

Town of Miami Lakes

Special Call Meeting

January 6, 2011



TOWN OF MIAMI LAKES, FLORIDA

Town Council

Mayor Michael Pizzi
Vice Mayor Nick Perdomo
Councilmember Mary Collins
Councilmember Tim Daubert
Councilmember Nelson Hernandez
Councilmember Ceasar Mestre
Councilmember Richard Pulido

AGENDA **SPECIAL CALL COUNCIL MEETING**

January 6, 2011

5:15 PM

TOWN HALL

15700 N.W. 67th Avenue, Suite 302
Miami Lakes, Florida 33014

- 1. CALL TO ORDER**
- 2. ROLL CALL**
- 3. PLEDGE OF ALLEGIANCE/MOMENT OF SILENCE**
- 4. DISCUSSION AND/OR ACTION ITEM:**
 - A. Federal and State Lobbying Services
 - B. Appointments by Mayor
 - C. Zoning Board Appointments
- 5. FUTURE MEETINGS**

January 11, 2011 Regular Meeting, 16500 NW 87th Avenue, Miami Lakes 6:30 pm
February 8, 2011 Regular Meeting, 16500 NW 87th Avenue, Miami Lakes 6:30 pm
- 6. ADJOURNMENT**

This meeting is open to the public. A copy of this Agenda and the backup therefore, has been posted on the Town of Miami Lakes Website at www.miamilakes-fl.gov and is available at Town Hall, 15700 NW 67th Avenue, Miami Lakes, FL. In accordance with the Americans with Disabilities Act of 1990, all persons who are disabled and who need special accommodations to participate in this meeting because of that disability should contact Town Hall at 305-364-6100 two days prior to the meeting. Anyone wishing to appeal any decision made by the Miami Lakes Town Council with respect to any matter considered at this meeting or hearing will need a record of the proceedings and for such purpose, may need to ensure that a verbatim record of the proceedings is made which record includes the testimony and evidence upon which the appeal is to be based.

Any member of the public wishing to speak on a public hearing matter on this Agenda or under public comments for items not on this Agenda, should fill out a speaker card and provide it to the Town Clerk, prior to commencement of the meeting. Any person presenting documents to the Town Council should provide the Town Clerk with a minimum of 12 copies.



Town of Miami Lakes

Office of Town Clerk
15700 NW 67th Ave
Miami Lakes, Florida 33014

ITEM 4 A



Town of Miami Lakes
Council Memorandum

To: Honorable Town Council
From: Mayor Michael Pizzi
Subject: Amendment to Federal Lobbying Agreement
Date: January 4, 2011

Recommendation:

It is recommended that the Town Council approve an amendment to the Agreement with Omar Franco Government Relations, Inc. ("Franco"), to include the provision of state lobbying services, allow for subcontracting of services, reducing the federal lobbying services by \$10,000, and to authorize the expenditure of up to \$34,000 per year based on an hourly rate of \$294.00.

Background:

The Town issued a Request for Proposals on November 16, 2010 for a contract for State Lobbying Services for matters in which the Town may need professional services and advocacy before the State of Florida Senate and House of Representatives, State administrative agencies, executive branch agencies and departments and other entities of the State of Florida government. Such services were to include but not be limited to attending legislative committee hearings and meetings, rule making proceedings or other administrative or legislative agency meetings as well as meetings with individual legislators, legislative staff and executive branch personnel.

Based on my revised recommendation memorandum issued on January 4, 2011 (see attached), the Town Manager has decided to reject the Request for Proposals.

The Town currently has an Agreement with Franco, which was executed on February 1, 2010 for federal lobbying services. Franco is well versed in the Town's operations and is also familiar with the issues that other Florida public entities are experiencing, as they also represent other public entities in South Florida. Amending this Agreement will allow Franco Government Relations, Inc. to immediately commence state lobbying services on behalf of the town. This is in lieu of the time that will be required to issue a new solicitation and for the then selected firm to become conversant how to best represent the Town.

Obtaining a firm to provide state lobbying services is a time sensitive issue given the commencement of the new Governor's term of office, and the start of the new legislative session.

This recommendation will save the Town \$11,000 per year when compared to the highest ranked firm under the State Lobbying Services Request for Proposals.

c: Alex Rey, Town Manager



Town of Miami Lakes

15700 NW 67TH Avenue
Miami Lakes, FL 33014

To: Honorable Town Council

From: Mayor Michael Pizzi

Date: January 4, 2011

Subject: Town Lobbying Services, Rescission of Recommendation

On December 14, 2010 I proposed that the Council approve a contract with The Fuentes Consulting Group to conduct State Lobbying Services for the Town. However, after further review and discussion with administrative staff I am rescinding my recommendation. The Town Manager has rejected all responses in accordance with Section 3.16 of the Request for Proposals ("RFP").

This recommendation takes into account that two of the firms who responded to the RFP failed to provide the required hourly rate, as well as the fact that we have a firm, with extensive lobbying experience, currently under contract to provide similar federal lobbying services and is willing to provide the state lobbying services.

