

**TOWN COUNCIL
SPECIAL MEETING
AUGUST 28, 2001**

The meeting was called to order at 4:10 p.m. Present were Mayor Venis, Vice-Mayor Paul and Councilmembers Clark, Starkey and Truex. Also present were Town Administrator Willi, Town Attorney Kiar, and Town Clerk Muniz recording the meeting.

1. Presentation by Lobbyists

Mayor Venis explained that each presentation would last ten minutes.

David Sigerson, representing Ericks Consultants, stated that his firm had represented the Town on a variety of issues since 1997 and he thanked Council for recently approving a contract between his firm and the Town. He outlined the various issues his firm was currently working on for the Town. Mr. Sigerson felt that his firm had represented the Town well on a variety of issues, in particular the growth management issue and transportation concurrency that would result in millions of tax dollars in terms of redeveloping the Regional Activity Center area into a high-tech industry for the east coast of the United States. He stated that this economic growth would allow the Town to support and preserve its rural character.

Mr. Sigerson stated that in the past, his firm had worked on an hourly basis. He added that depending upon the legislative session and the difficulty and number of issues involved, that set amount had been exceeded with approval of Council, based upon the Town Administrator's recommendations. Mr. Sigerson stated that other lobbyists were paid a set fee or a monthly retainer for services rendered, but he understood there was an agreement to work at an hourly rate. He asked that his firm be treated equally to other firms that might be hired to represent the Town. Mr. Sigerson stated that there was also an agreement that his firm would not lobby Council on issues for which his firm was not representing the Town.

Councilmember Starkey inquired what issues Ericks Consultants was currently working on for the Town. Mr. Sigerson stated that he was working on the annexation issue for the United Ranches and had begun work on it at the last legislative session. He indicated that he had offered to assist the Town with the Florida Union's Trust Grant. Mr. Sigerson added that the horse breeder issue was not addressed at the last legislative session and he understood that it was still an important issue for Council so his firm was going to pursue it as well.

Councilmember Starkey asked if Mr. Sigerson took direction from both Council and the Town Administrator which Mr. Sigerson answered in the affirmative. Councilmember Starkey asked if there was an agenda on issues Mr. Sigerson targeted "ahead of time." Mr. Sigerson explained the evolution of his relationship with the Town and stated that he had participated in workshops and meetings with Council and department heads where goals and issues were discussed, adding that other informal discussions regarding issues had taken place throughout the years.

Councilmember Clark inquired what specifically Mr. Sigerson's firm was working on for the Ranches annexation. Mr. Sigerson stated that he had recently delivered a preliminary report and explained that the foundation had been laid and his firm was mainly monitoring the situation. He reiterated that the Town's position was to be considered in the Ranches annexation process. Mr. Sigerson stated that he had spoken with members of the legislative delegation and ad hoc committees regarding the desires of the Town and had communicated his findings with members of Council and the Town Administrator.

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Bernie Friedman, representing Becker and Poliakoff, introduced his partners, Yolanda Cash-Jackson and Ivan Reich. Mr. Friedman stated that his firm had 13 offices around Florida and felt this was important to note because it allowed his firm to draw from resources statewide. He added that the local partners were involved in charities, civic organizations, and political processes around the State and this was an advantage over some of the other firms soliciting this position. Mr. Friedman spoke about the proactive and personal skills his firm offered.

Ms. Cash-Jackson spoke about how her firm provided local and global scope of services for various cities. She stated that her firm was interested in knowing what the Town felt were the pressing issues it would like to have State solutions to. Ms. Cash-Jackson clarified that her firm did not determine the agenda, the client did. Her firm took that information and applied it in order to find a solution. Ms. Cash-Jackson stated that at the upcoming legislative session, the important issues were going to be growth management, telecommunications, transportation, and community development, which were all important issues for the Town. She indicated that her firm arranged workshops with the Town's staff and at times, had invited legislators to participate, which resulted in better communication before the legislative session began. Ms. Cash-Jackson stated that there were various options for presenting legislative agendas, which allowed for input from constituents. She advised that the lines of communication were open throughout the relationship so that the client was apprised of the issues at hand and the direction they were taking. Finally, Ms. Cash-Jackson stated that Becker and Poliakoff employed a grant writer who could assist with grant writing.

