
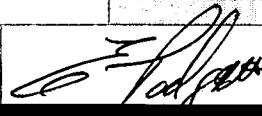


**MANATEE COUNTY GOVERNMENT  
AGENDA MEMORANDUM**

SUBJECT	2001 Federal Legislative Services Agreement with Morgan Mequire, L.L.C.	TYPE AGENDA ITEM	Consent
DATE REQUESTED	January 16, 2001	DATE SUBMITTED/REVISED	January 5, 2001
BRIEFINGS?/WHO?	None	CONSEQUENCES IF DEFERRED	None
DEPARTMENT/DIVISION	County Administrator	AUTHORIZED BY TITLE	Ernie Padgett County Administrator
CONTACT PERSON TELEPHONE/EXTENSION	Charlie Hunsicker 3727	PRESENTER/TITLE TELEPHONE/EXTENSION	 Charlie Hunsicker 3727

**ADMINISTRATIVE APPROVAL**



**ACTION DESIRED**

INDICATE WHETHER: <sup>1</sup>REPORT or <sup>2</sup>DISCUSSION, <sup>3</sup>FORM OF MOTION, or <sup>4</sup>OTHER ACTION REQUIRED.

- Authorization for the County Attorney to enter into an Agreement for federal legislative services with the firm of Morgan Mequire, L.L.C., for calendar year 2001 in the amount of \$120,000; and
- Authorization for the County Administrator to terminate the contract with Howard Marlow and Associates at the Administrator's discretion.

**ENABLING/REGULATING AUTHORITY**

Federal/State law(s), administrative ruling(s), Manatee County Comp Plan/Land Development Code, ordinances, resolutions, policy.)

The Board of County Commissioners must approve all contracts, agreements and modifications thereto.

cc: Teddy N. Williams, Jr., County Attorney  
 Jim Seuffert, Director, Financial Management Department  
 David F. Rothfuss, Interim Director, Department of Public Works  
 Dan Gray, Operations Manager, Department of Public Works  
 Janet McAfee, Director, Project Management Department

<REF: AO01-30006>

**APPROVED IN OPEN SESSION  
 JAN 16 2001  
 BOARD OF COUNTY COMMISSIONERS  
 MANATEE COUNTY, FLORIDA**

*32*

BACKGROUND/DISCUSSION

- From June 6, 2000, through November 15, 2000, the firm of Morgan Meguire, L.L.C., has provided federal legislative services to support the Manatee Agricultural Services System (MARS) project, under a Letter Agreement entered into by the County Attorney.
- The County is attempting to gain support through the USDA for programs which will help defray the cost of reclaimed water pipelines to agricultural users in the County, conserving deep aquifer water for future agricultural and potable water uses, and has been successful in securing a Secretary designation to establish a Resource Conservation and Development District for Manatee County.
- Work needs to continue with members of the Florida delegation and staff of USDA to secure support for the MARS program.
- Principles with the firm of Morgan Meguire, L.L.C., have continued to work on these issues on behalf of the County.
- Morgan Meguire also has the capability to represent the County before Congress and the Administration on Beach Renourishment Appropriations sought as reimbursement to construct the Anna Maria Beach Renourishment Project. Last calendar year's beach project representation was handled by the firm of Howard Marlow and Associates, at a cost of \$36,000 (\$3,000/month). The Howard Marlow and Associates agreement provides for an early termination, without cause or added expense with a 30-day notice. Morgan Meguire's agreement last calendar year was for a 10 month period (\$9,000/month) which was extended one additional month, through December, for an additional \$9,000, for a total of \$99,000 for 11 months. Morgan Meguire's agreement this year includes 11 calendar months (January 17 through December 17), for an amount of \$120,000, or approximately \$10,909/month. This represents an annualized savings of approximately \$15,000 over the same period last year, when two firms were representing County interests.
- Staff recommends approval of a letter contract with the firm of Morgan Meguire, L.L.C. this request and that the County Administrator be authorized to terminate the Howard Marlow and Associates agreement at the appropriate time.

HAS COUNTY ATTORNEY REVIEW BEEN REQUESTED? Indicate "NO" or "YES" @ right.

Yes

If "NO" proceed to 1) below; and if "YES" proceed to 2) below

1) IF "NO" TO ABOVE

A) Please explain below. (See also following section 1B) re: contract, agreement, lease, etc.):

B) If a contract, agreement, lease or other document was previously approved, state year of last use at right:

2000

2) IF "YES" TO FIRST QUESTION IN THIS SECTION

A) Has entire matter, or only a portion, been reviewed? If only a portion, which portion?

