



Pinellas County

Legislation Details (With Text)

File #: 21-569A **Version:** 1

Type: County Attorney Item **Status:** Regular Agenda

File created: 3/15/2021 **In control:** County Attorney

On agenda: 4/27/2021 **Final action:**

Title: Resolution delegating authority to the County Attorney for lawsuits filed against Pinellas County as provided for in the Pinellas County Charter and allowing for a receipt and file notification process.

Sponsors:

Indexes:

Code sections:

Attachments: 1. Adopted RES 21-23, 2. Receipt and File Delegation Resolution

Date	Ver.	Action By	Action	Result
4/27/2021	1	Board of County Commissioners	approved	Pass

Subject:

Resolution delegating authority to the County Attorney for lawsuits filed against Pinellas County as provided for in the Pinellas County Charter and allowing for a receipt and file notification process.

Recommended Action:

Adopt a resolution delegating authority to the County Attorney to defend all lawsuits filed against the County and providing notification of such lawsuits in a receipt and file report.

Strategic Plan:

N/A

Summary:

This resolution would streamline the process for notifying the Board of County Commissioners of newly filed lawsuits by delegating to the County Attorney, to the extent the authority is not already provided by the County Charter, the authority to defend all civil lawsuits filed against the County through a receipt and file notification process.

Background Information:

The Pinellas County Charter provides in Section 4.02(c) that the Office of County Attorney shall be responsible for the representation of County government and the Board of County Commissioners, and further provides that the Office of County Attorney shall prosecute and defend all civil actions for and on behalf of County government.

Notwithstanding this Charter provision, it has long been the practice of the County Attorney’s Office to place each civil action filed against the County on the County Commission agenda as individual receipt and file consent agenda items. This resolution would streamline that process in recognition of the authority granted by the Charter and replace it with a monthly receipt and file log. This log will show each civil action filed against the County in a single document, rather than multiple agenda items. Litigation initiated by the County will continue to appear on the County Commission’s regular

agenda so that the Commission will retain the authority to approve each such lawsuit. However, the resolution will also memorialize a long-standing practice of obtaining the consent of the Chair of the County Commission to initiate litigation on those matters where exigent circumstances exist that warrant immediate action. Such lawsuits will thereafter appear on the regular agenda with a request that the County commission ratify the approval granted by the Chair.

Fiscal Impact:

N/A

Staff Member Responsible:

Jewel White, County Attorney

Christy Donovan Pemberton, Managing Assistant County Attorney

Partners:

N/A

Attachments:

Resolution.