Mr. Friedman shared some of the issues his firm was working on or had worked on for other clients. He stated that his firm had vast experience in working on annexation issues, including the legal issues attached to annexation. Also, Becker and Poliakoff was experienced with citrus canker, pensions, Charters, retirement, concurrency, and more.

Councilmember Truex asked which cities Becker and Poliakoff represented. Mr. Friedman responded that his firm represented Pompano Beach, Lauderdale Lakes, Hollywood, and Opa Locka. Councilmember Truex asked what government agencies Becker and Poliakoff represented. Mr. Friedman stated that his firm represented the Broward County School Board, the North Broward Hospital District, and Miami-Dade County.

Councilmember Truex asked how it was determined within Becker and Poliakoff who worked on what issues. Mr. Friedman stated that his firm worked collaboratively on all their projects, adding that he and Ms. Cash-Jackson were the lead lobbyists.

Councilmember Starkey asked if any of the municipalities that Becker and Poliakoff represented had a surcharge for water issues. Mr. Friedman responded in the negative.

Councilmember Starkey asked about the fees Becker and Poliakoff expected. Mr. Friedman stated that as per the contract, they specified \$4,000 per month plus \$2,000 per year for out-of-pocket expenses, which brought the total to \$50,000 per year. Councilmember Starkey asked if Becker and Poliakoff was currently being paid for the surcharge issue with Mr. Friedman explaining that this was a separate litigation issue, not relating to lobbying.

Councilmember Starkey stated that there were currently three law firms representing the Town on the annexation issue and asked if Mr. Friedman thought it was necessary to have three law firms involved. Mr. Friedman stated that his firm was qualified to handle

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the annexation issue and other issues. He advised that his firm worked collaboratively with other firms and lobbyists when necessary and it depended on the variables.

Councilmember Starkey felt that the Town did not need three lobbyists working on the annexation issue because the decision was currently up to the legislature. She explained that the legislature was asking municipalities to allow the areas in question to make their own choices. Councilmember Starkey stated that the current need on the annexation issue was to have someone follow the proceedings and report to Town. Mr. Friedman agreed, explaining some of the issues involved with annexation and the need for legal consultation, especially on complex issues so that the Town was protected.

Councilmember Clark felt that Mr. Friedman's synopsis of the annexation issue was comprehensive and well presented.

Vincent Grande, representing the Rubin Group, stated that the Rubin Group had met with Mr. Willi in July regarding the annexation issue and had been working on this issue since that meeting. He distributed a listing of accomplishments of the Rubin Group regarding the United Ranches annexation.

Mr. Grande gave a brief history of Mr. Rubin's legislative experience. He again referred to his meeting with Mr. Willi and explained that they had attended various ad hoc meetings and had been in contact with various elected officials. Also, they had assisted Mr. Willi with correspondence to the Sun Sentinel and to other ad hoc members. Mr. Grande described other involvements and progress the Rubin Group had accomplished since they were hired to address the annexation issue. He gave details regarding Mr. Rubin's background and also spoke of his own background, stating that he had worked as a legislative analyst for the Dade County Commission. Finally, Mr. Grande stated that the Rubin Group had been an asset to the Town and they hoped to continue the relationship.

An unidentified member of the ad hoc committee for the area to be annexed, spoke about the diligence and merits of the Rubin Group.

Councilmember Clark asked if the Rubin Group had received any compensation for the annexation work done on behalf of the Town. Mr. Grande stated they had not received any compensation as the final contract was not completed and indicated that they had been working in good faith with the Town.

Mayor Venis asked how much time the Rubin Group had expended to date. Mr. Grande estimated that approximately 60 hours had been spent on annexation issues.

