Beverly Hills City Council Liaison / Legislative/Lobby Committee will conduct a Special Meeting, at the following time and place, and will address the agenda listed below:

CITY HALL
455 North Rexford Drive
4th Floor Conference Room A
Beverly Hills, CA 90210

Tuesday, May 8, 2018
1:00 PM

AGENDA

1) Public Comment
   a. Members of the public will be given the opportunity to directly address the Committee on any item not listed on the agenda.

2) Request for Direction on RFP 18-6 State Legislative Advocacy Services

3) Request for Direction on RFP 18-7 Federal Legislative Advocacy Services

4) Assembly Bill 1912 (Rodriguez) Public Employee's Retirement: Joint Powers Agreements: Liability

5) Review Three Assembly Bills Regarding Rentals
   A. AB 2219 (Ting) Landlord-Tenant: 3rd-Party Payments
   B. AB 2343 (Chiu) Real Property: Possession: Unlawful Detainer
   C. AB 2364 (Bloom) Rental Control: Withdraw From Accommodation

6) 2018 Legislative Platform – Revision

7) Federal Update

8) State Update

9) Adjourn

Byron Pope, City Clerk

Posted: May 7, 2018

A DETAILED LIAISON AGENDA PACKET IS AVAILABLE FOR REVIEW IN THE LIBRARY AND CITY CLERK'S OFFICE.

In accordance with the Americans with Disabilities Act, Conference Room A is wheelchair accessible. If you need special assistance to attend this meeting, please call the City Manager's Office at (310) 285-1014 or TTY (310) 285-6881. Please notify the City Manager's Office at least twenty-four (24) hours prior to the meeting if you require captioning service so that reasonable arrangements can be made.
Item 2
INTRODUCTION

The City of Beverly Hills primarily utilizes state legislative advocacy services to secure clear and strategic initiatives in Sacramento, CA. The Agreement with the City’s current firm, Shaw/Yoder/Antwih, Inc., will conclude on June 30, 2018. While City Municipal Code 3-3-113 (E) exempts contracts for professional services from the bidding process, it is best practice to perform a competitive bid every three to five years for these services. As the last request for proposal (“RFP”) was performed in 2012, staff issued RFP 18-6 (Attachment 1) on February 8, 2018.

This item is being brought to the Legislative/Lobby Liaison Committee for consideration and direction on selecting a state legislative advocacy firm.

DISCUSSION

Background

The City has been utilizing state legislative advocacy firms for well over a decade. Some of the firms the City has contracted with include GCG Rose & Kindel and Shaw/Yoder/Antwih, Inc.

The City’s current lobbyist, Shaw/Yoder/Antwih, Inc., has been the City’s Lobbyist since 2009. In 2012, a RFP was issued and they were selected as the City’s lobbying firm by a panel composed of City staff and Councilmembers who interviewed the finalist firms. The firm was awarded a one year contract. Verbiage in the agreement allowed staff to extend the contract for two, successive, one-year terms based on their performance. In 2015, they were awarded a similar contract which was extended in 2016 and 2017.

Request for Proposal

On February 8, 2018, the City issued RFP 18-6 in accordance with current City procedures for procurement with a response date of March 22, 2018.

The RFP provided an overview of the state legislative advocacy services the City desired, which included a scope of work that outlined the technical work and analyses expected by City. The scope included:
1. Work with the City Council, the City Manager, and key staff to discuss goals, objectives, opportunities and priorities.
2. Advocate the City's position to members of the State Assembly, State Senate, the Executive Branch, and other interested parties. Identify opportunities for elected officials and City officials to participate in the legislative process and make recommendations. Those opportunities include, but are not limited to, communication to legislators, providing testimony at legislative hearings, and communication with the Governor and the Governor's staff.
3. Support a positive relationship with the Governor's office, State Legislature, State Water Resources Control Board, California Department of Motor Vehicles, the California Department of Parks and Recreation, the Resources Agency, the California Department of Transportation, and/or other agencies. Assist in establishing relations between Councilmembers/City staff and legislative persons, including Chairs and consultants of key committees and other important decision makers.
4. Provide sufficient support to lobby aggressively on any number of legislative priorities as determined by City. Support would include proactively searching for potential legislative vehicles relating to those topics and affecting the outcome of those proposals.
5. Research, provide information, and prepare reports/memo as requested by on a variety of topics, including but not limited to:
   a. State laws or proposed legislation
   b. Legislative hearings, reports and testimony
   c. State regulations/policies
   d. State funding opportunities for proposed City projects
   e. Technical memoranda or reports impacting City operations
6. Provide an updated state legislative bill matrix on legislation of interest to City upon request by the City. Request will be made on an as needed basis. Bill matrix shall include current status of legislation, house and/or committee of where legislation is residing, summary of the bill, and City position on legislation.
7. Lobby for the City's position on legislation and regulatory matters of interest including attendance at key legislative hearings and expressing the City's position at these hearings.
8. Coordinate and cooperate with other organizations, municipalities, companies and firms having similar legislative objectives as the City. Where appropriate, advocate positions on legislation and work to secure language in law that will advance the City's interests.
9. Identify potential future legislative issues or opportunities that may interest the City, and help to position the City to benefit from new laws, programs or funding opportunities.
10. Provide the City with copies of bills (introduced or amended) or proposals pertaining to issues of concern/interest to City, particularly those affecting or relating to City's Legislative Program.
11. Track said legislation and provide the City with advance notice of hearings or critical actions relating to those bills or issues.
12. Provide "value added" services such as webinars, grantsmanship symposia, training resources, etc.
13. Prepare briefing materials such as memos summarizing legislation.
14. Draft letters of opposition/support on legislation as directed by City and provide to City for review and modification.
15. Coordinate meetings with State Legislators and agency department leaders to provide the City the opportunity to meet face-to-face with key decision-makers on pertinent City issues.
16. Provide monthly reports of activities pursued or accomplished on behalf of the City.
17. Provide regular updates on the political landscape in Sacramento to help provide context, and identify opportunities and potential issues.
18. Prepare and file all applicable Fair Political Practices Commission lobbying documents and reports within all applicable deadlines, per the provisions of the Political Reform Act.
of 1974 as amended. Provide the City notification of any changes or modifications that may be pertinent.

Staff notified eight different companies in Sacramento that perform state legislative advocacy services that the RFP had been issued. The RFP was also posted online at the City’s website. At the opening of the bid in the City Clerk’s Office on March 22, 2018 at 2 p.m. two firms responded (Attachment 2).

