



County of Monterey

Board of Supervisors
Chambers
168 W. Alisal St., 1st Floor
Salinas, CA 93901

Legislation Details (With Board Report)

File #: 21-536 **Name:** 06.22.2021 Nossaman & Ballard Spahr Amendment

Type: General Agenda Item **Status:** General Government - Consent

File created: 6/9/2021 **In control:** Board of Supervisors

On agenda: 6/22/2021 **Final action:**

Title:

- a. Approve Amendment No. 4 to the Professional Services Agreement (Agreement) with Ballard Spahr LLP for federal legislative advocacy services to increase the contract amount to \$125,000 for FY21-22;
- b. Approve Amendment No. 6 to the Professional Services Agreement (Agreement) with Nossaman LLP for state legislative advocacy services and grant and funding advocacy services to increase the contract amount to \$144,000 for state legislative advocacy and \$84,000 for grant and funding advocacy for FY21-22; and
- c. Authorize the Contracts/Purchasing Officer to extend the Agreements for up to three (3) additional one (1) year periods under the same scope of work and payment provisions included in the amended Agreements subject to budget approval.

Sponsors:

Indexes:

Code sections:

Attachments: 1. Board Report, 2. ExhibitA - Nossaman LLP, Amendment No. 6, 3. Exhibit B – Nossaman LLP Agreement and Amendments 1, 2, 3, 4 & 5, 4. Exhibit C - Ballard Spahr LLP, Amendment No. 4, 5. Exhibit D – Ballard Spahr Agreement plus Amendments 1-3, 6. Completed Board Order Item No. 78

Date	Ver.	Action By	Action	Result
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6/22/2021	1	Board of Supervisors		
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- a. Approve Amendment No. 4 to the Professional Services Agreement (Agreement) with Ballard Spahr LLP for federal legislative advocacy services to increase the contract amount to \$125,000 for FY21-22;
- b. Approve Amendment No. 6 to the Professional Services Agreement (Agreement) with Nossaman LLP for state legislative advocacy services and grant and funding advocacy services to increase the contract amount to \$144,000 for state legislative advocacy and \$84,000 for grant and funding advocacy for FY21-22; and
- c. Authorize the Contracts/Purchasing Officer to extend the Agreements for up to three (3) additional one (1) year periods under the same scope of work and payment provisions included in the amended Agreements subject to budget approval.

RECOMMENDATION

It is recommended that the Board of Supervisors:

- a. Approve Amendment No. 4 to the Professional Services Agreement (Agreement) with Ballard Spahr LLP for federal legislative advocacy services to increase the contract amount to \$125,000 for FY21-22;
- b. Approve Amendment No. 6 to the Professional Services Agreement (Agreement) with Nossaman LLP for state legislative advocacy services and grant and funding advocacy services to increase the contract amount to \$144,000 for state legislative advocacy and \$84,000 for grant and funding advocacy for FY21-22; and
- c. Authorize the Contracts/Purchasing Officer to extend the Agreements for up to three (3) additional one (1) year periods under the same scope of work and payment provisions included in the amended

Agreements subject to budget approval.

SUMMARY

During the County's FY21-22 Budget Hearings on June 2 and 3, 2021, the Board provided direction to increase funding for the state and federal legislative advocacy and grant and funding advocacy contracts with Ballard Spahr LLP and Nossaman LLP. The change was recommended due to the increase in demands for services over the past four (4) years in addition to a sharp increase in services related to COVID-19 advocacy efforts by the Board of Supervisors.

DISCUSSION

Monterey County maintains a long-standing and successful Legislative Program, ensuring that County interests are well represented in Washington, D.C. and Sacramento. The Strategic Grant Services Program concentrates funding efforts on the County's highest priority needs, and projects which require a high level of collaboration among County departments and community partners. The Board of Supervisors annually approves priorities for these programs. The programs operate under the ongoing guidance of the Board's Legislative Committee (Supervisor Alejo and Supervisor Askew). The County Administrative Office - Intergovernmental and Legislative Affairs Division manages the programs and contracts with federal and state legislative advocacy and grant and funding advocacy firms to aid in their execution.