Councilmember Starkey inquired about a provision of the contract which stated that the Rubin Group would receive \$5,000 per month until the end of the legislative session and \$2,500 per month thereafter. An unidentified speaker explained how the fee schedule would work. Councilmember Starkey clarified that for \$5,000, the Rubin Group would be addressing the annexation issue which the Town already had another firm doing the same. She asked if Mr. Grande thought it was appropriate to have more than one lobbyist addressing this issue. Councilmember Starkey commended all those working on the annexation issue, but felt that lobbyists for the Town appeared to have a lack of direction. She was concerned with the exorbitant costs this issue could incur and the duplication of efforts. Mr. Grande indicated that to this point, the Rubin Group's scope had been annexation, but they were able to do whatever Council directed and the \$5,000 per month included other issues besides annexation.

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Councilmember Truex asked what other municipalities the Rubin Group represented. Mr. Grande stated that Mr. Rubin was involved with Deerfield, Miramar, and Weston. Mr. Grande advised that he would personally be involved with the local issues and ad hoc committees and Mr. Rubin would concentrate on Tallahassee contacts where the annexation was concerned.

Mr. Grande explained why the contract was not finalized and reiterated that the Rubin Group had been called in to address the annexation issue in mid-July.

Mitch Caesar, representing his firm, stated that he had done work for various municipalities for the past 20 years. He spoke of his expertise in grant work and his success with producing grants for various municipalities, specifically the University Drive project in Tamarac. Mr. Caesar stated that it was necessary for a city to have a level playing field in order to be successful and indicated that it was particularly important to have qualified lobbyists who were willing to do what it took, especially with grant work because of the limited funding available. He listed the various grants he had produced and explained how lobbying and grants worked in conjunction with each other, especially in the political arena.

Mr. Caesar felt that his services would have very little, if any, overlap with the other lobbyists. He stated that his proposal was \$3,000 per month and he would agree to any cap on out-of-pocket expenses. Mr. Caesar indicated that the services he provided were unique because of the grant writing component and if hired, he would begin his work by conducting a needs assessment to determine the pertinent issues.

Vice-Mayor Paul asked if Mr. Caesar would be researching grants to see what was available that coincided with the needs of the Town. Mr. Caesar stated that although staff was familiar with some grants, his role would be to offer added information regarding possible grants suited to the needs of the Town. He added that he would gather the information and review before submission, but the Town was responsible for writing the actual grant.

Mayor Venis asked Mr. Caesar how many cities his firm represented. Mr. Caesar stated that he currently represented Tamarac and Hallandale Beach. He added that he was soliciting the Town because there was minimal chance for overlap between the Town, Tamarac, and Hallandale Beach.

Councilmember Truex asked if Mr. Caesar had represented governmental agencies. Mr. Caesar responded in the negative.

Councilmember Starkey was pleased that Mr. Caesar offered to put a cap on additional expenses because it was not included in his original proposal. She stated that Mr. Caesar's presentation was focused on grants and asked if he would lobby only for grants or for other issues as well. Mr. Caesar stated it would be for other local issues as well.

Councilmember Starkey referred to Mr. Caesar's proposal where it stated that he would report to and receive direction from the Town Administrator, yet during his presentation he stated that he would work with Council and the Town Administrator. She asked if he was going to work on Council's goals first. Mr. Caesar stated that he was open to direction from either side, explaining that the language in the contract was standard, and he was flexible.

Councilmember Starkey asked Mr. Willi about the grant writer position in the budget and asked how much money was to be allotted for that position. Mr. Willi responded that he and Assistant Town Administrator Ken Cohen felt that the grant writers should support

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themselves with the monies that they brought in. Mr. Cohen added that approximately \$70,000 for salary and benefits had been allotted for a grant writer position, with the salary being approximately \$55,000. He stated that this person would be responsible for finding grants as well as writing them. Councilmember Starkey stated that all the presentations thus far also had the ability to find grants so there was an overlap of potential services. She was concerned with the amount of money that was needed for other services in the Town, especially health and safety, and felt it was important to hire firms that offered diverse services rather than the same. Mr. Cohen stated that if these services were approved, the cost to the Town would be approximately \$127,000 for 12 months. Councilmember Starkey stated that with expenses, it was actually \$196,000. She questioned whether the Town wanted to spend all of its money on lobbyists or if they wanted to narrow it down to one or two specialists. Mayor Venis recommended pursuing this discussion after all presentations were made.

