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OFFICE OF THE CITY CLERK  
OAKLAND

2010 JUN 10 PM 5:54

# CITY OF OAKLAND

## AGENDA REPORT

**TO:** Office of the City Administrator  
**ATTN:** Dan Lindheim  
**FROM:** VaShone Huff, Office of the Mayor  
**DATE:** June 24, 2010

**RE:** Resolution Waiving The Request For Proposal/Qualifications Process And Authorizing An Extension Of The 2009 Agreement With Polsinelli Shugart To Serve As The City's Federal Legislative Lobbyist For The Period Of January 1, 2010 Through June 30, 2010, At A Cost Of Sixty Three Thousand Dollars (\$63,000) For The Six Month Extension.

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### SUMMARY

This report recommends that the City Council waive the Request for Proposal Process and enter into a 6-month extension of the agreement with Polsinelli Shugart to serve as Federal representative for the City of Oakland. The total amount of the agreement shall not exceed \$63,000.

### FISCAL IMPACT

Funding for this contract is available in the General Purpose Fund (1010), Non-Departmental Citywide Activities Organization (90591), Miscellaneous Contract Services (1010.90591.54919.P49400), and the Federal Lobbyist Project (P49400). The Professional Services Agreement extension with Polsinelli Shugart shall be for the period January 1, 2010 through June 30, 2010, with no option to renew. The contract expiration date will be June 30, 2010.

### BACKGROUND

In FY 02-03 and FY 03-04, the City had a dedicated employee providing Federal lobbying support with an approximate annual salary of over \$100,000, not including benefits and retirement. In 2005, the City had no dedicated personnel or contractor to advocate with the federal 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 federal representative to champion the City's issues to the federal government in Washington limited Oakland's ability to identify important legislative activities, to advocate for City interest, and to help secure critically needed funding.

The City sent out a Request for Proposals (RFP) in 2007 to secure a legislative representative for the 2008 State legislative session. Through that process, the City Council retained the services

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of Polsinelli Shugart to represent Oakland for the period of January 2008 to December 2009. Twelve (12) firms submitted proposals and five (5) were interviewed by a panel consisting of staff from the Offices of the Mayor, City Administrator, and then Council President De la Fuente. Polsinelli Shugart was the panel's unanimous selection and is again being recommended for the contract.

### **KEY ISSUES AND IMPACTS**

Since 2008, Polsinelli Shughart has served as the Federal 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 its goals. Polsinelli Shughart and its team members have worked in partnership with the City and prominent organizations in the Oakland community for the last two years. They are very familiar with the needs of the community of Oakland and the inner-workings of the City.

Polsinelli Shughart has worked successfully with all members and staff of the Oakland and East Bay state legislative delegations. Additionally, under the new Administration, Polsinelli Shughart provides unparalleled leadership in assessing, developing, and implementing federal policy and programmatic City priorities. They have proven their effectiveness in integrating these relationships and the strong ties that the Mayor and City Council also have with state elected leadership to position the City of Oakland to achieve high rates of success.

Securing public sector funding is a core competency of Polsinelli Shughart that distinguishes them from other lobbying organizations. Since 2008, Polsinelli Shughart has helped secure over \$5,885,000 for the City of Oakland for several priority affordable housing and smart growth projects, gang violence prevention programs, green jobs, and critical transportation infrastructure needs.

By working closely with the leadership of the City, key stakeholders, and other organizations, Polsinelli Shughart is able to help bring much needed funding to Oakland. They have already positioned the City to secure additional funding in 2010 for green teen centers, youth violence prevention, sewer and road construction, improvements and repairs, and seismic retrofit studies and funding.

Polsinelli Shughart is a critical team component of the Oakland Global project to convert the former Oakland Army Base into a vital international trade and industry center adjacent to the Port of Oakland. Their expertise and experience with the federal government and transportation projects of local, regional and even national significance bodes well for the success of this visionary project, which relies significantly on securing \$191 million in federal funding.

Polsinelli Shughart continues to play a key supportive role in the City's efforts to secure American Recovery and Reinvestment Act (ARRA) and competitive funds. Throughout the past

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two years, Polsinelli Shughart worked with City officials to assist in responding to federal grants, facilitate meetings with lead Agency staff, and secure congressional support for those projects. In 2011, grant opportunities are likely to provide with important and immediate funds for community safety and interoperability, amongst other City priorities.

In addition to pursuing an aggressive appropriations and ARRA and discretionary grants to support City initiatives, Polsinelli Shughart has worked with the City's Congressional delegation to request the inclusion of Oakland-specific language within upcoming authorization legislation. In particular, Polsinelli Shughart has shared with the delegation the City's water infrastructure and Surface Transportation priorities in preparation for the next reauthorizations.