The Board entered into an agreement with Nossaman LLP in August 2017 to provide federal and state legislative advocacy services and grant and funding advocacy services. The federal legislative advocacy services portion of the contract was amended out in January 2019, and moved to the firm Ballard Spahr LLP, when the County's federal legislative advocate left Nossaman and moved to Ballard Spahr.

The County's state and federal legislative advocacy efforts have significantly increased over the past four years as the Board has become more involved in state and federal legislative and policy activities. Since the onset of the COVID-19 pandemic, demands well beyond those envisioned when services were contracted have become the new normal. The County's legislative/grant funding advocates now routinely provide weekly briefings to the Board, have been involved in COVID-19 disparate impact efforts, are frequently asked to participate in high priority meetings with County departments, and are more frequently asked to engage with the County's state and federal officials on issues related to the pandemic and other high priority issues (COVID-19, wildfires, etc.). Recognizing the increased workload, the Board recommended that the contracts for these services be restored to their FY 2016-17 funding levels effective July 1, 2021.

With the number of issues that the County is currently facing, it is increasingly important that the team tasked to carry out the County's legislative/grant funding advocacy efforts be knowledgeable and capable of representing the County's needs, and have trusted relationships with the County's state and federal elected officials and their staffs. Ashley Walker of Nossaman LLP has served as the County's state legislative advocate since July 2017, and Brent Heberlee of Ballard Spahr LLP has served as the County federal legislative advocate since 2010 - originally working for Nossaman LLP in Washington D.C. and moving to Ballard Spahr LLP in Washington D.C. in January 2019.

OTHER AGENCY INVOLVEMENT

The County Administrative Office - Intergovernmental and Legislative Affairs Division staffs and coordinates the activities of the Board of Supervisors Legislative Committee and executes the Board's Legislative Program and Strategic Grant Services Program with the assistance of Ballard Spahr LLP and Nossaman LLP.

FINANCING

Monterey County's Legislative Program and Strategic Grant Services Program are funded in County Administrative Office-Department 1050, Intergovernmental & Legislative Affairs Division-Unit 8054. The Board's direction at the County's FY21-22 Budget Hearings was to restore funding for the provision of state and federal legislative advocacy services and grant and funding services to their FY16-17 funding levels as follows:

- Increase the FY21-22 Ballard Spahr LLP federal legislative advocacy contract from \$80,500 per year to \$125,000 per year (\$10,416.66 per month);
- Increase the FY21-22 Nossaman LLP state legislative advocacy and grant and funding advocacy contract from \$115,000 per year to \$144,000 per year (\$12,000 per month) for state legislative advocacy services; and from \$54,000 per year to \$84,000 per year (\$7,000 per month) for grant and funding advocacy services.

Approval of these amendments is subject to the provision of funding for these purposes in the FY21-22 Adopted Budget. Further extension of the Agreements for FY22-23, FY23-24 and FY24-25 under the same scope of work and payment provisions is subject to CAO-IGLA budget approval.

BOARD OF SUPERVISORS STRATEGIC INITIATIVES

These Agreements support the work of the Board of Supervisors Legislative Committee, Legislative Program, and Strategic Grant Services Program - which encompass all the Board's Strategic Initiatives.

- ✓ Economic Development
- ✓ Administration
- ✓ Health & Human Services
- ✓ Infrastructure
- ✓ Public Safety

Prepared by: Annette D'Adamo, Legislative Coordinator (MAIII)

Approved by: Nicholas E. Chiulos, Assistant CAO

June 9, 2021

Attachments:

Exhibit A - Nossaman LLP, Amendment No. 6

Exhibit B - Nossaman LLP Agreement and Amendments 1, 2, 3, 4 & 5

Exhibit C - Ballard Spahr LLP, Amendment No. 4

Exhibit D - Ballard Spahr LLP Agreement and Amendments 1, 2 & 3