RESOLUTION NO. 11-_____

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF MIAMI LAKES, FLORIDA, APPROVING THE FIRST AMENDMENT TO THE AGREEMENT FOR FEDERAL LEGISLATIVE CONSULTING WITH FRANCO GOVERNMENT RELATIONS, INC. TO INCLUDE STATE LEGISLATIVE CONSULTING SERVICES; WAIVING COMPETITIVE BIDDING; AUTHORIZING TOWN OFFICIALS TO TAKE ALL NECESSARY STEPS TO IMPLEMENT THE TERMS OF THE FIRST AMENDMENT; AUTHORIZING THE TOWN MANAGER TO EXECUTE THE FIRST AMENDMENT.

WHEREAS, on February 1, 2010, the Town of Miami Lakes (the “Town”) entered into that certain Agreement for Federal Legislative Consulting between the Town and Petrizzo Strategic Group, Inc. (the “Agreement”) to provide federal legislative consulting; and

WHEREAS, the Town Council approved assignment of the Agreement from Petrizzo Strategic Group Inc. to Franco Government Relations, Inc. (the “Consultant”) as of June 1, 2010 pursuant to Resolution No. 10-824; and

WHEREAS, it is the desire of the Town Council to quickly appoint a consultant to provide State legislative consulting services for the beginning of the 2011 State of Florida Legislative Session; and

WHEREAS, the Town Council desires to amend the Agreement to allow for the Consultant to provide State legislative consulting services on the same terms and conditions as provided in the Agreement; and

WHEREAS, Section 2(H)(1) of the Town’s Purchasing Procedures authorizes the Town Council, by majority vote, to waive procurement procedures when it is impractical.

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF MIAMI LAKES, FLORIDA, AS FOLLOWS:

Section 1. **Recitals.** The above Recitals are true and correct and incorporated herein by this reference.

Section 2. Approval of First Amendment. The First Amendment to the Agreement between the Town of Miami Lakes and Consultant (the “First Amendment”), a copy of which is attached as Exhibit “1,” together with such non-material changes as may be acceptable to the Town Manager and approved as to form and legality by the Town Attorney, is approved.

Section 3. Waiver of Procurement Procedures. The Town Council hereby waives Procurement Procedures pursuant to Section 2(H)(1) of the Town’s Purchasing Procedures for impracticality and to quickly appoint a consultant to provide State legislative consulting services for the beginning of the 2011 State of Florida Legislative Session.

Section 4. Authorization of Town Officials. The Town Manager and/or his designee and the Town Attorney are authorized to take all actions necessary to implement the terms and conditions of the First Amendment.

Section 5. Execution of the First Amendment. The Town Manager is authorized to execute the First Amendment on behalf of the Town, to execute any required agreements and/or documents to implement the terms and conditions of the First Amendment and to execute any extensions and/or amendments to the Agreement, subject to the approval as to form and legality by the Town Attorney.

Section 6. Effective Date. This Resolution shall take effect immediately upon adoption.

PASSED AND ADOPTED this ____ day of _____, 2011.

Motion to adopt by _____, second by _____.

FINAL VOTE AT ADOPTION

Mayor Michael Pizzi _____

Vice Mayor Nick Perdomo _____

Councilmember Mary Collins _____

Councilmember Tim Daubert _____

Councilmember Nelson Hernandez _____

Councilmember Ceasar Mestre _____

Councilmember Richard Pulido _____

Michael Pizzi
MAYOR

ATTEST:

TOWN CLERK

APPROVED AS TO LEGAL SUFFICIENCY:

TOWN ATTORNEY
Weiss, Serota, Helfman, Pastoriza,
Cole & Boniske, P.L.

Exhibit "1"

**FIRST AMENDMENT TO
AGREEMENT FOR FEDERAL LEGISLATIVE CONSULTING
BETWEEN
THE TOWN OF MIAMI LAKES
AND
FRANCO GOVERNMENT RELATIONS, INC.**

This First Amendment to the Agreement for Federal Legislative Consulting between the Town of Miami Lakes and Franco Government Relations, Inc. (the "First Amendment") is made and entered into this ____ day of _____, 2011, by and between the Town of Miami Lakes, Florida, a municipal corporation of the State of Florida (the "Town") and Franco Government Relations, Inc. ("Consultant").

WITNESSETH

WHEREAS, on February 1, 2010, the Town entered into that certain Agreement for Federal Legislative Consulting between the Town and Petrizzo Strategic Group, Inc. (the "Agreement") to provide federal legislative consulting; and

WHEREAS, the Agreement was assigned from Petrizzo Strategic Group Inc. to Consultant as of June 1, 2010 pursuant to Resolution No. 10-824; and

WHEREAS, the Town desires to amend the Agreement to allow for the Consultant to provide State legislative consulting services on the same terms and conditions as provided in the Agreement.