Mayor Venis asked Mr. Cohen how much money was allocated for lobbyists in the budget. Mr. Cohen stated there was \$55,800 allocated for legislative services and another \$200,000 for contingencies to be allocated however Council saw fit.

Jeff Whitson, representing Steel, Hector, and Davis, distributed information regarding his firm and provided a history of Steel, Hector, and Davis and its international offices with 200 attorneys. He spoke of the benefits of having an international presence in terms of dealing with legislators because it allowed for a collaboration of many specialists.

Mr. Whitson stated that his firm was presently on Coral Springs' lobbyist list. He explained that Coral Springs had not signed for Steel, Hector, and Davis for the last legislative session, although they did work on transportation issues. Mr. Whitson listed the organizations, both public and private, which Steel, Hector, and Davis had lobbied for. He stated that his firm also would make available to the Town, office space and services in their Tallahassee office, which was located across the street from the State Capitol.

Mr. Whitson stated that his firm understood that the Town's representatives were the experts and his firm's role was to work collaboratively with these representatives to achieve their goals, especially by working with other decision makers from other parts of the State. He listed the affiliations his firm had with various agencies. Mr. Whitson addressed the issues important to the Town, including water, drainage, parks and recreation, capital improvement. He described past experiences and ways in which his firm addressed such issues.

Mr. Whitson stated that his firm was able to offer affordable rates to cities because their client base was so large. He stated that although his firm did not have vast experience with Town issues, this was a benefit because it allowed them to be more objective.

Vice-Mayor Paul asked Mr. Whitson if his firm had prepared a contract. Mr. Whitson indicated that they had not been asked to prepare a contract, but a standard contract was available which could be customized.

Councilmember Starkey asked if the fee included expenses, administrative fees, and services. Mr. Whitson responded affirmatively, stating that it included the use of the Tallahassee office and their services there. Mr. Whitson also explained how using services on an as needed basis was problematic because of preparation time. He recommended addressing issues and prioritizing before the legislative session began.

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Councilmember Truex asked what other municipalities Steel, Hector, and Davis lobbied for. Mr. Whitson stated the Coral Springs was the only city his firm was worked for last year and thus far Coral Springs had not renewed.

Mr. Willi spoke of the Town's need for lobbyist services. He stated that he did not see a "cost" in this equation because it would be judged by the lobbyist's results and the amount of grant dollars brought to the Town in comparison with the fees charged. Mr. Willi felt that Council's role would be very strong in assisting lobbyists with setting objectives. He did not necessarily see the overlapping of various firms as a negative because when dealing with annexation or large legislative issues, he felt the more support the Town had, the better the end result would be. Mr. Willi stated that he had made recommendations to Council regarding which lobbyists he felt would best serve the Town and the responsibilities for each. He specifically referred to Mr. Grande, stating that the Rubin Group had been working with the Town for the past 60 days. Mr. Willi referred to the last Council meeting where the question was raised as to how many municipalities had more than one lobbyist and indicated that many had more than one and some had quite a few, including Pembroke Park and Coral Springs. He reiterated that the issues the Town was dealing with were diverse and a wealth of knowledge and experience would only be beneficial.

Mayor Venis spoke about the concerns Council had with the overlapping issues. He felt that Council needed to compile a list of issues they would like addressed at the next legislative session. Mr. Willi agreed, adding that he felt a caveat should be added to the lobbyist's agreement that allowed Council to add any additional duty or responsibility that council may see fit at a future time. He explained that this would allow Council to have the flexibility to address issues without having to readdress the contract.

Vice-Mayor Paul agreed that it was important to identify the issues to categorize and prioritize. She felt that the Town needed to be more aggressive about getting the most value for its money. Vice-Mayor Paul stated that it was important to be consistent with the lobbyist fees, either paying hourly or by retainer. She indicated that it was very difficult to decide which firm to go with because of the diverse needs of the community, but she was concerned with overlapping. Vice-Mayor Paul stated that having specialists working on particular areas such as grants should prove to be financially beneficial for the Town, the consultant, and the grant writer by performance and results. Vice-Mayor Paul praised Mr. Sigerson for his hard work for the Town and felt that it might be good to have a number of consultants working together. She was concerned with the expense for lobbyists and reiterated that it was important to look at the value, the issues, and the amount the Town wanted to spend.