Over the last year, Polsinelli Shughart has worked on a number of Oakland sponsored bills addressing critical public safety issues and cementing the City's role as the Green Capital of the nation. Supporting efforts by Senator Barbara Boxer and Representative Barbara Lee, Polsinelli Shughart assisted with legislation to increase the number of police officers in cities with the highest violent crime rates, including Oakland, California. These cities would become eligible for hiring grants that could increase police forces by five to ten percent by adding officers to patrol areas affected by violent crime. Polsinelli Shughart also works in close partnership with Congresswoman Barbara Lee to help enact the Metro Economies Green Act (MEGA) (H.R.330), a bill to authorize a program at the Department of Housing and Urban Development to direct resources to our nation's cities for green job creation and maintenance. Similarly, as part of city federal representatives' coalition, Polsinelli Shughart has pursued the passage of H.R. 4812, the Local Jobs for America Act. This legislative proposal supports the creation of 1 million jobs, including critically important sectors such as police, firefighters, teachers, sanitation workers, and child care workers. Polsinelli Shughart is a regular participant in meetings sponsored by the U.S. Conference of Mayors (USCM) and the National League of Cities (NLC). Given Mayor Dellums' chairmanship of the Community Development and Housing Standing Committee, and his membership in the Poverty, Work and Opportunity Taskforce, Polsinelli Shughart has worked hand-in-hand with these associations on behalf of City interests.

In response to Moody's Investors Service move to assign a negative outlook to municipal bonds recently, House Financial Services Chairman Barney Frank conducted hearings in 2009 to explore legislative options to provide equal treatment for municipal bonds, and Mayor Dellums was asked to be involved and for his input.

Polsinelli Shughart is currently involved with existing actions relative to specific federal legislation that if interrupted would be devastating to the city's financial well being and detrimental to the City's effort to move on certain actions.

Therefore staff is requesting a waiver of the Request for Proposal processes.

**SUSTAINABLE OPPORTUNITIES**

No sustainable opportunities have been identified.

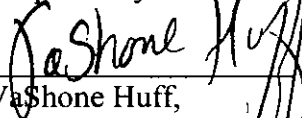
**DISABILITY AND SENIOR CITIZEN ACCESS**

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 to waive the Request for Proposal Process and enter into a 6 month agreement with Polsinelli Shugart to serve as Federal representative for the City of Oakland. The amount of the agreement shall not exceed Sixty Three Thousand Dollars (\$63,000).

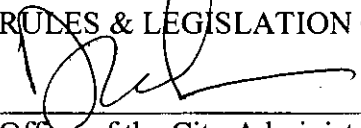
Respectfully submitted,



VaShone Huff,  
Deputy 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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Approved as to Form and Legality

  
Office of the City Attorney

## OAKLAND CITY COUNCIL

Resolution No. \_\_\_\_\_ C.M.S.

**RESOLUTION WAIVING THE REQUEST FOR PROPOSAL/QUALIFICATIONS PROCESS AND AUTHORIZING AN EXTENSION OF THE 2009 AGREEMENT WITH POLSINELLI SHUGART TO SERVE AS THE CITY'S FEDERAL LEGISLATIVE LOBBYIST FOR THE PERIOD OF JANUARY 1, 2010 THROUGH JUNE 30, 2010, AT A COST OF SIXTY THREE THOUSAND DOLLARS (\$63,000) FOR THE SIX MONTH EXTENSION**

**WHEREAS**, the City of Oakland desires to complement its state legislative advocacy efforts in the US House Congress and Executive Branch; and

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

**WHEREAS**, the services above primarily involve Federal 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/Qualification Process for a Federal lobbyist was conducted in September 2007 and Polsinelli Shugart (formerly Polsinelli, Shalton Flanigan Suelthaus) was the unanimous selection; and

**WHEREAS**, it is in the City's best interests to retain Polsinelli Shugart as the Federal Legislative Lobbyist for the next eighteen months because Polsinelli Shugart is in the midst of working on critical legislative matters, such as federal stimulus funding, and it is imperative to maintain continuity in lobbyist representation to assure the best possible outcome; and

**WHEREAS**, staff has determined that Polsinelli Shugart is well qualified to continue providing lobbyist services and the City's interests would be well served by the firm; and

**WHEREAS**, Polsinelli Shugart shall be paid an amount not to exceed \$63,000 in the period from January 1, 2010 through June 30, 2010; and

**WHEREAS**, the City Administrator has determined that the services provided by Polsinelli Shughart, are professional, technical and temporary in nature and shall not result in the loss of employment or salary by any person having permanent status in the competitive service.; now, therefore, be it

**RESOLVED:** That pursuant to the Oakland Municipal Code Title 2, Chapter 2.04, Section 2.94.051.B, the City Council finds and determines that it is in the best interests of the City to waive the Request for Proposal process for the Federal Legislative Lobbyist contract based on the reasons set forth in the City Administrator's report accompanying this resolution, and so waives the requirement; and be it

**FURTHER RESOLVED:** That the City Administrator is hereby authorized to extend the agreement with Polsinelli Shugart to serve as the City's Federal Legislative Lobbyist for an additional period from January 1, 2010 through June 30, 2010; and be it

**FURTHER RESOLVED:** That the City Administrator will return to Council for any further extensions of the contract; and be it

**FURTHER RESOLVED:** That the agreement with Polsinelli Shugart, shall not exceed sixty three thousand dollars (\$63,000) for the six (6) month extension from January 1, 2010 to June 30, 2010; and be it

**FURTHER RESOLVED:** That funds are available in the General Purpose Fund (1010), Non-Departmental Citywide Activities Org. (90591), Miscellaneous Contract Services (1010.90591.54919.P49400), Federal Lobbyist Project (P49400); and be it

**FURTHER RESOLVED:** That said agreement shall be approved as to 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, \_\_\_\_\_

**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