed and such evidence has not been considered previously by the Benefits Committee of the Board of Trustees. Such additional medical evidence shall be presented in writing by the member and shall constitute an appeal of the denial, reduction, or termination;
 - e) Failure to provide the additional medical evidence within forty-five (45) calendar days of the member's submission date of the notice of intent to provide such evidence shall make the Board of Trustee's action final to such application or benefit unless an extension for submission of such evidence has been requested and granted by Administration within the forty-five (45) calendar days. Only one extension, not to exceed forty-five (45) calendar days, shall be granted;
 - f) The Board of Trustees shall pay for not more than two additional examinations by licensed physicians hired by the Board.
- 4) After submission of additional medical evidence as described in paragraph (C) (a) (ii) (4) of this rule, all evidence shall be reviewed by the Board of Trustee's medical director who shall recommend action for concurrence by the Benefits Committee of the Board of Trustees. The Benefits Committee shall report its recommendation for action, to the Board of Trustees in the next regular Board of Trustees meeting. The decision of the Board of Trustees shall be final.

Rule XII Policies and Procedures for Determination of Disability Benefits

The Benefits Committee shall recommend to the Board and the Board shall adopt policies and procedures for determination of disability benefits.

Rule XIII Review of Benefits

At least once every two years, the Board shall evaluate current benefits of the Retirement System and report to Council its recommendations for any improvements or changes. This evaluation shall also consider ways and means of financing these changes and any effect on the unfunded liability of the Retirement System.

**Cincinnati Retirement System
Rules of the Board of Trustees**

Rule XIV Delegation of Functions

- A. The Board may delegate functions that prudent trustees acting in a like capacity and familiar with those matters could properly delegate under the circumstance.

- B. The Board shall exercise reasonable care, skill, and caution in:
 - 1. Selecting a service provider, an agent or other person to perform duties it delegates;

 - 2. Establishing the scope and terms of the delegation, consistent with the purposes and terms of the Retirement System; and

 - 3. Periodically reviewing the service provider or agent's performance and compliance with the terms of the delegation.

- C. Every agreement for the retention of a service provider or agent shall prohibit the service provider or agent and the employees and subcontractors of a service provider or agent engaged in providing goods or services to the Retirement System from directly or indirectly giving, soliciting or receiving or in any manner being concerned in giving, soliciting or receiving any assessment, subscription or contribution for any political party in the City of Cincinnati or Hamilton County or for any candidate for public office in the City of Cincinnati or Hamilton County.

- D. Every agreement for the retention of an agent shall prohibit the agent from paying any finder's fee or commission based on obtaining the agreement with the Retirement System to any person other than:
 - 1. An employee of the agent, or

 - 2. A person whose identity and the basis for compensation is disclosed in writing to the Retirement System prior to entering into the agreement.

- E. Every agreement for the retention of an agent shall provide that any action arising out of the agreement shall be brought in Hamilton County, Ohio and that the agent shall accept the jurisdiction of the courts of Hamilton County, Ohio.

- F. Every agreement for the retention of an agent shall obligate the agent to abide by the City of Cincinnati's policies for economic inclusion of small, minority and women's business firms.

- G. Every agreement for the retention of an agent shall clearly identify the responsibilities of the agent and state the standards by which the agent's performance shall be evaluated.

Cincinnati Retirement System Rules of the Board of Trustees

Rule XV Investment Objectives and Policies

The Board shall adopt a statement of investment objectives and policies for the Retirement System. At least annually, the Board shall review the statement and change or reaffirm it.

Rule XVI Return of Contributions

The Board may return a contribution with interest or make alternative arrangements for reimbursement, if the Board determines the contribution was made because of a mistake of fact or law.

Rule XVII

- A. The Secretary shall prepare and send a Member Handbook to all active members. The Member Handbook shall include a summary description of the rights and obligations of members of the Retirement System and be prepared in accordance with this Rule.
- B. The Secretary shall furnish to each member a copy of an updated Member Handbook that integrates all modifications and changes to the rights and obligations of members of the Retirement System, at intervals not exceeding five years.
- C. The Secretary shall furnish each new active member a copy of the most recently published Member Handbook, along with a summary description of any modifications or changes to the rights and obligations of members of the Retirement System since the date of publication.
- D. The Member Handbook and the summary description of modifications or changes are to be written in a manner calculated to be understood by the average member and be accurate and sufficiently comprehensive reasonable to inform the members and beneficiaries of their rights and obligations under the Retirement System.
- E. The Member Handbook must contain:
 - 1. A description of the Retirement System's requirements regarding eligibility for participation and benefits;
 - 2. A description of the benefits provided by the Retirement System, including the manner of calculating benefits and any benefits provided for spouses and survivors;
 - 3. The procedure to claim benefits under the Retirement System and the administrative procedures available under the program for the redress of claims denied.
 - 4. The notice of availability of additional information pursuant to Rules XVIII and XIX.

