



14-T141-24

City Council Agenda Request
MAY 15, 2018

AGENDA REQUEST NO: V.A.**AGENDA OF:** City Council Meeting**INITIATED BY:** *Rick Ramirez, Intergovernmental Relations Manager***PRESENTED BY:** *Rick Ramirez, Intergovernmental Relations Manager***RESPONSIBLE DEPARTMENT:** Intergovernmental Relations

AGENDA CAPTION:

Consideration of and action on authorizing renewal of a Contract with Focused Advocacy, LLC, for state legislative consulting services from June 1, 2018 to May 31, 2020 in the base amount of \$9,500 per month, \$350 per month for associated client-related business meetings, and other costs as may be shown in the contract.

RECOMMENDED ACTION:

Approval of contract renewal with Focused Advocacy, LLC, for state legislative consulting services for two-year period beginning June 1, 2018 and ending May 31, 2020.

EXECUTIVE SUMMARY:

The City of Sugar Land currently contracts with Focused Advocacy (FA) to provide state legislative consulting services. Over the past two years FA has assisted the city with a number of significant issues including those related to the ongoing efforts to redevelop the Central Prison Unit and a variety of legislative and regulatory issues that directly impact the city and the quality of life of its residents. Specifically, FA aided the City's Office of Intergovernmental Relations in accomplishing three legislative priorities in City Council's 2017 Legislative Agenda: qualifying the city to save millions in taxpayer money by receiving tax rebates from the State for the construction of a future hotel/conference center (HB 2445); passing legislation for the development of the Telfair Tract 5 Commercial Management District which will coordinate security and parking at Tract 5 (HB 4297); and passing legislation that allows cities all across the state to construct hike and bike trails in electric utility right-of-way at little to no cost for the land (HB 931). It is also important to mention the contributions of all of the members of the City's Legislative Delegation in Austin that filed and supported these bills on behalf of the City and its citizens.

Future legislative work will be required to help the City formulate and adopt the City's Legislative Agenda for the upcoming 86th Session of the Texas Legislature. Although FA aids the City in the development and implementation of the Legislative Agenda, it is ultimately created by the City Council on behalf of the citizens with the entire community in mind. In general, the Legislative Agenda supports measures that empower the City to protect the health, safety and welfare of its citizens while opposing any measure that would diminish the City's ability to function effectively or that would erode its authority to govern its own local affairs.

The current two-year contract is set to expire on May 31, 2018, and has a clause that it may be renewed upon the written mutual consent of both parties. Accordingly, FA has submitted a letter to the City indicating they wish to renew the contract for another two-year term beginning June 1, 2018, without any changes to the existing contract pricing or scope.

As detailed in the scope of services, FA represents the City in dealings with elected and appointed officials and legislative staff; provides overall analysis and tracking of governmental and legislative actions; advises the City on opportunities to participate in advocacy efforts in furtherance of the City's agenda; assists the City in passage of proactive legislative initiatives; assists the City in the defeat of legislation that could have a negative impact on the City's ability to carry out its governmental functions; consults with the City regarding the effectiveness of its efforts; attends meetings of the legislature and regulatory bodies that could impact the City's objectives; assists in the preparation of testimony before the State Legislature; and assists in the coordination, development and implementation of the City's overall legislative agenda.

The current retainer of \$9,500 per month with a \$350 per month for monthly expenses associated with client-related business

meetings will remain unchanged. The City will pay for travel expenses of the Consultant if the City requests FA's presence at more than two meetings, per year, outside of Austin, Texas. Additionally, the contract will continue to include a conflict of interest clause requiring FA to immediately bring potential conflicts to the City's attention immediately. In such cases of irreconcilable legislative conflicts between a private sector interest and the City, the contract states that FA agrees to resolve the difference in favor of the City's position.

Therefore, after reviewing this item with the City Council IG Committee on March 20, 2018, staff recommends that the City Council approve the renewal of a contract for state legislative consulting services with Focused Advocacy, LLC, for another two-year term beginning June 1, 2018, and ending May 31, 2020.

The budgeted amount for the next two years is as follows: \$39,400 for the remainder of FY18 (\$9,850 per month from June 1, 2018 to September 30, 2018); \$118,200 for FY19 (\$9,850 per month from October 1, 2018 to September 30, 2019); and \$78,800 for FY20 (\$9,850 per month from October 1, 2019 to May 31, 2020).

The cost for this contract is a 50/50 split between the General Fund and the Surface Water Fund - as half of the contract is funded out of the Surface Water Fund to carry out work necessary to protect the City's water rights, ensure fair and adequate representation on various surface water boards developed by the legislature, and to provide for protection against harmful legislation that affects the surface water program.