Councilmember Truex agreed that at times it was necessary to spend money to make money, but felt that \$200,000 was an exorbitant amount to spend on lobbyists. He stated that he was happy with the services that Ericks Consultants had provided and felt that Mr. Sigerson should be the lead lobbyist. Councilmember Truex advised that it was Mr. Willi's responsibility to make the decision as to whom to retain and what issues should be addressed on an as needed basis. He felt that the Town should not go above the \$55,800 that was budgeted.

Councilmember Clark felt that Council was not aggressive enough regarding legislative issues and commended Mr. Sigerson for his work. She asked how Mr. Willi would hire a consultant on an as needed basis. Mr. Willi responded that it would be

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difficult, but it could be done. Councilmember Clark stated that if issues were addressed as needed, the Town would miss out on opportunities to properly address issues because of the lack of preparation. She added that she wanted a consulting firm who offered unlimited services, rather than hiring individual consultants for each issue. Councilmember Clark felt it would be beneficial to hire a grant writer and a lobbyist. She felt that the proposed hiring of Ericks Consulting, and utilizing the other firm's services on an as needed basis, would not have positive results as the other firms would be involved with other projects and the Town would not be their priority. Councilmember Clark urged Council and Mr. Willi to make a final decision on this matter, as too much time had been spent discussing it. She added that everyone agreed that the Town needed to be more aggressive with legislative issues and with grant funding.

Mr. Caesar stated that his area of expertise was more involved with grants than with lobbying and it was important to note the difference. He indicated that grants were difficult to address on an as needed basis because of the cyclical nature of the grant process.

Mayor Venis felt it would be positive for the Town to have several lobbyists because the money that was expended should yield greater, more profitable benefits for the Town. He agreed that Council needed to compile a list of priorities and that Mr. Willi needed to get input from department heads. Mayor Venis reiterated that there would be some overlapping, but not to any great extent.

Councilmember Starkey asked Mayor Venis if he recommended adopting Mr. Willi's recommendation list as it was. Mayor Venis stated that he would want input from Council and staff regarding goals for the next legislative session. He reiterated that the amount of money spent on consultants would yield greater profits and benefits for the Town. Councilmember Starkey asked Mayor Venis if he would be willing to spend several hundred thousand dollars on lobbyists and Mayor Venis asked that the actual proposals were recounted. Mr. Grande - \$55,000; Ericks Consultants - \$10,000 plus expenses; Becker and Poliakoff - \$48,000 plus \$2,000 in expenses; and Mr. Caesar - \$36,000 with no expenses.

Vice-Mayor Paul asked if the monthly retainers were negotiable. Councilmember Starkey stated that it depended on the issues and whether the consultants decided to handle them. Mr. Willi stated that there were private discussions with a number of the lobbyists and negotiable fees were considered, but he preferred to defer to them for comment. Vice-Mayor Paul felt that Mr. Sigerson's contract should be re-evaluated and he too should be on a retainer.

Councilmember Clark asked Mr. Friedman for clarification regarding his statement that his firm could handle many issues. Mr. Friedman stated that his firm could address any issue the Town needed assistance with. Councilmember Truex asked why hire other firms if Mr. Friedman's firm could handle all the issues.

Councilmember Starkey questioned why Mr. Sigerson was only being paid \$10,000 if he was going to be the lead lobbyist. Mayor Venis stated that this was only a suggestion and felt that Council would be leading the lobbyist group and deciding what programs were assigned to which firms.

Mr. Whitson stated that his firm was also capable of addressing all the needs of the Town.

Mr. Sigerson spoke of the various changes the Town had experienced since he had been working with them. He stated that the actual amount his firm had been paid was more than \$10,000 because there were additional issues he was asked to work on. Mr.

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Sigerson stated that for one or two years, his firm earned approximately \$24,000 each year and clarified that the past year he was asked to stay within the budgeted amount of \$10,000. Mr. Sigerson stated that his firm was equal in stature to all the represented firms, adding that if they were going to be paid \$3,000 or more per month, his firm would expect and ask for the same. He stated that his firm would be comfortable as the lead lobbyist. Mr. Sigerson indicated that it would be quite beneficial to have a team of lobbyists for major issues including annexation and the water issue.

