



# Board of Retirement Regular Meeting

## Sacramento County Employees' Retirement System

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### Agenda Item 20

**MEETING DATE:** January 17, 2024

**SUBJECT:** Litigation Counsel Legal Services Agreement

**SUBMITTED FOR:** \_\_\_ Consent       X  Deliberation and Action      \_\_\_ Receive and File

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### **RECOMMENDATION**

Approve an amendment to legal services agreement with Nossaman LLP to increase the annual fiscal year not-to-exceed amount from \$675,000 to \$875,000 and authorize the CEO to execute any necessary documents.

### **PURPOSE**

This item supports Strategic Management Plan goals regarding transparency, risk management, fiscal responsibility, and stewardship.

### **DISCUSSION**

SCERS has a long-standing relationship with Nossaman, a California-based national law firm with public pension plan clients across the country. Nossaman is currently under contract with SCERS through June 2025, providing legal services in connection with administrative proceedings, employment law, investment transactions, fiduciary advice, litigation matters, and other special projects.

At the Board meeting on September 20, 2023, President Diepenbrock announced that the Board had approved the initiation of litigation which has yet to be formally initiated. Since that time, Nossaman's extensive experience with SCERS has proved vital in preparation for the litigation. The recommended amendment will allow for Nossaman to take a leading role with the filing of a complaint and the initial stages of formal litigation. The costs for these additional legal services will be incorporated into SCERS' annual budgets as the court action progresses, using Nossaman's current hourly billing rates which are fixed through June 2025.

### **ATTACHMENTS**

- Board Order

Prepared by:

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Jason R. Morrish  
General Counsel

Reviewed by:

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Eric Stern  
Chief Executive Officer



# Retirement Board Order

## Sacramento County Employees' Retirement System

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Before the Board of Retirement  
January 17, 2024

AGENDA ITEM:

### Litigation Counsel Legal Services Agreement

THE BOARD OF RETIREMENT hereby approves Staff's recommendation to approve an amendment of its legal services agreement with Nossaman LLP to increase the annual fiscal year not-to-exceed amount from \$675,000 to \$875,000 and authorize the Chief Executive Officer to execute any necessary documents.

I HEREBY CERTIFY that the above order was passed and adopted on January 17, 2024 by the following vote of the Board of Retirement, to wit:

AYES:

NOES:

ABSENT:

ABSTAIN:

ALTERNATES  
(Present but not voting):

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James Diepenbrock  
Board President

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Eric Stern  
Chief Executive Officer and  
Board Secretary