Agenda Item: 6 A·1

PALM BEACH COUNTY BOARD OF COUNTY COMMISSIONERS <u>AGENDA ITEM SUMMARY</u>

Meeting Date:	May 18, 2021	()Consent ()Ordinance	(X) Regular ()Public Hearing
Department	County Attorney		

I. EXECUTIVE BRIEF

Motion and Title: Staff recommends motion to approve: County Attorney Designate Agreement ("Agreement") with Denise Coffman, Esquire (hereinafter "Coffman") for the period of June 1, 2021 through October 31, 2021.

Summary: At the April 6, 2021 Board of County Commissioners (hereinafter the "Board") meeting, staff was authorized to proceed with preparation of an Agreement to appoint Coffman to serve as County Attorney Designate between June 1, 2021 and October 31, 2021 with the intent of subsequently contracting with Coffman as County Attorney effective November 1, 2021. <u>Countywide</u> (DO)

Background and Policy ISSUES : The County Attorney (hereinafter "Nieman") has verbally notified the Board of her intent to retire October 31, 2021 after serving as the County Attorney since March 26,1996. In order to establish a smooth transition of the County Attorney's Office, Nieman appointed Coffman to the position of Deputy County Attorney on March 30, 2019. Coffman joined Facilities Development & Operations and subsequently the County Attorney's Office after serving as the Clerk & Comptroller's legal representative from January 2005 to September 2013. Staff has recommended the Board proceed with a transition of the leadership of the office by appointing Coffman as County Attorney Designate which is accomplished by the Board's approval of this Agreement. There is no fiscal impact associated with this Agreement. At least sixty (60) days prior to the County Attorney's retirement on October 31, 2021, Coffman will present an employment contract to the Board of County Commissioners for approval, with an effective date of November 1, 2021.

Attachments:

1. County Attorney Designate Agreement

Recommended by:	DMNRman	4 21 21	
	Date		
Approved by:	NIA		
	l	Date	

II. FISCAL IMPACT ANALYSIS

Five Year Summary of Fiscal Impact: Α.

Fiscal Years	2021	2022	2023	2024	2025
Capital Expenditures	0	0-	0		
Operating Costs		0-		0	0-
External Revenues	0	0	0	0	0-
Program Income (Cour	nty) <u>-0-</u>	0	0	0	0-
In-Kind Match (County)	0	0	0	0-
NET FISCAL IMPACT	0	0-	-0-	-0-	0-
# ADDITIONAL FTE POSITIONS (Cumulati	ve)				

Is Item Included in Proposed Budget? Yes X No _____ No ____ Budget Account No.: Fund _____ Department _____ Unit _____ Program

Β. **Recommended Sources of Funds/Summary of Fiscal Impact:** There is no fiscal impact associated with this item.

C. **Department Fiscal Review:**

III. REVIEW COMMENTS

Α. OFMB Fiscal and /or Contract Dev. and Control Comments:

OFMB of 42121 Sight Contract Development and Control 4-22-21 Th

Legal Sufficiency: Β.

Assistant County Attorney

C. **Other Department Review:**

Department Director

COUNTY ATTORNEY DESIGNATE AGREEMENT

THIS COUNTY ATTORNEY DESIGNATE AGREEMENT (the "AGREEMENT") is made this ______, 2021 by and between Palm Beach County, Florida, a political subdivision of the State of Florida by and through its Board of County Commissioners (hereinafter the "Board") and Denise Coffman, Esquire (hereinafter "Coffman").

WITNESSETH

WHEREAS, County Attorney Denise Marie Nieman (hereinafter "the County Attorney") has announced her retirement from the position of County Attorney effective October 31, 2021; and

WHEREAS, the County Attorney has worked cooperatively with the Board on a transition plan to prepare the County Attorney's office for her departure and to promote and provide for the continuity of operations of the office following her departure; and

WHEREAS, has proposed to the Board a two-step transition of the office from the County Attorney to Coffman; and

WHEREAS, the County Attorney appointed Coffman as Deputy County Attorney on March 30, 2019 as part of the transition plan; and

WHEREAS at its April 6, 2021 Board of County Commissioners meeting the Board conceptually endorsed the County Attorney's transition plan; and

WHEREAS, in order to move forward with the transition proposal, this Agreement is being presented to the Board for approval. Following the approval of this Agreement and at least sixty (60) days before October 31, 2021, Coffman will present a contract for services to the Board with an effective date of November 1, 2021.

NOW, THEREFORE, in consideration of the mutual promises contained herein and other good and valuable consideration the receipt of which is hereby acknowledged, the Board and Coffman agree as follows:

1. The recitals set forth above are hereby incorporated herein by reference.

2. Effective June 1, 2021, Coffman shall begin employment in a transition status as "County Attorney Designate," while working with and subordinate to the outgoing County Attorney. All compensation, benefits, terms and conditions of employment of the County Attorney Designate shall remain as it presently exists for the Deputy County Attorney position through October 31, 2021. No formal change of title is required.

3. At least sixty (60) days prior to the County Attorney's retirement on October 31, 2021, Coffman will present an employment contract for the position of County Attorney to the Board for approval, with an effective date of November 1, 2021.

- 4. The text of this document shall constitute the entire agreement between the parties.
- 5. This Agreement shall become effective upon execution hereof by the parties hereto.

IN WITNESS WHEREOF, the parties hereto have set their hands and seals in the day set forth above.

ATTEST: JOSEPH ABRUZZO, CLERK

By._

Clerk and Comptroller

BOARD OF COUNTY COMMISSIONERS PALM BEACH COUNTY, FLORIDA

By.

Dave Kerner, Mayor Rv Denise Coffman, Esquire

APPROVED AS TO FORM AND
LEGAL SUFFICIENCY
By. By
County Attorney