

CITY OF OAKLAND

AGENDA REPORT

2009 APR 30 PM 6:49

TO: Office of the City Administrator
ATTN: Dan Lindheim
FROM: Miguel Bustos, Office of the Mayor
DATE: May 14, 2009

RE: A Report And Resolution Authorizing The City Administrator To Enter Into An Agreement With Townsend Public Affairs, Inc. To Serve As The City's State Legislative Representative For The Period Of November 1, 2008 Through October 31, 2010, A Period Of Twenty-Four Months, At One Hundred Thirty Thousand Dollars (\$130,000) Per Year, With A One Year Option To Renew For An Additional One Hundred Thirty Thousand Dollars (\$130,000), For A Total Amount Not To Exceed Three Hundred Ninety Thousand Dollars (\$390,000)

SUMMARY

This report recommends that the City Council enter into a 24 month agreement with Townsend Public Affairs, Inc. (TPA), with an option for a third year, to serve as state legislative representative for the City of Oakland. The amount of the agreement shall not to exceed \$390,000, including the third year option.

FISCAL IMPACT

Funding for this contract is available in the General Purpose Fund (1010), Non-Departmental Citywide Activities Organization (90591), Miscellaneous Contract Services (54919), and the State Lobbyist Project (P49300). The Professional Services Agreement with Townsend Public Affairs, Inc. shall be for the period November 1, 2008 through October 31, 2010, with a one year option to renew. If the option is exercised, the contract expiration date will be October 31, 2011.

BACKGROUND

In FY 02-03 and FY 03-04, the City had a dedicated employee providing state lobbying support with an approximate annual salary of over \$100,000.00, not including benefits and retirement. In 2005, the City had no dedicated personnel or contractor to advocate with the state legislature on the City's behalf. Oakland was the only one of California's largest cities – the Big Ten – that did not have a dedicated lobbyist. Not having a state legislative representative to champion the City's issues to the state legislature in Sacramento limited Oakland's ability to identify important legislative activities, to advocate for City interests, and to help secure critically needed funding.

The City sent out a Request for Proposals (RFP) in December 2005 to secure a legislative representative for the 2006 State legislative session. Through that process, the City Council

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retained the services of TPA to represent Oakland for the period of April 5, 2006 to January 5, 2007. Resolution No. 80459 C.M.S. extended the existing contract to December 5, 2007. In November 2007, the City Council passed Resolution No. 80999 C.M.S., extending the contract with TPA through June 30, 2008, and then continuing on a month-to-month basis until October 31, 2008. In September 2008 the Office of the Mayor sent out a Request for Proposals for State legislative representation for the next two years. Three firms submitted proposals and all three were interviewed by a panel consisting of staff from the Offices of the Mayor, City Administrator, and Council President. TPA was the panel's unanimous selection and is being recommended for the contract.

KEY ISSUES AND IMPACTS

Since 2006, Townsend Public Affairs, Inc. (TPA) has served as the state lobbyist for the City of Oakland, successfully working in partnership with the City and its leadership to pass important legislation and secure significant funding to achieve the goals of the City. Securing public sector funding is a core competency of TPA that distinguishes them from other lobbying organizations. Since 2006, TPA has helped secured over \$65 million for the City of Oakland for several priority affordable housing and smart growth projects, gang violence prevention programs, and critical transportation infrastructure needs. By working closely with the leadership of the City, key stakeholders, and other organizations, TPA is able to help bring much needed funding to Oakland. They have already positioned the City to secure additional funding in 2009 for parks, roads, and additional infill infrastructure.

TPA and its team members have worked in partnership with the City and prominent organizations in the Oakland community for the last several years. They are very familiar with the needs of the community of Oakland and the inner-workings of the City. Their strong relationships statewide with legislators and state legislative leadership, with the ability to effectively integrate these relationships with the strong ties that the Mayor and City Council also have with state elected leadership, positions the City of Oakland to achieve high rates of success.

Over the last two years, TPA has helped secure passage of three Oakland-sponsored bills addressing critical public safety issues and improving accountability and good government in the City. TPA has already finalized the 2009 state legislative agenda in conjunction with City leadership and looks forward to additional legislative successes in the next session. TPA has worked successfully with all members and staff of the Oakland and East Bay state legislative delegations and has worked with the City of Oakland to build strong working relationships with the new state legislative leadership: Senate President Pro Tem Darrell Steinberg, Minority Senate Leader Dave Cogdill, Speaker of the Assembly Karen Bass, and Assembly Minority Leader Mike Villines.

