



Pinellas County

Staff Report

File #: 21-1506A, **Version:** 1

Subject:

Dual legal representation with Bryant Miller Olive P.A.

Recommended Action:

Approval for the law offices of Bryant Miller Olive P.A. to engage in dual legal representation with Pinellas County and various other clients.

Delegate to the County Attorney the authority to execute the attached Conflict Waiver Request.

Strategic Plan:

N/A

Summary:

The County Attorney's Office policy on Legal Representation of Multiple Clients, approved by the Board of County Commissioners (Board) on March 18, 2008, proscribes outside legal counsel from simultaneously representing Pinellas County and other clients in matters involving Pinellas County, unless otherwise approved by the Board at a Board meeting. Bryant Miller Olive P.A. (BMO) currently represents Pinellas County on an on-going basis as bond counsel and also represents various other local governments and special districts with which Pinellas County routinely interacts. On December 11, 2012, the Board approved BMO's dual representation of Pinellas County and the other local governments for which it provided legal representation at that time, specifically, the cities of Largo, Safety Harbor, St. Pete Beach and New Port Richey, as well as the Pinellas Suncoast Transit Authority. Since that time, BMO has expanded its local government practice and now also represents the cities of Dunedin and Treasure Island, as well as the Pinellas Park Water Management District (collectively referred to as the "Local Governments"). BMO's representation of these Local Governments is provided on an ongoing basis, similar to its representation of Pinellas County.

Currently, the interests of the County and the Local Governments are not directly adverse; however, BMO has requested the approval granted on March 18, 2008, be updated to include the new Local Governments. The attached Conflict Waiver Request reflects a comprehensive document that will apply to all Local Governments for which BMO provides legal representation and which the County is expected to continue interacting on a routine basis. Should a situation arise in the future where there is a conflict of interest relating to this dual representation, the Rules of Professional Conduct would require BMO to secure consent for the continued representation or withdraw from the representation, as appropriate.

It is recommended that the Board consent to this dual legal representation and authorize the County Attorney's Office to approve consent.

Background Information:

The County Attorney's policy regarding the legal representation of multiple clients proscribes outside legal counsel from simultaneously representing Pinellas County and other clients in matters involving Pinellas County unless otherwise approved by the Board of County Commissioners at a Board meeting. A copy of that policy is attached as reference.

Fiscal Impact:

N/A

Staff Member Responsible:

Jewel White, County Attorney

Partners:

Bryant Miller Olive P.A.

Attachments:

Conflict Waiver Request.

County Attorney Legal Representation of Multiple Clients Policy.

Prior Conflict Waiver Request approval dated December 11, 2012.