Entire matter.

B) Have all comments/suggestions raised by County Attorney been addressed/incorporated; if not, please explain. A copy of final County Attorney memo re: this matter **MUST BE ATTACHED**. (If comments were verbal, so indicate.)

Verbal approval from County Attorney Williams.

ATTACHMENTS (List in order as attached)	INSTRUCTIONS TO BOARD RECORDS
✓ Letter contract with Morgan Mequire, L.L.C.	Provide original, executed copy to Charlie Hunsicker, County Administrator's Office, for distribution.
COST: \$120,000	SOURCE (ACCT# & NAME) Beach Renourishment Project: \$36,000 (75% from 3126003401531000 25% from 3156003401531000) Utilities Wastewater Acct: \$84,000 (from 4010008200531000)
COMMENTS	AMT./FREQ. OF RECURRING COSTS (ATTACH FISCAL IMPACT STATEMENT)



Office of  
**MANATEE COUNTY  
ATTORNEY**

Tedd N. Williams, Jr., County Attorney

William C. Henry, Chief Assistant County Attorney  
Jeffrey N. Steinsnyder, Deputy Chief Assistant County  
Attorney for Land Use and Environmental Law\*  
Patricia McVoy, Senior Assistant County Attorney\*  
James A. Minix, Senior Assistant County Attorney†  
Maureen S. Sikora, Senior Assistant County Attorney\*  
Michael H. Rosen, Assistant County Attorney  
Robert M. Eschenfelder, Assistant County Attorney  
Stephanie A. Crossman, Associate County Attorney

**MEMORANDUM**

DATE: January 10, 2001

TO: Charlie Hunsicker, Ecosystems Administrator  
Office of the County Administrator

FROM: Tedd N. Williams, Jr., County Attorney *TNW 1/10/01*

RE: **2001 Federal Legislative Services Agreement with Morgan Meguire  
RLS-01-73; CAO File 1010-135**

RECEIVED

JAN 11 2001

COUNTY ADMINISTRATOR  
MANATEE COUNTY

You attached an agenda packet and asked for "review and verbal approval" of the packet. I have treated it as a Request for Legal Services. I have the following comments:

1. There was no proposed contract with the packet. You did include a letter from Kyle G. Michel, Senior Vice President and General Counsel of Morgan Meguire, which letter proposed a contract, but there is no contract for this office to approve.
2. In the past, these contracts have been signed for the County by me or Chip Rice. I believe it was an historical accident that the attorney's signature was required, and have no problem if the future contracts, when they are developed, are signed by the Chairman or someone else on behalf of Manatee County.
3. Whether to enter a contract with Morgan Meguire is a policy decision which does not require legal advice.
4. Your agenda packet includes a proposal to terminate a different contract with a different entity (Howard Marlow and

\* Board Certified City, County & Local Government Law

† Board Certified Civil Trial

Charlie Hunsicker, Ecosystems Administrator  
Office of the County Administrator  
January 10, 2001  
Page 2

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Associates). I have not reviewed that contract and have no opinion on whether it can be terminated without legal sanctions.

5. I would suggest that you include in the agenda packet a new proposed contract. If none is available, you could include a copy of last year's contract with Morgan Meguire and, if it is the case, state that this year's contract will be essentially the same, and pointing out any changes.

If you have any questions about the foregoing, please feel free to contact me.

TNW/klm

cc.: Ernie Padgett, County Administrator  
Dave Rothfuss, Chief Assistant County Administrator  
Jim Seuffert, Director, Financial Management Department  
Janet McAfee, Director, Project Management Department  
Dan Gray, Operations Manager, Public Works Department

# Morgan Meguire LLC

January 12, 2001

**Kyle G. Michel**  
*Senior Vice President and  
General Counsel*  
(202) 661-6191  
kylemichel@morganmeguire.com

Mr. Joe McClash  
Chairman  
Manatee County Board of Commissioners  
PO Box 1000  
Bradenton, FL 34206

Dear Mr. McClash:

I am writing this letter to memorialize my recent communications with Charlie Hunsicker regarding the professional services of Morgan Meguire. I have set out below the terms under which we would propose to proceed.

