LEON COUNTY FISCAL YEAR 2025 ADOPTED BUDGET **Sounty Attorney's Office Index**

Organizational Chart	10-2
Executive Summary	10-3
Summary	10-5
County Attorney's Office	10-6

LEON COUNTY FISCAL YEAR 2025 ADOPTED BUDGET Dounty Attorney's Office Organizational Chart

Director

Total Full-time Equivalents (FTE) =11.00

Office

Total Full-time Equivalents (FTE) = 11.00

LEON COUNTY FISCAL YEAR 2025 ADOPTED BUDGET County Attorney's Office Executive Summary

The County Attorney's Office provides legal services to the Board of County Commissioners, the County Administrator, County departments, and certain boards and agencies organized under the Board of County Commissioners, unless they are separate legal entities or have their own legal counsel, and as otherwise directed by the Board. The Office also reviews contracts, bond documents, ordinances, resolutions, and other written instruments.

HIGHLIGHTS

The County Attorney's Office provides legal support to Leon County Government in a variety of areas, including the following litigation matters:

- Leon County is a plaintiff in the multidistrict opioid litigation against multiple opioid manufacturers, distributors, and retailers. The complaints include allegations of the manufacturer defendants' false, deceptive, and unfair marketing of opioids, as well as the distributor defendants' unlawful distribution of opioids. The Board has approved entering into numerous settlement agreements, as well as a Memorandum of Understanding with the State of Florida governing how the settlement proceeds will be distributed among the State and local governments. It is currently contemplated that settlement payments will be paid out over 18 years, with use restricted to abatement and treatment of opioid use disorders and other limited uses. It is anticipated that most of the outside multidistrict litigation counsel will be paid through an attorney fund established at a national level, but a percentage of the local government distribution may also be used to fund attorneys' fees. On April 5, 2023, the Florida Attorney General's Office provided Florida cities and counties with partial estimated distribution numbers, and Leon County continues to receive disbursements. As of March 2024, Leon County had received \$320,817 in settlement funds. At its April 9, 2024, regular meeting, the Board voted to accept \$2,395,366 in settlement funds and enter into funding agreements with Big Bend Community Based Care, LLC, d/b/a Northwest Florida Health Network, and with DISC Village, Inc., for the provision of substance abuse treatment and ancillary services for individuals with opioid and substance use disorders. Funds will also be used for the purchase of EMS equipment to address opioid use disorders. In addition, outside counsel investigated and researched the role that pharmacy benefit managers (PBMs) played in contributing to the opioid crisis and found that their failure to take action to slow distribution of opioid pills into communities across the country directly contributed to fueling the opioid crisis. At the May 14, 2024 meeting, the Board authorized amending the County's current complaint to add claims against certain pharmacy benefit managers, Express Scripts and OptumRx, and their relevant subsidiaries.
- Leon County, Florida v. Edward M. Mitchell, Jr., Code Enforcement Board Case No. 22-118 a Code Enforcement Board (CEB) proceeding to enforce an environmental violation resulting from the clearing of trees within the Canopy Road Protection Zone. After a three-hour evidentiary hearing on January 18, 2024, the CEB found that the owner's vested rights did not exempt him from complying with those Code provisions, thereby finding him to be in violation and ordering him to apply for an after-the-fact permit to complete a replanting plan for replacement of the cleared vegetation. The Board's opinion was memorialized in its Order dated February 21, 2024. In Edward M. Mitchell v. Leon County, Circuit Court Case No. 2024-CA-489, the Plaintiff has appealed the CEB's Order. In Edward M. Mitchell v. Leon County, Circuit Court Case No. 2024-CA-100, the Plaintiff has filed a Complaint for Declaratory and Injunctive Relief, seeking a determination that Defendant is without legal authority to enforce the County's Canopy Road Ordinance as it applies to Plaintiff's Meridian Road property.
- Leon County/State of Florida v. Judy DuBois, County Court Case Nos. 2024-CC-16622, 2024-CO-11 through 2024-CO-70 subsequent to a citizen complaint, Leon County Animal Control officers conducted an investigation into allegations of mistreatment of dogs that were being held on Defendant's property and a neighboring property belonging to a relative. As a result of the investigation, Defendant was issued fifty-nine (59) Leon County Animal Control citations for Inhumane Care, a violation of Section 4-37, Leon County Code, and one (1) citation for Running at Large, a violation of Section 4-35(a), Leon County Code. Animal Control officers seized a total of 60 dogs from Defendant's property and ultimately the Defendant surrendered 57 of the 60 dogs. The County petitioned the Court for custody of the 3 dogs that were not surrendered by Defendant. Hearings on the County's petition and outstanding citations have been postponed, pending the resolution of a related criminal case against the Defendant.