RFP Analysis
As part of the RFP, a statement was included that said:

The City is currently finalizing its municipal budget for FY 2018-2019. At this time, the budget for Legislative Advocacy Services is $75,000 (inclusive of all expenses such as postage, messaging, travel, etc.)

Both firms who submitted proposals qualified based on the cost of their proposal with Ramirez and Partners (Attachment 3) being the lowest bidder.

Of the two respondents, Ramirez and Partners (Attachment 3) is not located in Sacramento, California. The respondent has indicated his firm would travel as often as required by the City to Sacramento at no additional charge.

The other firm, Shaw/Yoder/Antwih, Inc. (Attachment 4) submitted a proposal within the established budget; has an active presence in Sacramento, California.; and are experienced in providing state legislative advocacy services.

RECOMMENDATION
Staff recommends that the Legislative/Lobby Liaison Committee review the state legislative advocacy services requests for proposal and provide direction to staff. The Liaisons may:

- Request staff to reissue the request for proposal if the Liaisons are unsatisfied with the responses;
- Request staff to schedule interviews with the finalist firms selected by the Liaisons; or
- Select a firm based on the attached proposals and direct staff to draft an agreement for City Council approval at a future meeting date.
Attachment 1
City of Beverly Hills

Request for Proposals #18-6

Notice Inviting Submission of Proposals for
State Legislative Advocacy Services

Due Date: March 22, 2018
OVERVIEW

The City of Beverly Hills (herein after referred to as “City”) is seeking to enter into a professional services agreement with a qualified, experienced firm to provide State lobbying services to augment the City’s existing relationship with key State legislators and policy administrators.

BACKGROUND

Beverly Hills is located in the middle of Los Angeles County, surrounded by the cities of Los Angeles, West Hollywood, Santa Monica and Culver City. Within its 5.7 square mile radius, Beverly Hills has approximately 34,000 residents with a business and commercial base that ranks next to cities with a population of several hundred thousand.

Internationally recognized for its alluring retail stores, five-star hotels and exclusive attractions, Beverly Hills attracts visitors from around the world.

As a full-service community, police, fire, water treatment, refuse collection and building inspections, among other services, are provided directly by the City. Beverly Hills has its own school district with a reputation for some of the best schools in the nation.

OBJECTIVES AND SCOPE

Upon acceptance of the successful response to the RFP, the selected firm will utilize the “Scope of Work” as part of the contract entered into with the City. The selected firm will be expected to perform all technical and other analyses necessary to complete the scope of work. The scope of services shall include, but is not limited to, the following:

1. Work with the City Council, the City Manager, and key staff to discuss goals, objectives, opportunities and priorities.
2. Advocate the City’s position to members of the State Assembly, State Senate, the Executive Branch, and other interested parties. Identify opportunities for elected officials and City officials to participate in the legislative process and make recommendations. Those opportunities include, but are not limited to, communication to legislators, providing testimony at legislative hearings, and communication with the Governor and the Governor’s staff.
3. Support a positive relationship with the Governor’s office, State Legislature, State Water Resources Control Board, California Department of Motor Vehicles, the California Department of Parks and Recreation, the Resources Agency, the California Department of Transportation, and/or other agencies. Assist in establishing relations between Councilmembers/City staff and legislative persons, including Chairs and consultants of key committees and other important decision makers.
4. Provide sufficient support to lobby aggressively on any number of legislative priorities as determined by City. Support would include proactively searching for potential legislative vehicles relating to those topics and affecting the outcome of those proposals.

5. Research, provide information, and prepare reports/memo as requested by on a variety of topics, including but not limited to:
   a. State laws or proposed legislation
   b. Legislative hearings, reports and testimony
   c. State regulations/policies
   d. State funding opportunities for proposed City projects
   e. Technical memoranda or reports impacting City operations

6. Provide an updated state legislative bill matrix on legislation of interest to City upon request by the City. Request will be made on an as needed basis. Bill matrix shall include current status of legislation, house and/or committee of where legislation is residing, summary of the bill, and City position on legislation.

7. Lobby for the City's position on legislation and regulatory matters of interest including attendance at key legislative hearings and expressing the City's position at these hearings.

8. Coordinate and cooperate with other organizations, municipalities, companies and firms having similar legislative objectives as the City. Where appropriate, advocate positions on legislation and work to secure language in law that will advance the City's interests.

9. Identify potential future legislative issues or opportunities that may interest the City, and help to position the City to benefit from new laws, programs or funding opportunities.

10. Provide the City with copies of bills (introduced or amended) or proposals pertaining to issues of concern/interest to City, particularly those affecting or relating to City's Legislative Program.

11. Track said legislation and provide the City with advance notice of hearings or critical actions relating to those bills or issues.

12. Provide "value added" services such as webinars, grantsmanship symposia, training resources, etc.

13. Prepare briefing materials such as memos summarizing legislation.

14. Draft letters of opposition/support on legislation as directed by City and provide to City for review and modification.

15. Coordinate meetings with State Legislators and agency department leaders to provide the City the opportunity to meet face-to-face with key decision-makers on pertinent City issues.

16. Provide monthly reports of activities pursued or accomplished on behalf of the City.

17. Provide regular updates on the political landscape in Sacramento to help provide context, and identify opportunities and potential issues.

18. Prepare and file all applicable Fair Political Practices Commission lobbying documents and reports within all applicable deadlines, per the provisions of the Political Reform Act of 1974 as amended. Provide the City notification of any changes or modifications that may be pertinent.

**SCHEDULE**

The anticipated schedule is as follows:

| Solicitation issued: | February 28, 2018 |
| Deadline for receipt of questions | March 7, 2018 |
| City response to questions | March 14, 2018 |
| Proposal due date | March 22, 2018 |
| Finalist contacted to schedule interview | Beginning of April 2018 |
| Conduct interview, recommend firm | Mid-April 2018 |
| Anticipated award date | May 2018 |
| Anticipated start date | July 1, 2018 |
CONTENTS AND ORGANIZATION OF PROPOSAL

The intent of this RFP is to encourage responses that meet the outlined requirements.

