



P.O. Box 942709
Sacramento, CA 94229-2709
(888) CalPERS (225-7377)
Telecommunications Device for the Deaf
No Voice (916) 326-3240
www.calpers.ca.gov

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Special:

Circular Letter

TO: PUBLIC AGENCIES, STATE DEPARTMENTS AND COUNTY SCHOOLS -
AGENCY EXECUTIVES OR AGENCY ELECTION OFFICERS

SUBJECT: UPCOMING MEMBER-AT-LARGE ELECTION FOR TWO REPRESENTATIVE
POSITIONS ON THE CalPERS BOARD OF ADMINISTRATION

We are requesting your assistance in conducting the upcoming Member-At-Large Board Election to fill two representative positions on the California Public Employees' Retirement System's (CalPERS) Board of Administration (Board). The term of office of the incumbents, Charles Valdes and Kurato Shimada, will expire on January 15, 2006. The new term of office for the newly elected Board members will begin January 16, 2006 and end January 15, 2010. CalPERS members active on July 1, 2005 are eligible to vote in this Board election. Retired members (excluding survivors and beneficiaries) whose names appear on the CalPERS retirement rolls for the month of June 2005 are also eligible to vote in this Board election.

Please review this material thoroughly, appoint an Agency Election Officer, and complete and return the *Election Officer Designation & Certification* form to CalPERS no later than March 14, 2005.

NEW ELECTION PROCEDURES FOR THE 2005 ELECTIONS

The Board of Administration is implementing the following new election procedures for the 2005 elections:

- The optional candidate statement has been increased from an allowed 150 words to 200 words.
- After all candidates for an election have read the candidate statements of their competitors, each candidate may add a 100-word addendum to their original candidate statement.
- The content of a candidate's statement may only be changed through a candidate statement arbitration process.
- The position currently held by Board member Charles Valdes is designated as Position A and the position currently held by Board member Kurato Shimada is designated Position B.
- A potential candidate must submit a Nomination Petition for either Position A or Position B, but not both, to become a candidate for this election.

- Members will vote separately for a candidate in Position A and for a candidate in Position B.
- A candidate must win an election by a majority vote (50% of votes cast plus one vote) in order to be elected. If the first election does not produce a majority vote winner, then a runoff election will be conducted involving the two candidates who received the highest number of votes in the particular election for Position A and/or Position B.
- In order to accommodate two elections, a first election and a runoff election, within the statutory deadline of an elected Board Member being seated by January 16, 2006, the first election voting period will be six weeks and the runoff voting period, if necessary, will be four weeks.
- Any protest of an election will be decided by a neutral Protest Panel.
- Election procedures are prescribed in Government Code section 20090 et.seq., and in CalPERS regulations found in Title 2, California Code of Regulations, Chapter 2 beginning at section 554. A copy of these CalPERS Election Regulations may be accessed on the Office of Administrative Law's website (ccr.oal.ca.gov) or on CalPERS On-Line (www.calpers.ca.gov).

NOTICE OF ELECTION FOR POSTING AND CIRCULATION

Enclosed is a supply of *Notice of Election* forms (Notice). The Notice outlines the election procedures for becoming a candidate and the election schedule. As you can see, time is important to those who are interested in becoming a candidate and might wish to submit a nomination petition, so please post and circulate this Notice to eligible active CalPERS members in your Agency, State Department or County School. Circulation of this Notice can best be accomplished by the following methods: 1) using your normal information routing system, 2) posting on employee bulletin boards, and 3) distributing to employee organizations. If additional copies of this Notice are needed, please feel free to make copies or contact the Board Elections Office at (916) 795-3952, local, or (800) 794-2297, toll free.

AGENCY ELECTION OFFICER'S ROLE AND RESPONSIBILITIES

CalPERS' regulations (found in Title 2, California Administrative Code section 554.1) prescribe the procedures required of agencies and Agency Election Officers in active member CalPERS' Board elections.

