

**REPORT/RECOMMENDATION TO THE BOARD OF SUPERVISORS
OF THE COUNTY OF SAN BERNARDINO
AND RECORD OF ACTION**

July 14, 2020

FROM

MICHELLE D. BLAKEMORE, County Counsel

SUBJECT

Waiver of Conflict of Interest

RECOMMENDATION(S)

1. Approve Waiver and Consent that approves the waiver of an actual conflict of interest arising out of the representation of the County of San Bernardino and a party adverse to the County of San Bernardino by Hanson Bridgett LLP.
2. Authorize the County Counsel or Chief Assistant County Counsel to execute the Waiver and Consent of the conflict of interest.

(Presenter: Michelle D. Blakemore, County Counsel, 387-5455)

COUNTY AND CHIEF EXECUTIVE OFFICER GOALS & OBJECTIVES

Operate in a Fiscally-Responsible and Business-Like Manner.

FINANCIAL IMPACT

This item will not result in the use of additional Discretionary General Funding (Net County Cost). The costs for the legal services provided by Hanson Bridgett LLP (Hanson Bridgett) are included in the Litigation Fund (134 1000). Sufficient appropriation is included in the 2019-20 budget.

BACKGROUND INFORMATION

The County has retained the legal services of Hanson Bridgett to represent the County in matters pertaining to public sector employee benefits trusts. Hanson Bridgett has the special skills, knowledge, experience and expertise in the area of employee benefits trusts needed to effectively advise, assist, litigate and otherwise represent the County on such matters.

Hanson Bridgett has identified a conflict of interest arising from its representation of Alliance International Aviation (Alliance) in connection with a tenant occupancy dispute at the Chino Airport. The Alliance matter is unrelated to the legal services to be provided to the County and no information received or expected to be received by Hanson Bridgett in the course of its current representation is material to its representation of Alliance. Appropriate ethical screens have been instituted by the firm to ensure that no confidential information pertaining to the County will be shared with Alliance or in its representation of Alliance. Additionally, attorneys and staff working on the Alliance matter will not perform any work, discuss or have access to documents or information related to the County's employee benefits trusts matters. Similarly, attorneys and staff working on the County employee benefits trusts matters will not perform any work, discuss or have access to documents or information related to the Alliance matter.

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County Counsel has reviewed the Waiver and Consent and believes that as a result of the ethical walls in place, Hanson Bridgett will minimize the risk of prejudice to the County in its representation of the County on employee benefits trusts matters.

PROCUREMENT

Not applicable.

REVIEW BY OTHERS

This item has been reviewed by County Counsel (Cynthia O'Neill, Supervising Deputy County Counsel, 387-5455) on June 11, 2020; Finance (Carl Lofton, Administrative Analyst, 387-5404) on June 29, 2020; and County Finance and Administration (Robert Saldana, Deputy Executive Officer, 387-5423) on June 29, 2020.

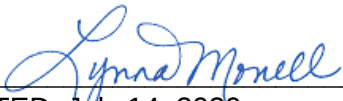
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Record of Action of the Board of Supervisors
County of San Bernardino

APPROVED (CONSENT CALENDAR)

Moved: Robert A. Lovingood Seconded: Josie Gonzales
Ayes: Robert A. Lovingood, Janice Rutherford, Curt Hagman, Josie Gonzales
Absent: Dawn Rowe

Lynna Monell, CLERK OF THE BOARD

BY 
DATED: July 14, 2020



cc: File- County Counsel Conflict of Interest
la 07/17/2020