

RESOLUTION NO. 2014-64

**A RESOLUTION OF THE VILLAGE COMMISSION
OF THE VILLAGE OF BISCAYNE PARK, FLORIDA,
AUTHORIZING THE VILLAGE MANAGER TO
EXECUTE THE AGREEMENT BETWEEN BECKER
& POLIAKOFF AND THE VILLAGE OF BISCAYNE
PARK FOR LOBBYING SERVICES FOR THE
VILLAGE'S BOUNDARY CHANGE APPLICATION;
PROVIDING FOR AN EFFECTIVE DATE**

WHEREAS, on March 5, 2014, the Village submitted a boundary change application to the Miami-Dade County Clerk of the Board to annex an area on our northeast boundary; and,

WHEREAS, County staff reviewed the application and found two items needing further attention, which includes the need to acquire a petition showing consent of twenty percent (20%) plus one (1) of the electors in the area proposed for annexation; and

WHEREAS, there was consensus from the Village Commission to utilize the services of a lobbyist to address the pending issues and to oversee the entire application as it proceeds through the County process; and

WHEREAS, a review of the current year budget and proposed next year budget has identified funds needed for this work through salary savings; and

WHEREAS, proposals were sought from four (4) firms and two (2) firms provided their proposals; and

WHEREAS, understanding that a short-term investment is needed to ensure future long-term fiscal diversity for the Village, the firm of Becker & Poliakoff is selected to provide the services needed.

**NOW, THEREFORE, BE IT RESOLVED BY THE VILLAGE COMMISSION
OF THE VILLAGE OF BISCAYNE PARK, FLORIDA:**

Section 1: That the foregoing "Whereas" clauses are true and correct and hereby ratified and confirmed by the Village Commission.

Section 2: The Village Commission of the Village of Biscayne Park hereby authorizes the Village Manager to execute the agreement between Becker & Poliakoff and the Village of Biscayne Park for lobbying services as it relates to the Village's boundary change application. The agreement, in substantial form, is incorporated herein as exhibit 1.

Section 3. That this resolution shall be effective immediately upon adoption by majority vote of the Commission of the Village of Biscayne Park, Florida.

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2 PASSED AND ADOPTED this 11th day of September, 2014.
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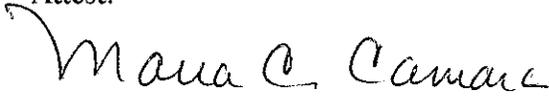
**The foregoing resolution upon being
put to a vote, the vote was as follows:**

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8 David Coviello, Mayor

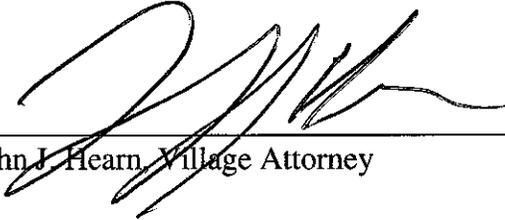
Mayor Coviello: Yes
Vice Mayor Ross: Yes
Commissioner Anderson: Yes
Commissioner Jonas: Yes
Commissioner Watts: No

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10 Attest:

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14 Maria C. Camara, Village Clerk

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16 Approved as to form:

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20 John J. Hearn, Village Attorney
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October 2, 2014

BY HAND DELIVERY

Heidi Shafran, AICP; Village Manager
Village of Biscayne Park
Village Hall
640 NE 114th Street
Biscayne Park, FL 33161

Re: Village of Biscayne Park - Engagement Letter for Annexation Consulting and Outreach Services

Dear Ms. Shafran:

We are pleased that the Village of Biscayne Park (the "Village") wishes to engage our Firm to provide annexation consulting and outreach services. This letter is intended to set forth our understanding as to the nature and scope of the services we have agreed to render for you, the amount of our fees for those services and the manner in which our fees for those services will be paid.

1. **Nature of Services.** We have been engaged to serve provide consulting and outreach services in connection with the Village's annexation efforts. These services include
 - Preparation of the proper petition language and outreach to electors and residential property owners in the annexation area.
 - Collection of signatures representing of 20% plus one of the electors in the area proposed for annexation.
 - Meetings with Village and County Staff.
 - Periodic presentations to Village Commission.
 - Serve as a point-of-contact for all media requests and issues dealing with annexation.
 - Communication with County Commission members to achieved desired annexation.

We will continue to work on this specific scope of work until the Miami-Dade Board of County Commissioners renders a final decision on the Village's application for Annexation of the area identified as the "Annexation East Area".

2. **Fees for Services.** You will be charged and agree to pay for our services at the rate of \$3,500 per month beginning October 1, 2014 and on the first day of each month with fees

being capped at \$52,500.00.

3. **Costs.** In addition to the fees discussed in paragraph 2, we anticipate that certain expenses may be incurred and advanced on your behalf. These expenses may include expenses such as media buys, printing, postage and canvassing staff not included in project estimate. The Village will be billed separately for these costs. However, all additional costs must be preapproved by the Village. In the event unusually large costs or advances are anticipated, we reserve the right to require an additional cost deposit from you prior to undertaking the expenditures of funds on your behalf.

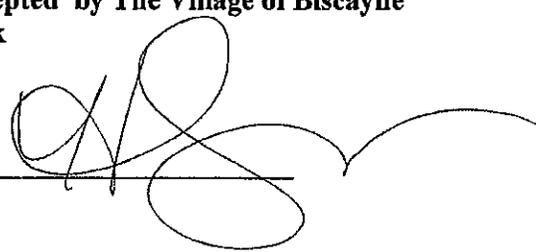
4. **Payment of Fees and Costs.** Our invoices will be submitted to you on a monthly basis and each invoice will be due and payable when rendered. You must understand that if any invoice remains unpaid for more than 30 days after it is rendered, we reserve the right, in our discretion, to cease to provide further legal services to you. You will, however, be liable to us for the payment of any fees earned and any costs incurred by us to that time.

5. **Termination of Representation.** We will serve at the pleasure of the Village and may be terminated at any time.

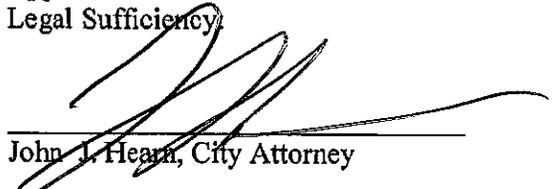
Very truly yours,

Jeff P. H. Cazeau

**Retainer Agreement Agreed to and
Accepted by The Village of Biscayne
Park**

By: 

Approved as to
Legal Sufficiency



John J. Hearn, City Attorney

JPC/sy