

# TOWN OF DAVIE

## TOWN COUNCIL AGENDA REPORT

**TO:** Mayor and Councilmembers

**FROM/PHONE:** Thomas Willi, Town Administrator 797-1035

**PREPARED BY:** Thomas J. Willi, Town Administrator

**SUBJECT:** Resolution

**AFFECTED DISTRICT:** Town-wide

**TITLE OF AGENDA ITEM:** A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, RENEWING AN AGREEMENT BETWEEN THE TOWN OF DAVIE AND DAVID K. SIGERSON, JR. OF ERICKS CONSULTANTS, INC. TO REPRESENT THE TOWN OF DAVIE FOR LEGISLATIVE AND GOVERNMENTAL CONSULTING SERVICES FOR FISCAL YEAR 2003/2004.

**REPORT IN BRIEF:** This resolution is necessary to approve a contract between the Town and David K. Sigerson, Jr. Mr. Sigerson has been working on various legislative projects including: citrus canker, horse boarding property tax reform, annexations, community redevelopment, remedial local legislation regarding state revenue sharing, appropriations, and generally monitoring the Broward Delegation meetings.

**PREVIOUS ACTIONS:** The Town Council has previously approved similar agreements by R-2002-264; R-2001-199 (7/18/2001); R-2000-8 (1/19/2000); R-99-146 (4/21/99); R-97-302 (9/3/97); and R-97-073 (2/12/97).

**CONCURRENCES:** not applicable

**FISCAL IMPACT:**

Has request been budgeted?      yes

If yes, expected cost: \$36,000

Account Name: Legislative Services/Miscellaneous Account

**RECOMMENDATION(S):** Motion to approve the resolution

**Attachment(s):** Resolution, Contract Agreement, and Letter From David Sigerson

RESOLUTION \_\_\_\_\_

A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, RENEWING AN AGREEMENT BETWEEN THE TOWN OF DAVIE AND DAVID K. SIGERSON, JR. OF ERICKS CONSULTANTS, INC. TO REPRESENT THE TOWN OF DAVIE FOR LEGISLATIVE AND GOVERNMENTAL CONSULTING SERVICES FOR FISCAL YEAR 2003/2004.

WHEREAS, it is in the best interest of the Town of Davie to obtain a Legislative and Governmental consultant to represent the Town of Davie during the State Legislative Session and matters to be heard by the Broward Legislative Delegation including several projects and areas of interest to the Town that the firm of Ericks Consultants, Inc. can assist and monitor legislation that could effect the Town; and

WHEREAS, the attached agreement (attached hereto as Exhibit A) provides for consultant services during Fiscal Year 2003/2004 and

WHEREAS, the expenditure of these funds for this representation will be expensed under the Legislative Services/Miscellaneous Account Number 001-0103-512-0506;

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF DAVIE, FLORIDA.

SECTION 1. That the Town of Davie does hereby approve the Agreement between the Town of Davie and David K. Sigerson, Jr. of Ericks Consultants, Inc. as attached in an amount not to exceed \$36,000.

SECTION 2. This resolution shall take effect immediately upon its passage and adoption.

PASSED AND ADOPTED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2003.

\_\_\_\_\_  
Mayor/Councilmember

ATTEST:

\_\_\_\_\_  
Town Clerk

Approved this \_\_\_\_\_ day of \_\_\_\_\_, 2003

## **CONTRACT AGREEMENT**

THIS AGREEMENT, made as of this \_\_\_ day of December, 2003 by and between DAVID K. SIGERSON, JR., Esq. and ERICKS CONSULTANTS, INC., a joint venture (hereinafter "CONSULTANTS") and the TOWN OF DAVIE (hereinafter "the TOWN").

