

PALM BEACH COUNTY  
BOARD OF COUNTY COMMISSIONERS  
AGENDA ITEM SUMMARY

Meeting Date: March 8, 2022 [ ] Consent [ x ] Regular  
[ ] Ordinance [ ] Public Hearing

Department

Submitted By: County Attorney  
Submitted For: County Attorney

I. EXECUTIVE BRIEF

**Motion and Title: Staff recommends motion to approve:**

- A) the addition of four At-will positions to the County Attorney Office consisting of two Assistant County Attorney III, one Assistant County Attorney II and one Paralegal I beginning with proposed pay period March 12, 2022 for an estimated annual cost of \$455,000 (excluding benefits); and
- B) a budget transfer in the amount of \$295,771 from the General Fund Contingency Reserves to County Attorney to appropriate the budget for the additional positions for six months.

**SUMMARY:** The County Attorney office's Litigation section has been experiencing an unprecedented high turnover rate resulting from a combination of remuneration and quality work-life balance. The current complement is composed of nine attorneys including the Chief Litigation/Human Resources Attorney. The most senior attorney other than the Chief was hired in 2019 and has recently tendered her resignation effective March 11, 2022. The constant routine weeknights, weekend and periodic holiday work has resulted in loss of rest and recuperation and family time. While litigation staff is aware that trial preparation requires extra hours, the lack of recovery time following a trial is resulting in rapid burnout and turnover. In the last several years several highly experienced litigation attorneys have resigned or retired, thus causing the County Attorney Office to lose significant resilient bench strength available to assist and mentor our junior attorneys. In order to address these issues, staff recommends increasing the litigation staffing complement to reduce workload and increase the complement of experienced trial litigators. Approval of the additional positions to the County Attorney Office Complement will alleviate the workload of the litigation staff and minimize the turnover within the County Attorney Office. Countywide (DO)

**Background and Policy Issues:** The County Attorney Office lost ten attorneys during the past five years, six of whom resigned during the COVID-19 pandemic between April 2020 and October 2021. One retired from the workforce. Seven attorneys were subsequently replaced, one of which now has a pending resignation. The newly hired litigation attorneys, whilst doing a commendable job for the County, are experiencing burn out and will eventually resign if we remain understaffed. The County Attorney Office's caseload has increased from 65 cases in 2018 to 87 cases in 2020. Many of these cases involve extensive discovery and complicated legal matters. The increase in litigation workload has placed a great deal of strain and stress on the litigation attorneys, causing a high rate of turnover in the County Attorney Office. The addition of four positions to the County Attorney Office will bolster support and alleviate future turnovers of this magnitude.

**Attachments:**  
Budget Transfer N/A

**Recommended by:** \_\_\_\_\_

**Approved by:**  \_\_\_\_\_ **Date** 2-17-2022  
**Date**

**II. FISCAL IMPACT ANALYSIS**

**A. Five Year Summary of Fiscal Impact:**

Fiscal Years	2022	2023	2024	2025	2026
Capital Expenditures					
Operating Costs	\$ 295,771				
External Revenues					
Program Income(County)					
In-Kind Match(County)					
NET FISCAL IMPACT	\$295,771				
#ADDITIONAL FTE	4				
POSITIONS (CUMULATIVE)	4				

Is Item Included in Current Budget?                      Yes              No X  
 Does this item include the use of federal funds?      Yes              No X

**Budget Account No:**

Fund 0001    Agency 280    Organization 2100    Object Various


**B. Recommended Sources of Funds/Summary of Fiscal Impact:**


The four positions have a total estimated annual cost of \$455,000 for salaries and benefits estimated a cost of \$136,541. This item only covers the remaining six months of FY 2022, therefore the estimated costs are \$227,500 and \$68,271 for salaries and benefits, respectively.

**C. Departmental Fiscal Review:**

**III. REVIEW COMMENTS:**

**A. OFMB Fiscal and/or Contract Dev. and Control Comments:**

*for review  
acknow  
2/17/22*  
  
 \_\_\_\_\_  
 OFMB

  
 \_\_\_\_\_  
 Contract Dev. & Control  
 2-22-22 TW

**B. Legal Sufficiency**

  
 \_\_\_\_\_  
 Chief Assistant County Attorney

**C. Other Department Review**

\_\_\_\_\_  
 Department Director

(THIS SUMMARY IS NOT TO BE USED AS A BASIS FOR PAYMENT.)

22-0385

BOARD OF COUNTY COMMISSIONERS  
PALM BEACH COUNTY, FLORIDA  
BUDGET TRANSFER

FUND 0001

BGEX 021722\*927

ACCT.NUMBER	ACCOUNT NAME	ORIGINAL BUDGET	CURRENT BUDGET	INCREASE	DECREASE	ADJUSTED BUDGET	EXPENDED/ ENCUMBERED As of 02/17/2022	REMAINING BALANCE
<b><u>REVENUES/EXPENDITURES</u></b>								
280-2100-1201	Salaries & Wages Regular	4,428,979	4,428,979	227,500	0	4,656,479	1,634,196	3,022,283
280-2100-2101	Fica-Taxes	247,640	247,640	24,707	0	272,347	77,363	194,984
280-2100-2105	Fica Medicare	62,827	62,827	26,160	0	88,987	23,348	65,639
280-2100-2201	Retirement Contributions FRS	676,471	676,471	14,105	0	690,576	237,201	453,375
280-2100-2301	Insurance- Life & Health	600,000	600,000	3,299	0	603,299	194,999	408,300
820-9900-9901	Contingency Reserves	20,000,000	19,339,550	0	295,771	19,043,779		19,043,779
<b>Total Receipts and Balances</b>				<b>295,771</b>	<b>295,771</b>			

Signatures & Dates

By Board of County Commissioners  
At Meeting of March 8th, 2022

Office of Financial Management & Budget  
INITIATING DEPARTMENT/DIVISION

Administration/Budget Department Approval

OFMB Department - Posted

*[Handwritten Signature]*  
*[Handwritten Signature]*

2-17-20:  
2/22/22

Deputy Clerk to the

Board of County Commissioners