A. Proposal Content
   Each proposal shall contain the following major sections:

1. Transmittal Letter. The transmittal letter should include the name, title, address, phone number, and original signature of an individual with authority to negotiate on behalf of and to contractually bind the firm, and who may be contacted during the period of proposal evaluation. Only one transmittal letter need be prepared to accompany all copies of the proposal. The proposal shall clearly identify the firm’s legal name and address; the legal form of the firm (e.g. partnership, corporation, joint venture, sole proprietorship). If a joint venture, identify the members of the joint venture and provide all the information required under this section for each member, and attach a copy of the joint venture agreement. If the firm is a wholly-owned subsidiary of a "parent company," please identify the "parent company."

2. Table of Contents. List major sections in the proposal and the associated page numbers.

3. Introduction. Demonstrate the firm’s experience providing legislative advocacy services. Experience in providing legislative services to similar regional agencies, municipalities, agencies, and other governmental or non-governmental agencies should be highlighted. The description should, among other things, summarize capabilities/qualifications, experience/success with representing clients in Sacramento.

4. Sample Reports. Describe the format for providing the required reports as identified in the Scope of Services, and attach a sample format if available.

5. Project Management. Describe the plans for accomplishing the required work and the firm’s approach to representing the City, including: the management approach to the work, location where work will be done, responsibilities for coordination of work with City, and lines of communication needed to maintain required contact. Provide a detailed outline of the firm's current client list and ability to provide timely services.

6. Staff. Describe the qualifications and experience of each professional who will participate in the project, including a resume for each member of the project team. A Project Manager must be designated, and an organizational chart showing the manager and all project staff must be included, if applicable. A matrix must be presented indicating the effort, either in percentage of the total project or in person-hours, which will be contributed by each professional, during each phase or task making up the project.

7. Qualifications and References. The proposal must describe the nature and outcome of projects previously conducted by the firm which are related to the work described within the RFP. Descriptions should include client contact names, address, phone numbers, descriptions of the type of work performed, approximate dates on which the work was completed, and professional staff who performed the work. If a sub-consultant is proposed, two to three similar qualifications and references should be provided for the sub-consultant. Up to two samples of the firm’s work on closely related projects can also be included with the proposal, if available. References (at least three (3) including contact name and phone number) from cities that have used your consulting services for similar projects within the past two (2) years, who are willing to discuss the work of your firm and/or performance. References shall include the names of
the clients, contact names and phone numbers, addresses, and brief descriptions of the scope of services and funding accomplishments.

8. **Cost Proposal.** A description of the total costs and/or billing rates for services, staff time, equipment, materials, travel, administrative/clerical, overhead and other out-of-pocket expenses, if applicable to this contract. If the firm uses hourly billing rates (instead of a flat retainer fee), please provide a detailed fee summary with a total annual not to exceed cost. All figures entered on the cost sheets must be clearly legible and justified. Please note that the City is currently finalizing its municipal budget for FY 2018-2019. At this time, the budget for Legislative Advocacy Services is $75,000 (inclusive of all expenses such as postage, messaging, travel, etc.) The City Council may take action to revise this amount prior to issuance of this contract.

9. **Additional Information.** Submit any additional information or recommendations supporting the proposal.

**B. Proposal Format**

Respondent's submission shall be a maximum of 20 pages in length.

**SUBMITTAL REQUIREMENTS**

Proposals must be prepared in English.

The submission requirements for the RFP are detailed below. Any submission shall constitute an irrevocable offer for sixty (60) days following the deadline for its submission. Information contained in the proposal is confidential and shall remain so until a contract is signed.

A. **Copies**

The respondent shall submit one (1) original and five (5) non-laminated copies of the proposal and all subsequent information requested by City. The City will not accept any proposal submitted by facsimile or email.

B. **Contact**

Bidders shall not contact the City's Mayor or any Councilmembers during this RFP process regarding the RFP. Only the firm currently under contract with the City may have contact with the Councilmembers, but discussions must be in regards to current legislative advocacy topics. The current firm MUST NOT discuss this RFP with the City's Mayor or any Councilmembers during this RFP process or they will be disqualified.

Questions regarding the Requests for Proposal are to be submitted by email only to Cindy Owens at cowens@beverlyhills.org and copied to Logan Phillippo at lphillippo@beverlyhills.org, no later than 4:30 PM PST on Wednesday, March 7, 2018. The subject title of such emails should read "RFP No. 18-6 Potential Respondent - (Insert Firm Name)." Any inquiry should state the question only, without additional information. Questions emailed by potential respondents and any additional information that the City provides in response to such questions will be posted on the City's website by Wednesday, March 14, 2018 at 6:00 PM PST. Oral responses by any City employee or agent of the City are not binding and shall not in any way be considered as a commitment of the City.

C. **Deadline**

To be considered for this RFP selection process, the Bidder shall submit one (1) original, clearly marked as such, and five (5) copies no later than 2:00 p.m. on March 22, 2018 to:
City Clerk’s Office  
City of Beverly Hills  
City Hall, 2nd Floor, Room 290  
455 N. Rexford Drive  
Beverly Hills, CA 90210  
Attn: Cindy Owens, Senior Management Analyst

Proposals shall be submitted in writing to the address above, with Attn. Cindy Owens on the outside of the envelope or package. City Hall office hours are Monday through Thursday, 7:30 a.m. to 5:30 p.m. and Friday 8:00 a.m. to 5:00 p.m.

Until award of the contract, the proposals shall be held in confidence and shall not be available for public review. Upon award of a contract to the successful Bidder, all proposals shall be public records. Any respondent may withdraw their response either in person or by written request, sent by mail or facsimile, at any time prior to the scheduled closing time for receipt of submittal. No proposal shall be returned after the date and time set for opening thereof.

D. Rejection of Proposals

Proposals received after 2:00 p.m. shall be considered late. Late submittals will be rejected and returned unopened. If mail delivery is used, the Bidder should mail the proposal early enough to provide for arrival by this deadline. The Bidder uses mail or courier service at its own risk. The City will not be liable or responsible for any late delivery of proposals.

The City reserves the right in its sole discretion to reject any or all submissions in whole or in part for any reason without incurring any cost or liability whatsoever. All proposals will be reviewed for completeness of the submission requirements. If a proposal fails to meet a material requirement in the Request for Proposal, or if it is incomplete or contains irregularities, the proposal may be rejected. A deviation is material to the extent that a response is not in substantial accord with the requirements in the RFP.

