

Approved as to Form and Legality



City Attorney's Office

OAKLAND CITY COUNCIL

RESOLUTION NO. _____ C.M.S.

INTRODUCED BY HONORABLE MAYOR LIBBY SCHAAF

RESOLUTION AMENDING CITY COUNCIL RESOLUTION NO. 88140 C.M.S. (WHICH AUTHORIZED CONTACT EXTENSIONS TO TOWNSEND PUBLIC AFFAIRS FOR EACH OF ITS STATE AND FEDERAL LOBBYIST CONTRACTS THROUGH SEPTEMBER 30, 2021) TO AUTHORIZE ADDITIONAL ONE-YEAR EXTENSIONS OF TOWNSEND PUBLIC AFFAIRS': 1) STATE LOBBYIST CONTRACT FROM OCTOBER 1, 2021 TO SEPTEMBER 30, 2022 IN AN AMOUNT NOT TO EXCEED \$150,000 (FOR A TOTAL OF \$750,000 OVER THE FIVE YEAR TERM), AND, 2) FEDERAL LOBBYIST CONTRACT FROM OCTOBER 1, 2021 TO SEPTEMBER 30, 2022 IN AN AMOUNT NOT TO EXCEED \$72,000 (FOR A TOTAL AMOUNT OF \$360,000 OVER THE FIVE YEAR TERM); AND, WAIVING THE ADVERTISING AND REQUEST FOR PROPOSAL/QUALIFICATION REQUIREMENTS FOR THE ADDITIONAL LOBBYIST WORK

WHEREAS, the City of Oakland desires to complement its state advocacy efforts in the California State Legislature and with the Governor and its federal legislative advocacy efforts in the United States 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 interests and to present and disseminate such information to legislative bodies, executive officials of the state and federal government and other bodies, commissions, committees and organizations; and

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

WHEREAS, Townsend Public Affairs was retained to provide state legislative lobbyist services in 2006 and federal legislative lobbying services in 2011; and

WHEREAS, Townsend Public Affairs has worked closely with City leadership to secure passage of numerous pieces of Oakland sponsored legislation covering topics such as affordable housing, public safety, environmental protections, support for local government, seismic safety and transportation; and

WHEREAS, Townsend Public Affairs has during its tenure as the City's lobbying firm, worked with City leadership to apply for, secure or protect hundreds of millions dollars in State and Federal funds for public, transportation projects, parks; and affordable housing projects, in addition to recovering essential funds resulting from the dissolution of redevelopment agencies; and

WHEREAS, Townsend Public Affairs has taken the lead with the City to draft, prepare, present and adopt an annual state and federal legislative agenda which includes both policy matters and assistance in identifying or creating new revenue sources for City objectives and projects; and

WHEREAS, Townsend Public Affairs has demonstrated a high level of skill at working with City officials and City Leadership, sensitivity to the legislative and funding needs of the City, the ability to target and successfully address significant issues pending in the state and federal government for City involvement; and

WHEREAS, in March 2017, the City released separate Requests for Proposals for state and federal lobbying services; the proposals were evaluated and ranked by a selection panel that included outside governmental affairs professionals and City staff; and

WHEREAS, Townsend Public Affairs was ranked highest by the selection panel in both written presentation and in oral interviews during the evaluation of firms submitting a proposal in response to the RFP for State Lobbyist; and submitted a responsive proposal, meeting all the requirements for the RFP for the federal lobbyist; and

WHEREAS, Townsend Public Affairs meets the City's Local Business Enterprise/Small Local Business Enterprise (LBE/SLBE) requirement; and

WHEREAS, in 2019, the city council approved resolution no. 86906 C.M.S. awarding two contracts to Townsend public affairs to serve as the city of Oakland State Lobbyist from October 1, 2017 to September 30, 2019 for a total amount not to exceed \$300,000 and to serve as the city of Oakland Federal Lobbyist from October 2, 2017 to September 30, 2019 for an amount not exceed \$144,000 and authorizing the city administrator, without further council action, to exercise an option to renew each contract for a third year under the same terms and conditions for an amount not to exceed \$150,000 for the third year of the state lobbyist contract and \$72,000 for the third year of the federal lobbyist contract; and

WHEREAS, on June 2, 2020, the City Administrator recommended that the state and federal lobbyist contracts with Townsend Public Affairs each be extended for one year to September 30, 2021, and, the Council at its June 2, 2020 meeting approved Resolution No. 88140 C.M.S. authorizing a one-year extension of the State Lobbyist contract in the amount of \$150,000 and a one year-extension of the Federal Lobbyist contract in the amount of \$75,000; and

WHEREAS, at the Council's June 2, 2020 meeting Councilmembers expressed interest in extending the state and federal lobbyists contracts with Townsend Public Affairs an additional year to September 30, 2022, given the current COVID-19 crisis, City staff are focused on emergency response and recovery and the City is relying heavily on our state and federal lobbyists to provide daily updates and assist with advocacy in addressing the COVID-19 crisis and impacts which are likely to continue into 2022; and

WHEREAS, Townsend Public Affairs has been instrumental in keeping the city apprised of quickly changing legislation and executive orders regarding the COVID -19 crisis at the state and federal level; and

WHEREAS, the funding for these contracts is available from General Purpose Fund (1010), Non-Departmental Citywide Activities Organization (90591), Miscellaneous Contract Services Account (54919), Federal Lobbyist Project (1000468) and State Lobbyist Project (100467); and

WHEREAS, the City Administrator has determined that the aforementioned contracts 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, Oakland Municipal Code (OMC) Section 2,04.040.B.4 requires formal advertising and solicitation of proposals/qualifications for professional services contracts involving expenditures of more than \$50,000,00; and

WHEREAS, OMC Section 2.04.051.8 allows for a waiver by the Council of these advertising and solicitation requirements upon a finding that it is in the best interests of the City to do so; now, therefore, be it

RESOLVED: That the Council hereby finds and determines per OMC Section 2.04.051.8 that it is in the best interests of the City to waive the formal advertising and competitive selection requirement of OMC Section 2.04.040.B.4, and so waives the requirement, and to extend the lobbyist contracts with Townsend Public Affairs because of their demonstrated performance and ability to deliver continuity and critical services during this pandemic; and be it

FURTHER RESOLVED: That the Council authorizes the City Administrator to extend the contract with Townsend Public Affairs to serve as the City of Oakland State Lobbyist from October 1, 2021 to September 30, 2022 in an amount not to exceed \$150,000 (for a total of \$750,00 over the five-year term); and be it

FURTHER RESOLVED: That the Council authorizes the City Administrator to extend the contract with Townsend Public Affairs to serve as the City of Oakland Federal Lobbyist from October 1, 2021 to September 30, 2022 in an amount not to exceed \$72,000 (for a total of \$360,000 over the five-year term); and be it

FURTHER RESOLVED: That said agreements shall be approved as to form and legality by the Office of the City Attorney, executed and placed on file at the Office of the City Clerk.

IN COUNCIL, OAKLAND, CALIFORNIA,

PASSED BY THE FOLLOWING VOTE:

AYES - FORTUNATO BAS, GALLO, GIBSON MCELHANEY, KALB, REID, TAYLOR,
THAO AND PRESIDENT KAPLAN

NOES –

ABSENT –

ABSTENTION –

ATTEST: _____
ASHA REED
Acting City Clerk and Clerk of the
Council of the City of Oakland, California

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