

**COUNTY OF SAN DIEGO
BOARD OF SUPERVISORS
TUESDAY, AUGUST 26, 2025**

MINUTE ORDER NO. 5

**SUBJECT: APPROVAL OF TEMPORARY ASSIGNMENT COMPENSATION FOR THE
ACTING COUNTY COUNSEL (DISTRICTS: ALL)**

OVERVIEW

On July 24, 2025, the Board of Supervisors appointed David Smith as the Acting County Counsel. Today's recommendation is for the Board to approve a temporary compensation increase for David Smith in accordance with the Compensation Ordinance of the County of San Diego.

RECOMMENDATION(S)

CHAIR TERRA LAWSON-REMER

Approve a temporary base salary increase, effective August 26, 2025, to \$173.40 per hour for David Smith equal to 15% of his current salary rate while serving as Acting County Counsel pursuant to Section 3.5.2(d) of the Compensation Ordinance of the County of San Diego. Additionally, Mr. Smith shall receive benefits for the County Counsel classification as defined in the County of San Diego Compensation Ordinance, including the automobile allowance under Section 496 of the County Administrative Code and the benefits which are authorized for all other executive management appointing authorities and not otherwise limited by law.

EQUITY IMPACT STATEMENT

The Office of County Counsel is a full-service law office, tasked with handling the County's civil law needs, including proactive participation in all phases of governmental decision-making and a very active and successful trial litigation program.

The office provides advisory and litigation support to the Board of Supervisors, County departments, County officers, boards, and commissions. The office also represents the County in juvenile dependency matters and administers public liability claims. Today's action will ensure continuity of operations under the supervision of the Acting County Counsel, including effective implementation of the Board's policies and programs.

SUSTAINABILITY IMPACT STATEMENT

The proposed action provides stability and continuity in County operations and in carrying out the Board of Supervisors' initiatives until a new County Counsel is appointed and fully assumes the functions of the Office of County Counsel. With David Smith's institutional knowledge, experience, and professional relationships, the Office of County Counsel will continue to align the County's available resources with services to provide advisory and litigation support to the Board of Supervisors, County departments, County officers, boards, and commissions.

FISCAL IMPACT

The funding source is General Purpose Revenue. There will be no change in net General Fund cost and no additional staff years until a new County Counsel begins employment. There will be a short-term 15% increase to the base salary rate of David Smith as compensation for temporary assignment to a higher classification. This temporary compensation will increase David Smith base salary rate to \$360,672.00 per year and is consistent with the provisions of the County's Compensation Ordinance.

BUSINESS IMPACT STATEMENT

N/A

ACTION:

Noting for the record that Acting County Counsel David Smith was not present at the dais for this item; and noting for the record that, prior to the Board taking action, the Clerk of the Board of Supervisors read a statement into the record regarding the summary of recommendations on the salary and compensation paid in the form of fringe benefits for the Acting County Counsel; ON MOTION of Supervisor Anderson, seconded by Supervisor Aguirre, the Board of Supervisors took action as recommended, on Consent.

AYES: Aguirre, Anderson, Lawson-Remer, Montgomery Steppe, Desmond

State of California)
County of San Diego) §

I hereby certify that the foregoing is a full, true and correct copy of the Original entered in the Minutes of the Board of Supervisors.

ANDREW POTTER
Clerk of the Board of Supervisors



Signed
by Andrew Potter