Immaterial deviations may cause a bid to be rejected. The City may or may not waive an immaterial deviation or defect in a bid proposal. The City's waiver of an immaterial deviation or defect shall in no way modify the RFP or excuse a respondent from full compliance with the remaining RFP.

Proposals that contain false or misleading statements may be rejected if in the City's opinion the information was intended to mislead the City regarding a requirement of the RFP. Bids may be rejected in any case where it is determined that the proposals are not really competitive, or where the cost is not reasonable.

E. Proof of Authority

The proposal will also provide the following information: name, title, address and telephone number of individual with authority to bind the firm and also who may be contacted during the period of proposal evaluation. The proposal shall be signed by an official authorized to bind the Consultant or consulting firm and shall contain a statement to the effect that the proposal is a firm offer for at least a one hundred eighty (180) day period.

F. Conflict of Interest

The Consultant shall have no interest in other projects or independent contracts that conflict in any manner with the interests of the City. The Consultant shall notify the City of any existing contracts or proposed new contracts which may conflict with the City's interests. The Legislative Representative, and each principal thereof, will file with the City an annual Conflict of Interest statement listing all of its lobbying contracts. Firms submitting proposals in response to this RFP
must disclose to the City any actual, apparent, or potential conflicts of interest that may exist relative to the services to be provided under Agreement for Legislative Advocacy Services to be awarded pursuant to this RFP. If this firm has no conflict of interest, a statement to that effect shall be included in the proposal.

EVALUATION AND SELECTION PROCESS

A. Evaluation

If a firm submits a complete proposal by the City’s deadline, an evaluation of the proposal will be performed, based on a competitive selection process. Each of the major sections of the proposal will be reviewed and evaluated with criteria designed to help judge the quality of the proposal. Evaluation of proposals will not be limited to price alone; technical merit, expertise, track record and references, completeness of proposal documents, and demonstrated successes will be strongly considered in the selection process. The following criteria will be used in reviewing and comparing the proposals:

1. Completeness of proposal documents. The ability, capacity, flexibility, and skill of the respondent to provide quality performance under the contract, as evidenced by the quality of any demonstration, client references, and any prior contracts with the City.

2. Understanding of the background and requirements of the Scope of Work.

3. The relative allocation of resources, in terms of quality and quantity, to key tasks including the time and skills of personnel assigned to the tasks and firm’s approach to managing resources and project output. Education and experience of proposed personnel. Expertise, competence, experience, performance, solvency and responsiveness.

4. Responsiveness of proposal to specifications described in the RFP, including whether the respondent has agreed to the contracting requirements set forth in this RFP.

5. Demonstrated success in state legislative process generally, and in projects similar to the one described in this RFP.

6. Cost and compensation required.

B. Precontractual Expense

Precontractual expenses include any expenses incurred by Bidders and selected Consultant include the following:

1. Preparing proposals in response to this RFP.

2. Submitting proposals to the City.

3. Travel or accommodation to the City to participate in the interview process.

4. Negotiations with the City on any matter related to proposals.

5. Other expenses incurred by a Consultant or Bidder prior to the date of award of any agreement.

In any event, the City shall not be liable for any precontractual expenses incurred by any Bidder or selected Consultant. Bidders shall not include any such expenses as part of the price proposed in response to this RFP. The City shall be held harmless and free from any and all liability, claims, or expenses whatsoever incurred by, or on behalf of, any person or organization responding to this RFP.
C. Selection Panel
The Selection Panel, composed of City staff and a Council-appointed subcommittee, will evaluate the proposals considering the scope of work and various evaluation criteria, as described below, and will develop a "short list" of acceptable firms. Firms not selected to the short list will be notified at that time. Selected firms will be contacted and an interview will be scheduled. Following interviews, candidate firms will be ranked. Upon determination of the top-ranked firm, the Panel will issue a recommendation to the City Council.

Respondents may be telephoned and asked for further information, if necessary, and may be expected to appear for oral interviews. Previous clients may also be called. The Panel will make recommendations to the City Council on the basis of the proposal, any oral interviews, and reference check. The City reserves the right to select firm based solely on written proposals and not convene oral interviews. The City Council shall have final authority for the selection. It is anticipated that the City Council will consider awarding a bid at a May 2018 City Council Meeting. The Contract would then become effective July 1, 2018 or as soon as it could be executed thereafter.

D. Negotiations
Negotiations will cover the scope of work, the contract schedule duration, contract terms and conditions, technical specifications, and price. If the negotiating team is unable to reach an acceptable agreement with the selected firm, the team will recommend to the City Manager that the negotiations be terminated and an alternative approach be attempted, including the possibility of entering into negotiations with the second ranking firm.

No contract or agreement, express or implied, shall exist or be binding on the City before the execution of a written contract by both parties. If agreement on the terms of such a contract cannot be reached after a period deemed reasonable by the City in its sole discretion or if, after the City and the Consultant agree to terms and execute a contract, that contract is terminated for any reason, the City may enter into negotiations and sign a contract with any other respondent who submitted timely, responsive and responsible proposals to this RFP, or issue a new RFP and begin the proposal process anew.

At the time of negotiations, the selected firms and all personnel assigned to this contract shall submit verification, if required by applicable State or federal laws, that it is a registered lobbyist and meets the applicable industry standards.

**CONTRACT**

The City will prepare an Agreement for implementation between the successful respondent and the City (See Appendix A for a Sample). The Consultant’s standard form contract will not be considered as an acceptable substitute. The Consultant shall maintain, at a minimum, the insurance requirements specified in the sample Agreement. This includes, but is not limited to:

- Insurance shall be issued by an insurer admitted in the State of California and with a rating of at least a A+; VII in the latest edition of Best's Insurance Guide.
- A policy or policies of Comprehensive General Liability Insurance, with minimum limits of Two Million Dollars ($2,000,000) for each occurrence, combined single limit, against any personal injury, death, loss or damage resulting from the wrongful or negligent acts by CONSULTANT.
- A policy or policies of Comprehensive Vehicle Liability Insurance covering personal injury and property damage, with minimum limits of One Million Dollars ($1,000,000) per occurrence combined single limit, covering any vehicle utilized by CONSULTANT in performing the Scope of Work required by this Agreement.
- Workers' compensation insurance as required by the State of California.
- All of the policies shall contain an endorsement providing that the policies cannot be canceled or reduced except on thirty (30) days prior written notice to CITY, and specifically stating that the coverage contained in the policies affords insurance pursuant to the terms and conditions as set forth in this Agreement.
- The policies of insurance shall include provisions for waiver of subrogation.
- The general and auto liability insurance shall contain an endorsement naming the CITY as an additional insured.