Provided Legal Research, Review, Drafting Assistance, and Counsel to:

- Human Resources for the development of a name-clearing hearing procedure and a revision to County personnel policies.
- The Division of Tourism to update the County's tourism policy and associated delegation of signature authority from the County Administrator to the Director of Community Relations and Resilience and the Director of Tourism.
- The Agenda Coordinator to update the Decision Making and Focus Group Citizen Committee Handbooks developed for staff who support the committees.
- The Library to develop procedures designed to increase compliance with policies on returning overdue items and collection of fines; recommended policy updates to more efficiently address fines of over \$100 and items presumed lost based on time overdue; implemented updates to notice letters to patrons.
- Human Resources and Veterans Services regarding Veterans' Preference Procedures to ensure compliance with the Chapter 295 recruitment plan requirement.
- The Board regarding future quasi-judicial hearings for disclosure of ex parte communications.
- The Planning Department and the Board regarding the 2024 Comprehensive Plan amendments.
- Human Services regarding the County's ordinance prohibiting unauthorized solicitation on private property.

- Housing Services and the Board regarding the County's potential inclusionary housing ordinance and drafting documents for the implementation of the Homeownership Development Program.
- The Agenda Coordinator in drafting a resolution establishing the Miccosukee Canopy Road Greenways Committee.

Real Estate Transactions and Right-of-Way Acquisition, including:

- Assisting staff with the continued sale of County-owned real property appropriate for use as affordable housing, resulting in significant proceeds to the Housing Finance Authority of Leon County to be used for affordable housing.
- Preparing a resolution adopting an inventory list of all real property within Leon County to which the County holds fee simple title that is appropriate for use as affordable housing.
- Reviewing lease agreements for County-owned properties, such as the Leon County Government Annex, the Lake Jackson Town Center, and the Cross Creek Shopping Center.
- Providing pre-suit negotiation and acquisition of utility easements, drainage easements, whole parcels, and other right-of-way needed for the County's capital improvement projects, including the Woodville septic-to-sewer projects, the Maylor Road drainage improvements project, the Old Bainbridge Road/Capital Circle NW intersection improvement project, the North Gadsden Street Sidewalk Project, the Belair/Annawood septic-to-sewer Project, and the Blountstown Highway, Tram Road, and Chaires Road Sidewalk Projects to serve the Fort Braden Elementary and Middle School, Fairview Middle School, and Chaires Elementary School areas as part of the Safe Routes to School Program.
- Assisting with the extensive pre-suit negotiations needed to acquire property interests, including involvement in the fee owner's substantial review to ensure there was no impact to its remaining property forming part of the adjacent Canopy Planned Unit Development, for the dedicated north-bound Centerville Road Turn Lane at Harpers Ferry Drive Project to reduce traffic incidents.
- Assisting staff with Road Abandonment requests Woodville Plat, Capitola, April Road, and Elk Horn Landing Road.

Procurements, Transactions, and Assessments, including:

- Providing legal guidance in adopting the revised and consolidated joint Minority, Women, and Small Business Enterprise Policy with the City of Tallahassee and Blueprint Intergovernmental Agency, incorporating goals to reduce disparity in local government procurement in the region.
- Assisting staff with the procurement of contractors to build Leon County's Mountain Bike Trail Master Plan, helping to make Leon County one of only two counties in the State of Florida with an International Mountain Bike Trail Association Bronze Trail designation status.
- Assisting staff with the procurement of contractors for the structural additions, repairs, and renovations of the historic Concord School Building (Miccosukee Community Center).
- Assisting staff with the procurement of contractors for the construction of a concrete trail, storm sewer collection system, water and wastewater replacement, roadway reconstruction, curb and gutter installation, landscape planting, and all associate improvements for Phase II of the Magnolia Drive Trail Project.
- Assisting staff in drafting and adoption of the revised County Cybersecurity Policy and securing Cyber Security Grant funding from the State of Florida Digital Service (FLDS).
- Providing legal support to staff with updating special assessments for fire rescue, sewer, solid waste, stormwater management, and Tower Oaks (2/3 Program).