NOW THEREFORE, in consideration of the mutual covenants set forth in this First Amendment the parties agree as follows:

Section 1. Amendment to Agreement. The parties hereby amend the Agreement as follows:

- a. In addition to and in conjunction with the Services as described in Section 1 of the Agreement, the Consultant shall provide State legislative consulting services (the "State Services") in accordance with Exhibit "1" attached hereto and made a part

hereof. The State Services shall be included in the definition of Services as set forth in Section 1 of the Agreement, except with respect to compensation as set forth in Section 2 of the Agreement.

- b. The Consultant shall be allowed to employ sub-consultants subject to the written approval of the Town Manager.
- c. Section 2 of the Agreement is hereby deleted and replaced with the following:

“2. COMPENSATION

2.1. For all professional services provided by Consultant as described in Section 1, the Town shall pay Consultant monthly compensation of ~~\$3,333.33~~ \$2,500.00 payable on or before the 1st day of each month for the term of this Agreement.

2.2 For provision of the State Services as set forth herein, Consultant shall be paid at a rate of \$294.00 per hour up to a maximum amount of \$34,000.00 per year during the term of this Agreement.

2.2.3 Consultant shall be responsible for all travel and non-travel expenses incurred by Consultant directly required for Consultant to provide the professional Services described in Section 1 to the Town.”

Section 2. No Further Modifications. All other terms and conditions of the Agreement not in conflict or superseded by this First Amendment shall remain in full force and effect as if set forth in full herein.

IN WITNESS WHEREOF, the parties hereto have accepted, made and executed this First Amendment upon the terms and conditions above stated on the day and year first above written.

CONSULTANT:

Franco Government Relations, Inc.

By: *Omar Franco*
Name: *Omar Franco*
Title: *President*

TOWN:

Town of Miami Lakes, Florida

By: _____
Alex Rey
Town Manager

Approved as to form and legality for the use and benefit of the Town of Miami Lakes only:

Weiss, Serota, Helfman, Pastoriza,
Cole & Boniske, P.L.
TOWN ATTORNEY

Attest:

Marjorie Tejeda
TOWN CLERK

EXHIBIT “1”

THE STATE SERVICES

- A. Review on a continuing basis all existing and proposed State of Florida policies, programs and legislation affecting the Town. Identify those issues that may affect the Town or its citizens, and regularly inform the Town as to such matters, both orally and in writing. Provide legislative expertise and consulting services.
- B. Review the legislative policy statements of other governments and lobbying groups for the purpose of identifying issues, which may either positively or negatively affect the Town.
- C. Assist the Mayor, Town Manager and staff in the coordination and development of the Town’s legislative program. These issues may include: public safety, law enforcement, business attraction and retention, infrastructure improvements, telecommunications, transportation, environmental, affordable housing, economic development, revenue enhancement, mandates and other issues.
- D. Monitor State of Florida legislative committee meetings, agencies hearings and meetings prior to and during the regular and special legislative session(s) at which specific issues within the Town’s adopted legislative program are considered, as well as others that may arise that affect the Town.
- E. Work with the Mayor, Town Manager and staff to develop special or general legislation in keeping with, or supportive of, the Town’s adopted legislative program.
- F. Develop and evaluate strategy for support, opposition or amendment of pending legislation.
- G. Testify and lobby before the State of Florida Senate, House of Representatives, executive branch and cabinet as necessary on behalf of the Town during the annual legislative sessions, extended or special sessions(s) at legislative committee meetings and during floor debate in both houses of the State of Florida’s government.
- H. Appear and testify before State agency hearings, rule making proceedings and other administrative agency or legislative meetings, as required, to promote, oppose, and seek passage of legislation or rules affecting the Town or its citizens, and specific legislation contained in the Town’s legislative program.
- I. Upon request, coordinate appointments/meetings between the Town Council or other Town staff, and appropriate State officials and legislators.

- J. Prepare and submit reports that may include but not limited to: personal briefings and information bulletins pertinent to any legislation, rules or regulations, and other State policies or programs that affect the Town and its citizens either directly or indirectly. Written summary report shall be submitted at the end of each week detailing legislative action taken during the week, status of legislative issues, anticipated action during the upcoming week, and suggested action plan that Town staff or Council may implement. A report summarizing the status of the Town's legislative priorities shall be provided within one week of the closing of the regular or extended session and a more detailed final written report on specific legislation and new requirements affecting the Town shall be provided within a reasonable time period, not to exceed thirty days from the close of session.
- K. Prepare and submit periodic written reports (at least monthly) during those months that the State of Florida Senate and House of Representatives is not in session, on issues of interest or concern to the Town. Such information may include, but not limited to action taken at interim committee meetings, rule making hearings, status of studies underway, and advance notice of legislation being proposed.
- L. Upon request by the Town, assist the Town in coordinating applications and obtaining State of Florida grants. The consultant is not expected to prepare grant applications.

Consultant shall perform the scope of services as contained in the RFP. The scope of services shall not be deemed to be all-inclusive and may be changed from time to time as authorized by Town Manager.