



## Legislation Details (With Text)

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**Title:** AGREEMENT EXTENSION WITH BAKER, DONELSON, BEARMAN, CALDWELL & BERKOWITZ, PC FOR FEDERAL LEGISLATIVE REPRESENTATIVE SERVICE OF LUKE AIR FORCE BASE  
Staff Contact: Brent Stoddard, Director, Intergovernmental Programs

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Date	Ver.	Action By	Action	Result
12/18/2014	1	City Council	approved	Pass

**AGREEMENT EXTENSION WITH BAKER, DONELSON, BEARMAN, CALDWELL & BERKOWITZ, PC FOR FEDERAL LEGISLATIVE REPRESENTATIVE SERVICE OF LUKE AIR FORCE BASE**

Staff Contact: Brent Stoddard, Director, Intergovernmental Programs

**Purpose and Recommended Action**

This is a request for City Council to authorize a one-year extension of the contract with Baker, Donelson, Bearman, Caldwell & Berkowitz, PC for federal legislative consultant services for continued protection of the mission of Luke Air Force Base (AFB) on behalf of the West Valley Partners, and authorize the City Manager or designee to automatically renew the contract annually upon the consent of the west valley communities that make up the West Valley Partners for up to two additional years.

**Background**

In 2006, 14 West Valley communities (West Valley Partners) conducted a national search for the hiring of a consulting/legal/public relations team to develop and execute a strategy which would ensure the long-term viability of Luke AFB. As a result of the competitive process, Steve Hyjek with the Washington, D.C. based firm, Hyjek & Fix, Inc., was selected. Since that time Steve Hyjek left that firm and joined the firm of Baker, Donelson, Bearman, Caldwell & Berkowitz, PC. Through the collaborative efforts of the West Valley communities, Arizona's Congressional Delegation and Steve Hyjek, the Air Force announced in August 2012 that Luke AFB was the selected site for F-35 Active Duty Training. The members of the West Valley Partners collectively agreed to extend the current contract for an additional year.

The current contract with Baker Donelson was entered into by the Council in August 2013 and expires December 31, 2014. The contract allows for three one-year extensions. This extension would be the first of those three. The contract extension exactly mirrors the existing contract in terms of costs and scope of work. The timely contract extension will prohibit any gap in federal representation. Although Luke AFB has been

selected as the training site for the F-35, there are still many issues that could threaten Luke's long term viability including sequestration, federal budget cuts, and any Base Realignment and Closure Commission (BRAC) or other Force Structure Adjustment-related issues. In addition the firm is working to secure additional future missions to the base including a potential National Guard Cyber Response Team.

Steve Hyjek and the firm of Baker, Donelson, Bearman, Caldwell & Berkowitz, PC have the background, knowledge, and experience necessary to be successful in lobbying Congress, the Administration, and the Department of Defense to protect and enhance the mission of Luke Air Force Base. Steve Hyjek has irreplaceable knowledge and relationships that are necessary to fulfill the proposed scope of work as stated in the contract. Additionally, while being administered by the City of Glendale, this contract is unique in that it is shared, paid for, and utilized by 14 member jurisdictions in the West Valley, all of whom have expressed the critical desire for consistent representation of the Base over the next few turbulent years where important defense and financial decisions impacting the Armed Services will be made.

The total annual contract cost is \$144,000, of which Glendale's portion is \$27,273. The balance of the contract is collected from the 13 other West Valley community partners.

### **Analysis**

The loss of Steve Hyjek's knowledge of the issues surrounding the basing decision and the Environmental Impact Statement process would be detrimental to the overall goal of implementing the F-35 mission at Luke AFB. Further, Steve Hyjek has secured the trust and confidence of the Arizona Congressional Delegation, state and local officials as well as key Air Force decision-makers. Sustaining the trust and confidence of these individuals at this time is of paramount importance to protecting the continued mission viability of Luke.

### **Previous Related Council Action**

On November 28, 2006, Council approved a contract with Hyjek & Fix, Inc. for federal legislative representation services for the protection of the mission of Luke AFB. In June 2011, Council approved a one year extension to June 2012, and at that time, the contract was extended for an additional six months.

On December 11, 2012, Council renewed the contract with Hyjek & Fix, Inc.

On August 13, 2013 the Council entered a new contract with Baker Donelson when Steve Hyjek left the firm of Hyjek & Fix to join Baker, Donelson.

### **Community Benefit/Public Involvement**

Arizona's military industry represents one of the largest industries in the state and generates more than \$9 billion in economic impact annually to Arizona. Luke AFB is the largest military installation in the state in terms of the number of personnel it employs (more than 7,000), the population it serves (more than 100,000 base personnel, military families and retirees) and its economic impact to the state of Arizona (\$2.17 billion annually).

In addition to protecting our nation's defense and being an economic asset to the state, Luke AFB has a profound impact in our community, as base personnel volunteer more than 100,000 hours annually at local

schools, churches, youth sports leagues and non-profit organizations.

**Budget and Financial Impacts**

The contract extension is the first of three allowable one-year contract extensions. The contract continues to represent a significant reduction from past previous contracts. Prior to December 2012, the annual contract was \$340,000 of which Glendale's portion was \$65,155. The new contract, at a total cost of \$144,000 annually, represents over a 50% reduction. Glendale's annual portion will continue to be \$27,273.

<b>Cost</b>	<b>Fund-Department-Account</b>
<b>\$27,273</b>	<b>1000-10910-518200, Intergovernmental Programs</b>

Capital Expense? No

Budgeted? Yes

Requesting Budget or Appropriation Transfer? No

If yes, where will the transfer be taken from?