

RESOLUTION NO. 20-09-84

A RESOLUTION OF THE VILLAGE COUNCIL OF ISLAMORADA, VILLAGE OF ISLANDS, FLORIDA, APPROVING THE ELEVENTH AMENDMENT TO THE PROFESSIONAL STATE LOBBYING CONSULTING SERVICES AGREEMENT BETWEEN ISLAMORADA, VILLAGE OF ISLANDS, AND PEEBLES, SMITH & MATTHEWS, INC. AUTHORIZING VILLAGE OFFICIALS TO IMPLEMENT THE TERMS AND CONDITIONS OF THE ELEVENTH AMENDMENT; AUTHORIZING THE VILLAGE MANAGER TO EXPEND BUDGETED FUNDS; AUTHORIZING THE VILLAGE MANAGER TO EXECUTE THE ELEVENTH AMENDMENT; AND PROVIDING FOR AN EFFECTIVE DATE

WHEREAS, on April 16, 2010, Islamorada, Village of Islands (the “Village”) adopted Resolution 10-04-29, thereby retaining the services of William J. Peebles, P.A. for Professional State Lobbying Services following a Request for Qualifications process, formal ranking procedure, approval by the Village Council and negotiation of an agreement; and

WHEREAS, the Village subsequently entered into a full year Professional State Lobbyist Consulting Services Agreement (the “Agreement”) with William J. Peebles, P.A , which has since changed its firm name to Peebles & Smith, Inc and presently to Peebles, Smith and Matthews, Inc. (“PSM”); and

WHEREAS, the intent of the State Lobbying Services is to represent the Village’s interests with regard to all Florida legislative issues and especially those related to wastewater and related funding matters; and

WHEREAS, in accordance with the provisions of the Agreement, the Village has the option to extend the term of the Agreement for successive one (1) year periods at a mutually agreed upon rate; and

WHEREAS, the Village and PSM have entered into the First through Tenth Amendments to the Agreement to extend the term of the Agreement by successive one (1) year periods; and

WHEREAS, the current term of the Agreement expires on October 31, 2020; and
WHEREAS, PSM has agreed to provide the services described in the Agreement for an additional one (1) year period; and

WHEREAS, the Village Council finds that approval of the Eleventh Amendment to the Agreement (“Eleventh Amendment”) attached hereto is in the best interest of the Village.

NOW, THEREFORE, BE IT RESOLVED BY THE VILLAGE COUNCIL OF ISLAMORADA, VILLAGE OF ISLANDS, FLORIDA, AS FOLLOWS:

Section 1. **Recitals.** The above recitals are true and correct and incorporated into this Resolution by this reference.

Section 2. **Approval of Eleventh Amendment.** The Village Council hereby approves the Eleventh Amendment to the Agreement between PSM and the Village to provide Professional State Lobbying services, a copy of which together is attached as Exhibit A, together with such non-material changes as may be acceptable to the Village Manager and approved as to form and legality by the Village Attorney.

Section 3. **Authorization of Village Officials.** The Village Manager and/or her designee and the Village Attorney are authorized to take all actions necessary to implement the terms and conditions of the Eleventh Amendment.

Section 4. **Authorization of Fund Expenditure.** Notwithstanding the limitations imposed upon the Village Manager pursuant to the Village’s Purchasing Procedures Ordinance, the Village Manager is authorized to expend budgeted funds to implement the terms and conditions of the Eleventh Amendment.

Section 5. **Execution of Eleventh Amendment.** The Village Manager is hereby authorized to execute the Eleventh Amendment on behalf of the Village, to execute any required agreements and/or documents to implement the terms and conditions of the Eleventh Amendment and to execute any extensions and/or amendments to the Eleventh Amendment, subject to the approval as to form and legality by the Village Attorney.

Section 6. Effective Date. This Resolution shall take effect immediately upon adoption.

Motion to adopt by Councilman Jim Mooney, second by Councilwoman Deb Gillis.

