

**AGENDA ITEM 24**

Consider approving professional services agreement with Smith, Robertson, Elliot and Glen.

Moved: **Commissioner Boatright**

Seconded: **Commissioner Limmer**

Motion: To approve professional services agreement with Smith, Robertson, Elliot and Glen.

Vote: 4 - 0

< Attachment >

**SMITH, ROBERTSON, ELLIOTT & GLEN, L.L.P.**

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ALAN M. GLEN  
PARTNER

October 29, 2003

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The Honorable David Hays  
President  
Williamson County Karst Foundation  
1900 Georgetown Inner Loop, Suite C  
Georgetown, TX 78626

Re: *Proposed Services for November 2003 through October 2004*

Dear Commissioner Hays:

The purpose of this letter is to propose a scope of services and budget for the work of this firm for the Williamson County Karst Foundation for the period beginning November 1, 2003 and ending October 31, 2004. If the Foundation accepts this proposal, the services will be performed under the terms of the existing engagement letter with the Foundation dated December 3, 2002, except as modified by this proposal. The scope of services we are proposing for the ensuing year consists of two primary categories: (1) continuation of services to assist the Foundation in its ongoing efforts to further conservation of the karst species; and (2) assisting the Foundation in the development of a regional Habitat Conservation Plan ("HCP") pursuant to the federal grant the Foundation recently received for that purpose.

Following is a description of anticipated tasks and budget for our services in each of these primary categories. Over time, we expect that adjustments may need to be made in these tasks and new tasks will need to be added, and we will coordinate with the Foundation as that need arises.

1. Ongoing Foundation Activities.

Since our original engagement by the Foundation, we have been providing services in connection with several tasks. We originally estimated that our fees for these services would be in a range of \$5,000.00 to \$8,000.00 per month. Our actual fees to date have averaged approximately \$6,000.00 per month. For the ensuing 12-month period, we would expect our services in the category of ongoing Foundation activities to include the following:

- a. Assist in development and negotiation of karst preserve acquisition, operation and management criteria.

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- b. Assist in negotiation, including particularly with the United States Fish & Wildlife Service, and documentation of additional specific karst preservation transactions.
- c. Assist with the development of proposals for any applicable federal and/or state grants and provide support (as needed) during the grant review process.
- d. Assist in completion of Recovery Land Acquisition Grant transaction for Millennium Preserve.
- e. Various meetings, calls and correspondence in support of other tasks and coordination of other Foundation consultants.

Based on our experience thus far performing similar services for the Foundation in coordination with other Foundation consultants, we estimate our fees for the foregoing tasks will average \$6,000.00 per month, with, of course, some months being higher and others lower, depending on activity level. This will equate to an estimated budget for the period of November 2003 through October 2004 of \$72,000.00.

2. Development of Regional HCP.

We anticipate that our services in this category will include the following tasks:

- a. Outline and monitor federal and state legal compliance requirements.
- b. Assist in development and drafting of conceptual HCP; our services will include drafting a detailed outline or template of the HCP for completion by other Foundation consultants.
- c. Assist in development and implementation of public involvement program, including Georgetown salamander workshop and for regional HCP.
- d. Extensive agency and stakeholder coordination in cooperation with other consultants.
- e. Various meetings, calls, and correspondence in support of other tasks and coordination of other Foundation consultants.

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We estimate that our fees for the 12-month period in question for performing the services identified in this category will not exceed \$84,000.00.

Summary.

Based on our fee estimates for the tasks covered in categories 1 and 2 above, we estimate that total fees under our engagement for the 12 months beginning November 1, 2003 will be as follows:

Category 1	\$72,000.00	(\$6,000.00 x 12)
Category 2	<u>\$84,000.00</u>	
<b>TOTAL</b>	<b>\$156,000.00</b>	

As with our existing engagement, we will charge only for time actually expended on Foundation matters rather than in lump sums. Expenses will be charged in accordance with our existing engagement and County standards, which we believe to be very favorable to the Foundation. We propose hourly rates for our key personnel to be as follows:

Alan Glen	Partner	\$230
J.B. Ruhl	Of Counsel	\$230
Craig Douglas	Associate	\$190
David Hartman	Associate	\$175
Heather Newby	Paralegal	\$100

In consideration of the charitable nature of the Foundation and the scope of our representation, these rates are significantly lower than our customary rates and, with respect to J.B. Ruhl and myself, are currently the lowest hourly rates charged to any client for those attorneys. These rates are very significantly below rates charged by other attorneys across the country with comparable Endangered Species Act experience.

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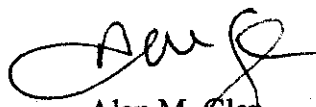
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If this proposal meets with the approval of the Foundation, we request that you sign this letter at the place indicated below and return a signed copy to us.

We greatly appreciate the continuing opportunity to be of service to the Foundation and would welcome the opportunity to address any questions you may have concerning this proposal.

Very truly yours,

  
Alan M. Glen

Accepted on November 4, 2003.

WILLIAMSON COUNTY KARST FOUNDATION

By: John C. Doerfler  
Name: John C. Doerfler  
Title: County Judge

**AGENDA ITEM 25**

Consider approving professional services agreement with Martin and Salinas.

Moved: **Commissioner Boatright**

Seconded: **Commissioner Limmer**

Motion: To approve professional services agreement with Martin and Salinas, with the removal of Item Four (4).

Vote: 4 - 0

< Attachment >

**MARTIN & SALINAS**  
PUBLIC AFFAIRS, INC.



August 28, 2003

The Honorable David Hays  
President  
Williamson County Karst Foundation  
1900 Georgetown Inner Loop, Suite C  
Georgetown, TX 78626

Re: *Proposed Services for September 2003 through August 2004*

Dear Commissioner Hays:

The purpose of this letter is to propose a scope of services and budget for the work of this firm for the Williamson County Karst Foundation relating to the creation of a Habitat Conservation Plan as contemplated in the recent federal grant for such purposes.

At the more recent meeting of the Board of Directors on August 7<sup>th</sup> 2003, verbal approval was given by the Board for us to begin such services immediately as it relates to the proposed Georgetown Salamander Workshop. We have been executing that plan since August 7<sup>th</sup> and the workshop is tentatively targeted for October 29, 2003 at the Round Rock Marriott hotel. Also, several sponsors have agreed to help underwrite the costs of the workshop.

We will perform services as outlined in the attached Public Affairs Engagement Agreement for the Habitat Conservation Plan attached with this letter.