

**Lee County Board Of County Commissioners  
Agenda Item Summary**

**Blue Sheet No. 20050719**

**1. ACTION REQUESTED/PURPOSE:** Approve an amendment to the County's contract with the law firm of Williams Mullen (Washington, D.C.; Stuart Broom, Esq.). The amendment is to increase the hourly rates for the Williams Mullen attorneys, which have been unchanged for the past three (3) years.

**2. WHAT ACTION ACCOMPLISHES:** Provides a reasonable increase to the discounted rates provided to the County by the Williams Mullen law firm for assistance with the Solid Waste Division and the construction of the new Third Unit to the Waste-to-Energy Facility.

**3. MANAGEMENT RECOMMENDATION:** Approve the requested increase to the Williams Mullen contract rates as outlined in Exhibit "A" to Stuart Broom's April 19, 2005 letter.

**4. Departmental Category:** 12

*C12C*

**5. Meeting Date:**

*05-31-2005*

**6. Agenda:**

**7. Requirement/Purpose: (specify)**

**8. Request Initiated:**

<input checked="" type="checkbox"/> Consent	<input type="checkbox"/> Statute
<input type="checkbox"/> Administrative	<input type="checkbox"/> Ordinance
<input type="checkbox"/> Appeals	<input type="checkbox"/> Admin. Code
<input type="checkbox"/> Public	<input checked="" type="checkbox"/> Other <input type="checkbox"/> Contract
<input type="checkbox"/> Walk-On	

Commissioner \_\_\_\_\_  
 Department County Attorney  
 Division \_\_\_\_\_  
 By: David M. Owen  
County Attorney

**9. Background:**

On January 30, 2002, the County engaged the services of the Williams Mullen law firm which established hourly rates for attorneys' services therein at Section 4., Compensation. The firm is now requesting an increase to their discounted rates for their services to the County. The proposed increase is reasonable, given the time that has passed, and the quality and quantity of services that have been provided to the County by the firm for the past three (3) years.

This office and the Public Works Department recommend the Board's approval of the proposed rate increase as outlined in Exhibit "A" to Stuart Broom's letter of April 19, 2005.

**10. Review for Scheduling:**

Department Director	Purchasing or Contracts	Human Resources	Other	County Attorney	Budget Services			County Manager/P.W. Director
					Analyst	Risk	Grants	Mgr.
				<i>[Signature]</i> 5/19/05	<i>RK</i> 5/19	<i>MM</i> 5/19/05	<i>[Signature]</i> 5/19/05	<i>[Signature]</i> 5-19-05

**11. Commission Action:**

- Approved
- Deferred
- Denied
- Other

RECEIVED BY COUNTY ADMIN: <i>RK</i>
<i>5/19/05</i>
<i>3pm</i>
COUNTY ADMIN FORWARDED TO: <i>[Signature]</i>
<i>5/19/05</i>
<i>4:30pm</i>

CO. ATTY'S FORWARDED TO CO. ADMIN. <i>[Signature]</i>
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WILLIAMS MULLEN

Direct Dial: 202.293.8110  
sbroom@williamsmullen.com

April 19, 2005

David Owen  
County Attorney  
Lee County Courthouse  
2115 Second Street  
6th Floor  
Fort Myers, FL 33901

Dear David:

From time-to-time as personnel change, an amendment to the firm's contract with the County needs to be accomplished to add or delete people. My current contract is the one I signed when I changed to this firm about three years ago. As I propose to delete numerous people (as I can't see using them) and adding a few, I would suggest I simply redo and substitute a new Exhibit "A".

Also, the rates for partners (shareholders) is currently \$225.00/hr. My real rate is 400.00/hr and higher overseas. Given that our rates are substantially discounted to Lee County and that our current contract rates with the County have not been adjusted in over three (3) years, we respectfully request that the rates for Shareholders be increased to \$250.00/hr with a similar increase for associates to \$200.00/hr. Thank you for your consideration of this request.

Sincerely,

R. Stuart Broom  
Shareholder

*A Professional Corporation*



WILLIAMS MULLEN

April 19, 2005

Page 2

Exhibit "A"

<u>Attorneys</u>	<u>Hourly Rate</u>
<u>Shareholders</u>	
R. Stuart Broom	\$250.00
R. Hart Lee	\$250.00
Channing J. Martin	\$250.00
Paul S. Saunders	\$250.00
Robert F. Riley	\$250.00
Craig L. Rascoe	\$250.00
William R. Mauck, Jr.	\$250.00
Elizabeth M. Horsely	\$250.00
Warren E. Nowlin	\$250.00
<u>Associates</u>	
John S. Mitchell, Jr.	\$200.00
E. Livingston Haskell	\$200.00
Bradley J. Nowak	\$200.00
Michael Burke	\$200.00



**LEE COUNTY**  
SOUTHWEST FLORIDA

**BOARD OF COUNTY COMMISSIONERS**

 **FILE**

Writer's Direct Dial Number: (239) 335-2236

Facsimile (239) 335-2606

Bob Janes  
*District One*

Douglas R. St. Cerny  
*District Two*

Ray Judah  
*District Three*

Andrew W. Coy  
*District Four*

John E. Albion  
*District Five*

Donald D. Stilwell  
*County Manager*

Robert W. Gray  
*Deputy County Attorney*

Diana M. Parker  
*County Hearing Examiner*

February 8, 2005

R. Stuart Broom, Esq.  
Williams, Mullen, Clark & Dobbins  
1666 K Street, N.W., Suite 1200  
Washington, DC 20006

**RE: INCREASE TO WILLIAMS MULLEN RATES**

Dear Stuart:

I am in receipt of your January 19, 2005 E-mail correspondence concerning the above, and am advising that due to my current new workload and other distractions, I would prefer to entertain your request at the end of the first quarter of this year.

If you will kindly follow up your request at the end of March (preferably on letterhead with a list of all proposed changes), I will address your request at that time with the Board.

Your request is reasonable given the amount of time and the quality of your faithful service to Lee County, this is more a matter of timing.

Best wishes.

Cordially,



David M. Owen  
County Attorney

DMO/dm

xc: James Lavender, Director, Public Works Administration  
Lindsey Sampson, P.E., Director, Solid Waste Management

**From:** <sbroom@williamsmullen.com>  
**To:** <OWEND@leegov.com>  
**Date:** 1/19/05 3:40PM  
**Subject:** Amendment to Contract

David: I am writing to request a raise in our hourly rates. If you are not comfortable with that or do not want to take this to the Board, I will, of course, continue to perform pursuant to the rates in my current contract. In my experience, law firms generally increase their rates by about 5% a year. My normal rate is \$400.00/hr and higher for overseas projects. However, I do not get those rates for counties and cities I represent in the US. Since my contract is about 3 years old now with Lee County, I would respectfully request that my rate and those of members of the firm and of counsel be increased from \$225.00/hr. to \$250.00/hr. and those of associates be increased from \$190.00/hr. to \$200.00/hr. I appreciate your consideration of this request. Thank you.

Stu

> R. Stuart Broom  
> Williams Mullen  
> 1666 K Street, N.W., Suite 1200  
> Washington, D.C. 20006  
> email: sbroom@williamsmullen.com  
> Tel: 202.293.8110 Fax: 202.293.5939  
>  
> NOTICE: This email & attachments may contain privileged  
> or other confidential information. If you are not the  
> intended recipient, please let me know that you  
> have received this email in error, and delete the  
> copy you received.  
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