GENERAL INFORMATION AND INSTRUCTIONS

All communications concerning this RFP should be directed to Cindy Owens, Senior Management Analyst by email at cowens@beverlyhills.org and copied to Logan Phillippo, Senior Management Analyst by email at lphillippo@beverlyhills.org.

No questions or comments are to be directed to the Mayor of the City of Beverly Hills, the Mayor's Office, Beverly Hills City Council, City of Beverly Hills Director of Finance, any public official, or any City of Beverly Hills trustee.

Any information obtained by the selected respondent is confidential, and the selected respondent shall not release or use the information in conjunction with any other endeavor.

The issuance of this RFP and receipt of proposals does not commit the City to award a contract, which is at the sole discretion of the City Council. The City reserves the right to negotiate with any firm which responds to this RFP. The City is not liable for any costs incurred by the proposer in the preparation and submission of a proposal.

City reserves the right to cancel or revise any section of the RFP prior to the due date, and further reserves the right to extend the due date. Any cancellations or revisions to the RFP will be published on the City's website at: http://www.beverlyhills.org/business/bidlistings/. The information will also be emailed to any Consultant who the City emailed a copy of the RFP to, as well as to any Consultant who has reached out to the City in regards to this bid as directed above. If any Bidder determines that an addendum unnecessarily restricts its ability to bid, it must notify the City no later than three (3) days following the receipt of the addendum.

The City expressly reserves the right to reject any and all proposals or to waived any irregularity or informality in any proposal or in the RFP procedure and to be the sole judge of the responsibility of any Bidder and of the suitability of the materials and/or services to be rendered. The City reserves the right to withdraw this RFP at any time without prior notice. Further, the City reserves the right to modify the RFP schedule described above.

The City will be the sole and exclusive judge of quality, compliance with RFP specifications or any other matter pertaining to this RFP. The City reserves the exclusive right to award this RFP in any manner it deems to be in the best interest of the City.

No prior, current, or post award verbal conversations or agreement(s) with any officer, agent, or employee of the City shall affect or modify any terms or obligations of the RFP, or any contract resulting from this RFP.

Respondents are responsible for complying with all federal, state, and local rules and regulations. Respondents agree that the City may, in its sole discretion, at any time prior to the execution of a final contract, accept, reject or cancel all or any part of a proposal, issue another proposal with terms and
conditions similar or different to those set forth above, extend any deadline and/or supplement, amend or otherwise modify the proposal.

By submission of a proposal, respondents acknowledge and agree that the City of Beverly Hills, as a public trust, is subject to state and local public disclosure laws and, as such, is legally obligated to disclose to the public documents, including proposals, to the extent required thereunder. Without limiting the foregoing sentence, the City's legal obligations shall not be limited or expanded.

Respondents are advised to become familiar with all conditions, instructions and specifications governing this RFP. Once the award has been made, a failure to have read all the conditions, instructions and specifications of this RFP document shall not be cause to alter the contract or for respondent to request additional compensation.

The successful respondent shall not assign the contract or subcontract, in whole or in part, without the prior written consent of the City. Such consent shall neither relieve the respondent from its obligation nor change the terms of the contract.

Each respondent shall submit in full this completed original RFP document and all necessary catalogues, descriptive literature, etc., needed to fully describe the materials or work it proposes to furnish. **Respondent's failure to fully and adequately respond to this RFP may render the bid non-responsive and is grounds for rejection by the City.**

Upon the award of the contract to the successful respondent, the City will require evidence of insurance coverage be furnished prior to issuing a purchase order. The amounts and types of coverage are specified in Appendix A, Section 11 of this RFP document. **All insurance forms must be in a format acceptable to the City.**

Every supplier of materials and services and all Consultants doing business with the City shall be an "Equal Opportunity Employer" as required by Section 2000e of Chapter 21, Title 42 of the United States Code Annotated and Federal Executive Orders #11375, and as such shall not discriminate against any other person by reason of race, creed, color, religion, age, sex or physical or mental handicaps with respect to the hiring, application for employment, tenure, terms or conditions or employment of any person.

Prices quoted herein must be firm for a period of not less than one hundred eighty (180) days after closing date of this RFP.

RFPs calling for other than a "lump sum" total may be awarded by single item, by groups of items, or as a whole, as the City deems to be in the best interest of the City.

Consultants shall cooperate with the City in all matters relating to taxation and the collection of taxes. It is the policy of the City to self-accrue use tax associated with its own purchases. The City requests that its Consultants self-accrue their use tax, **when applicable**, and report the use tax to the State Board of Equalization with a City-assigned permit number. The City's own use tax, which is self-accrued by the City, will be remitted to the State of California pursuant to the City's permit with the State Board of Equalization.

All materials submitted in response to an RFP will become the property of the City of Beverly Hills and will be returned only at the City's option and at the expense of the Bidder submitting the proposal or bid. One copy of a submitted proposal will be retained for official files and become a public record. However, any confidential material submitted by Bidder that was clearly marked as such will be returned upon request.
APPENDIX A

AGREEMENT BETWEEN THE CITY OF BEVERLY HILLS AND <Insert name of Consultant> FOR STATE LEGISLATIVE ADVOCACY SERVICES

NAME OF CONSULTANT: TBD
RESPONSIBLE PRINCIPAL OF CONSULTANT: TBD
CONSULTANT'S ADDRESS:
CITY'S ADDRESS:
COMMENCEMENT DATE: July 1, 2018
TERMINATION DATE: June 30, 2021
CONSIDERATION: Not to exceed <TBD>
AGREEMENT BETWEEN THE CITY OF BEVERLY HILLS AND <Insert name of Consultant> FOR STATE LEGISLATIVE ADVOCACY SERVICES

THIS AGREEMENT is made by and between the City of Beverly Hills (hereinafter called "CITY"), and (hereinafter called "CONSULTANT").

RECITALS

A. CITY desires to have certain services and/or goods provided as set forth in Exhibit A (the "Scope of Work"), attached hereto and incorporated herein.