Morgan Meguire would be pleased to continue representing Manatee County Government in Washington, D.C. on legislative matters pertaining to your water demonstration project, as well as working to protect the \$6.4 million federal reimbursement request for the Anna Maria Beach renourishment project. A full proposal for fiscal year 2001 has been included for your review.

The representation would involve working with you and your office to detail your Congressional priorities, communicating Manatee County needs and positions to key Members of Congress, advising Manatee County on public policy strategies in Florida, monitoring relevant federal executive branch actions, and engaging in any other representation and work necessary to obtain federal funding for a drought resilient and sustainable demonstration project which would give farmers access to reclaimed water from transmission lines, and obtaining your reimbursement request for the beach renourishment project.

Our compensation for these services would be a project-based fee of \$120,000, billed to Manatee County in equal portions of \$10,909.09 per month for eleven months, beginning January 17, 2001. This fee would include our professional services and out-of-pocket expenses. Under this letter agreement, we would represent Manatee County through December 16, 2001.

Because of the nature of our work, which involves disproportionate efforts in some months and increased efforts in the first months, neither Morgan Meguire nor Manatee County will be able to terminate this agreement early, except for reasons of gross negligence or good cause, as defined by law.

Morgan Meguire would act as an independent contractor to Manatee County Government. It would be Morgan Meguire's responsibility to obtain all necessary permits, licenses, and registrations, and we would file all applicable reports required by law as a result of the services rendered.

It is Morgan Meguire's policy that all client matters be kept in strict confidence, except to the extent necessary to further the client's goals. We would keep all information forwarded to us by Manatee County in strict confidence and return any files at the end of our representation, upon request.

Please contact me at your earliest convenience to discuss how you would like to proceed. I can be reached at 202-661-6191 (Office) or 202-256-2569 (Mobile) or at kylemichel@morganmeguire.com. We are prepared to begin work upon your counter-signing two copies of this letter and returning one to us. Again, I appreciate your interest in retaining Morgan Meguire and look forward to working with you on this project.

Best Regards,

Witnesses:

Judelyn Hong

Jack Jackson

Attest: R.B. Shore  
Clerk of the Circuit Court

MORGAN MEGUIRE, LLC

By: Kyle Michel  
Kyle Michel, Senior Vice President  
and General Counsel

Date: 1.12.01

BOARD OF COUNTY COMMISSIONERS  
MANATEE COUNTY, FLORIDA

By: \_\_\_\_\_

By: \_\_\_\_\_  
Joe McClash, Chairman

# Morgan Meguire LLC

**Kyle G. Michel**  
*Senior Vice President and  
General Counsel*  
(202) 661-6191  
kylemichel@morganmeguire.com

January 2, 2000

**RECEIVED**

**JAN 03 2000**

**COUNTY ADMINISTRATOR  
MANATEE COUNTY**

Mr. Ernie Padgett  
County Administrator  
Manatee County Government  
P.O. Box 1000  
Bradenton, FL 34206

Dear Ernie:

I am contacting you to discuss the representation of Manatee County in 2001. Morgan Meguire has been pleased to represent you in Washington, DC on legislative matters pertaining to the Manatee Agricultural Reuse System (MARS). We propose to continue this representation and also include working to protect the \$6,027,000 Federal reimbursement request for the Anna Maria Beach renourishment project.

With the conclusion of the Presidential election and the continued control of Congress by the Republican party it will be important to establish a mark early in the transition process to retain or obtain, as the case may be, Manatee County's beach renourishment reimbursement. Upon signing this contract, we propose to immediately meet with US Army Corp of Engineers officials, as well as the White House, to determine the status of the reimbursement prior to the departure of the Clinton Administration. We will also work with Bush Transition officials to have the funds properly budgeted or accepted. Congress will be another avenue to reinforce our message to the Clinton and Bush teams.

Once a mark is achieved, it will be our role to protect the funds in the upcoming appropriations battles. If the mark is not achieved it will be our job to ensure its inclusion as an earmark by Congress in the FY 2001 Appropriations.

We also propose continuing work on funding for the MARS program. We will continue to work on funding for the RC&D as well as pursue a track of obtaining discretionary funds from the Secretary of Agriculture under the Fund for Rural America. Another avenue to pursue would be to seek an earmark of the Secretary's discretionary funds in the FY 2001 Appropriations. We will seek a total of \$3 million over 3 years with the understanding that the state of Florida would provide a 100 percent match.