EVALUATION OF PAST PERFORMANCE

Attached is a copy of the state legislative issue and outcomes TPA is working on in collaboration with the Mayor, Council and staff.

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SUSTAINABLE OPPORTUNITIES

No sustainable opportunities have been identified.

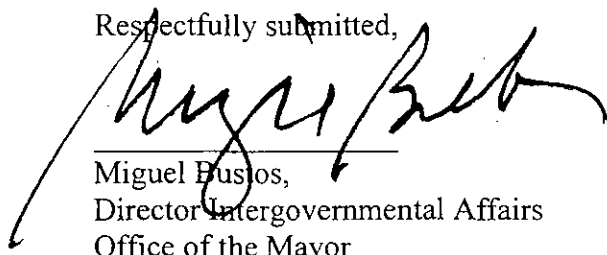
DISABILITY AND SENIOR CITIZEN ACCESS

This report contains no ADA or senior citizen access issues.

ACTION REQUESTED OF THE CITY COUNCIL

Staff requests that the City Council adopt a resolution authorizing the City Administrator to enter into the agreement with TPA for state legislative services from October 31, 2008 through October 31, 2010, with a one year option for 2011. The total amount of the proposed contract, including the optional third year, is \$130,000.00 for 12 months, or \$10,500.00 per month, for a total contract amount not to exceed \$390,000.00.

Respectfully submitted,



Miguel Buslos,
Director Intergovernmental Affairs
Office of the Mayor

Prepared by: VaShone Huff
Deputy Director Intergovernmental Affairs
Office of the Mayor

APPROVED AND FORWARDED TO THE
RULES & LEGISLATION COMMITTEE:



Office of the City Administrator

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**City of Oakland
2008 Legislation / Formal Position and Outcome**

Bill	Description	Support	Oppose	Final Action
AB 31 (De Leon)	Statewide Park Development and Community Revitalization Act of 2008.	Council resolution and letter from Mayor		Signed by the Governor, Chapter 623, Statutes of 2008
AB 69 (Lieu)	Mortgage lending reporting requirements.	Council resolution		Signed by the Governor, Chapter 277, Statutes of 2008
AB 167 (Bass)	Asset limits for CalWORKs eligibility.	Letter from Mayor		Held on Senate Appropriations Suspense File
AB 444 (Hancock)	Motor vehicle registration fees for Bay Area congestion management.	Council resolution		Held in Senate Revenue & Taxation committee
AB 499 (Swanson)	Commercially sexually exploited minors pilot program.	Council resolution and letter from Mayor		Signed by the Governor, Chapter 359, Statutes of 2008
AB 501 (Swanson)	Pharmaceutical manufacturer provided sharps disposal container.	Council resolution		Vetoed by Governor
AB 681 (Carter)	Pilot program for the City of Oakland to address childhood obesity.	Letter from Mayor		Vetoed by Governor
AB 1112 (Torrico)	Proceeds from a local school bond to be used for the construction of affordable housing for employees.	Letter from Mayor		Vetoed by Governor
AB 1252 (Caballero)	Proposition 1C funding for Infill Infrastructure and Transit Oriented Development programs.	Letter from Mayor		Signed by the Governor, Chapter 39, Statutes of 2008
AB 1502 (Lieu)	Financial literacy instructional materials.	Council resolution		Vetoed by Governor
AB 1634 (Levine)	Spay and neuter requirements for dogs and cats.	Council resolution		Failed on the Senate Floor
AB 1724	Impoundment authority for illegally			Vetoed by Governor

**City of Oakland
2008 Legislation / Formal Position and Outcome**

(Jones)	dumping vehicles.			
AB 1830 (Lieu)	Higher priced mortgage loan requirements and restrictions.	Was support if amended then moved neutral Council Resolution		Vetoed by Governor
AB 1961 (Swanson)	Change of plea or vacation of verdict for nonviolent drug offenses.	Letter from Mayor		Held in Assembly Appropriations committee
AB 1984 (Swanson)	Require the Department of Corrections to test inmates for HIV prior to their release from prison.	Council resolution and letter from Mayor		Held in Senate Rules committee
AB 1996 (Swanson)	Food stamp eligibility for drug related felonies.	Council resolution and letter from Mayor		Vetoed by Governor
AB 2001 (Swanson)	Local whistleblower hotline and protections.	Council resolution and letter from Mayor		Signed by the Governor, Chapter 325, Statutes of 2008
AB 2062 (De Leon)	Licensing for handgun ammunition vendors.	Council resolution and letter from Mayor		Held on Senate Appropriations Suspense File
AB 2072 (Hayashi)	Physical education rewards program.	Letter from Mayor		Held on Senate Appropriations Suspense File
AB 2099 (Hancock)	Pilot program for providing identification cards to released inmates.	Letter from		Vetoed by Governor