Enclosed is the *Information For The Agency Election Officer Outline of Responsibilities*, which outlines the Agency Election Officer's responsibilities during the 2005 election process. It is important that the Agency Election Officer and all staff assisting in the process receive, review, and understand the procedures outlined to ensure all actions are compatible with ethical election practices. The enclosed *Election Officer Designation & Certification* form must be completed and signed by both the designated Election Officer and the Agency Executive, and returned immediately to CalPERS. The designated Election Officer must certify on this form that they understand and will comply with the election instructions. The designated Election Officer must also certify that actions taken will be compatible with ethical election practices. This form must be returned to CalPERS no later than March 14, 2005.

When an Agency Election Officer is designated, we recommend the designee be a Personnel Officer, Payroll Officer, Benefit Officer, or their Assistant. The designated individual should be a responsible, permanent employee who will remain in employment throughout the election

process. It is the responsibility of the respective Agency Executive and designated Agency Election Officer to comply with all deadlines during the election process.

CURRENT MEMBER ADDRESS INFORMATION

It is important for the Agency, State Department and County School to notify CalPERS members who have recently moved to update their address information. Members may update their address information via CalPERS On-Line at www.calpers.ca.gov, by telephone via the CalPERS Customer Contact Center at (888) CalPERS (225-7377), or by mail. Members should update their address information before May 2005, to help ensure that each eligible member may receive a ballot package at their home address in August 2005. Also, members should inform their employer of any change of address for their employer's records. Agencies, State Departments and County Schools may obtain the CalPERS Address Change Authorization form (PERS-PRS-221) through the normal CalPERS form ordering process, or by accessing and printing the form from CalPERS On-Line at www.calpers.ca.gov. The online form can be completed by the member and mailed or faxed to CalPERS as indicated by the instructions on the form.

We appreciate your cooperation in this important election. If you have questions, please contact the CalPERS Board Election Office at (916) 795-3952, local, or (800) 794-2297, toll free.

Gloria Moore Andrews
Deputy Executive Officer, Operations

Enclosures

**INFORMATION FOR THE AGENCY ELECTION OFFICER
OUTLINE OF RESPONSIBILITIES
CalPERS 2005 Member-At-Large Board Election**

As the designated Agency Election Officer for your Agency, Department, or County School you are acting in a limited capacity as an agent of the California Public Employees' Retirement System (CalPERS). Please follow CalPERS' instructions carefully and ensure all your actions are compatible with ethical election practices.

- It is of critical importance to the election process that the *Notice of Election* (Notice) be seen by eligible active CalPERS members. Circulation of this Notice can be done by: 1) using your normal information routing system; 2) posting on employee bulletin boards; and 3) distributing to employee organizations.

In addition, a *Public Service Announcement* (Announcement) is included in this package to be used in disseminating information about the election. Please make copies of this Announcement and display it on bulletin boards throughout your agency and/or include this information in your newsletter.

- Review the *Notice of Election* carefully, particularly the Election Schedule on the reverse side of the Notice.
- The Election Officer and Agency Executive are required to sign the *Election Officer Designation & Certification* form and return the form to CalPERS by March 14, 2005, or sooner. You may fax the form to the CalPERS Election Coordinator at fax number (916) 795-3379.

BALLOT DISTRIBUTION INFORMATION

- * On August 22, 2005, CalPERS will mail a ballot directly to each eligible active member's home address. CalPERS will also mail to the Agency Election Officer, ballot instructions and ballots that were undeliverable, for distribution to identified members. On September 12, 2005, ballots returned by the post office will be mailed to the Agency Election Officer for distribution to identified members.
- * CalPERS voter address list was developed from the address information supplied by your Agency, Department, or County School or by the member directly to CalPERS.

CalPERS members, who are active on July 1, 2005, are eligible to vote in this election.
- * Any eligible member who does not receive a ballot by September 23, 2005, should contact the Board Elections Office at (916) 795-3952, local, or (800) 794-2297, toll free if he/she desires a ballot.
- * In the event of a runoff election another BALLOT DISTRIBUTION INFORMATION directive will be sent to you after October 7, 2005 specific to that election.