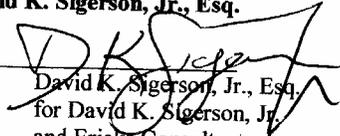
1. IN CONSIDERATION of the sums as herein described and other good and valuable consideration, the receipt and sufficiency thereof is hereby acknowledged, the parties hereto agree as follows:
2. CONSULTANTS shall provide the TOWN with lobbying, consulting and monitoring services before the Florida Legislature and the Broward County Legislative Delegation and each body's respective committees and subcommittees with respect to legislation involving water and wastewater policy and regulation (including water surcharge issues local and general law), growth management, affordable housing, transportation, economic development, community redevelopment, municipal code enforcement, Article V funding, windstorm insurance rate reform, local bills (including water surcharge and assist on annexation), state appropriations and project approval process and grants, and state agency representation as specifically assigned, and other matters as assigned by the Town Administrator or Town Council. In addition, CONSULTANTS shall assist the Mayor, Council and Town Administrator in setting up appropriate meetings and appointments with state and local decision makers in the furtherance of the TOWN'S Local and State Legislative Agenda.
3. CONSULTANTS shall provide periodic reports to the Town Administrator, Mayor and Council as to the status and progress of the various issues and projects as assigned. In addition, CONSULTANTS shall be available to meet with the Mayor, Council and Town Administrator either as a group or individually to discuss issues, projects and legislative goals of the TOWN.
4. CONSULTANTS shall provide the TOWN with such services for one year beginning October 1, 2003 and continuing for 12 months thereafter and including the 2004 Regular Legislative Session and any Special Legislative Sessions held during that Legislative Session cycle – up to the end of the 12 month period of the contract.
5. The TOWN shall pay CONSULTANTS for such services up to a total of \$36,000 for the 12-month period of the contract to be paid in equal payments of \$3,000 per month upon submission of an itemized statement each month describing the activities of the CONSULTANTS on behalf of the TOWN.
6. Extraordinary expenses incurred by CONSULTANTS must first be approved by the TOWN and shall be invoiced at the time of such expenses. Such expenses shall be limited to travel expenses incurred specifically on behalf of Town business.
7. INDEPENDENT CONTRACTOR: CONSULTANTS are at all times and shall remain Independent Contractors, solely responsible for the manner and method of completing its work under this Agreement.
8. LAWS AND REGULATIONS: CONSULTANTS shall comply with all laws relative to their work under this Agreement.

9. ASSIGNMENT: Neither this agreement nor any duty, interest, or right hereunder shall be assigned by CONSULTANTS without the prior approval of the TOWN.
10. All documents, correspondence, and communication between the TOWN and the CONSULTANTS shall be deemed confidential, except to the extent covered by the Florida Public Records Law.
11. In the event that a dispute arises between the parties concerning this agreement, the laws of Florida shall apply and such disputes shall be brought in the appropriate court in Broward County, Florida.
12. This agreement may be continued or renewed by the Town Administrator to complete projects assigned by the Town Administrator or the Town Council.

IN WITNESS WHEREOF, the parties have executed this Agreement the day and year first written.

**David K. Sigerson, Jr., Esq.**

BY: \_\_\_\_\_

  
David K. Sigerson, Jr., Esq.  
for David K. Sigerson, Jr.  
and Ericks Consultants, Inc.  
2410 Van Buren Street  
Hollywood, Florida 33020

**Town of Davie**

BY: \_\_\_\_\_

Tom Truex  
Mayor  
Town of Davie  
6591 Orange Drive  
Davie, Florida 33314

**David K. Sigerson, Jr.**  
**Attorney at Law**  
**and**  
**Governmental Consultant**

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2410 Van Buren Street  
Hollywood, Florida 33020

Phone: (954) 927-7621  
E-mail: DK.Sigerson2@aol.com

November 25, 2003

Tom Willi, Town Administrator  
Town of Davie  
6591 Orange Drive  
Davie, Florida 33314

Dear Tom:

On behalf of Dave Ericks (Ericks Consultants, Inc.) and myself, this letter is to request formal renewal of our continuing agreement to provide governmental consulting services to the Town of Davie (updated contract attached).

During this past year, Dave and I have worked on the annexation issue mainly at the State Legislative level. As you know General Legislation potentially injurious to the Town's interests was filed last Session in Tallahassee. We were successful in stopping that bill, however, that bill or some version of it has been or will be filed again this year. In addition, I have been monitoring meetings and participating in Broward and Florida League of Cities Legislative Policy Committee with regard to the proposed statewide annexation law reforms. Dave and I worked with council members and Town Staff to assist with the successful Florida Communities Trust Grant approval. We monitor the Broward Legislative Delegation and have monitored their meetings for other local bills that might affect the Town of Davie.

In addition, as per our discussions, I have worked on various important State Legislative issues that would affect the residents of the Town of Davie. These issues include: private property rights legislation, community redevelopment agency legislation, affordable housing trust fund.

For the coming year as outlined at the recent Legislative Issue Goal Setting Workshop we appear to have a number a issues to work on or monitor, some of which are: the local bill on water rate reform, general annexation law reform (the definitional issue), fighting any legislation harmful to Community Redevelopment Agencies, Article V funding issues (the code enforcement filing fee issue), preservation of the Affordable Housing Trust Fund, restoration of Medicaid transport funding, preservation of FRDAP, the private property rights issue (if it comes up again). In

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addition, we will continue to work with the Town's Department heads and grants administrator to maximize the Town's efforts to obtain State Grants.

Dave and I have enjoyed getting to know you and working with you and your staff, and as always, we have enjoyed representing the Town of Davie and working with the Mayor and the Council for the benefit of the residents of the Town. I look forward to continuing our successful relationship.

Sincerely,

A handwritten signature in black ink, appearing to read "David Sigerson, Jr.", with a large, stylized initial "D" and "S".

David Sigerson, Jr., Esq.  
For Dave Ericks, Ericks Consultants, Inc.