



Midpeninsula Regional  
Open Space District

## AGENDA ITEM 4

R-15-69  
Meeting 15-10  
April 22, 2015

Approval of Agreement for Legislative Consulting Services

### GENERAL MANAGER'S RECOMMENDATION

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Authorize the General Manager to execute a Consulting Services Agreement with Public Policy Advocates, LLC, to provide California legislative and advocacy services during Fiscal Year 2015-16 for an amount not-to-exceed \$28,000.

### SUMMARY

Public Policy Advocates, LLC, (PPA) through the work of Ralph Heim and associates, has provided the Midpeninsula Regional Open Space District (District) with quality legislative consulting services to monitor, report on, and advocate for emerging policy issues of interest to the District since 1983. These services have enabled the District to take advantage of opportunities as well as avert potential threats. PPA is uniquely suited to provide expertise in this area given their familiarity with the District's mission, range of projects, and goals, and would directly support and assist the Board-approved Legislative and External Affairs Specialist position when hired. Because of the District's long-standing relationship with PPA, they have been working with the District at a discounted rate and only last year raised fees to \$28,000, which is still well below market rate for legislative services. PPA has agreed to continue at the same rate of \$28,000 per year for Fiscal Year (FY) 2015-16. Funds for this purpose are included in the FY2015-16 Public Affairs budget.

### DISCUSSION

PPA, through primarily Ralph Heim, has effectively represented the District in Sacramento since 1983. Board members and staff recognize the extraordinary time and effort PPA dedicates to reviewing pending legislation and calling the District's attention to important issues, including new bills that affect the use and management of open space lands, natural resource protection, public employee costs, and special district governance. With continued state budget uncertainty and the District's particularly high demand for expert outside resources to help identify emerging issues and legislative items that may be of keen interest to the District, it is in the District's best interest to retain a firm capable of strong, strategy advocacy in Sacramento that already possesses a solid understanding of the District's unique programs, structure, and issues of interest, and strong connections with legislators and other key prominent people.

With the addition of a Legislative and External Affairs Specialist position as part of the FY2015-16 Budget, PPA will extend valuable support to and work closely with this new position to more

comprehensively and proactively review, evaluate, and strategize on proposed new legislation than was previously possible. The Legislative and External Affairs Specialist will work directly with PPA to protect District interests by identifying bills that should be tracked and monitored, researching other local, partner, and sister agency opinions on proposed legislation, and recommending positions of support and opposition to the General Manager.

Board Policy on *Public Contract Bidding, Vendor and Professional Consultant Selection, and Purchasing* allows for sole sourcing of professional services, including legislative consulting services, when “it is appropriate and in the best interest of the District under the specific circumstances of the project at issue, to limit the number of consultants solicited”. Board policy also states that “When Board approval is required, the documented basis for such action shall be included in the report to the Board” (Section III.D.6), which justification is provided in this report.

Since 1983, PPA has worked very effectively on the District’s behalf and has done an outstanding job protecting the District’s legislative interests at a very reasonable cost of \$28,000 per years, which continues to be well below market cost. Given the high quality work of PPA at a continued low cost, the General Manager recommends retaining the services of PPA for the purpose of providing legislative monitoring, consulting and lobbying services through the end of FY2015-16 at a contract amount not-to-exceed \$28,000. The fee would be paid on a monthly basis of \$2,333.34 per month and either party may terminate the agreement by providing thirty-day written notice.

### **FISCAL IMPACT**

The \$28,000 cost has been included in the FY2015-16 Annual Budget for the Public Affairs Department, which was adopted March 25, 2015.

### **BOARD COMMITTEE REVIEW**

This item was not previously reviewed by a Board Committee.

### **PUBLIC NOTICE**

Notice has been provided as required by the Brown Act. No additional notice is required.

### **CEQA COMPLIANCE**

The proposed action is not a project under the California Environmental Quality Act (CEQA) and no environmental review is required.

### **NEXT STEP**

Upon Board authorization, the General Manager will execute the contract with Public PPA to utilize the consulting services through March 31, 2016. PPA has committed to attend Legislative, Funding, and Public Affairs Committee meetings via conference call to update Committee members on legislation affecting the District with a legislative briefing to the District Board of Directors scheduled for the fall.

Prepared by:  
Ana Ruiz, Assistant General Manager, AICP

Contact person:  
Shelly Lewis, Public Affairs Manager