

**RESOLUTION NO. 2023-09-\_\_\_ (R)**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MCKINNEY, TEXAS, AUTHORIZING THE CITY MANAGER TO EXECUTE AN AGREEMENT FOR FEDERAL LEGISLATIVE CONSULTING SERVICES FROM RICH LEIDL, P.C. OF WASHINGTON, DC**

**WHEREAS**, the City Council of the City of McKinney, Texas has determined the need for a legislative consultant to address the City's interests at the Federal level; and

**WHEREAS**, the City desires to engage the services of Rich Leidl, P.C. to serve as the City's Legislative consultant on federal issues, including lobbying, regulatory issues, assistance in obtaining federal funding, federal approval of City projects, and federal legislative and regulatory initiatives.

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MCKINNEY, TEXAS, THAT:**

Section 1. The City Council of the City of McKinney, Texas hereby authorizes the City Manager to enter into an agreement with Rich Leidl, P.C. through Fiscal Year 2024.

Section 2. This Resolution shall take effect as described in Exhibit A, and after the date of passage and is so resolved.

**DULY PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF MCKINNEY, TEXAS, ON THE 19<sup>th</sup> DAY OF SEPTEMBER, 2023.**

CITY OF MCKINNEY, TEXAS

\_\_\_\_\_  
GEORGE C. FULLER  
Mayor

ATTEST:

\_\_\_\_\_  
EMPRESS DRANE  
City Secretary

APPROVED AS TO FORM:

\_\_\_\_\_  
MARK S. HOUSER  
City Attorney

# Exhibit A

RICHARD J. LEIDL, P.C.  
5335 WISCONSIN AVENUE, N.W.  
SUITE 440  
WASHINGTON, D.C. 20015

TEL. 202.686.4847  
rleidl@rjleidlpc.com

CELL 202.306.3253  
FAX 202.686.2877

September 1, 2023

Mark S. Houser, Esq.  
City Attorney  
City of McKinney  
222 N. Tennessee Street  
McKinney, TX 75069

Re: Proposed FY 2024 Agreement between the City of McKinney  
and Richard J. Leidl, P.C.

Dear Mr. Houser:

We have appreciated the opportunity to assist the City of McKinney (the “City” or “McKinney”) on Federal legislative and regulatory issues pursuant to an Agreement that runs through September 30, 2023. My efforts during the past year have included:

- Ongoing efforts concerning Federal Aviation Administration (“FAA”) approvals for FAA grants for projects at McKinney National Airport (“Airport”), including East Side Development. These efforts have included ongoing coordination with City officials and City consultants and meetings with the FAA Airports District Office, FAA Headquarters, the U.S. Department of Transportation, and Congressional Delegation Members and staff, including in-person meetings in McKinney on April 5 and in Washington, DC, on November 3 and 4, 2022, and July 12 and 13, 2023.
- Issues concerning various Airport projects, including FAA regulatory issues.
- Various Federal grant programs under the Bipartisan Infrastructure Law.
- Support for FY 2023 Congressional funding for Federal programs important to the City, i.e., the FAA Contact Tower Program, the FAA Airport Improvement Grant Program, the Community Development Block Grant Program, and Homeland Security Grant Programs.

Pursuant to this proposed Letter Agreement between the City and Richard J. Leidl, P.C. (the “Firm”), we propose to continue to provide legal services for the period from October 1, 2023, to September 30, 2024. The legal services shall include regulatory services and lobbying services to assist McKinney in: (1) obtaining Federal funding and Federal approvals for City projects, and (2) supporting McKinney on its Federal legislative/lobbying and regulatory initiatives.

