

SACRAMENTO COUNTY EMPLOYEES' RETIREMENT SYSTEM
IS SEEKING
AN EXPERIENCED GENERAL COUNSEL



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EMPLOYEES'
RETIREMENT SYSTEM

THE SACRAMENTO REGION

Sacramento County has a population of 1.4 million, with 470,000 residing within the Sacramento city limits. Approximately 560,000 Sacramento County residents live within the unincorporated areas of the county, making it second in size (among California counties) to only the unincorporated area of Los Angeles County. Sacramento County encompasses approximately 994 square miles in the middle of the 400-mile long Central Valley, which is California's prime agricultural region. Sacramento County extends from the low delta lands between the Sacramento and San Joaquin rivers north to about ten miles beyond the State Capitol and east to the foothills of the Sierra Nevada Mountains.

Sacramento offers some of the lowest housing prices of major cities in the state. Many new residents have relocated from the San Francisco Bay Area and Southern California to take advantage of Sacramento's employment opportunities, low housing prices, reasonable cost of living and competitive salaries.

Educational opportunities are plentiful, with the Sacramento region being home to Sacramento State University; University of California at Davis; and other community and four-year college programs.

In addition, the Sacramento region also offers amenities that are attractive to those with an active lifestyle. Sacramento is known as the River City and has an abundance of water-oriented activities, as well as recreational, entertainment, and cultural activities. The Sierra Nevada Mountains, Lake Tahoe, Napa Valley, and the Bay Area are just a short drive from Sacramento and offer an unlimited range of leisure activities.

RETIREMENT SYSTEM

The Sacramento County Employees' Retirement System ("SCERS" or the "System") is a multiple-employer, cost-sharing public employee retirement system which operates under the County Employees' Retirement Law of 1937 (Section 31450 et seq. of the California Government Code). The System was created by resolution of the Sacramento County Board of Supervisors on July 1, 1941 to provide retirement, disability, and death benefits to qualified employees of Sacramento County and participating Special Districts. SCERS is governed by a nine-member Board of Retirement, four are appointed by the Sacramento County Board of Supervisors, four are elected by the members of the System, and the Sacramento County Director of Finance sits as an Ex-Officio member. An alternate Safety Board member and an alternate Retiree Board member are also elected by those respective groups.

The SCERS Board has sole and exclusive fiduciary responsibility over the assets of the fund and for administering basic benefits provided by the 1937 Act, as well as optional provisions adopted by the Board of Supervisors. In order to ensure that the assets of the system are diversified and that the system is earning a reasonable rate of return on investments, the Board works with an investment consulting firm to establish its Investment Plan and Policy. Funding for future retirement benefits calls for a long-term outlook, and as a result, the Board's Investment Policy has an appropriate long-term horizon.

Operating from a beautiful high-rise in downtown Sacramento, the System serves approximately 24,000 members with a fund balance of over \$6 billion. The System is legally and fiscally independent of the County.

THE POSITION

The General Counsel, under administrative direction from the Chief Executive Officer (CEO), plans, manages, oversees and directs the legal service activities of SCERS. The General Counsel serves as in-house counsel to SCERS and legal advisor to the SCERS Board of Retirement (SCERS Board), providing responsible and complex legal support to the SCERS Board, the CEO, and SCERS staff in meeting their operational and fiduciary responsibilities. The General Counsel researches, prepares and presents legal opinions and provides legal analysis regarding all aspects of SCERS' operations. The General Counsel coordinates and oversees the work of outside legal firms providing specialized legal services to SCERS, coordinates with other governmental or private sector entities on legal matters affecting SCERS, and undertakes special projects and other duties as directed.

DISTINGUISHING CHARACTERISTICS

The General Counsel is a single position, exempt executive management level classification responsible for providing legal services and counsel to the SCERS Board, CEO and staff on a wide range of legal issues. The incumbent reports to and operates under direction of the CEO, while at the same time providing counsel to the SCERS Board based on independent legal judgment and in accordance with the standards of professional responsibility.

DUTIES AND ESSENTIAL FUNCTIONS

Represents and advises the SCERS Board and staff in all legal matters pertaining to their offices and meeting their fiduciary responsibilities. Ensures that all activities of SCERS are legally supportable and in accordance with applicable laws, regulations and rules. Responds to and resolves sensitive and complex legal issues.

Provides legal counsel during public and closed sessions of the SCERS Board. Provides legal advice, analysis, and opinions to the SCERS Board, CEO and staff in matters affecting SCERS' operation, including but not limited to, public pension law; general civil law; fiduciary responsibility; institutional investments; family law; tax law; securities law; probate law; and contracts.