FINAL VOTE AT ADOPTION

VILLAGE COUNCIL OF ISLAMORADA, VILLAGE OF ISLANDS

Mayor Mike Forster YES

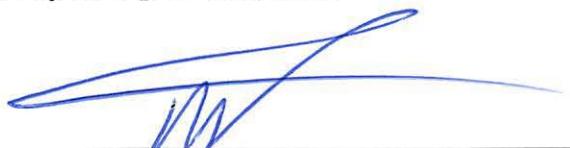
Councilman Jim Mooney YES

Councilwoman Deb Gillis YES

Councilman Chris Sante YES

Seat 4 Vacant

PASSED AND ADOPTED this 17th day of September, 2020.



MIKE FORSTER, MAYOR

ATTEST:

Kelly S. Toth
KELLY TOTH, VILLAGE CLERK

APPROVED AS TO FORM AND LEGALITY
FOR THE USE AND BENEFIT OF ISLAMORADA,
VILLAGE OF ISLANDS:


ROGET V. BRYAN, VILLAGE ATTORNEY

**ELEVENTH AMENDMENT TO
PROFESSIONAL STATE LOBBYING CONSULTING SERVICES AGREEMENT
ISLAMORADA, VILLAGE OF ISLANDS
AND
PEEBLES, SMITH & MATTHEWS, INC. f/k/a PEEBLES & SMITH, INC.**

This Eleventh Amendment to the Professional Services Agreement (the “Eleventh Amendment”) made and entered into this 28 day of September, 2020 between PEEBLES, SMITH & MATTHEWS, INC. f/k/a PEEBLES & SMITH, INC., a Florida Corporation, (the “Consultant”), and the Village Council of **ISLAMORADA, VILLAGE OF ISLANDS, FLORIDA**, a Florida municipal corporation, (the “Village”).

WHEREAS, the Consultant and the Village entered into the certain Professional State Lobbying Services Consulting Agreement dated November 15, 2010, (the “Agreement”), First, Second, Fourth, Fifth, Sixth, Eighth, Ninth and Tenth Amendments to the Agreement to extend the term of the Agreement for additional one (1) year periods, a Third Amendment to the Agreement to authorize an additional professional lobbyist to perform the services under the Agreement, a Seventh Amendment to formally change its name from William J. Peebles P.A. to Peebles and Smith, Inc, and with the Ninth Amendment reflecting the name change to Peebles, Smith & Matthews, Inc.; and

WHEREAS, the Agreement and the First, Second, Third, Fourth, Fifth, Sixth, Seventh, Eighth, Ninth and Tenth Amendments thereto are attached hereto as composite Exhibit 1; and

WHEREAS, the intent of the State Lobbying Services is to represent the Village’s interests with regard to all Florida legislative issues and especially those related to wastewater and related funding matters; and

WHEREAS, in accordance with the provisions of the “Agreement”, the Village has the option to extend the term of the Agreement for successive one (1) year periods at a mutually agreed upon rate; and

WHEREAS, the current term of the Agreement expires on October 31, 2020; and

WHEREAS, Peebles has agreed to provide the services described in the Agreement for an additional one (1) year period; and

WHEREAS, the parties desire to enter into this Eleventh Amendment to modify the term of the Agreement.

NOW, THEREFORE, in consideration of the mutual covenants set forth in this Eleventh Amendment, the parties agree as follows:

Section 1. Amendment to Agreement. The Agreement is amended to read as follows:

2. Terms/Commencement Date.

2.1 Unless otherwise terminated pursuant to Section 4, this Agreement shall be effective November 5, 2010 and shall continue through October 31, 2016 2017 2018 2019 2020 2021 (the "Term").

Section 2. No Further Modifications. All other terms and conditions of the existing Agreement not in conflict or superseded by this Eleventh Amendment shall remain in full force and effect as if set forth herein.

Section 3. Effective Date. This Eleventh Amendment shall be effective on the date first written above.

(This Space is intentionally left blank)

IN WITNESS WHEREOF, the parties hereto have accepted, made and executed this Eleventh Amendment upon the terms and conditions above stated on the day and year first above written.

Attest:

ISLAMORADA, VILLAGE OF ISLANDS

Kelly S. Toth
Kelly Toth, Village Clerk

By: Maria T. Bassett
Maria T. Bassett, Acting Village Manager

Date: 9/21/2020

Approved as to Form and Legality
for the Use and Benefit of Islamorada,
Village of Islands only



Roget V. Bryan, Village Attorney

PEEBLES, SMITH & MATTHEWS, INC.

By: Ryan Matthews
Ryan Matthews
Date: 9/28/20