

GENERAL RETIREMENT SYSTEM OF THE CITY OF DETROIT

RULES AND REGULATIONS GOVERNING ELECTION

OF TRUSTEES OF THE RETIREMENT SYSTEM

ELECTION

FOR

ACTIVE TRUSTEE TERM ENDING JUNE 30, 2027

ARTICLE I

The Retirement System provisions provide that the general administration, management and responsibility for the proper operation of the Retirement System shall be vested in the Board of Trustees. The Board of Trustees consists of ten (10) Trustees; five (5) of whom are members of the Retirement System to be elected by the members of the System in accordance with such rules and regulations as may be adopted by the Board. No more than one Trustee shall be elected from any one City Department. Additionally, employees of the Retirement System of the City of Detroit cannot serve as both a Trustee and an employee of the System, and are therefore ineligible for election.

If a Trustee leaves the employ of the City, the Trustee shall be considered to have resigned from the Board. If a vacancy in the office of Trustee occurs, Section 47-1-7 of the General Retirement System Ordinance allows the Board of Trustees to fill any such vacancies at a special election.

ARTICLE II

ELECTION TO BE HELD:

Section (1). A primary election to determine nominees shall be held with ballots to be mailed on March 25, 2021 and due by April 13, 2021. The ballots will be counted on April 22, 2021. An election (if necessary) to select the Trustee shall be held May 20, 2021. The election shall be conducted by the American Arbitration Association consistent with its rules and procedures and these rules and regulations.

NOMINATING PETITION:

Section (2). A candidate for the position of an elected Trustee shall be an active employee Member of the Retirement System. In any case of doubt the Board of Trustees shall decide who is an active employee Member within the meaning of the pension provisions relative to eligibility to serve as an employee elected Trustee. **By submitting a Nominating Petition, Candidates consent to a criminal background check. The Board of Trustees may disqualify a Candidate for seeking election to a Member Trustee position on the Board in the event the**

Candidate has been found guilty or entered a nolo contendere plea to a crime involving the public trust, finances or the personal property of another (i.e., theft, fraud, larceny, conversion, bribery, etc.) within the last 20 years. No candidate's name shall be placed upon primary election ballots for nomination for the office of Trustee unless there shall be filed with the Executive Director of the Retirement System a nominating petition containing the signature of members of the Retirement System totaling at least two percent (2%) of the active membership of the Retirement System as of the first of the month in which the Nominating Petitions are made available (February 1, 2021); not less than Ninety-Six (96) signatures are required for the 2021 primary. Incumbents only need to notify the Board of Trustees by letter declaring his or her candidacy; signed petitions are not required. Signature is defined, as cursive signature, not printed name, unless an employee's printed name is his/her signature as illustrated in the Retirement System Files on signature lines. All signatures must be obtained no earlier than February 22, 2021 and no later than 4:00 P.M. March 8, 2021 and be on the current year nominating petition form (or photocopy of blank form) provided by the Retirement System.

FORM OF NOMINATING PETITION:

Section (3). Nominating petitions shall be furnished by the Executive Director to the Retirement System and will be available on February 22, 2021. Petitions may be obtained in person by the prospective candidate from the Retirement System at 500 Woodward Avenue, Suite 3000; Detroit, Michigan 48226. Please note that due to COVID restrictions, prospective candidates must notify Gail A. Oxendine, Assistant Executive Director via email at goxendine@rscd.org to schedule an appointment to pick up nominating petitions. Limited appointments will be available.

Prospective candidates are also welcome to download the nominating petitions and election rules from our website at:

https://www.rscd.org/member_resources/trustee_election_-_2021.php.

If the prospective candidate elects to download the election materials, the candidate must notify Gail A. Oxendine at the email address referenced above to declare his/her candidacy. The declaration of candidacy notification shall contain the candidate's name, job classification, and employing department. Failure to make email notification as indicated will result in the candidate being disqualified. Eligibility requirements of the candidate will be reviewed by the Executive Director to the Retirement System (or his/her designee). Petitions and rules will be issued to all eligible candidates (or candidates shall download from our website). Petitions shall have a heading for signature, printed name, Pension Number or last four (4) digits of the Social Security Number, the employing City Department, and the date.

Sworn affidavit with notary signature will continue to be included in the standard petition form.