B. CONSULTANT represents that it is qualified and able to perform the Scope of Works.

NOW, THEREFORE, the parties agree as follows:

Section 1. CONSULTANT's Scope of Work. CONSULTANT shall perform the Scope of Work described in Exhibit A in a manner satisfactory to CITY and consistent with that level of care and skill ordinarily exercised by members of the profession currently practicing in the same locality under similar conditions. City shall have the right to order, in writing, changes in the Scope of Work. Any changes in the Scope of Work by CONSULTANT must be made in writing and approved by both parties. The cost of any change in the Scope of Work must be agreed to by both parties in writing.

Section 2. Time of Performance.

CONSULTANT shall commence its services under this Agreement upon the Commencement Date or upon a receipt of a written notice to proceed from CITY. CONSULTANT shall complete the performance of services by the Termination Date set forth above and/or in conformance with the project timeline established by the City Manager or his designee.

The City Manager or his designee may extend the time of performance in writing for two (2) additional one-year terms or such other term not to exceed two years from the date of termination pursuant to the same terms and conditions of this Agreement.

Section 3. Compensation.

(a) Compensation

CITY agrees to compensate CONSULTANT for the services and/or goods provided under this Agreement, and CONSULTANT agrees to accept in full satisfaction for such services, a sum not to exceed the Consideration set forth above and more particularly described in Exhibit B, attached hereto and incorporated herein.

(b) Expenses
The amount set forth in paragraph (a) shall include reimbursement for all actual and necessary expenditures reasonably incurred in the performance of this Agreement (including, but not limited to, all labor, materials, delivery, tax, assembly, and installation, as applicable). There shall be no claims for additional compensation for reimbursable expenses.

(c) Additional Services. City may from time to time require CONSULTANT to perform additional services not included in the Scope of Services. Such requests for additional services shall be made by City in writing and agreed upon by both parties in writing.

Section 4. Method of Payment. CITY shall pay CONSULTANT said Consideration in accordance with the method and schedule of payment set forth in Exhibit B.

Section 5. Independent Consultant. CONSULTANT is and shall at all times remain, as to CITY, a wholly independent Consultant. Neither CITY nor any of its agents shall have control over the conduct of CONSULTANT or any of CONSULTANT's employees, except as herein set forth. CONSULTANT shall not, at any time, or in any manner, represent that it or any of its agents or employees are in any manner agents or employees of CITY.

Section 6. Assignment. This Agreement shall not be assigned in whole or in part, by CONSULTANT without the prior written approval of CITY. Any attempt by CONSULTANT to so assign this Agreement or any rights, duties or obligations arising hereunder shall be void and of no effect.

Section 7. Responsible Principal(s)

(a) CONSULTANT's Responsible Principal set forth above shall be principally responsible for CONSULTANT's obligations under this Agreement and shall serve as principal liaison between CITY and CONSULTANT. Designation of another Responsible Principal by CONSULTANT shall not be made without prior written consent of CITY.

(b) CITY's Responsible Principal shall be the City Manager or his designee set forth above who shall administer the terms of the Agreement on behalf of CITY.

Section 8. Personnel. CONSULTANT represents that it has, or shall secure at its own expense, all personnel required to perform CONSULTANT's Scope of Work under this Agreement. All personnel engaged in the work shall be qualified to perform such Scope of Work.

Section 9. Permits and Licenses. CONSULTANT shall obtain and maintain during the Agreement term all necessary licenses, permits and certificates required by law for the provision of services under this Agreement, including a business license.

Section 10. Interests of CONSULTANT. CONSULTANT affirms that it presently has no interest and shall not have any interest, direct or indirect, which would conflict in any manner with the performance of the Scope of Work contemplated by this Agreement. No person having any such interest shall be employed by or be associated with CONSULTANT.

Section 11. Insurance.
(a) CONSULTANT shall at all times during the term of this Agreement carry, maintain, and keep in full force and effect, insurance as follows:

(1) A policy or policies of Comprehensive General Liability Insurance, with minimum limits of Two Million Dollars ($2,000,000) for each occurrence, combined single limit, against any personal injury, death, loss or damage resulting from the wrongful or negligent acts by CONSULTANT.

(2) A policy or policies of Comprehensive Vehicle Liability Insurance covering personal injury and property damage, with minimum limits of One Million Dollars ($1,000,000) per occurrence combined single limit, covering any vehicle utilized by CONSULTANT in performing the Scope of Work required by this Agreement.

(3) Workers' compensation insurance as required by the State of California.

(b) CONSULTANT shall require each of its sub-Consultants to maintain insurance coverage which meets all of the requirements of this Agreement.

(c) The policy or policies required by this Agreement shall be issued by an insurer admitted in the State of California and with a rating of at least a A+;VII in the latest edition of Best's Insurance Guide.

(d) CONSULTANT agrees that if it does not keep the aforesaid insurance in full force and effect CITY may either immediately terminate this Agreement or, if insurance is available at a reasonable cost, CITY may take out the necessary insurance and pay, at CONSULTANT's expense, the premium thereon.

(e) At all times during the term of this Agreement, CONSULTANT shall maintain on file with the City Clerk a certificate or certificates of insurance on the form set forth in Exhibit C, attached hereto and incorporated herein, showing that the aforesaid policies are in effect in the required amounts. CONSULTANT shall, prior to commencement of work under this Agreement, file with the City Clerk such certificate or certificates. The general and auto liability insurance shall contain an endorsement naming the CITY as an additional insured. All of the policies required under this Agreement shall contain an endorsement providing that the policies cannot be canceled or reduced except on thirty (30) days prior written notice to CITY, and specifically stating that the coverage contained in the policies affords insurance pursuant to the terms and conditions as set forth in this Agreement.

(f) The insurance provided by CONSULTANT shall be primary to any coverage available to CITY. The policies of insurance required by this Agreement shall include provisions for waiver of subrogation.

(g) Any deductibles or self-insured retentions must be declared to and approved by CITY. At the option of CITY, CONSULTANT shall either reduce or eliminate the deductibles or self-insured retentions with respect to CITY, or CONSULTANT shall procure a bond guaranteeing payment of losses and expenses.

(h) The insurance coverage amounts required under the Agreement do not limit CITY's right to recover against CONSULTANT and its insurance carriers.
Section 12. **Indemnification**. CONSULTANT agrees to indemnify, hold harmless and defend CITY, City Council and each member thereof, and every officer, employee and agent of CITY, from any claim, liability or financial loss (including, without limitation, attorneys' fees and costs) arising from any intentional, reckless, negligent, or otherwise wrongful acts, errors or omissions of CONSULTANT or any person employed by CONSULTANT in the performance of this Agreement.