- Distribute to eligible active members only the information and material provided by CalPERS. Enclosure of any campaign material unauthorized by the CalPERS Board of Administration is contrary to the duty of the Agency Election Officer in conducting a fair and impartial election.
- Promptly distribute the ballots identified with the names of eligible active members which were undeliverable, or returned by the post office, if applicable.

On August 22, 2005, the following election material will be mailed to you:

- * Report listing the names and addresses of eligible active members in your Agency, Department, or County School; the addresses for eligible active members whose ballots were undeliverable by the post office, if applicable; addresses for fire, police, and County peace officer eligible active members will not appear on the report. This report is for your information only.
- * Instructions for ballot distribution and a *Certificate of Delivery* form for you to complete and return to CalPERS; and,
- * Identified ballots that were undeliverable by the post office, if applicable, for you to distribute to identified members.

On September 12, 2005, ballots returned by the post office, if any, will be mailed to you for prompt distribution to identified eligible active members.

The *Certificate of Delivery* form includes a statement to the effect that the Agency Election Officer has complied with the above procedures on the responsibilities of the Agency Election Officer. The Agency Election Officer is required to sign this form under penalty of perjury and return the form to CalPERS by September 23, 2005, or sooner, or you may fax the form to the CalPERS Election Coordinator at fax number (916) 795-3379.

- **Important Note: The time frame in which members can vote is short. If you receive any ballots, then it is essential that you distribute these ballots to the identified members as soon as possible in order to allow these members the opportunity to return their voted ballots by the voting deadline date.**
- Questions regarding the election should be directed to election staff at:

California Public Employees' Retirement System
 ATTN: CalPERS Board Election Coordinator
 P.O. Box 942702
 Sacramento, CA 94229-2702

Telephone: Local -- (916) 795-3952 or Toll Free at 1-(800) 794-2297
 Fax Number: (916) 795-3379

PUBLIC SERVICE ANNOUNCEMENT

TO: INTERESTED CalPERS MEMBERS AND EMPLOYER ASSOCIATIONS

SUBJECT: UPCOMING MEMBER-AT-LARGE ELECTION FOR CalPERS BOARD OF ADMINISTRATION

During 2005, the California Public Employee's Retirement System (CalPERS) will be conducting an election for two Member-at-Large representatives on the CalPERS Board of Administration (Board). The term of office for the current representatives, Charles Valdes and Kurato Shimada, will expire January 15, 2006. The new term of office will begin January 16, 2006, and end January 15, 2010. Eligible active and retired members of CalPERS, excluding survivors and beneficiaries, will have an opportunity to vote for two representatives to the Board.

The Board of Administration is implementing the following new election procedures for the 2005 elections:

- The optional candidate statement has been increased from an allowed 150 words to 200 words.
- After all candidates for an election have read the candidate statements of their competitors, each candidate may add a 100-word addendum to their original candidate statement.
- The content of a candidate's statement may only be changed through a candidate statement arbitration process.
- The position currently held by Board member Charles Valdes is designated as Position A and the position currently held by Board member Kurato Shimada is designated Position B.
- A potential candidate must submit a Nomination Petition for either Position A or Position B, but not both, to become a candidate for this election.
- Members will vote separately for a candidate in Position A and for a candidate in Position B.
- A candidate must win an election by a majority vote (50% of votes cast plus one vote) in order to be elected. If the first election does not produce a majority vote winner, then a runoff election will be conducted involving the two candidates who received the highest number of votes in the particular election for Position A and/or Position B.
- In order to accommodate two elections, a first election and a runoff election, within the statutory deadline of an elected Board Member being seated by January 16, 2006, the first election voting period will be six weeks and the runoff voting period, if necessary, will be four weeks.
- Any protest of an election will be decided by a neutral Protest Panel.
- Election procedures are prescribed in Government Code section 20090 et.seq., and in CalPERS regulations found in Title 2, California Code of Regulations, Chapter 2 beginning at section 554. A copy of these CalPERS Election Regulations may be accessed on the Office of Administrative Law's website (ccr.oal.ca.gov) or on CalPERS On-Line (www.calpers.ca.gov).