FILING NOMINATING PETITIONS:

Section (4). Nominating petitions, properly notarized, shall be received by the Executive Director of the Retirement System (or his/her designee) up to the hour of Four O'clock in the afternoon of March 8, 2021 at 500 Woodward Avenue, Suite 3000, Detroit, Michigan 48226, by appointment only. Petitions may also be received via email to Gail A. Oxendine, Assistant Executive Director, at the email referenced above in accordance with the defined due date.

MANDATORY ORIENTATION:

Section (5). Each potential candidate that has filed a Nominating Petition shall be required to attend a Mandatory Orientation to be conducted by the Executive Director (or his/her designee) scheduled March 4, 2021 at 10:00 am at 500 Woodward Avenue, Suite 3000, Detroit, MI 48226. All new candidates must attend this orientation to be certified as an eligible candidate. Attendance by an incumbent Trustee shall not be required.

NAMES ON NOMINATING PETITIONS TO BE CHECKED:

Section (6). The Executive Director of the Retirement System (or his/her designee) shall cause to be compared the names of persons signed to the nominating petitions with the active membership rolls of the Retirement System and shall eliminate names of persons who are not active members as of February 1, 2021, printed names where no signature appears, or illegible writing where a signature and printed name cannot be discerned or verified. Such comparisons shall be performed by the American Arbitration Association staff. When the comparisons are completed, the eligible candidates shall be certified to the Board of Trustees by the American Arbitration Association. Such certification shall be made not later than March 18, 2021. If the Board of Trustees by a majority vote of not less than five (5) Trustees finds that a candidate committed fraud or forgery with respect to the completion or submission of nominating petitions, such candidate's name shall not appear on the ballot and shall not be eligible for election to the position of an elected Trustee for a period of ten years.

WITHDRAWAL OF NAME FROM BALLOT:

Section (7). After the filing of a nominating petition by or on behalf of any candidate proposed for nominating to the office of Trustee, such candidate shall not be permitted to withdraw unless written notice is served on the Executive Director of the Retirement System not later than March 12, 2021.

ARTICLE III

IDENTIFYING INFORMATION ON BALLOT:

Section (1). Each candidate whose name appears on the ballot at any election held for the office of Trustee shall be identified by the name of the department in which

he/she is employed and the title of the position which describes the work he/she performs. Whenever there is a possibility of confusion of names of nominees or candidates, the Board of Trustees shall add whatever additional identification it deems necessary to avoid any confusion.

DESIGNATION PROHIBITED ON BALLOT:

Section (2). No ballot shall have printed thereon any organization or political designation or mark, except as specifically provided in Section (1) of this Article.

ROTATION OF NAMES ON BALLOT:

Section (3). Names on the ballot shall be arranged alphabetically, according to surname, so that each alternate ballot shall have the names in a different relative position.

GENERAL RETIREMENT SYSTEM WEBSITE POSTING:

Section (4). Each candidate certified on the ballot shall be afforded the opportunity to have the following information posted on the General Retirement System website during the pendency of the election:

- (a) Name;
- (b) Headshot picture;
- (c) Position/Department employed in; and
- (d) A statement/resume of less than 250 words describing the candidate's qualifications to serve on the Board of Trustees.

ARTICLE IV

MAILING BALLOTS:

Section (1). At least ten days prior to a primary or an election, the American Arbitration Association shall mail to the last known residence address of each active member of the Retirement System, the following forms:

- (a) A Ballot;
- (b) A Return Postage Prepaid Envelope addressed to the American Arbitration Association, 39555 Orchard Hill Place, Ste. 140, Novi, MI 48375. In the upper left hand corner of the envelope there shall be two horizontal lines, with instructions to have the member sign his/her name and print his/her name; and
- (c) Instructions governing the marking of ballots and forwarding same the

office of the American Arbitration Association, 39555 Orchard Hill Place,
Ste. 140, Novi, MI 48375.

POLL LIST:

Section (2). The Executive Director shall cause to be prepared a list of active members, to be known as a Poll List showing the name and last known residence address of each member who is entitled to vote in accordance with Article V, Section (1). The Executive Director shall supply the American Arbitration Association with a copy of the Poll List to be used for the mailing of election ballots.

MAILINGS:

Section (3). ~~Candidates will no longer be able to obtain a poll list of General Retirement System (GRS) members who are entitled to vote. Instead, c~~Candidates desiring to send a campaign pamphlet, flier or other type mailing to active General Retirement System Members must submit their mailing materials to the Retirement System for mailing. The Retirement System will not provide a poll list of General Retirement System (GRS) members who are entitled to vote.

