



**DATE: SEPTEMBER 10, 2015**

**FROM: GOVERNMENT AFFAIRS**

**SUBJECT: RESOLUTION NO. \_\_\_\_\_ - APPROVAL OF AGREEMENT  
WITH SHAW, YODER, ANTWIH, INC., FOR CALIFORNIA STATE  
GOVERNMENT ADVOCACY REPRESENTATION IN SACRAMENTO**

**SUMMARY:**

Staff recommends approval of the Agreement with Shaw, Yoder, Antwih, Inc., (Agreement), 1415 L Street, Suite 1000, Sacramento, California, 95814, for California State (State) government advocacy representation for the City of Los Angeles Harbor Department (Harbor Department). The proposed Agreement is for a three-year term with a not-to-exceed amount of \$120,000 per year, for a total amount of \$360,000. The Harbor Department is financially responsible for payment of expenses under the proposed Agreement.

**RECOMMENDATION:**

It is recommended the Board of Harbor Commissioners (Board):

1. Find that in accordance with the Los Angeles City Charter (Charter), Section 1022, work under the subject Agreement is temporary in nature and can be performed more feasibly by an independent contractor rather than by City of Los Angeles (City) employees;
2. Approve the proposed Agreement with Shaw, Yoder, Antwih, Inc., located at 1415 L Street, Suite 1000, Sacramento, California 95814, for a three-year term with a not-to-exceed amount of \$120,000 per year, for a total amount of \$360,000;
3. Authorize the Executive Director or Designee to execute, and the Board Secretary to attest to, the proposed Agreement; and
4. Adopt Resolution No. \_\_\_\_\_.

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**DISCUSSION:**

**City of Los Angeles (City) Representation** – The Los Angeles City Charter (Charter), Section 231 (h), and Mayor Eric Garcetti's Executive Directive No. 4 (June 24, 2014) specifies that the Office of the Mayor holds primary responsibility for the City's intergovernmental relations. The Charter provision and the procedures adopted to carry out this provision are designed to ensure a unified voice and coordinated legislative strategy when representing the City's interests.

The Harbor Department's Government Affairs Division (GAD) works closely with the Mayor's Office of Legislative and Intergovernmental Relations at the State level to advance the Harbor Department's legislative agenda, support the Harbor Department's strategic goals (i.e. Key Results Areas), and pursue a broad range of Harbor Department objectives, including protecting and securing funding and developing policy related to port-related infrastructure, security, trade development, and environmental protection.

**Need for Agreement** – Staff has identified a need to retain a State advocate to support the Harbor Department's strategic goal of maintaining and developing stronger relationships. Fostering partnership opportunities at the State level promotes the goals of the Harbor Department. Specifically, the Harbor Department requires a consistent, day-to-day presence in Sacramento by an advocate that is accountable to the Harbor Department, in order to do the following (not an exhaustive list):

- A. **Advancing and Protecting our Interests within Pending State Legislation:** During the current legislative session, and Extraordinary Session, the Harbor Department is actively tracking nearly 50 bills. Bills related to transportation funding, international trade, the California Environmental Quality Act (CEQA), and greenhouse gas reduction (GHG) are being monitored closely by Government Affairs Division staff.
- B. **Conduct Follow-Up and Ongoing Development of our State-Level Agenda:** The Harbor Department has received increased interest and attention from the State government. This is apparent through increased visits and meetings with State legislators, appointed officials, and various agency staff. A State advocate will assist the Harbor Department with follow-up and translate these visits into tangible legislative and/or administrative activity in Sacramento. Continued

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development of these relationships is best fostered when staff follow-up is done on a consistent, face-to-face basis.

- C. Expediting Projects and Monitoring Regulations: A State advocate will assist in working with State agencies (i.e. California Transportation Commission (CTC), California Department of Transportation (Caltrans), California Public Utilities Commission (CPUC), California Air Resources Board (CARB), and the State Lands Commission) to expedite delivery of major Harbor Department projects and compliance with environmental regulations.
- D. State-Level Coordination to Augment State Freight Strategy Development: The Governor's Executive Order (B-32-15) requires development of an integrated California Sustainable Freight Strategy. This, in addition to State efforts to develop a freight infrastructure funding program, will require a greater level of coordination with and advocacy at the State government (esp. the Governor's Office, California Air Resources Board and California Department of Transportation).

**Consultant Selection** – The Harbor Department carried out the following process to identify the best consultant. The Harbor Department issued a Request for Proposals (RFP) keeping with the City Charter requirements and Board policies of open competition for professional services. The RFP was published on the Port of Los Angeles website and posted on the Los Angeles Business Assistance Virtual Network.

The proposals were evaluated by the Selection Committee, consisting of two port staff from Government Affairs Division and one outside government affairs professional from Los Angeles County Metropolitan Transportation Authority. Evaluations were based on the written proposal that demonstrated knowledge of port issues, familiarity with the City of Los Angeles, and the overall maritime industry; strong experience working with the Governor's Administration, the California Legislature, State Departments and/or regulatory agencies; ability to develop legislative language and strategy, funding plan development and implementation, sound project team organization, relevant experience and expertise; and comprehension of the Harbor Department's major areas of interests: transportation, security, economic development and environmental policy and projects. The Selection Committee recommended specific firms for interviews.

The Harbor Department interviewed the recommended firms, and selected Shaw, Yoder, Antwih, Inc. as the most qualified bidder. This firm was selected based on its

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background, policy experience, and bipartisan relationships with relevant government officials. Shaw, Yoder, Antwih, Inc. (Transmittal 1) will work under the direction of the Harbor Department's Senior Director of Government Affairs and Director of Legislative Affairs.

**ENVIRONMENTAL ASSESSMENT:**

The proposed action is approval of an agreement with Shaw, Yoder, Antwih, Inc. for State government advocacy representation for the Harbor Department. As an administrative activity, the Director of Environmental Management has determined that the proposed action is exempt from the California Environmental Quality Act (CEQA) in accordance with Article II Section 2 (f) of the Los Angeles City CEQA Guidelines.

**ECONOMIC BENEFITS:**

This Board action will have no direct employment impact for the five-county region since the company associated with the proposed Agreement is located outside region.

**FINANCIAL IMPACT:**

The proposed three-year Agreement is for a not-to-exceed amount of \$120,000 per year. The total authority amount for the three-year Agreement is \$360,000. Funds for the Fiscal Year 2015/2016 have been budgeted in the amount of \$120,000 for the proposed Agreement in Account No. 54290, Center No. 260, Program No. 000. Funds for the future fiscal year will be requested as part of the annual budget. A funding out clause has been included in the proposed Agreement.

It is anticipated that funds for this Agreement will be expended as follows:

Fiscal Year 2015/2016	\$120,000
Fiscal Year 2016/2017	\$120,000
Fiscal Year 2017/2018	\$120,000
<b>Total:</b>	<b>\$360,000</b>

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CITY ATTORNEY:

The Office of the City Attorney has reviewed and approved the Agreement as to form and legality.

TRANSMITTAL:


1. Agreement between the City of Los Angeles and Shaw, Yoder, Antwih, Inc.

FIS Approval: MB (initials)

CA Approval: me (initials)



DAVID LIBATIQUE  
Senior Director, Government Affairs



DOANE LIU  
Deputy Executive Director & Chief of Staff

APPROVED:



*FOR* EUGENE D. SEROKA  
Executive Director

Author: MCDR