For these services we would propose the following Morgan Meguire Team:

Jocelyn R. Hong  
Kyle G. Michel  
Scott Lindsey  
Jack N. Jacobson

For our services, on both the MARS project and the beach renourishment project, we propose a total fee of \$120,000 for the period beginning Jan. 17, 2001 through December 17, 2001. This fee can be payable in monthly installments of \$10,000 per month, and all expenses will be included in this total.

We look forward to working on these projects with you. Please feel free to contact either Jocelyn Hong or myself at (202) 661-6180.

Sincerely,

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**Jocelyn R. Hong**  
**Principal, Morgan Meguire**

Jocelyn R. Hong brings to Morgan Meguire a business practice and several clients that complement and strengthen our firm.

Ms. Hong has extensive legislative experience – she was instrumental in the passage of a landmark federal law to clean up radioactive materials, which passed in a record three days. She has also been successful in numerous projects, including:

- activating a Congressional Oversight Committee to initiate a controversial General Accounting Office inquiry resulting in a strong report;
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Ms. Hong was part of President Clinton's 1992 presidential transition team. Previously, she was a legislative aide to U.S. Senator John Glenn and Congressman Dennis E. Eckart. For Congressman Eckart, she worked on passage of the 1992 Energy Policy Act and on the staff of the Small Business Subcommittee on Privatization and the Impact of Deregulation, which he chaired. She has also worked on several Democratic Presidential and Congressional campaigns.

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Jocelyn R. Hong

- Principal, Morgan Meguire
- Vice President, The Dutko Group
- Founding member, Asian American Action (AAA) Fund
- Board Member, Washington Coalition on Comfort Women Issues
- Co-Chair, May 1997 National Conference of Korean American Leaders
- Advisor, Congressional Asian Pacific American Caucus Institute
- Spokesperson, Korean Association of Greater Washington
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Mr. Lindsay was responsible for energy issues at APCO and for Congresswoman Dunn's office, where he also handled matters related to transportation, commerce, banking, foreign affairs, national security, and information technology.

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[kylemichel@morganmeguire.com](mailto:kylemichel@morganmeguire.com)

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January 12, 2001

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PO Box 1000  
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10/16/01  
revised

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Best Regards,

Witnesses:

Joalyn Hong

Jack Jackson

Attest: R.B. Shore  
Clerk of the Circuit Court

MORGAN MEGUIRE, LLC

By: Kyle Michel  
Kyle Michel, Senior Vice President  
and General Counsel

Date: 1-12-01

BOARD OF COUNTY COMMISSIONERS  
MANATEE COUNTY, FLORIDA

By: \_\_\_\_\_

By: Joe McClash, Chairman 1-10-01

*replaced 1/10/01*

# Morgan Meguire LLC

**Kyle G. Michel**  
*Senior Vice President and  
General Counsel*  
(202) 661-6191  
kylemichel@morganmeguire.com

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Morgan Meguire would be pleased to continue representing Manatee County Government in Washington, D.C. on legislative matters pertaining to your water demonstration project, as well as working to protect the \$6.4 million federal reimbursement request for the Anna Maria Beach renourishment project. A full proposal for fiscal year 2001 has been included for your review.

The representation would involve working with you and your office to detail your Congressional priorities, communicating Manatee County needs and positions to key Members of Congress, advising Manatee County on public policy strategies in Florida, monitoring relevant federal executive branch actions, and engaging in any other representation and work necessary to obtain federal funding for a drought resilient and sustainable demonstration project which would give farmers access to reclaimed water from transmission lines, and obtaining your reimbursement request for the beach renourishment project.

Our compensation for these services would be a project-based fee of \$120,000, billed to Manatee County in equal portions of \$10,909.09 per month for eleven months, beginning January 17, 2001. This fee would include our professional services and out-of-pocket expenses. Under this letter agreement, we would represent Manatee County through December 16, 2001.

Because of the nature of our work, which involves disproportionate efforts in some months and increased efforts in the first months, neither Morgan Meguire nor Manatee County will be able to terminate this agreement early, except for reasons of gross negligence or good cause, as defined by law.

10/16/01  
replaced

Morgan Meguire would act as an independent contractor to Manatee County Government. It would be Morgan Meguire's responsibility to obtain all necessary permits, licenses, and registrations, and we would file all applicable reports required by law as a result of the services rendered.