**Cincinnati Retirement System
Rules of the Board of Trustees**

Rule XVIII Annual Disclosure of Financial, Actuarial and Operational Status

The Secretary shall prepare and distribute to the Board of Trustees an annual disclosure of the financial, actuarial and operational status of the Retirement System. The annual disclosure shall be kept available for public examination. The annual disclosure must contain:

- A. The name of each member of the Board of Trustees and a brief description of how each member was selected.
- B. Financial statements and notes to the financial statements prepared in conformity with generally accepted accounting principles.
- C. An unqualified opinion rendered by a certified public accountant that the financial statements are in conformity with generally accepted accounting principles.
- D. Actuarial schedules and notes to the actuarial schedules in conformity with generally accepted actuarial principles and practices for measuring pension obligations.
- E. An opinion by a qualified actuary that the actuarial schedules are complete and accurate to the best of the actuary's knowledge, that assumptions and methods in the aggregate are reasonable, and that the assumptions and methods in combination offer the actuary's best estimate of anticipated experience.
- F. The number of members of the Retirement System by classification (active, retired and deferred).
- G. The name of each actuarial, investment consulting, investment managing and investment custodial firm paid fees in excess of \$1,000 during the calendar year.
- H. A schedule of rates of return, net of manager fees, on the assets of The Retirement System overall and on assets aggregated by asset class (equity, fixed income, alternative investment and cash) over the most recent one-year, three-year, five-year and 10-year periods, to the extent available, and the rates of return on appropriate benchmarks for assets of the Retirement System overall and or each asset class over each period.
- I. A schedule of the sum of the total investment expense and total general administrative expense for the fiscal year expressed as a percentage of the average of the beginning and ending fair value of assets of The Retirement System during the fiscal year and an equivalent percentage for the preceding five fiscal years.
- J. A schedule of the 100 assets held for investment purposes on the last day of the year having the greatest fair value.

Cincinnati Retirement System Rules of the Board of Trustees

Rule XIX Annual Report

The Secretary shall prepare, send to members and persons receiving benefits and make available for public inspection an annual report.

The annual report must contain:

- A. The name of each member of the Board
- B. A summary description of any material modification of the retirement System since the last publication of the Member Handbook.
- C. A concise and accurate compilation of the financial statements, but not the notes, required by Rule XVIII (B).
- D. A restatement of the Summary of Principal Valuation Results, or substantially similar data, as reported by the Retirement System's actuary.
- E. Other material necessary to summarize fairly and accurately the annual disclosure of financial and actuarial status.

Rule XX Benefit Estimates

The Secretary shall provide to each active member annually and upon written request of the member a statement containing information that would permit the member to estimate projected benefits reasonable, to the extent the information is regularly maintained by the Retirement System.

Rule XXI Trustee Education

Recognizing that each Trustee is under a fiduciary obligation to be prudent in discharging the duties of a Trustee, each Trustee is encouraged to further his or her education in matters that come before the Board. The education of a Trustee may include attendance at conferences and seminars sponsored by the National Conference of Public Employee Retirement Systems, the International Federation of

Employee Benefit Plans, and other programs appropriate to advancing the Trustee's knowledge and skills. The decision to attend conferences shall be at the discretion of each Trustee, who must be mindful of a Trustee's fiduciary obligation to incur only costs that are appropriate and reasonable. Reimbursement of actual expenses may not exceed those allowed City of Cincinnati employees. A Trustee may not be reimbursed for the expenses of attending more than two conferences in a year without the prior approval of the Board for the attendance of each additional conference.

**Cincinnati Retirement System
Rules of the Board of Trustees**

Rule XXII Annual Evaluation of Pension Manager and Retained Fiduciaries

The Board shall annually evaluate the performance of the Secretary, the Investment Consultant, the Actuary, each investment manager and all other advisors, consultants and fiduciaries retained by the Board. The performance shall be evaluated according to whether each individual or firm exceeds, fulfills, or fails to fulfill the duties delegated to the individual or firm.

Rule XXIII Adoption and Amendment of the Revised Rules

Upon their adoption by a vote of a majority of the Trustees, these Revised Rules shall supersede the Rules then in existence and to into immediate effect. They may be amended or revised only after notice of the proposed revision or amendment has been introduced at a regular meeting of the Board, held until the next regular meeting and adopted by a vote of a majority of the Trustees.