PUBLIC SERVICE ANNOUNCEMENT

NOTICE OF ELECTION

In January 2005, the Notice of Election will be mailed to Public Agencies, State Departments and County Schools for posting and routing to active members. The Notice will also be mailed directly to retired members' home address. The Notice outlines the procedures for becoming a candidate and gives the election schedule of dates and activities.

BALLOTS

In August 2005, ballots will be mailed directly to eligible active and retired members. Voted ballots must be postmarked or received by CalPERS in the postage paid envelope, or another comparable envelope signed by the voter, by October 3, 2005, otherwise the ballot will not be counted.

CalPERS members who have recently moved should update their address information before May 2005 to ensure that each eligible member may receive a ballot at their home in August 2005. Members may update their address information via CalPERS On-Line at www.calpers.ca.gov, by telephone via the CalPERS Customer Contact Center at (888) CalPERS (225-7377), or by mail. Also, members should inform their employer of any change of address for their employer's records.

The candidate receiving a majority of the votes cast (50% plus one) in the Position A contest and the candidate receiving a majority of the votes cast in the Position B contest will be declared elected. If there is no majority winner in either election, then a runoff election will be conducted in November 2005 involving the two candidates who received the highest number of votes in the particular election. The candidate with a majority vote in the runoff election will be declared elected. The certified election results will be published after a candidate wins an election by a majority vote.

RESPONSIBILITIES OF THE CalPERS BOARD OF ADMINISTRATION

The Board of Administration (Board) has the management and control of CalPERS, including the exclusive control of the administration and investment of the Public Employees' Retirement Fund. Administration and investment responsibility of the Board also includes the Legislators' Retirement System, the Judges' Retirement System, the Judges' Retirement System II, the Volunteer Firefighters' Length of Service Award System, the Deferred Compensation Program and the CalPERS Long-Term Care Program. In addition, the Board administers the Public Employees' Medical and Hospital Care Program, the Member Home Loan Program and the State's contract with the Federal government for Social Security.

In addition to their regular duties, Board members also serve on permanent ad hoc committees to review specific programs, projects, or issues and make recommendations to the Board. The decisions made by the Board affect more than 1.4 million California public employees, retirees, and their families.

PLEASE COMPLETE AND RETURN THIS FORM BY MAIL OR FAX TO CalPERS
NO LATER THAN **MARCH 14, 2005**, AT THE ADDRESS OR FAX NUMBER BELOW

CalPERS Election Coordinator
California Public Employees' Retirement System
P.O. Box 942702
Sacramento, CA 94229-2702
Fax Number: (916) 795-3379

ELECTION OFFICER DESIGNATION & CERTIFICATION

DESIGNATION

The person named below has been designated to serve as the Agency Election Officer for the upcoming Member-At-Large Election for the CalPERS Board of Administration:

Agency Name: _____ CalPERS Employer Code No.*: _____

Agency Election Officer:

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(Print or Type)

(Title)

Phone No.: (____) _____ Ext.: _____

(* It is the four digit number located in the upper left hand corner of the mailing label on the envelope or box in which you received this information.)

In August 2005, and in November 2005, in the event of a runoff election, ballots that are undeliverable or returned by the post office will be mailed to the attention of the Agency Election Officer for prompt distribution to identified eligible active members if applicable.

Street Address: _____
(Must be provided)

Mailing Address: _____

CERTIFICATION

I, _____, the designated Agency Election Officer for _____, do hereby certify that I have read and understand the attached Information for Election Officers Outline of Responsibilities, and will comply with those instructions throughout the election process and will ensure that all my actions are compatible with ethical election practices. This includes the prohibition against distributing campaign material endorsing any of the candidates, which I understand is against CalPERS' election policies. (Government Code section 20096).

Signed: _____

Date: _____

Signature of Agency Executive

Title

Date