



Board of Retirement Regular Meeting

Sacramento County Employees' Retirement System

Agenda Item 11

MEETING DATE: November 5, 2018

SUBJECT: Interim General Counsel

SUBMITTED FOR: ___ Consent X Deliberation and Action ___ Receive and File

RECOMMENDATION

Staff recommends the Board authorize the Chief Executive Officer to enter into an agreement with Andrew L. (Lance) Kjeldgaard of Public Pension Consultants to provide Interim General Counsel legal services to SCERS from December 1, 2018, until SCERS hires a permanent General Counsel. The Interim General Counsel agreement will not exceed \$100,000 in FY 2018-19 and \$100,000 in FY 2019-20.

PURPOSE

This item supports the FY 2018-19 Strategic Management Plan to maintain a high-performance organization structure and workforce by planning for the vacancy of the General Counsel.

DISCUSSION

General Counsel Robert Gaumer's last day of employment with SCERS will be Friday, November 30, 2018. Staff recommends that SCERS engage the services of Mr. Kjeldgaard to serve as Interim General Counsel effective December 1, 2018, during the recruitment process and onboarding of a new General Counsel. Mr. Kjeldgaard has an extensive legal background in public pension systems and in 1937 Act Systems specifically; he previously served as San Bernardino County Employees' Retirement Association's General Counsel. Mr. Kjeldgaard also previously fulfilled an Interim General Counsel role for SCERS when the General Counsel position had been vacant in 2012-13, and following that assignment, he continued to provide fiduciary, investment, disability, and general legal services for SCERS. Mr. Kjeldgaard is currently providing contracted legal services to SCERS under a 2011 agreement that was amended in 2012 and 2014. Staff is seeking to replace the existing Second Amended contract with an Interim General Counsel agreement. Mr. Kjeldgaard will resume providing SCERS with

fiduciary, investment, disability, and general legal services under the terms of a new and separate contract when SCERS hires a permanent General Counsel.

It is anticipated that Mr. Kjeldgaard would begin working with Mr. Gaumer prior to his departure from SCERS, assist with the recruitment of a new General Counsel, and assist with the new General Counsel's orientation following hire. The anticipated \$100,000 annual amount would cover Mr. Kjeldgaard's services and travel expenses, and is consistent with the expenses from his prior Interim General Counsel engagement.

Prepared by:

/S/

Kathryn T. Regalia
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Reviewed by:

/S/

Eric Stern
Chief Executive Officer