



County of Monterey

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

Board Report

File #: 21-156, Version: 1

Adopt recommendations from the Legislative Committee to:

- a. Approve Amendment No. 5 to the Professional Services Agreement (Agreement) with Nossaman LLP for state legislative advocacy services and grant and funding advocacy services, increase funding for state legislative advocacy services by 15% monthly effective March 1, 2021, for a total not to exceed \$900,123.92 for the period of August 1, 2017 to June 30, 2022;
- b. Approve Amendment No. 3 to the Professional Services Agreement (Agreement) with Ballard Spahr LLP for federal legislative advocacy services, increase funding for federal legislative advocacy services by 15% monthly effective March 1, 2021, for a total not to exceed \$253,731.69 for the period of January 29, 2019 to June 30, 2022; 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 approve and authorize recommendations from the Legislative Committee to:

- a. Approve Amendment No. 5 to the Professional Services Agreement (Agreement) with Nossaman LLP for state legislative advocacy services and grant and funding advocacy services, increase funding for state legislative advocacy services by 15% monthly effective March 1, 2021, for a total not to exceed \$900,123.92 for the period of August 1, 2017 to June 30, 2022;
- b. Approve Amendment No. 3 to the Professional Services Agreement (Agreement) with Ballard Spahr LLP for federal legislative advocacy services, increase funding for federal legislative advocacy services by 15% monthly effective March 1, 2021, for a total not to exceed \$253,731.69 for the period of January 29, 2019 to June 30, 2022; 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

The Board's Legislative Committee met on February 8, 2021 regarding the County's federal legislative advocacy contract with Ballard Spahr LLP and state legislative advocacy and grant and funding advocacy contract with Nossaman LLP. The Legislative Committee recommended that the Board take the following actions:

- 1) Increase the Ballard Spahr LLP federal legislative advocacy contract by 15% from \$70,000 per year (\$5,833.33 per month) to \$80,500 per year (\$6,708.33 per month) effective March 1, 2021.
- 2) Increase the Nossaman LLP state legislative advocacy contract by 15% from \$100,000 per year (\$8,333.33 per month) to \$115,000 per year (\$9,583.33 per month) effective March 1, 2021.
- 3) Continue the Nossaman LLP grants and funding advocacy contract at \$54,000 per year (\$4,500 per month).

- 4) Extend the terms of the Ballard Spahr LLP contract (federal legislative advocacy services) and Nossaman LLP contract (state legislative advocacy and grant and funding advocacy services) to June 30, 2022; and
- 5) 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. (FY22-23, FY23-24, FY24-25)

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 agreements with Nossaman LLP and Ballard Spahr LLP will end on June 30, 2021 unless the Board takes action to extend them.

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 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 Legislative Committee recommends a 15% increase in the state and federal legislative advocacy portions of the contracts effective March 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 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. Recognizing the importance of this continuity, the Legislative Committee recommends extending the terms of the contracts (state/federal legislative advocacy and grant/funding advocacy) for an additional year to June 30, 2022, with the option of adding three (3) additional one (1) year periods to the contract subject to CAO-IGLA budget approval.

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. The Legislative Committee met on February 8, 2021 and recommended the changes contained in this report for adoption by the Board of Supervisors.

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. Funding for Ballard Spahr LLP federal legislative advocacy services (\$70,000 billed at \$5,833.33 per month), Nossaman LLP state legislative advocacy services (\$100,000 billed at \$8,333.33 per month) and Nossaman LLP grant and funding advocacy services (\$54,000 billed at \$4,500 per month) is included in the FY20-21 Adopted Budget.

The 15% increase for the Ballard Spahr LLP Agreement (federal legislative advocacy services) effective March 1, 2021, will increase costs by \$875 per month for a total additional amount of \$3,500 for FY20-21. The 15% increase for Nossaman LLP Agreement (state legislative advocacy services) effective March 1, 2021, will increase costs by \$1,250 per month for a total additional amount of \$5,000 for FY20-21. The combined total increase for these changes of \$8,500 for FY20-21 will be funded within the CAO-IGLA adopted budget.

Extending the Agreements through FY21-22 will increase the cost of the Ballard Spahr Agreement from \$70,000 to \$80,500 per year, a \$10,500 change; and the Nossaman Agreement from \$100,000 to \$115,000 per year, a \$15,000 change; requiring a total of \$25,500 additional funding for FY21-22. The source of funding will be determined in the FY21-22 budget process. Further extension of the Agreements for FY22-23, FY23-24 and FY24-25 under the same scope of work and payment provisions will be 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

February 12, 2021

Attachments:

Exhibit A - Nossaman LLP, Amendment No. 5

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

Exhibit C - Ballard Spahr LLP, Amendment No. 3

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