

**City of Cincinnati**  
**An Ordinance No. \_\_\_\_\_**

LES

*EESW/pd*

- 2024

**MODIFYING** Article XV, "Retirement System," of the Administrative Code of the City of Cincinnati by **AMENDING** Section 1, "Board of Trustees," to remove the limitation on the terms of board members.

WHEREAS, the Cincinnati Retirement System Board ("Board") desires to remove the limitation on the number of terms which board members may serve in order to provide flexibility and continuity in Board membership and to maintain attendance of a sufficient number of Board members; and

WHEREAS, the Board has voted to remove the limitation on the number of terms that board members may serve; now, therefore,

BE IT ORDAINED by the Council of the City of Cincinnati, State of Ohio, with three-fourths of its members concurring:

Section 1. That Article XV, "Retirement System," of the Administrative Code of the City of Cincinnati is amended to read as follows:

**ARTICLE XV. – RETIREMENT SYSTEM**

**Sec. 1. Board of Trustees.**

- a) The general administration and responsibility for the proper operation of the retirement system shall be vested in a board of trustees. The board of trustees shall consist of nine members:
  - i. Four members with qualifications specified in subsection (b) shall be appointed by the Mayor with the advice and consent of Council.
  - ii. Two members, who shall be employee members of the system, shall be elected by deferred members and active members, as defined in Sections 203-1-D and 203-1-A2, who are not currently receiving a retirement benefit.
  - iii. Three members, who shall be retired members of the system, shall be elected by persons who are receiving retirement allowances, optional benefits, or survivor benefits from the system.
- b) At least two of the appointed members of the board shall have the following qualifications:

- i. Baccalaureate degree from an accredited college or university in finance, economics, business, or other field of study involving financial management; or
  - ii. A minimum of ten years of experience in pension administration, pension actuarial practice, institutional investment management, employee benefits/investment law, banking, asset/liability management for an insurance company, or university or college professor with a focus on fiduciary or trust fund law or quantitative background in financial theory or actuarial math.
  - iii. The appointed member shall not have any business, personal, or family interests related to the city or the retirement system that would constitute a conflict of interest, or that would create the appearance of a conflict of interest, with the duties of a trustee. Being a member of the Cincinnati Retirement System or a beneficiary of the Cincinnati Retirement System shall not constitute a conflict of interest.
  - iv. Residency shall not be considered as a qualification for any appointed member.
  - v. A current or former elected city official appointed as a member of the board pursuant to this section does not have to meet the requirements of subsection b)i and b)ii of this section. No more than two current or former elected city officials appointed as members of the board pursuant to this section shall be eligible to simultaneously serve as members of the board.
- c) Board members shall serve four-year terms, except that:
- i. when the Mayor makes initial appointments to the board under this Article, the Mayor shall appoint two members to serve four-year terms, and two members to serve two-year terms, so that the terms overlap to establish continuity in board membership from year to year.
  - ii. for the initial election of the board members elected pursuant to subsection a)ii of this section, the active employee candidate with the highest vote total shall serve a four-year term and the active employee candidate with the next highest vote total shall serve a two-year term.
  - iii. for the initial election of the board members elected pursuant to subsection a)iii of this section, the two retiree candidates with the two highest vote totals shall serve four-year terms and the retiree candidate with the third highest vote total shall serve a two-year term.
- d) ~~Each board member may serve up to three four-year terms, either consecutive or non-consecutive, except that persons serving two-year terms upon their initial appointments to the board may serve the initial term and two subsequent four-year terms.~~

- ed)** Each board member shall hold office from the first date of the term until the end of the term for which the member was appointed. Any member appointed to fill a vacancy occurring before the expiration of the term for which the member's predecessor was appointed shall hold office for the remainder of the unexpired term. Any member shall continue in office after the expiration date of the member's term until the member's successor takes office, or until a period of thirty days has elapsed, whichever occurs first.
- i. Appointed members: A vacancy on the board shall be filled in the same manner as the original appointment.
- ii. Elected members: If the remaining portion of the unexpired term is nine months or less, the position will remain vacant until the next regularly scheduled election. If the remaining portion of the unexpired term is more than nine months, an election to elect a new board member shall be held in accordance with the election rules promulgated by the board.
- fe)** An entity authorized to appoint or elect a member under subsection a) shall remove its appointee or representative from the board for any act of misconduct involving the trustee's duties, including breach of fiduciary duty and failure to properly discharge the duties of the trustee, to the extent permitted by state law.
- gf)** The board shall meet regularly and shall convene other meetings at the request of the chairperson or a majority of the members. A member who fails to attend at least two-thirds of the regular and special meetings of the board during any two-year period forfeits membership on the board.
- hg)** The board shall report to council at least annually on the following issues:
- i. Success at meeting the investment and funding objectives.
- ii. Investment performance and attribution.
- iii. Compliance with conflict of interest and ethics policies.
- iv. Compliance with benefit delivery policies.
- v. Results of external and internal audit findings and follow-up efforts.
- vi. Board member attendance, travel, and educational efforts.
- ih)** The board shall vote to disqualify any candidate from seeking election to the board or any member from remaining as a board trustee for any of the following reasons:
- i. Finding of dishonesty in any civil proceeding or disciplinary decision.
- ii. Conviction of a felony for an act committed while the candidate or member was an adult.

iv. Failure to comply with election requirements established by the board.

Section 2. That this ordinance shall take effect and be in force from and after the earliest period allowed by law.

Passed: \_\_\_\_\_, 2024

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Aftab Pureval, Mayor

Attest: \_\_\_\_\_  
Clerk

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New language underscored. Deletions indicated by strike-through.