



CITY COUNCIL AGENDA ITEM

REQUESTED COUNCIL MEETING DATE: 12/02/08

SUBJECT: LEGISLATIVE SUPPORT CONTRACT

DEPARTMENT: CITY MANAGER

RECOMMENDED MOTION:

To employ Pittman Law Group, P.L. to track legislation on the City's behalf and to work in support of our legislative priorities, including project funding. The contract will be in an amount not to exceed \$40,000 annually.

SUMMARY:

Staff is completing work on the Legislative Program for 2009. The attached agreement would be to support our efforts in Tallahassee.

Funds are available in Account #001-1000-580-31-13.

ATTACHMENTS: Ordinance Resolution Budget Resolution

Other Support Documents/Contracts Available for Review in Manager's Office

DEPARTMENT HEAD Shannon M. Lewis *Shannon M. Lewis* Date 11/03/08

FINANCE DEPARTMENT *J. A. Sells* Approved as to Budget Requirements Date 11/5/08

CITY ATTORNEY *Atticus Lee* Approved as to Form and Legality Date

CITY MANAGER *[Signature]* Approved Agenda Item For: 12/2/08

COUNCIL ACTION: Approved as Recommended Disapproved Tabled Indefinitely
 Continued to Date Certain Approved with Modification:

CITY OF PORT ORANGE
RECEIVED

OCT 20 2008

CITY MANAGER



PITTMAN LAW GROUP, P.L.
ATTORNEYS AT LAW

October 16, 2008

Mr. Ken Parker, City Manager
City of Port Orange
City Hall Building
1000 City Center Circle
Port Orange, Florida 32129

Dear Mr. Parker:

It was great working with you and Shannon Lewis during the 2008 legislative session. We take pride in representing the great City of Port Orange and look forward to this opportunity to continue working on your behalf in Tallahassee. We will always work aggressively and diligently to pursue all of the goals and priorities that you, your Commission, and your communities set for us to follow. Again, we will not let you down.

As Senior Partner of Pittman Law Group (PLG), I will be the attorney with primary responsibility for this matter. As your Capital City presence, it is our responsibility to perform all traditional Legal and Governmental Relations activities at the Legislative and Executive Branch levels. This includes working with staff in the Legislature and the Governor's Office, and/or any agencies of the Executive Branch; it requires us to keep the City informed on any developments and/or decisions that may have impact. It is our goal to help the city set priorities and to work to accomplish them. It is our responsibility to be available to the Mayor, the City Manager, and the City Commission, as may reasonably be requested.

In exchange for this representation, you agree to compensate our firm with an annual retainer of \$40,000. This retainer will be paid over a twelve month period, thus making payments of \$3,333.33 monthly. We agree to be responsible for all expenses, unless there is something extraordinary which would then require the City's prior approval. It is understood that this contract may be terminated with thirty days (30) notice, however, it cannot be cancelled during any year where a Legislative Session has been concluded

REPLY TO:

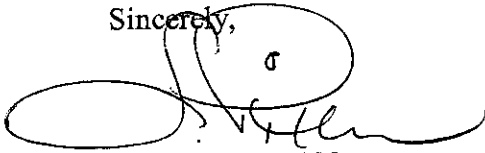
- The Wilhelmina House - 528 E. Park Avenue - Tallahassee, Florida 32301 - 850.216.1002 / ph - 850.224.7477 / fax
- 4167 Afton Court - West Palm Beach, Florida 33409 - 561.712.1072 / ph - 561.471.3150 / fax

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and the fee is then considered fully earned. This must be the case as under Florida law contingency fee arrangements are prohibited.

I want to again thank you for the confidence you have shown in our firm by retaining our services for another year. We look forward to many successes on your behalf. Please know that we will maintain every confidence you have placed with and in us. If this letter meets our mutual understanding, please sign and return to my office at your earliest opportunity.

Sincerely,

A handwritten signature in black ink, appearing to read "Sean Pittman", written over a circular stamp or mark.

SEAN PITTMAN

SP/kp

SIGNED:


Kenneth Parker, City Manager

*Contract term: January 1, 2009 -- December
31, 2009*



MEMORANDUM

To: Kenneth W. Parker, City Manager

From: Shannon M. Lewis, Assistant City Manager 

Subject: Pittman Law Group

Date: October 24, 2008

Pittman Law Group has performed legal and governmental relations services in Tallahassee on the City's behalf for several years. Sean Pittman and his staff work closely with the legislators, Governor's Office and departmental directors and staff to advance the economic and legislative priorities of the City. They have assisted the City in developing strategic legislative goals each session as well as providing the City with knowledge of what types of programs are most likely to be funded.

Specific examples of projects that Pittman Law Group has worked on with the City include Cambridge, Stanaki, Rose Bay, B-23 Canal and fire station/health clinic funding. In 2007, Sean Pittman was successful in shepherding \$750,000 of Port Orange projects through the House and Senate; however, this was the year the Governor vetoed all local project funding. In 2008, Sean Pittman was able to secure \$300,000 for the B-23 canal dredging project and is continuing to work on additional funding for Rose Bay.

Pittman Law Group provides City officials and staff with expert knowledge and advice in developing a legislative program that aligns City priorities with potential funding sources. They work on the City's behalf throughout the year and provide on-going updates and recommendations. During session, the firm conducts weekly phone briefings and sends written reports. They monitor legislation important to the City and advise City staff when data is needed to share with committee members. Because of their location in Tallahassee, they are able to remain on top of bill changes, amendments and opportunities. When it is necessary for City officials to go to Tallahassee, they coordinate meetings with legislators and key staff that we are often unable to secure meetings with on our own.

To date, the City has invested \$110,000 for their legislative services and has received \$300,000 in funding as a direct result of Pittman Law Group's assistance. We have received their retainer proposal for 2009 in the amount of \$40,000, payable in monthly installments of \$33,333.33. The Pittman Law Group has provided a valuable service to the City and is able to keep the City of Port Orange in the minds of the legislators and grant agencies. This year the firm would be assisting the City in securing funding for transportation projects, water quality projects and monitoring the City's priority legislation.

Please let me know if you would like me to schedule this item for an upcoming Council agenda. Funds have been budgeted and are available.