Mr. Caesar reiterated that his specialty was grants and he clarified that he did not claim to have expertise in other areas. He felt that grant issues were totally separate from the other issues.

Mayor Venis asked Mr. Willi for a copy of the revised version of the budget workshop meeting, which showed a balanced budget. Mr. Willi stated that a balanced budget was going to be presented by August 29th. Mayor Venis also asked if the budget would still be balanced if it was necessary to add an additional \$100,000 plus. Mr. Willi was confident that the budget could be balanced with this addition. Vice-Mayor Paul stated that there was still the issue of renegotiating with the firms which would allow for easier budget balancing. Mr. Cohen reiterated that there was still \$200,000 in contingencies and those funds could be used to offset any additional expenses to the consultants. Mayor Venis clarified that the contingency was in place for emergencies and he was not comfortable with using it in this manner. Mr. Cohen stated that he would review the budget and come up with other suggestions for funding.

Councilmember Truex spoke about programs that helped residents and was concerned that these programs would be cut in order to fund the lobbyists. He suggested that Council decide on a reasonable amount to be spent on lobbyists, rather than hiring all the represented firms. He reiterated that it was not necessary to hire all of these lobbyists when important programs were being cut.

Vice-Mayor Paul stated that the Town was at a crossroads and reiterated that the Town needed to be more aggressive. She felt that the Town needed to make a cost effective decision. Vice-Mayor Paul asked if Mr. Willi could negotiate with the various firms prior to the next budget meeting with Mr. Willi responding in the affirmative. She clarified that action could not be taken at the budget meeting so it would have to wait until the next Council meeting. Mayor Venis asked what the requirements were for a special meeting and it was stated that it was necessary that 24 hours notice was required. Councilmember Starkey agreed that action should be taken at the next Council meeting so that the public could have fair notice.

Councilmember Starkey felt that a more feasible recommendation would be put together that would address the needs of the Town and allow the Town to take a more aggressive role in lobbying.

Mayor Venis requested that the current budget package be available tomorrow morning. Mr. Cohen stated that it would be prepared by noon on August 29th.

Mr. Willi recommended that he meet with the consultants to renegotiate their proposals and incorporate this information into the budget package for the August 30th meeting. He also recommended revising the resolutions and asked that these items be added to the September 6th agenda so that Council would have budget information.

Councilmember Truex agreed that Mr. Sigerson's contract should be reconsidered.

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Richard Weiner, 10244 SW 18 Street, agreed with Councilmember Truex's concern about utilizing Ericks Consultants because of time constraints. Mr. Weiner felt it was unfair to ask Mr. Willi to renegotiate with the consulting firms without knowing exactly what issues were going to need addressing. Vice-Mayor Paul agreed, stating that perhaps each Councilmember could prepare a list of priorities.

2. A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, ENTERING INTO AN AGREEMENT BETWEEN THE TOWN OF DAVIE AND BECKER & POLIAKOFF, P.A. TO REPRESENT THE TOWN OF DAVIE FOR LEGISLATIVE AND GOVERNMENTAL CONSULTING SERVICES. (tabled from August 15, 2001)

No action was taken on this item.

3. A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, ENTERING INTO AN AGREEMENT BETWEEN THE TOWN OF DAVIE AND MITCHELL CEASAR TO REPRESENT THE TOWN OF DAVIE FOR LEGISLATIVE AND GOVERNMENTAL CONSULTING SERVICES.

No action was taken on this item.

4. A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, ENTERING INTO AN AGREEMENT BETWEEN THE TOWN OF DAVIE AND THE RUBIN GROUP AND GRANDe CONSULTING INC. TO REPRESENT THE TOWN OF DAVIE FOR LEGISLATIVE AND GOVERNMENTAL CONSULTING SERVICES.

No action was taken on this item.

There being no objections or further business, the meeting was adjourned at 6:27 p.m.

APPROVED _____

Mayor/Councilmember

Town Clerk