

ORDINANCE NO. 10443 (N.S.)

AN ORDINANCE AMENDING THE SAN DIEGO COUNTY CODE OF
ADMINISTRATIVE ORDINANCES ARTICLE IX SECTION 140.2
RELATING TO THE OFFICE OF COUNTY COUNSEL

The Board of Supervisors of the County of San Diego ordains as follows:

Section 1. Section 140.2 of the San Diego County Administrative Code is amended to read as follows:

SEC. 140.2. COUNTY COUNSEL SERVES AS CHIEF CIVIL LEGAL ADVISOR TO THE COUNTY.

(a) Pursuant to the San Diego County Charter, the County Counsel serves as the chief legal advisor to the County. In this capacity, the County Counsel shall provide legal services and representation to the County.

(b) No person, other than County Counsel, shall serve as the attorney or legal advisor to the County, and no County body or official shall hire, employ, retain, or use any person, other than County Counsel, for official legal advice, services, or representation for County purposes, except as provided by law or under the following circumstances:

(1) Conflict of Interest. Pursuant to the San Diego County Charter, when the County Counsel determines that a conflict of interest exists and determines to disqualify himself/herself from representing the County in a specific matter, the County Counsel is authorized by the Board of Supervisors to obtain, and shall be responsible for obtaining, appropriate other counsel to represent the County in the particular matter.

(2) Specialized Legal Services. When the County Counsel determines that there is a need to obtain specialized legal services, which is not available within the Office, the County Counsel is authorized by the Board of Supervisors to obtain, and shall be responsible for obtaining, appropriate outside counsel to provide the necessary expertise and specialized legal services required by the particular matter.

(3) Need for Additional Assistance. When the County Counsel determines that the legal needs of the County require additional attorney assistance not available through the Office, the County Counsel is authorized by the Board of Supervisors to obtain, and shall be responsible for obtaining, other appropriate counsel to provide legal services and representation to the County.

(4) County Counsels' Association of California. The County Counsels' Association of California ("Association") is a nonprofit mutual benefit corporation whose membership consists of the attorneys acting as county counsels of the 58 California counties. The Association provides a confidential forum over a variety of communication systems through which county counsels may share information protected by the attorney-client privilege, the attorney-work product doctrine, the common interest doctrine and other laws. The County Counsel is authorized by the Board of Supervisors to participate in all aspects and activities of the Association.

Section 2. This ordinance shall take effect and be in force thirty days after its passage, and before the expiration of fifteen days after its passage, a summary hereof shall be published once with

Meeting Date: 11/15/16 (31)

the names of the members of this Board voting for and against it in the San Diego Union Tribune, a newspaper of general circulation published in the County of San Diego.

APPROVED AS TO FORM AND LEGALITY
THOMAS E. MONTGOMERY, COUNTY COUNSEL

BY: Rachel H. Witt, Senior Deputy

Meeting Date: 11/15/16 (31)

PASSED, APPROVED, AND ADOPTED by the Board of Supervisors of the County of San Diego this 15th day of November, 2016.



RON ROBERTS
Chairman, Board of Supervisors
County of San Diego, State of California

The above Ordinance was adopted by the following vote:

AYES: Cox, Jacob, D. Roberts, R. Roberts, Horn

ATTEST my hand and the seal of the Board of Supervisors this 15th day of November, 2016.

DAVID HALL
Clerk of the Board of Supervisors

By D. Lopez
Diana Lopez, Deputy



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