## BREWTON PLANTE P.A.

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WILBUR E. BREWTON, ESQUIRE
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February 9, 2021

Charles B. Smith, Shareholder Manatee Harvesting Co. 1270 12<sup>th</sup> Avenue East Palmetto, FL 34221

Re: Manatee Harvesting Co., Lobbying Agreement 2021

Dear Mr. Smith:

This will confirm our agreement whereby the undersigned (the "Firm"), will provide Manatee Harvesting Co., (the "Client") with consulting services and representation in the State of Florida before the Florida Legislature, for the 2021 Regular Legislative Session.

It is understood by both the Client and the Firm that Florida Law strictly prohibits contingency fees in reference to the passage or defeat of Legislation. For our services, the Client agrees to pay the sum of Four Hundred Dollars (\$400.00) an hour for time expended effective immediately.

The Client agrees to reimburse the Firm for reasonable and necessary out-of-pocket expenses on your behalf, such as telephone calls, copies, lobbying registration fees, local travel and things of that nature, upon presentation of the Firm's itemized statement. Any expenditures which the Firm judges may be necessary, including those involving entertainment, must be approved in advance, provided that entertainment or travel costs are not in excess of \$2,500 during the term of this Agreement shall be deemed to be approved.

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Documented charges for itemized expense statements with supporting receipts must be submitted to qualify for payment. State lobbying costs are not deductible for purposes of the Client's federal income taxes. Therefore, the Firm will indicate on each invoice the amount of your fees and expenses which are not for lobbying. Lobbying is defined as follows:

- 1. Meetings, telephone conversations and correspondence with the governor, members of the Legislature, their staffs or committee staffs in an attempt to advocate the passage or defeat of legislation.
- 2. Testimony before legislative committees, unless compelled by subpoena.
- 3. Distribution to the governor, members of the Legislature, their staffs or committee staffs, of reports or studies in an attempt to advocate the passage or defeat of legislation.
- 4. Monitoring the progress of legislation does <u>not</u> constitute lobbying, provided the Client never advocates their passage or defeat.
- 5. Efforts to comply with existing legislation or regulations and efforts to sell to government agencies are <u>not</u> lobbying.
- 6. Activity with <u>state</u> executive agencies may <u>not</u> be considered lobbying. Communications with certain high level, <u>federal</u> executive agency officials is lobbying.
- 7. Lobbying of cities or counties is <u>not</u> considered lobbying for these purposes.

The above retainer will be paid by the Client for services rendered or to be rendered in legislative activities relating to preparation, introduction and/or surveillance of legislation to include activities detailed in Exhibit A.

The Client may request our services on other related matters. However, we will, on request, also monitor other related legislation to keep you informed of the

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issues before the Florida Legislature. As a consultant, we will keep in strict confidence any information given to us as confidential.

It is understood that legislation of the type the Client wishes to pursue may require more than one legislative session to properly educate and secure passage or defeat.

We understand that policy prohibits using the Client's corporate funds paid to our Firm to make political contributions of any kind to political parties or candidates running for local, state or federal office. All of the compensation to be paid to our Firm is for services to be rendered and is not paid pursuant to any agreement or understanding between our Firm and the Client that we will make any contribution to a political party or candidate.

We agree to properly register all employees of our Firm, if necessary, as a lobbyist(s) representing the Client in the Legislature in the State of Florida, and to make all necessary reports in a timely manner to the proper authorities, forwarding a copy of same to your attention.

This Agreement is subject to cancellation by either party upon thirty (30) days prior written notice to the other party.

If the foregoing reflects the Client's understanding of our agreement, please sign the duplicate copy in the space indicated below and return to my attention.

Very truly yours,

Wilbur E. Brewton

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IT IS UNDERSTOOD AND AGREED that the undersigned accepts this Agreement, and that this Agreement constitutes an Agreement for the rendering of Lobby Services, and payment does not contemplate the rendering of Legal Services or Legal Advice.

(Name of client)

Charles B. Smith, Shareholder

Manatee Harvesting Co. 1270 12<sup>th</sup> Avenue East

Palmetto, FL 34221

Date:

## ATTACHMENT A

## Lobbying efforts will include the following:

- Educate legislators and staff.
- Educate legislators and staff on regulatory benefits.
- Educate legislators and staff on the cost savings for the state.
- Work with appropriations staff in House & Senate as well as Impact Conference to evaluate and budget impact to the State of Florida.
- Work with appropriate state agencies.

## In addition to the top tier items listed above, the Firm will also provide the following:

- Identify issues pertinent to and alert staff. This will include filed legislation, proposed amendments, and work done by legislative committees.
- Monitor the progress of designated issues through the legislative process and report on the progress. This includes monitoring any changes or proposed changes in language (amendments).
- Provide regular updates on legislative issues and actions.
- Provide strategic planning on achievement of legislative agenda.
- Represent Manatee Harvesting Co. at all relevant legislative committee hearings.