BUDGET

EXPENDITURE REQUIRED: \$39,400 (Remainder of FY18)

CURRENT BUDGET: \$39,400 (Remainder of FY18)

ADDITIONAL FUNDING: 0

FUNDING SOURCE: 50/50 split between the General Fund and the Surface Water Fund

ATTACHMENTS:

	Description	Type
□	<u>2018-2020 Focused Advocacy Renewal Letter</u>	Contracts
□	<u>Form 1295 & HB 89</u>	Contracts

FOCUSED ADVOCACY

April 24, 2018

Mr. Rick Ramirez
Intergovernmental Relations Manager
City of Sugar Land
2700 Town Center Blvd. North
Sugar Land, TX 77479

Delivered via email

Dear Mr. Ramirez:

The City and Focused Advocacy executed an agreement for legislative and advocacy consulting services effective June 1, 2016 (hereinafter “the original contract”). The original contract expires May 31, 2018.

The original contract contains an option to renew the agreement restated in full here: “**At the expiration, this Agreement may be renewed upon the written consent of both parties.**”

Please accept this letter as our written agreement to renew the original contract for the period **June 1, 2018 to May 31, 2020**. In consideration for the performance of services outlined in the contract, the City agrees to pay Focused Advocacy \$9,500 (nine thousand five hundred) per month and reimburse Focused Advocacy three hundred and fifty dollar per month (\$350) for the monthly expenses associated with client-related business meetings in furtherance of the duties and services required by the contract. Payments should be mailed to 816 Congress Avenue, Suite 370, Austin, Texas 78701. All other terms of the original contract apply.

If this renewal is agreeable to the City, please sign below. After signing, please email a scanned copy of the signed letter to Brandon@FocusedAdvocacy.com and mail an original to:

Focused Advocacy
Attn: Brandon Aghamalian
816 Congress Avenue
Suite 370
Austin, Texas 78701

FOCUSED ADVOCACY

We look forward to continuing our relationship with the City and appreciate your continued faith in our firm.

Respectfully,



Brandon Aghamalian
President, Focused Advocacy

Signatures below represent an agreement to renew the original contract under the terms outlined above and within the original contract:

Brandon Aghamalian
Name

Allen Bogard
Name


Signature


Signature

April 24, 2018
Date

5-17-18
Date

CERTIFICATE OF INTERESTED PARTIES

FORM 1295

1 of 1

Complete Nos. 1 - 4 and 6 if there are interested parties.
 Complete Nos. 1, 2, 3, 5, and 6 if there are no interested parties.

OFFICE USE ONLY CERTIFICATION OF FILING

1 Name of business entity filing form, and the city, state and country of the business entity's place of business.

Focused Advocacy LLC
 Austin, TX United States

Certificate Number:
 2018-347499

Date Filed:
 05/02/2018

Date Acknowledged:

2 Name of governmental entity or state agency that is a party to the contract for which the form is being filed.

City of Sugar Land

3 Provide the identification number used by the governmental entity or state agency to track or identify the contract, and provide a description of the services, goods, or other property to be provided under the contract.

N/A
 Government Relations Public Affairs

4	Name of Interested Party	City, State, Country (place of business)	Nature of interest (check applicable)	
			Controlling	Intermediary
	Aghamalian, Brandon	Austin, TX United States	X	
	Seidlits, Curt	Austin, TX United States	X	
	Carr, Snapper	Austin, TX United States	X	

5 Check only if there is NO Interested Party.

6 UNSWORN DECLARATION

My name is Brandon Aghamalian, and my date of birth is 9-20-73

My address is 816 Congress Avenue STE 370, Austin, Tx, 78701, USA
(street) (city) (state) (zip code) (country)

I declare under penalty of perjury that the foregoing is true and correct.

Executed in Travis County, State of Texas, on the 2 day of May, 2018.
(month) (year)



 Signature of authorized agent of contracting business entity
 (Declarant)

STATE OF TEXAS - HOUSE BILL 89 VERIFICATION

I, Brandon Aghamalian, the undersigned representative of
(Person name)

Focused Advocacy, LLC

(Company or Business name)

hereafter referred to as company, being an adult over the age of eighteen (18) years of age, do hereby certify the above-named company, under the provisions of Subtitle F, Title 10, Government Code Chapter 2270:

1. Does not boycott Israel currently; and
2. Will not boycott Israel during the term of the contract for goods or services with the above-named Company, business or individual with City of Sugar Land.

Pursuant to Section 2270.001, Texas Government Code:

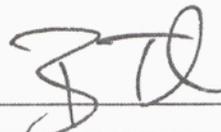
1. *"Boycott Israel" means refusing to deal with, terminating business activities with, or otherwise taking any action that is intended to penalize, inflict economic harm on, or limit commercial relations specifically with Israel, or with a person or entity doing business in Israel or in an Israeli-controlled territory, but does not include an action made for ordinary business purposes; and*
2. *"Company" means a for-profit sole proprietorship, organization, association, corporation, partnership, joint venture, limited partnership, limited liability partnership, or any limited liability company, including a wholly owned subsidiary, majority-owned subsidiary, parent company or affiliate of those entities or business associations that exist to make a profit.*

05/02/2018

DATE

President

POSITION / TITLE



SIGNATURE OF COMPANY REPRESENTATIVE