It is Morgan Meguire's policy that all client matters be kept in strict confidence, except to the extent necessary to further the client's goals. We would keep all information forwarded to us by Manatee County in strict confidence and return any files at the end of our representation, upon request.

Please contact me at your earliest convenience to discuss how you would like to proceed. I can be reached at 202-661-6191 (Office) or 202-256-2569 (Mobile) or at kylemichel@morganmeguire.com. We are prepared to begin work upon your counter-signing two copies of this letter and returning one to us. Again, I appreciate your interest in retaining Morgan Meguire and look forward to working with you on this project.

Best Regards,

Witnesses:

*Jocelyn Hong*

*Jack Jacobson*

Attest: R.B. Shore  
Clerk of the Circuit Court

By: \_\_\_\_\_

MORGAN MEGUIRE, LLC

By: *Kyle Michel*  
Kyle Michel, Senior Vice President  
and General Counsel

Date: 1-12-01

BOARD OF COUNTY COMMISSIONERS  
MANATEE COUNTY, FLORIDA

By: Joe McClash, Chairman 1-16-01

*replaced  
1/16/01*

# MANATEE COUNTY GOVERNMENT

## MEMORANDUM

**DATE:** January 12, 2001

**TO:** Ernie Padgett, County Administrator

**FROM:** *SBM* Charlie Hunsicker, Ecosystems Administrator  
Office of the County Administrator

**SUBJECT:** Agenda Item No. 4/January 16, 2001, Board of County Commissioners Meeting  
AO00-30013

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Based on the attached Memorandum from County Attorney Tedd Williams, it is requested that Item No. 4, **2001 Federal Legislative Services Agreement with Morgan Mequire, L. L. C.**, be pulled from the Consent Agenda and taken up as a Regular Agenda item. All items addressed in Mr. William's Memorandum have been addressed, as follows:

1. The proposed Letter Agreement is attached hereto. It has been revised for the signature of the Chairman.
2. The motion should be amended as follows:

**Authorization for the Chairman to execute the Letter Agreement for federal legislative services with the firm of Morgan Mequire, L. L. C., for calendar year 2001 in the amount of \$120,000; and**

**Authorization for the County Administrator to terminate the contract with Howard Marlow and Associates at the Administrator's discretion.**

3. The only changes in the 2001 Letter Agreement from the FY 2000 Letter Agreement are (1) the Chairman is being asked to execute it, instead of the County Attorney; and (2) the term is for 11 months beginning January, 2001, and ending December, 2001, for a total cost of \$120,000 per year, or \$10,909 per month, an increase of \$1,909/month over 2000. There is a savings of \$15,000 annually due to the termination of the Howard Marlow and Associates, Inc., contract.

Thank you.

CAH/sbm  
Attachment (1)

cc: Teddy N. Williams, Jr., County Attorney

COUNTY ADMINISTRATOR'S OFFICE - X3717  
"TO SERVE WITH EXCELLENCE"





Office of  
**MANATEE COUNTY  
ATTORNEY**

Tedd N. Williams, Jr., County Attorney

William C. Henry, Chief Assistant County Attorney  
Jeffrey N. Steinsnyder, Deputy Chief Assistant County  
Attorney for Land Use and Environmental Law\*  
Patricia McVoy, Senior Assistant County Attorney\*  
James A. Minix, Senior Assistant County Attorney†  
Maureen S. Sikora, Senior Assistant County Attorney\*  
Michael H. Rosen, Assistant County Attorney  
Robert M. Eschenfelder, Assistant County Attorney  
Stephanie A. Crossman, Associate County Attorney

**MEMORANDUM**

DATE: January 17, 2001

TO: Charlie Hunsicker, Ecosystems Administrator  
Office of the County Administrator

THRU: Tedd N. Williams, Jr., County Attorney *THW 1/17/01*

FROM: Patricia McVoy, Senior Assistant County Attorney *PM 1/17/01*

RE: **Morgan Meguire, L.L.C.; CAO File 1010-135**

The next to last paragraph should be revised as follows to include the new underlined provision:

It is Morgan Meguire's policy that all client matters be kept in strict confidence, except to the extent necessary to further the client's goals. We would keep all information forwarded to us by Manatee County in strict confidence except for disclosure required by Chapter 119, Florida Statutes, and return any files at the end of our representation, upon request.

PM/klm

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