

ATTACHMENT A

FRESNO COUNTY EMPLOYEES' RETIREMENT ASSOCIATION'S

BOARD COUNSEL

POSITION DESCRIPTION

DEFINITION:

The Board Counsel acts as legal advisor to the FCERA Retirement Board (Board), providing responsible and complex legal support to the Board, the Retirement Administrator, and FCERA staff in meeting their operational and fiduciary responsibilities. Board Counsel researches, prepares and presents legal opinions and provides legal analysis regarding all aspects of FCERA's operations, excluding personnel, investment, disability, dissolution and fiduciary issues. The incumbent coordinates with other governmental or private sector entities on legal matters affecting FCERA and undertakes special projects and other duties as requested.

DUTIES AND ESSENTIAL FUNCTIONS:

- Represents and advises the Board and staff in specified legal matters pertaining to their offices and meeting their fiduciary responsibilities. Ensures that such activities of FCERA 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 Board (this entails attending Board meetings.) Provides legal advice, analysis, and opinions to the Board, Retirement Administrator and staff in matters affecting FCERA's operation, including but not limited to, public pension law; general civil law; and contracts.
- Assesses and makes recommendations for retaining the services of legal expertise when necessary to advance or protect FCERA's interests. Assures that FCERA's 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 Board, Retirement Administrator and staff on statutes, rules and regulations, court decisions and legal opinions impacting FCERA.

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- Confers with the Retirement Administrator and FCERA 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, Public Records Act requests; subpoenas and discovery.
- Provides analysis of state and federal legislation and formulates legislative proposals for potential sponsorship by FCERA.
- Develops and provides legal education programs to the Board and staff. Provides and coordinates staff training on legal issues.
- Personally attends all regular and special meetings of the Board, including committee meetings as needed.

MINIMUM QUALIFICATIONS:

1. Education and Experience:

Any combination of education and experience that has provided the knowledge, skills, and abilities necessary for a Board 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.

2. License:

Current membership in the California State Bar. Prior membership in the California State Bar with ability to obtain membership in the California State Bar prior to hire date is also acceptable.

DESIRED KNOWLEDGE, ABILITIES, AND SKILLS:

1. Knowledge Of:

California public retirement system law, particularly with respect to benefits; investment contracting; actuarial practices; general retirement system administration

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and management; disability adjudication; the County Employees Retirement Law of 1937; 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.

2. 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 establish and maintain the trust and confidence of a diverse, multi-member governing board.