



**DATE:** OCTOBER 21, 2019

**FROM:** GOVERNMENT AFFAIRS

**SUBJECT:** RESOLUTION NO. \_\_\_\_\_ - THIRD AMENDMENT TO AGREEMENT NO. 17-3488 BETWEEN THE CITY OF LOS ANGELES HARBOR DEPARTMENT AND HOLLAND & KNIGHT LLP FOR FEDERAL ADVOCACY REPRESENTATION

**SUMMARY:**

Staff requests approval of a Third Amendment to Agreement No. 17-3488 between the City of Los Angeles Harbor Department ("Harbor Department") and Holland & Knight LLP for federal advocacy representation for the Harbor Department. The proposed Third Amendment extends the term of the agreement by one year for a total of four years and increases the total compensation amount by \$90,000 for a new not-to-exceed amount of \$572,000. The Harbor Department is financially responsible for expenses incurred under the proposed Agreement.

**RECOMMENDATION:**

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

1. Find that the Director of Environmental Management has determined that the proposed action is administratively exempt from the requirements of the California Environmental Quality Act (CEQA) under Article II, Section 2(f) of the Los Angeles City CEQA Guidelines;
2. Find that in accordance with the Los Angeles City 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 employees;
3. Approve the proposed Third Amendment to Agreement No. 17-3488 with Holland & Knight LLP.;
4. Authorize the Executive Director or Designee to execute, and the Board Secretary to attest to, the proposed Third Amendment to Agreement 17-3488 with Holland & Knight LLP; and
5. 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 in Los Angeles and Washington, D.C. to advance the Harbor Department’s federal legislative agenda, support the Harbor Department’s strategic goals, and pursue a broad range of Harbor Department objectives, including protecting and securing funding and developing policy related to the maritime supply chain and port-related infrastructure, rail, civil works projects, security, trade development, and various federal advisory committees.

**Need for Amendment** – Agreement No. 17-3488 with Holland & Knight LLP currently expires in April 2020, just prior to November 2020 elections which may result in political shifts within both the White House Administration and Congress. In order to be best positioned to select firms with expertise and relationships with officials taking office in 2021, the Harbor Department expects to release a Request for Proposals (RFP) for federal advocacy representation in January 2021. The proposed Third Amendment is required at this time in order to extend the term of Agreement No. 17-3488 by one year and bridge the gap between the current expiration of Agreement No. 17-3488 and the completion of the anticipated RFP. The Harbor Department also has agreements for federal advocacy representation with Kadesh & Associates as well as Alcalde & Fay, and amendments to extend the respective terms of those agreements will be presented to the Board under separate reports.

If the proposed amendment is approved, the scope of Holland & Knight’s work will be to continue as an advocate for the Port at the federal level. The firm has a specific role to play in an overall strategy to protect the interests of the Harbor Department, such as: working with the presidential administration and the U.S. House of Representatives, including House leadership, to advance the Harbor Department’s agenda; educating and organizing the California Congressional Delegation; engaging potential coalition partners in support of federal attention for key freight corridors and gateways; reaching out to congressional members who represent major trade corridors and gateways in their districts and/or states; and working closely with Senate leadership, including U.S.

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Senators Feinstein and Harris, and other U.S. Senators from key states with similar interests.

**ENVIRONMENTAL ASSESSMENT:**

The proposed action is the approval of a proposed Third Amendment to Agreement No 17-3488 with Holland & Knight for federal advocacy representation for the Harbor Department, which is an administrative activity. Therefore, the Director of Environmental Management has determined that the proposed action is administratively exempt from the California Environmental Quality Act (CEQA) in accordance with Article II Section 2 (f) of the Los Angeles City CEQA Guidelines.

**FINANCIAL IMPACT:**

The proposed Third Amendment would extend the term of Agreement No. 17-3488 by one year and increase the compensation authority by \$90,000 for a new not-to-exceed amount of \$572,000 over the life of the agreement. Funds for Fiscal Year 2019-2020 have been budgeted for the proposed Third Amendment in Account No. 54290 (Misc. Professional Services), Center No. 260, Program No. 000. Funds for future fiscal years will be requested to be budgeted as part of the annual budget, upon Board approval. A funding out clause is included in the existing Agreement, and the proposed Third Amendment does not alter this clause.

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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. Third Amendment to Agreement No. 17-3488 between the City of Los Angeles and Holland & Knight LLP

FIS Approval: 

CA Approval: 



JENNIFER COHEN  
Director of Policy and  
Legislative Affairs



DAVID LIBATIQUE  
Deputy Executive Director of  
Stakeholder Engagement

APPROVED:



EUGENE D. SEROKA  
Executive Director

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