**City of Oakland
2008 Legislation / Formal Position and Outcome**

		Mayor	
AB 2147 (Swanson)	Establishes the Green Job Corps Act for energy efficiency and renewables worker training.	Letter from Mayor	Held on Assembly Appropriations Suspense File
AB 2235 (DeSaulnier)	Owner authorized handguns.	Council resolution and letter from Mayor	Held on Senate Appropriations Suspense File
AB 2347 (Ruskin)	Mercury added thermostat collection programs.	Council resolution and letter from Mayor	Signed by the Governor, Chapter 572, Statutes of 2008
AB 2359 (Jones)	Prohibits requiring certain waivers in order to obtain a home loan.	Council resolution	Held in Senate Banking and Finance committee
AB 2505 (Brownley)	Bans rigid and flexible polyvinyl chloride containers.	Council resolution and letter from Mayor	Held on Senate Appropriations Suspense File
AB 2513 (Caballero)	Allocation of Proposition 1C funds based on regional housing needs assessment.	Council resolution and letter from Mayor	Held on Assembly Appropriations Suspense File
AB 2640 (Huffman)	Management of compostable materials at solid waste facilities.	Council resolution	Held on Senate Appropriations Suspense File
AB 2695 (Niello)	Enhance the ability of local government to deal with illegal dumping	Council resolution and letter from Mayor	Held on Senate Appropriations Suspense File
AB 2740	Imposes specific duties on loan	Council	Held in Senate Banking and Finance committee

**City of Oakland
2008 Legislation / Formal Position and Outcome**

(Brownley)	servicers and penalties for the violation of those duties.	resolution		
AB 2760 (Leno)	Detection and eradication plans for the Light Brown Apple Moth.	Council resolution		Held on Senate Appropriations Suspense File
AB 2769 (Levine)	Imposition of fee for single use carry out bags.	Letter from Mayor		Was amended to no longer deal with single-use carry out bags
AB 2902 (Swanson)	Community based health care workers.	Letter from Mayor		Held in Senate Rules
SB 46 (Perata)	Proposition 1C implementation.	Council resolution and letter from Mayor		Held in Assembly Appropriations committee
SB 375 (Steinberg)	Incentives for smart growth development including exemptions to CEQA.	Letter from Mayor		Signed by the Governor
SB 840 (Kuehl)	Single-payer health care coverage.	Council resolution		Vetoed by Governor
SB 1019 (Romero)	Peace officer records confidentiality.	Council resolution		Held in Assembly Public Safety committee
SB 1137 (Perata)	Foreclosure procedures for residential mortgage loans.	Council resolution and letter from Mayor		Signed by the Governor, Chapter 69, Statutes of 2008
SB 1334 (Calderon)	Lead content for plumbing pipes and fixtures.	Council resolution		Signed by the Governor, Chapter 580, Statutes of 2008
SB 1369 (Cedillo)	Remote caller bingo.		Letter from Mayor	Signed by the Governor
SB 1508 (Corbett)	Seismic retrofit standards for residential buildings.	Council resolution		Held on Assembly Appropriations Suspense File

City of Oakland
2008 Legislation / Formal Position and Outcome

		and letter from Mayor		
SB 1672 (Steinberg)	Bond measure for the infrastructure related to clean technologies and renewable energy sources.	Council resolution		Held on Assembly Appropriations Suspense File
SB 1xx (Perata)	Bond appropriations for flood control.	Council resolution and letter from Mayor		Signed by the Governor, Chapter Statutes of 2008
SB 2xx (Perata)	Proposed 2008 water bond.	Council resolution and letter from Mayor		Failed on Senate Floor
SCA 12 (Torlakson)	Storm water runoff fees.	Council resolution		Was amended to no longer deal with storm water runoff fees


