

## 9. UNFINISHED BUSINESS

## 10. CONTRACTS/AGREEMENTS

### **A. Agreement between the City of Madeira Beach and Trask Daigneault, LLP for City Attorney Services - Assistance in drafting an RFP and related documents for the purpose of obtaining proposals for the Marina High/Dry project - City Attorney Thomas Trask**

City Attorney Tom Trask said at a recent Commission meeting there was direction to the City Manager and staff to begin working on an RFP for the Marina project. Their firm has an expert in that field who has done numerous of them. It should be considered a special project as defined under their agreement as complex in a complicated matter. He cannot give an estimate of the time. It depends upon how City staff works with it and how the consultant works with the attorney. If it is a special project, his contract requires that he get approval from the Board to do it.

Commissioner Andrews said that when discussing going out for an RFP to construct a high and dry facility, they had agreed to do an RFP if they are not spending any more money. They just put \$50,000 into a feasibility study for the project. He does not know if they normally go to outside vendors to write RFPs for the City. If it is a special project and they cannot put together an RFP without the help of Mr. Trask and another attorney with the firm, he is okay with it, but it changes the parameters of what they spoke about. It also goes against what they do on a day-to-day basis. Each department is supposed to write its own RFPs. If there are no people in those departments who can write an RFP for their projects, they need new people. He does not like going outside if they do not have to.

Mayor Hendricks said he has only been in the seat for a little over the year and came to a lot of Commission meetings beforehand and has not seen it. He asked how they got to the point of having an attorney write it. The City Manager explained they do a legal review on RFPs that are complicated. The City Attorney does not charge for the legal review. The plans are to write it, but with it being a turnkey concept of public/private partnership in some manner like a lease, there are some legalities that he wants to make sure they are protected on, which is how they got to the point of where they are now.

Mayor Hendricks asked for a ballpark figure of what it would cost. The City Attorney said about \$3,000 to \$4,000 based on the number of hours. There are about 20 hours currently on it. The rate charged is the same as what the previous city attorney charged, which is the same rate he came in on. The estimate is a guess.

Vice Mayor Price said it is complicated, and she would not expect a director to write it other than doing the first draft. The legalities that need to be written in it need to be done by an attorney. She does not want to risk missing something that would cost them a lot more than \$4,000 to fix. As long as the attorney doing it has some type of format, he can share with staff to help get it right the first time; she has no problem with it because it is so complicated. It is a two-part thing, a Marina and possibly a restaurant. She is for it because she would rather not put out something and then pull it back, making them look unprofessional.

Mayor Hendricks said he was not satisfied with the feasibility study and asked if they had already fully paid Cardno. The City Manager will check on it.

Mayor Hendricks opened to public comment. There were no public comments.

Vice Mayor Price motioned to agree to the agreement between the City of Madeira Beach and Trask Daigneault, LLP for assistance in drafting the RFP and related documents for the high and dry project. Commissioner Hodges seconded the motion.

**ROLL CALL:**

Vice Mayor Price	"YES"
Commissioner Hodges	"YES"
Commissioner Hutson	"YES"
Commissioner Andrews	"NO"
Mayor Hendricks	"YES"

The motion carried 4-1.

**10. NEW BUSINESS**

**A. Resolution 2021-11, FY 2021 Budget Amendment – *Andrew Laflin, Financial Consultant***

**RESOLUTION 2021-11**

**A RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE CITY OF MADEIRA BEACH, FLORIDA, AMENDING THE BUDGET FOR FISCAL YEAR 2021 (BEGINNING OCTOBER 1, 2020 THROUGH SEPTEMBER 30, 2021) BY INCREASING THE GENERAL FUND, MARINA FUND, AND BUILDING FUND REVENUES OR USE OF AVAILABLE FUND BALANCE OR NET POSITION AND APPROPRIATIONS FOR EXPENDITURE; AND PROVIDING FOR AN EFFECTIVE DATE**

Financial Consultant Andrew Laflin reviewed the item. Due to circumstances not anticipated during the budgeting process, certain budgeted adjustments are needed within the Marina Fund, Building Fund, Recreation, and Legal Services within the General Fund. He explained the following:

- Within the Marina Fund, fuel, propane, and store purchases were initially budgeted as expenditures within the FY 2021 operating budget. This amendment will revert these balances to contra-revenues and remove them from the operating expense budget. Also, a capital request for electrical improvements to the marina generator is included in the amendment for the Marina Fund.