## **I. Scope of Work.**

The Firm's efforts shall include assisting McKinney on Federal legal issues, including Federal legislative/lobbying issues and regulatory issues, assistance in securing Federal funding for the City's projects, particularly projects at the Airport, obtaining Federal approvals for the City's initiatives, and supporting the City's efforts to participate in Federal programs. The Firm's efforts, as directed by the City, may include the following:

- Confer with McKinney officials on the City's projects and near-term and long-term priorities.
- Support the City's efforts concerning the development of commercial service, including FAA regulatory approvals and Federal funding under FAA grant programs, the DOT RAISE grant program, the DOT TIFIA financing program, and other applicable Federal grant programs.
- Support for Federal legislation concerning FAA grant funding for terminal development projects.
- Review potential sources of Federal funding for other City projects through Federal agency grant programs and Congressional support.
- Assist McKinney staff with Federal agency grant requirements.
- Review Federal legislative issues of concern to the City, including the FAA Reauthorization Act, the Federal Contract Tower Program, and annual appropriations for Federal programs of interest to the City.
- Support the City on issues affecting the City's water supplies, including coordination with the NTMWD, as directed.
- Schedule, coordinate, and participate in in-person meetings, virtual meetings, and conference calls with Congressional Members, Congressional staff, and key Federal agency officials, including meetings in Washington, DC.
- Follow up with Congressional offices and Federal agency officials throughout the process.
- Provide regular progress reports to City officials detailing the status of the various initiatives.

During FY 2023, City officials traveled to Washington, DC, in November 2022, January 2023, and July 2023 for in-person meetings with Congressional Delegation Members, Congressional staff and senior Federal agency officials. I recommend that City officials continue their trips to Washington for this important process in support of the City's initiatives.

## **II. Proposed Contract Amount.**

The proposed contract amount for the foregoing range of services is \$120,000 plus \$5,000 for out-of-pocket expenses for the twelve-month period beginning October 1, 2023, through September 30, 2024, i.e., \$10,000 per month, plus out-of-pocket expenses as set forth in the attached Billing and Administrative Provisions. This proposed amount is the same as for FY 2023 and, as in FY 2023, consists of two components: (1) \$80,000, which is the same amount that had been in place in prior years, and (2) \$40,000, which is to account for the substantial amount of additional time devoted to supporting the City's efforts concerning Airport projects.

During the past year, efforts concerning the Airport have included ongoing coordination with City officials and City consultants, virtual and in-person meetings with FAA officials in Texas and in Washington, DC, as well as with DOT officials and Congressional Members and Congressional staff. The work has also included extensive review and analysis of Federal programs, including new programs under the Bipartisan Infrastructure Law, and Federal regulatory requirements. It is expected that this substantial level of effort will continue to be necessary in the year ahead. Moreover, as circumstances develop, it may be necessary during the upcoming year to have more frequent meetings with Federal agency officials locally and in Washington, DC, and with Congressional Members and Congressional staff. In addition, efforts concerning Federal grant programs are expected to be more extensive than in prior years as the City explores funding under numerous Federal programs that were expanded or created by the Bipartisan Infrastructure Law.

If this Agreement is acceptable, please confirm McKinney's acceptance by executing the enclosed copy of this letter in the space provided and returning it to the undersigned. It continues to be a privilege to assist McKinney here in Washington and I greatly appreciate the opportunity.

Sincerely,



Richard J. Leidl  
President

The foregoing is agreed to:

The City of McKinney, Texas

By: \_\_\_\_\_

Dated: September \_\_, 2023

## **Billing and Administrative Provisions**

The proposed charges for expenses are the same as this past year and are set forth below.

Photocopying	No charge, except for large volumes handled by a vendor, in which case the photocopying will be billed at the rate charged by the vendor.
Facsimile	No charge.
Postage	No charge, except for large mailings, which are billed at U.S. Postal Service rates.
Long-Distance Telephone	No charge.
Mileage	No charge.
Computerized Legal Research	Billed at rates charged by computerized research vendors (e.g., Lexis, Westlaw).
Airfare	Coach class.
Other Travel Expenses	At cost.
Other Third-Party Charges	All other third-party charges, including overnight delivery services, are billed at the rates charged by these third parties.

The City's approval in advance shall be required for airfare and other travel expenses and for any individual expense item that exceeds \$100.00. As a result of billing delays by outside vendors, some charges may be billed later than the period in which the corresponding services are rendered.

The Firm shall submit invoices on a monthly basis and payment shall be due within 30 days. The City shall have the right to terminate this Agreement at any time. The Firm shall have the same right, subject to any professional obligation to give the City reasonable time to arrange alternative representation and subject to the rules of any applicable court or tribunal. In the event of a termination of the Firm's services, the City shall be obligated to pay for fees and other non-fee charges incurred prior to the delivery of the notice of termination.