

**CITY OF BILOXI
AGENDA ITEM
FACT SHEET**

Item No.: 4 D

Council Meeting Date: December 5, 2017

ITEM TITLE: RESOLUTION
 INTRODUCED BY: Mayor Andrew "FoFo" Gilich
 CONTACT PERSON: E. Michael Leonard, CAO
 Peter Abide, City Attorney

SUMMARY EXPLANATION:

Resolution to Approve and Execute Agreement between City of Biloxi and Key Impact Strategies, LLC

Resolution Ordinance _____ Public Hearing _____ Routine Agenda _____

Exhibits for Review

Contract Minutes _____ Plans/Maps _____ Deed _____ Lease _____

Other (Specify): Exhibit A: Agreement

Submittal Authorization: Council President _____ Mayor

STAFF RECOMMENDATION: Staff recommends approval

COUNCIL ACTION: Motion By: _____ Second By: _____

| Vote: | <u>Councilmember</u> | <u>Yes</u> | <u>No</u> | <u>Other</u> | <u>Councilmember</u> | <u>Yes</u> | <u>No</u> | <u>Other</u> |
|-------|----------------------|------------|-----------|--------------|----------------------|------------|-----------|--------------|
| | Lawrence | ___ | ___ | ___ | Tisdale | ___ | ___ | ___ |
| | Gines | ___ | ___ | ___ | Glavan | ___ | ___ | ___ |
| | Newman | ___ | ___ | ___ | Barrett | ___ | ___ | ___ |
| | Deming | ___ | ___ | ___ | | | | |

ACTION TAKEN:

RESOLUTION No. _____

RESOLUTION TO APPROVE AND EXECUTE AGREEMENT BETWEEN CITY OF
BILOXI AND KEY IMPACT STRATEGIES, LLC AND B. KEITH HEARD

WHEREAS, The City of Biloxi has applied for, or is in the process of applying for, millions of federal and state grants that are currently available, or will soon become available to the City, through the RESTORE Act, BP Economic Damages, GOMESA, Tidelands, and related grants; and

WHEREAS, the City is in further need of specialized legislative assistance in 2018 at the state and federal levels; and

WHEREAS, Key Impact Strategies, LLC, with offices in Columbus, Mississippi, Jackson, Mississippi and Washington D.C., managed and owned by Keith Heard, is a professional services company with expertise in the area of both federal and state governmental affairs; and

WHEREAS, it is in the best interests of the health, safety, and welfare of the citizens of the City of Biloxi that the City enter into the Agreement attached to this Resolution as Exhibit "A" with Key Impact Strategies, LLC and B. Keith Heard

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND THE CITY COUNCIL OF THE CITY OF BILOXI, MISSISSIPPI, AS FOLLOWS:

Section 1: The findings, conclusions, and statements contained in the preamble of this are hereby approved, adopted, and ratified.

Section 2: The Mayor and Municipal Clerk are authorized to execute the attached AGREEMENT between the City of Biloxi and Key Impact Strategies, LLC and B. Keith Heard.

Section 3: This Resolution shall take effect and be in force from and after adoption.

AGREEMENT

This Agreement is made and entered into this ____ day of _____ 2017 between **THE CITY OF BILOXI, MS**, (hereinafter "**CITY**") and **KEY IMPACT STRATEGIES, LLC**, a Mississippi limited liability company, and **B. Keith Heard**, individually, (hereinafter "**HEARD**").

WHEREAS HEARD is a lobbyist with expertise in the area of State and federal governmental affairs,

WHEREAS, CITY wishes to avail itself of HEARD's expertise and advice during the term of this Agreement; and HEARD is willing to offer its expertise and advice to the CITY, under the terms and conditions as stated herein;

NOW THEREFORE, in consideration of the mutual covenants and promises set forth herein, and intending to be legally bound, the parties agree as follows:

1. **SCOPE OF SERVICES.** Assist the City in pending and future applications for federal and state grant monies, including, but not limited to, the RESTORE Act, BP Economic Damages, GOMESA, Tidelands, Keesler Gate (Inside and Outside), and related grants. Included are strategy development, drafting of legislation and proposals, direct contacts with state and federal agencies, the Governor, the State Legislature, members of U.S. Congress, and any and all other necessary activities. Heard will comply with all state and federal laws and registration requirements as may be required by law. Heard will coordinate and report activities from time to time with the Mayor of Biloxi or his designees.

2. **FEES.** Ten Thousand Dollars per month (\$10,000.00) to HEARD for an initial contract period of four calendar months (December, 2017, January- March 2018) with an option to renew for two successive two-month terms in the CITY's sole discretion. Such option to renew will be delivered by the Mayor no less than 14 days before the end of the term. The fee will be invoiced at the ending of each month beginning December 2017.

3. **TERM.** A term of 4 months, as set forth above, with the option to renew by the City for two successive two-month terms. The term of this Agreement will not extend past July 31, 2018.

4. **REIMBURSABLE EXPENSES.** Reasonable entertainment expenses shall be allowed as pre-authorized by the CITY, not to exceed One Thousand Five Hundred Dollars (\$1,500.00) for the term of this Agreement. Routine office expenses, such as copies, long distance fees, fax charges, and in-state mileage are included in the base-consulting fee. Previously approved extraordinary travel and lodging expenses are reimbursable. All expenses will be invoiced with copies of receipts attached.

SIGNATURES ON FOLLOWING PAGE

Exhibit A

In witness whereof the parties hereto have caused this Agreement to be executed by their duly authorized representatives and is effective as of the date first written above.

CITY OF BILOXI, MISSISSIPPI KEY IMPACT STRATEGIES, LLC

By: _____
Andrew "FoFo" Gilich

By: _____
B. KEITH HEARD, Manager

Date: _____

Date: _____

ATTEST:

Municipal Clerk

B. Keith Heard, individually

Date: _____