

**SEMINOLE COUNTY GOVERNMENT
AGENDA MEMORANDUM**

SUBJECT: Labor Counsel

DEPARTMENT: County Attorney's Office

DIVISION: Other

AUTHORIZED BY: Lola Pfeil

CONTACT: Sharon Sharrer

EXT:

MOTION/RECOMMENDATION:

Approval of adjustment of the hourly rate for Labor Counsel. Fisher & Phillips has requested adjustment of the rates they currently charge under their agreement with the County. The rate has not been adjusted since December, 2005. The County Attorney's Office has no objection to the rate adjustment from \$190.00 to \$210.00/hour and recommends the Board approve the new rate, effective January 1, 2008.

County-wide

BACKGROUND:

see attached

STAFF RECOMMENDATION:

Staff recommends the Board approve the new rate effective January 1, 2008.

ATTACHMENTS:

1. Labor Counsel

Additionally Reviewed By: No additional reviews



**COUNTY ATTORNEY'S OFFICE
MEMORANDUM**

To: Board of County Commissioners

From: Robert A. McMillan, County Attorney, Ext. 7257

cc: Cynthia Coto, County Manager
Janet Davis, Human Resources Director

Date: October 17, 2007

Subject: Labor Counsel

I have been contacted by Labor Counsel and they have requested an upward adjustment in the hourly rate currently provided for in his letter agreement with the County.

As a way of background, David Kornreich or his firm was first chosen as Labor Counsel by the Board of County Commissioners in November 1976. Their status as Labor Counsel has been reaffirmed by the Board from time to time since that date. I don't believe there has ever been a re-solicitation for Labor Counsel as each time the Board has been presented with the matter, they have expressed complete satisfaction with the services being provided and recognized the value of Mr. Kornreich's experience in Seminole County.

The firm has requested an increase in rate to \$220.00/hour from the current rate of \$190.00/hour. The last increase was approved in 2005. These are the rates they charge their other government clients. I have discussed the request with representatives of the firm and they have agreed to a rate of \$210.00/hour effective January 1, 2008. The rates are reasonable considering the expertise of the firm and the rates the County pays other special counsel and especially what it pays adverse attorneys in generally routine acquisition matters. If approved, the adjustment would be implemented via the attached letter agreement.

RAM/sjs
Attachment
Letter Agreement

SEMINOLE COUNTY ATTORNEY'S OFFICE

1101 EAST FIRST STREET • SANFORD • FLORIDA 32771-1468 • TELEPHONE (407) 665-7254 • FAX (407) 665-7259

November 13, 2007

David V. Kornreich, Esquire
Fisher & Phillips, LLP
300 South Orange Avenue, #1250
Orlando, Florida 32801

Re: Legal Services for Labor and Related Matters

Dear Mr. Kornreich:

On November 13, 2007, the Board of County Commissioners approved, effective January 1, 2008, remuneration for your firm's services as labor counsel on the basis of \$210.00 per hour for work performed at your office, as authorized by Seminole County. Representatives of Fisher & Phillips, LLP will be reimbursed for actual out-of-pocket expenses except that travel expenses shall be in accordance with the provisions of Chapter 112.061, Florida Statutes, which governs travel expenses incurred on behalf of Seminole County.

It is understood that you will continue to serve as the primary representative of Seminole County and that, on occasion, other members of your firm will work in supporting or primary roles as the need arises.

It is further understood that our working relationship for the provision of these outlined labor-related legal services by Fisher & Phillips, LLP shall be terminable at the will of either party upon receipt of written notice.

In order to minimize administrative bottlenecks, Janet Davis, Human Resources Director, will coordinate personnel-related matters for the County and authorized specific activities on the part of your firm and the County Manager and I will coordinate labor-related matters for the County. Notwithstanding those authorizations, the County Attorney's Office needs to be copied on all pleadings and correspondence with and involving the County.

David V. Kornreich,
November 13, 2007
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On behalf of the Board of County Commissioners, I would like to convey its confidence in you regarding your assistance and expert legal direction to Seminole County in the past. We look forward to continuing our excellent working relationship with you and your firm.

Very truly yours,

Robert A. McMillan
County Attorney

RM/sjs

cc: Chairman Henley
Cynthia Coto, County Manager
Janet Davis, Human Resources Director
David Godwin, County Finance Director

ACCEPTED _____ DATE _____
DAVID V. KORNREICH, Esquire
Fisher & Phillips, LLP