Section 13. **Termination.**

(a) CITY shall have the right to terminate this Agreement for any reason or for no reason upon five calendar days' written notice to CONSULTANT. CONSULTANT agrees to cease all work under this Agreement on or before the effective date of such notice.

(b) In the event of termination or cancellation of this Agreement by CITY, due to no fault or failure of performance by CONSULTANT, CONSULTANT shall be paid based on the percentage of work satisfactorily performed at the time of termination. In no event shall CONSULTANT be entitled to receive more than the amount that would be paid to CONSULTANT for the full performance of the services required by this Agreement. CONSULTANT shall have no other claim against CITY by reason of such termination, including any claim for compensation.

Section 14. **CITY’s Responsibility.** CITY shall provide CONSULTANT with all pertinent data, documents, and other requested information as is available for the proper performance of CONSULTANT's Scope of Work.

Section 15. **Information and Documents.** All data, information, documents and drawings prepared for CITY and required to be furnished to CITY in connection with this Agreement shall become the property of CITY, and CITY may use all or any portion of the work submitted by CONSULTANT and compensated by CITY pursuant to this Agreement as CITY deems appropriate.

Section 16. **Records and Inspections.** CONSULTANT shall maintain full and accurate records with respect to all matters covered under this Agreement for a period of 2 years. City shall have access, without charge, during normal business hours to such records, and the right to examine and audit the same and to make copies and transcripts therefrom, and to inspect all program data, documents, proceedings and activities.

Section 17. **Changes in the Scope of Work.** The CITY shall have the right to order, in writing, changes in the scope of work or the services to be performed. Any changes in the scope of work requested by CONSULTANT must be made in writing and approved by both parties.

Section 18. **Notice.** Any notices, bills, invoices, etc. required by this Agreement shall be deemed received on (a) the day of delivery if delivered by hand during the receiving party's regular business hours or by facsimile before or during the receiving party's regular business hours; or (b) on the second business day following deposit in the United States mail, postage prepaid to the addresses set forth above, or to such other addresses as the parties may, from time to time, designate in writing pursuant to this section.

Section 19. **Attorney's Fees.** In the event that either party commences any legal action or proceeding to enforce or interpret the provisions of this Agreement, the prevailing party in such
action shall be entitled to reasonable attorney's fees, costs and necessary disbursements, in addition to such other relief as may be sought and awarded.

Section 20. Entire Agreement. This Agreement represents the entire integrated agreement between CITY and CONSULTANT, and supersedes all prior negotiations, representations or agreements, either written or oral. This Agreement may be amended only by a written instrument signed by both CITY and CONSULTANT.

Section 21. Exhibits; Precedence. All documents referenced as exhibits in this Agreement are hereby incorporated in this Agreement. In the event of any material discrepancy between the express provisions of this Agreement and the provisions of any document incorporated herein by reference, the provisions of this Agreement shall prevail.

Section 22. Governing Law. The interpretation and implementation of this Agreement shall be governed by the domestic law of the State of California.

Section 23. City Not Obligated to Third Parties. CITY shall not be obligated or liable under this Agreement to any party other than CONSULTANT.

Section 24. Severability. Invalidation of any provision contained herein or the application thereof to any person or entity by judgment or court order shall in no way affect any of the other covenants, conditions, restrictions, or provisions hereof, or the application thereof to any other person or entity, and the same shall remain in full force and effect.
EXECUTED the ___ day of _________________, 20___, at Beverly Hills, California.

CITY OF BEVERLY HILLS
A Municipal Corporation

LILI BOSSE
Mayor of the City of Beverly Hills, California

ATTEST:

__________________(SEAL)
BYRON POPE
City Clerk

CONSULTANT:

Name
Title

APPROVED AS TO FORM:

LAURENCE S. WIENER
City Attorney

APPROVED AS TO CONTENT:

MAHDI ALUZRI
City Manager

SHARON L'HEUREUX DRESSEL
Interim Risk Manager
EXHIBIT A

SCOPE OF WORK

CONSULTANT shall perform the following services:

1. Work with the City Council, the City Manager, and key staff to discuss goals, objectives, opportunities and priorities.
2. Advocate City’s position to members of the State Assembly, State Senate, the Executive Branch, and other interested parties. Identify opportunities for elected officials and City officials to participate in the legislative process and make recommendations. Those opportunities include, but are not limited to, communication to legislators, providing testimony at legislative hearings, and communication the Governor and the Governor’s staff.
3. Support a positive relationship with the Governor’s office, State Legislature, State Water Resources Control Board, California Department of Motor Vehicles, the California Department of Parks and Recreation, the Resources Agency, the California Department of Transportation, and/or other agencies. Assist in establishing relations between Councilmembers/City staff and legislative persons, including Chairs and consultants of key committees and other important decision makers.
4. Provide sufficient support to lobby aggressively on any number of legislative priorities as determined by City. Support would include proactively searching for potential legislative vehicles relating to those topics and affecting the outcome of those proposals.
5. Research, provide information, and prepare reports/memo as requested by on a variety of topics, including but not limited to:
   a. State laws or proposed legislation
   b. Legislative hearings, reports and testimony
   c. State regulations/policies
   d. State funding opportunities for proposed City projects
   e. Technical memoranda or reports impacting City operations
6. Provide an updated state legislative bill matrix on legislation of interest to City upon request by the City. Request will be made on an as needed basis. Bill matrix shall include current status of legislation, house and/or committee of where legislation is residing, summary of the bill, and City position on legislation.
7. Lobby for the City’s position on legislation and regulatory matters of interest including attendance at key legislative hearings and expressing the City’s position at these hearings.
8. Coordinate and cooperate with other organizations, municipalities, companies and firms having similar legislative objectives as the City. Where appropriate, advocate positions on legislation and work to secure language in law that will advance the City’s interests.
9. Identify potential future legislative issues or opportunities that may interest the City, and help to position the City to benefit from new laws, programs or funding opportunities.
10. Provide the City with copies of bills (introduced or amended) or proposals pertaining to issues of concern/interest to City, particularly those affecting or relating to City’s Legislative Program.
11. Track said legislation and provide the City with advance notice of hearings or critical actions relating to those bills or issues.
12. Provide “value added” services such as webinars, grantsmanship symposia, training resources, etc.
13. Prepare briefing materials such as memos summarizing legislation.
14. Draft letters of opposition/support on legislation as directed by City and provide to City for review and modification.
15. Coordinate meetings with State Legislators and agency department leaders to provide the City the opportunity to meet face-to-face with key decision-makers on pertinent City issues.
16. Provide monthly reports of activities pursued or accomplished on behalf of the City.
17. Provide regular updates on the political landscape in Sacramento to help provide context, and identify opportunities and potential issues.
18. Prepare and file all applicable Fair Political Practices Commission lobbying documents and reports within all applicable deadlines, per the provisions of the Political Reform Act of 1974 as amended. Provide the City notification of any changes or modifications that may be pertinent.
EXHIBIT B