In the past 12 months, the County Attorney's Office has responded to over 1,700 requests for legal advice or assistance, including reviewing, preparing, and/or signing ordinances, resolutions, proclamations, agenda items, contracts, various housing, land use, and other real estate documents, as well as employment, procurement, and litigation documents, responding to public records requests and advertising public hearings. Included in this number are 514 agreements, 312 agenda items, 487 public records requests, 88 resolutions, 21 ordinances, and 9 policies. The County Attorney's Office provided legal support to the Planning Department for the 2024 Comprehensive Plan cycle and the Department of Development Support and Environmental Management in the approval of all Land Development Code revisions and applications for development approvals. The County Attorney's Office also represents Leon County before the Tallahassee-Leon County Planning Commission, the Board of Adjustment and Appeals, the Code Enforcement Board, and the Development Review Committee. For the 2024 elections, the County Attorney's Office is representing the Leon County Canvassing Board. Office personnel have assisted with significant revisions to the Code of Laws concerning digital publication of certain advertisements and legal notices, streetlights for school bus stops, accessory uses, solicitation on private property, and repealing the peddlers ordinance, as well as amendments to various elements of the Comprehensive Plan. The County Attorney's Office continues to be active in efforts to keep the County's lakes clean and has worked diligently with the Florida Department of Environmental Protection and the U.S. Environmental Protection Agency to reduce nutrient levels coming into Lake Talquin from Georgia, including continuing efforts regarding implementation of the 2022 Lake Talquin TMDL Rule.

In April 2024, County Attorney Chasity H. O'Steen' received the prestigious Paul S. Buchman Award from the Florida Bar's City, County and Local Government Law Section for her outstanding contribution in the area of legal public service. Additionally, in June 2024, Ms. O'Steen received the 2024 Robert L. "Bob" Nabors President's Award from the Florida Association of County Attorneys in appreciation for her dedicated service to the Association.

This past year, Assistant County Attorney, Emily Pepin Bouza, met the extensive criteria required by the Florida Bar to be recognized as a Board-Certified Lawyer in city, county, and local government law. This certification represents that Ms. Bouza has exceptional knowledge, skills, and proficiency in her chosen field of law.

LEON COUNTY FISCAL YEAR 2025 ADOPTED BUDGET

>>> County Attorney's Office

		FY 2023	FY 2024	FY 2025	FY 2025	FY 2025	FY 2026
Budgetary Costs		Actual	Adopted	Continuation	Issues	Budget	Budget
Personnel Services		1,591,655	1,649,700	1,741,531	-	1,741,531	1,795,050
Operating		283,633	575,769	575,228	-	575,228	575,228
Capital Outlay		6,933	-	-	-	-	
1	Total Budgetary Costs	1,882,220	2,225,469	2,316,759	-	2,316,759	2,370,278
		FY 2023	FY 2024	FY 2025	FY 2025	FY 2025	FY 2026
Appropriations		Actual	Adopted	Continuation	Issues	Budget	Budget
County Attorney		1,882,220	2,225,469	2,316,759	-	2,316,759	2,370,278
	Total Budget	1,882,220	2,225,469	2,316,759	-	2,316,759	2,370,278
		FY 2023	FY 2024	FY 2025	FY 2025	FY 2025	FY 2026
Funding Sources		Actual	Adopted	Continuation	Issues	Budget	Budget
001 General Fund		1,882,220	2,225,469	2,316,759	_	2,316,759	2,370,278
	Total Revenues	1,882,220	2,225,469	2,316,759	-	2,316,759	2,370,278
		FY 2023	FY 2024	FY 2025	FY 2025	FY 2025	FY 2026
Staffing Summary		Actual	Adopted	Continuation	Issues	Budget	Budget
County Attorney		11.00	11.00	11.00	-	11.00	11.00
Total Fu	ull-Time Equivalents (FTE)	11.00	11.00	11.00	-	11.00	11.00

