



Legislation Details (With Text)

File #: 18-0428 **Version:** 1
Type: *Gen. Bus. - Staff Report **Status:** Agenda Ready
In control: City Council Regular Meeting
On agenda: 9/19/2018 **Final action:**
Title: Consideration of Resolution No. 18-0134 Approving a Three-Year Agreement in the Amount of \$115,500 with Rice/Englander and Associates for Legislative Advocacy and Lobbying Services (City Manager Moe).
a) ADOPT RESOLUTION NO. 18-0134
b) APPROPRIATE FUNDS

Sponsors:

Indexes:

Code sections:

Attachments: 1. Resolution No. 18-0134, 2. Agreement - Rice/Englander & Associates

Date	Ver.	Action By	Action	Result
9/19/2018	1	City Council Regular Meeting		

TO:

Honorable Mayor and Members of the City Council

THROUGH:

Bruce Moe, City Manager

FROM:

George Gabriel, Management Analyst

SUBJECT:

Consideration of Resolution No. 18-0134 Approving a Three-Year Agreement in the Amount of \$115,500 with Rice/Englander and Associates for Legislative Advocacy and Lobbying Services (City Manager Moe).

a) **ADOPT RESOLUTION NO. 18-0134**

b) **APPROPRIATE FUNDS**

RECOMMENDATION:

At the request of Mayor Napolitano, staff recommends that City Council consider adopting Resolution No. 18-0134. In adopting Resolution No. 18-0134, the City Council would:

1. Approve a three-year agreement in the amount of \$115,500 with Rice/Englander and Associates for legislative advocacy and lobbying services;
2. Appropriate \$31,500 from the unreserved General Fund balance to fund legislative advocacy and lobbying services for the remainder of the fiscal year.

FISCAL IMPLICATIONS:

Legislative advocacy and lobbying services are not a budgeted expenditure. If the contract is approved, \$31,500 will need to be appropriated from the unreserved General Fund balance for the

remainder of Fiscal Year (FY) 2018-2019. Staff will provide for this service in future budget proposals.

BACKGROUND:

At the September 4, 2018, City Council meeting, Mayor Napolitano requested to discuss engaging with a lobbying firm to represent the City of Manhattan Beach's interests at the California State Legislature.

From 2006-2009, Rice/Englander & Associates provided legislative advocacy and lobby services. Following the economic crisis in 2008, the City made budget cuts that included legislation consultation services. In March 2014, the City entered into a short term agreement with Rice/Englander & Associates on legislative advocacy services in opposition to Senate Bill 983 (card lock pump sales tax allocation).

In the absence of contracted legislative advocacy services, the Management Services Department has largely relied upon the League of California Cities to effectively lobby on issues surrounding local control. Additionally, Staff has prepared various reports and position letters for City Council support or opposition.

DISCUSSION:

Recently, the City Council has considered various pieces of state legislation that would have implications on the City of Manhattan Beach. These Senate and Assembly Bills include:

- SB 649 - Wireless "Small Cell" Communication Facility Discretionary Review
- AB 994 - Design-Build Authorization for Beach Cities Health District Project
- SB 827 - Housing Project Exemptions Near Transit Locations
- SB 1 - Transportation Funding and Gas Tax
- AB 1795 - Paramedic Assistance to Community Care Facilities
- SB 1775/SB 834 - Oil/Natural Gas Activities in Coastal Waters

In response to the housing crisis, the California State Legislature is continuing to take a more active role in spurring the growth of housing development. Staff projects that housing policies will continue to be discussed at the California State Legislative that could have substantial negative impacts on future development within the City of Manhattan Beach.

Staff has prepared an agreement for City Council consideration with Rice/Englander & Associates. Rice/Englander & Associates is a lobbying firm with a special emphasis on local government, public safety, transportation and business groups. Rice/Englander & Associates' goal is to provide strategic counseling and advocacy services for clients with needs in the State Legislature.

Tony Rice would serve as the principal advocate on behalf of the City for all activities in Sacramento, and would make himself available to designated City representatives so that constant contact and communication can be achieved. Upon execution of the agreement, Mr. Rice will travel to Manhattan Beach to meet with interested City representatives to delineate the needs of the City and establish benchmarks for success.

Given the City's previous experience and satisfaction with deliverables in the past, Staff has provided an agreement with Rice/Englander & Associates for City Council consideration.

Contracts for services of specially-trained and professional persons are exempt from bidding per state laws and Municipal Code Section 2.36.130 (professional services). However, because the value of the contract exceeds \$50,000, City Council approval is necessary. In addition, the City may cancel the contract at any time without cause if necessary.

Should City Council direct Staff to move forward with Rice/Englander & Associates, Staff recommends: 1) adopting Resolution No. 18-0134 approving a three-year agreement with Rice/Englander & Associates in the amount of \$115,500 for legislative advocacy and lobbying services and 2) appropriating \$31,500 from the unreserved General Fund balance to fund legislative advocacy and lobbying services for the remainder of the fiscal year. Upon approval of the agreement, the City Manager will have the authority to extend the term of the agreement for an unlimited number of one-year renewal periods, so long as it is approved within the budget process by the City Council.

LEGAL REVIEW

The City Attorney has reviewed this report and determined that no additional legal analysis is necessary.

Attachments:

1. Resolution No. 18-0134
2. Agreement - Rice/Englander & Associates