



Midpeninsula Regional  
Open Space District

R-14-71  
Meeting 14-11  
April 23, 2014

## AGENDA ITEM 3

### AGENDA ITEM

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 for an amount not-to-exceed \$28,000.

#### SUMMARY

Public Policy Advocates, LLC, (PPA) through the work of Ralph Heim, 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. PPA has been working with the District at a highly-discounted rate and has not raised its fees for nearly 15 years. PPA is for the first time asking to increase their contract amount from \$13,000 per year to \$28,000 per year, which will continue to be at a below-market cost, to continue offering the same level of quality service to the District. Therefore, the General Manager recommends entering into a new contract agreement with PPA to provide expert legislative services through Fiscal Year (FY) 2014-15 at a new contract amount of \$28,000. Funds for this purpose are included in the FY2014-15 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. PPA also alerts the District of available grant opportunities, particularly those that help fund new acquisitions, the implementation of public access improvements, and public outreach and education programs. With continued state budget uncertainty and the District's particularly high demand for expert outside resources to supplement our internal Public Affairs staff who are focused on expanding the District's public education efforts, 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. 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 above.

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 low cost. For the first time in over 15 years, PPA is seeking a fee adjustment, asking to increase its contract amount from \$13,000 per year to \$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 FY2014-15 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 FY2014-15 Annual Budget for the Public Affairs Department, which was adopted on March 26, 2014.

### **BOARD COMMITTEE REVIEW**

Board Committee review of this item is not required.

### **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, 2015. A legislative briefing by PPA to the District Board of Directors is scheduled for later this spring.

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