LEON COUNTY FISCAL YEAR 2025 ADOPTED BUDGET

>>>County Attorney's Office

County Attorney's Office (001-120-514)

Goal	The goal of the County Attorney's Office is to provide high quality legal representation on behalf of the Board of County Commissioners, all departments and divisions under the Board, the County Administrator, Leon County employees in their employment capacity, and certain other boards and officials of Leon County as directed by the Board of County Commissioners.
Core Objectives	 Advise, counsel, and provide legal opinions to clients. Represent clients in litigation matters before the courts. Represent clients before administrative agencies such as the Division of Administrative Hearings, Code Enforcement Board, and Board of Adjustment and Appeals. Represent clients in employment related matters before agencies such as the Florida Commission on Human Relations, the Equal Employment Opportunity Commission, and the Agency for Work Force Innovation. Prepare materials and presenting workshops to the Board of County Commissioners. Research and drafting for Board consideration legal documents such as contracts, ordinances, resolutions, and policies. Review documentation relating to subdivision approval, including plats, maintenance agreements, and restrictive covenants. Prepare and review legal advertisements relating to the adoption of ordinances and certain meetings of the Board of County Commissioners. Represent clients in negotiating real estate contracts. Commence eminent domain lawsuits on behalf of Leon County, when necessary. Represent clients in road widening projects and drainage improvement projects. Provide legal education seminars to Senior Management staff.
Statutory Responsibilities	Chapter 112, Florida Statutes, Public Officers and Employees; Chapter 119, Florida Statutes, Public Records; Chapter 73, Florida Statutes, Eminent Domain; Chapter 74, Florida Statutes, Proceedings Supplemental to Eminent Domain; Chapter 127, Florida Statutes, Right of Eminent Domain to Counties; Section 2, Leon County, Florida, Charter; Section 2, Leon County Administrative Code.
Advisory Board	None

LEON COUNTY FISCAL YEAR 2025 ADOPTED BUDGET

>>> County Attorney's Office

	County Atte	orney (001-	-120-514)			
Budgetary Costs	FY 2023 Actual	FY 2024 Adopted	FY 2025 Continuation	FY 2025 Issues	FY 2025 Budget	FY 2026 Budget
Personnel Services	1,591,655	1,649,700	1,741,531	-	1,741,531	1,795,050
Operating	283,633	575,769	575,228	-	575,228	575,228
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Total Budgetary Costs	1,882,220	2,225,469	2,316,759	-	2,316,759	2,370,278
	FY 2023	FY 2024	FY 2025	FY 2025	FY 2025	FY 2026
Funding Sources	Actual	Adopted	Continuation	Issues	Budget	Budget
001 General Fund	1,882,220	2,225,469	2,316,759	-	2,316,759	2,370,278
Total Revenues	1,882,220	2,225,469	2,316,759	-	2,316,759	2,370,278
	FY 2023	FY 2024	FY 2025	FY 2025	FY 2025	FY 2026
Staffing Summary	Actual	Adopted	Continuation	Issues	Budget	Budget
County Attorney	1.00	1.00	1.00	-	1.00	1.00
Deputy County Attorney	1.00	1.00	1.00	-	1.00	1.00
Assistant County Attorney	3.00	3.00	3.00	-	3.00	3.00
Senior Assistant County Attorney	1.00	1.00	1.00	-	1.00	1.00
Legal Administrator	1.00	1.00	1.00	-	1.00	1.00
Paralegal	1.00	1.00	1.00	-	1.00	1.00
Senior Paralegal	1.00	2.00	2.00	-	2.00	2.00
Legal Records Manager	1.00	1.00	1.00	-	1.00	1.00
Sr. Legal Assistant	1.00		-	-	-	-
Total Full-Time Equivalents (FTE)	11.00	11.00	11.00	-	11.00	11.00

The major variances for the FY 2025 County Attorney budget are as follows:

Increase to Program Funding:

1. Costs associated with the County's portion of retirement rates passed by the Florida Legislature, health insurance premium rates at 6%, increase in workers' compensation costs, and funding for 5% raises for all employees.