City Attorney

FILED
OFFICE OF THE CITY CLERK
OAKLAND

OAKLAND CITY COUNCIL

2009 APR 30 PM 6:50 RESOLUTION NO. _____ C.M.S.

Introduced by Councilmember _____

RESOLUTION AWARDING A CONTRACT TO TOWNSEND PUBLIC AFFAIRS, INC. TO SERVE AS THE CITY'S STATE LEGISLATIVE REPRESENTATIVE FOR THE PERIOD OF NOVEMBER 1, 2008 THROUGH OCTOBER 31, 2010, A PERIOD OF TWO YEARS, IN AN AMOUNT OF ONE HUNDRED THIRTY THOUSAND DOLLARS (\$130,000.00) PER YEAR, FOR A TOTAL AMOUNT NOT TO EXCEED TWO HUNDRED SIXTY THOUSAND DOLLARS (\$260,000.00), AND AUTHORIZING THE CITY ADMINISTRATOR, WITHOUT FURTHER COUNCIL ACTION, TO EXERCISE AN OPTION TO RENEW THE CONTRACT FOR A THIRD YEAR UNDER THE SAME TERMS, CONDITIONS AND PRICE, FOR A TOTAL AMOUNT NOT-TO-EXCEED THREE HUNDRED NINETY THOUSAND DOLLARS (\$390,000) FOR THREE YEARS

WHEREAS, the City of Oakland desires to complement its federal legislative advocacy efforts in the State of California Legislature; and

WHEREAS, the City desires to assemble and organize pertinent information, facts and data relating to legislative matters affecting the City and its interests, and to present and disseminate such information to legislative bodies, executive officials, of the state government, and other State of California bodies, commissions, committees and organizations; and

WHEREAS, the services above primarily involve state legislative and administrative advocacy and the assistance of individuals in such matters who will best serve the interest of the City; and

WHEREAS, a Request for Proposal/Qualifications Process for a state lobbyist was conducted in September 2008 and Townsend Public Affairs, Inc. was the unanimous selection; and

WHEREAS, the City Council has determined that Townsend Public Affairs, Inc. is well qualified to provide these services and that the City's interests would be well served by this firm; and

WHEREAS, the City Administrator has determined, in accord with Oakland Charter Section 902(e), that the services to be provided under the contract are of a professional and temporary nature and shall not result in the loss of employment or salary by any person having permanent status in the competitive service; and

WHEREAS, Townsend Public Affairs, Inc., shall be paid an amount not to exceed \$130,000 a year for a two year period from November 1, 2008 through October 31, 2010, with a one year option to renew for an additional \$130,000.00, for a total not to exceed amount of \$390,000 for three years;

WHEREAS, funds are available for this contract in the General Purpose Fund (1010), Non-Departmental Citywide Activities Org. (90591), Miscellaneous Contract Services (54919), State Lobbyist Project (P49300); now, therefore, be it

RESOLVED: That a contract is awarded to Townsend Public Affairs, Inc., to serve as the City's State Legislative Representative for the period of November 1, 2008 through October 31, 2010, in an amount not to exceed one hundred thirty thousand dollars (\$130,000.00) per year for a total contract not-to-exceed two hundred sixty thousand dollars (\$260,000.00) for said two year period; and be it

FURTHER RESOLVED: That the City Administrator is authorized to exercise the option to renew the contract with Townsend Public Affairs, Inc. for a third year until October 31, 2011, under the same terms, conditions and price for a total contract amount not-to-exceed three hundred ninety thousand dollars (\$390,000.00) for three years, without further Council action; and be it

FURTHER RESOLVED: That funds for this contract are available in the General Purpose Fund (1010), Non- Departmental Citywide Activities Org. (90591), Miscellaneous Contract Services (54919), State Lobbyist Project (P49300); and be it

FURTHER RESOLVED: That said agreement shall be approved for form and legality by the Office of the City Attorney and placed on file in the Office of the City Clerk.

IN COUNCIL, OAKLAND, CALIFORNIA, _____, 20_____

PASSED BY THE FOLLOWING VOTE:

AYES - BROOKS, DE LA FUENTE, KAPLAN, KERNIGHAN, NADEL, QUAN, REID, and PRESIDENT BRUNNER

NOES -

ABSENT -

ABSTENTION -

ATTEST: _____
LaTonda Simmons
City Clerk and Clerk of the Council
of the City of Oakland, California