Assesses and makes recommendations for retaining the services of outside legal expertise when necessary to advance or protect SCERS' interests. Coordinates and oversees the selection and work of outside legal counsel and other vendors providing legal-related services to SCERS. Coordinates and oversees the work of outside counsel in matters where SCERS, or its officers or employees are parties, and advises the SCERS Board and CEO regarding the status and disposition of such matters. Assures that SCERS' legal interests are fully and properly represented in any litigation. Assumes the responsibility for providing legal representation as may be necessary.

Stays current on, studies, interprets and advises the SCERS Board, CEO and staff on statutes, rules and regulations, court decisions and legal opinions impacting SCERS.

- Serves as a member of SCERS' executive management team, conferring with and providing advice and assistance to the CEO and SCERS staff on legal issues and operational considerations. Analyzes the feasibility and risk associated with proposed courses of action.
- Confers with the CEO and SCERS staff regarding current and anticipated legal services issues and needs. Develops and recommends short and longer term plans for addressing legal service needs.
- Drafts contracts, resolutions, opinions, and other documents. Oversees the handling of various legal matters, including but not limited to, Domestic Relations Orders; Public Records Act requests; subpoenas and discovery.
- Provides analysis of state and federal legislation and formulates legislative proposals for potential sponsorship by SCERS.
- Oversees and coordinates with SCERS staff and outside entities in the evaluation of potential securities litigation. Develops recommendations to prosecute, dismiss or settle such litigation based upon SCERS Board policy in such matters.
- Develops and provides legal education programs to the SCERS Board and staff. Provides and coordinates staff training on legal issues.
- Develops, implements and maintains goals, objectives, policies and priorities for appropriate service in all legal matters.
- Plans, directs and coordinates the implementation of legal services through appropriate SCERS staff. Assigns work activities and responsibilities to appropriate personnel; reviews and evaluates work methods and procedures; and resolves problems or issues. Develops and monitors the legal services budget.
- Coordinates legal service activities with other governmental and private sector entities. Serves as a resource to participating SCERS employers and other organizations on matters of common interest.
- Attends or participates in public or professional meetings or associations, as necessary.
- Performs other duties as directed.

THE IDEAL CANDIDATE

The ideal candidate will possess substantive knowledge and experience specific to the operation of a public retirement system, including advising a multi-member governing body, and the individual will have the ability to establish an effective working relationship with a diverse group of customers.

Minimum Qualifications

- **Education and Experience:** Any combination of education and experience that has provided the knowledge, skills, and abilities necessary for a General Counsel. A typical way of obtaining the required qualifications is to possess the equivalent of seven years of progressively responsible experience in a comparable legal environment, including involvement with litigation and program management. Must have a Juris Doctor degree from a fully accredited American Bar Association approved law school or equivalent qualification.
- **License:** Current membership in the California State Bar.

Desired Knowledge, Abilities and Skills

Knowledge of California public retirement system law, particularly with respect to benefits, investment contracting, actuarial practices, general retirement system administration and management, disability adjudication; the 1937 County Employees Retirement Law; the Brown Act; the Political Reform Act; and the legislative process. Also, experience with civil and administrative law proceedings in diverse practice areas; knowledge of applicable federal, state and local laws and regulations; methods and techniques of case management; principles and practices of budget administration; and experience directing and supervising staff.

Ability to plan, organize, integrate and manage legal services for an organization; analyze alternatives, draw logical conclusions and develop cost-effective solutions; anticipate potential issues and develop proactive means for addressing problems; implement and enforce appropriate procedures and controls; apply applicable laws and regulations; communicate clearly and concisely, both orally and in writing; maintain confidentiality of information; establish and maintain effective working relationships with all levels of management, employees, retirement system participants and stakeholders, the public, the media, and others encountered in the course of work; and gain the trust and confidence of a diverse, multi-member governing board.

COMPENSATION

The annual salary range for this position is currently under review. SCERS offers an extensive benefit package, including:

- Generous vacation, holiday and sick leave allowances
- 1937 Act County Retirement program
- Medical, dental, and vision insurance benefits
- Life insurance
- System-paid parking
- Tuition reimbursement
- 401(a) plan
- Health care savings
- Optional benefits: deferred compensation, long - term care insurance and flexible spending accounts

APPLICATION AND SELECTION PROCEDURE

To be considered for this challenging and rewarding career opportunity, please submit your cover letter, resume, three work-related references (who will not be contacted early in the process) and current salary by Wednesday, March 14, 2012. Resume should reflect years and months of positions held. The selection process may include multiple interviews and may consist of rating candidate education and experience, submission of writing samples, oral presentation, or any combination.

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