Mailings

Mailings will be administered by the Retirement Systems staff and will be handled by the GRS Mailer for an approximate fee of \$3,329~~3,800.00~~/\$~~4,400~~4,200.00 in one of the following methods.

- 1.—(a) Candidate submits final mailing material and certified check to the Retirement Systems; or
- 2.—(b) Candidate submits a sample mailing to be produced by the GRS Mailer and certified check to the Retirement Systems.

If the prospective candidate does a timely submission, Retirement Systems staff will cause the information to be mailed to members before the ballots are mailed.

CUSTODY OF BALLOTS:

Section (4). Election ballots shall be in the sole custody of the American Arbitration Association. If more than two candidates are from the same department, then of those candidates from the same department, all except the two candidates who obtain the highest number of votes shall be eliminated.

Of the remaining number of candidates, the nominees for the office of Trustee shall be selected according to the total votes obtained by each of the remaining candidates.

If the number of candidates remaining be not twice the number of Trustees to be elected, then the full number of remaining candidates shall be declared to be

nominees.

In the event one of the candidates in the Primary Election receives more than 50% of the valid votes cast in the Primary Election, a Final Election will not be necessary and the candidate with more than 50% of the valid votes cast shall be certified the winner of the election.

CERTIFICATION OF SUCCESSFUL CANDIDATES FOR NOMINATION:

Section (5). After the ballots are counted and the totals verified in accordance with the usual procedure employed by the American Arbitration Association, the American Arbitration Association shall certify the results of the primary election to the Executive Director of the Retirement System who shall thereupon notify the Board of Trustees and all candidates of the names of the successful candidates.

SELECTION OF TRUSTEES FROM NOMINEES:

Section (6). The nominees whose names appear on the election ballot shall be arranged in the order of the number of votes obtained. If more than one nominee is from the same department then, of the nominees from the same department, all shall be eliminated except the nominee receiving the highest number of votes. Of the remaining nominees, the nominee with the highest number of Trustees to be elected shall be selected from those nominees receiving the highest number of votes.

TIE VOTES:

Section (7). In accordance with State Election Laws, ties will be decided by a random draw.

DESTRUCTION OF BALLOTS:

Section (8). If, within seven days after the certification by the American Arbitration Association, no petition is filed with the Board of Trustees for a recount or no request is filed in writing with the Board of Trustees contesting the certification by the said American Arbitration Association, the election shall be declared final.

Election ballots, in accordance with American Arbitration Association rules, will be retained for a period of one (1) year and then destroyed.

Article V

WHO MAY VOTE:

Section (1). Only active members of the Retirement System, whose names appear on a regular city or Cobo (TCF) Authority payroll covering a regular payroll paid on or about February 1, 2021 shall be permitted to vote for Trustee of the Retirement System in this election.

MARKING BALLOTS:

Section (2). In order to vote for a candidate or candidates for the office of Trustee of the Retirement System, at the primary or the election, the member voting shall place a mark in the square before each candidate's name for whom he/she wishes to vote, but in every case he/she shall vote for no more than exactly the number of candidates as there are trustees to be elected.

RETURNING BALLOTS:

Section (3). After a member has marked his/her ballot he/she shall insert it in the Ballot Envelope and same shall be sealed. The member shall then insert the Ballot Envelope in the Return Envelope and seal same and shall sign his/her name and print his/her name in the upper left hand corner of the Return Envelope and mail or deliver it to the American Arbitration Association.

PROCEDURE FOR HANDLING RETURN ENVELOPES RECEIVED:

Section (4). Returned envelopes will be handled in accordance with the rules established and monitored by the American Arbitration Association.

ELECTION DEADLINE:

Section (5). Election envelopes must be received in the offices of the American Arbitration Association no later than 5:00 P.M. on:

April 13, 2021 - Primary

May 19, 2021 – Final

ARTICLE VI

SELECTION OF SUCCESSFUL CANDIDATES FOR NOMINATION:

Section (1). The number of nominees for the office of Trustee shall be twice the number of Trustees to be elected and shall be selected from the number of candidates on the primary election ballot in the following manner:

The candidates shall be arranged in the order of the number of votes obtained at the Primary election.