SCHEDULE OF PAYMENT AND RATES

<RATES TO BE DETERMINED>

CONSULTANT shall submit an itemized statement to CITY for its services performed, which shall include documentation setting forth in detail a description of the services rendered. CITY shall pay CONSULTANT the undisputed amount of such billing within thirty (30) days of receipt of same.
EXHIBIT C
CERTIFICATE OF INSURANCE

This is to certify that the following endorsement is part of the policy(ies) described below:

NAMED INSURED ____________________________

COMPANIES AFFORDING COVERAGE

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It is hereby understood and agreed that the City of Beverly Hills, its City Council and each member thereof and every officer and employee of the City shall be named as joint and several assureds with respect to claims arising out of the following project or agreement:

It is further agreed that the following indemnity agreement between the City of Beverly Hills and the named insured is covered under the policy: Consultant agrees to indemnify, hold harmless and defend City, its City Council and each member thereof and every officer and employee of City from any and all liability or financial loss resulting from any suits, claims, losses or actions brought against and from all costs and expenses of litigation brought against City, its City Council and each member thereof and any officer or employee of City which results directly or indirectly from the wrongful or negligent actions of Consultant’s officers, employees, agents or others employed by Consultant while engaged by Consultant in the (performance of this agreement) construction of this project.

It is further agreed that the inclusion of more than one assured shall not operate to increase the limit of the company’s liability and that insurer waives any right of contribution with insurance which may be available to the City of Beverly Hills.

In the event of cancellation or material change in the above coverage, the company will give 30 days written notice of cancellation or material change to the certificate holder.

Except to certify that the policy(ies) described above have the above endorsement attached, this certificate or verification of insurance is not an insurance policy and does not amend, extend or alter the coverage afforded by the policies listed herein. Notwithstanding any requirement, term, or condition of any contract or other document with respect to which this certificate or verification of insurance may be issued or may pertain, the insurance afforded by the policies described herein is subject to all the terms, exclusions and conditions of such policies.

DATE: _______________ BY: ________________________________

AUTHORIZED INSURANCE REPRESENTATIVE

AGENCY: ____________________________

ADDRESS: ____________________________
Attachment 2
# SUMMARY OF BIDS

**BID NO.:** BID 18-6  
**BID OPENING DATE:** 3/22/2018  
**NAME OF BID:** State Legislative Advocacy Services

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Give a copy to the Issuing Department and retain original in the City Clerk's Office.

[Signature]

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City of Beverly Hills

Request for Proposals #18-6

Notice Inviting Submission of Proposals

For

State Legislative Advocacy Services

Due Date: March 22, 2018
March 22, 2018

Made to the Attention of the City of Beverly Hills:

It is with great pleasure that I present for your review my response to your invitation for Proposals for State Legislative Advocacy Services.

As the sole proprietor of Ramirez Partners I realize how important it is to have “Partners”, that’s why it’s in the name of my business. That’s the business we are in, creating sustainable teams, joint ventures, public-private strategic initiatives and long term improvements that drive innovative public services and access to greater opportunity and prosperity. And that includes working with governments when they are working with other governments. Whether it be another city, county, state or federal agency or legislative body or executive or constitutional officer or even another country. We have been there to bridge the gaps. We have delivered on public safety, economic development, technology, education & healthcare policy as well as urban planning issues and have a strong background in inter-government procurement policy development.

This success is rooted in well developed, long term and trusted relationships based on a positive record of performance and high moral and ethical standards in all areas of professional and personal life matters. We have worked with, for and been in continuous communications with the top decision makers in Washington DC, including the White House, the Senate and Congress and the State Capital in Sacramento and State Houses around the country from West Virginia and back to Reno for over 25 years. And we have a positive working record with Democrats & Republicans nationwide.

And while I am a State of California Certified Small Business I am not working alone. I have the backing and professional expertise and support of a highly respected and accomplished Board of Advisors and Subject Matter Experts who like myself are also recent graduates of the City of LA Office of The Mayor Small Business Academy at USC who are available for additional unique projects.
I look forward to continuing to be part of the evaluation process and patiently await a decision. I am prepared and understand and will fully comply with the City of Beverly Hills Contracting Terms & Conditions and any other matters subject to negotiation at the discretion of The City of Beverly Hills and additional regulatory or compliance requirements including insurance coverages or other business licenses or lobbying registrations and reporting.

I base my operations in Southern California primarily to be able to maintain our strongest relationships with our local elected officials, their staff, the media and coalitions in the region and will be available to attend every Council meeting and will be utilizing additional staff to scale according to project initiatives.

Additionally as a We Work co-working space member I will be able to provide office space in 2 venues less than 2 miles from Beverly Hills City Hall at the Pacific Design Center in WeHo and the former MGM HQs in Century City. We will also have access to the We Work DC offices on K Street and their premier White House location to hold meetings, conferences or events.

Much appreciated and respectfully,

Al Ramirez
Owner – General Manager | Chairman Ramirez Partners
www.ramirezpartners.org
info@ramirezpartners.org or alramirez@alramirez.com
Phone 310-985-0645
City of Beverly Hills Proposal for Federal Legislative Advocacy Services

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About Al Ramirez

Al Ramirez is a trusted business technology executive and public policy advocate with a verifiable record of success developing niche strategies to help public sector and enterprise clients improve their technology, minimize compliance risks and reduce their costs in executing inter-government affairs or public sector contracting opportunities and developing leading edge public-private partnership service solutions.

Mr. Ramirez holds a B.A. in American Studies from the University of Texas at Dallas where he began his involvement in civic activities and has continued to serve as a public policy advocate at the Federal, State and Local levels of government to promote greater economic opportunity, accountability and public safety. He is also a recent professional studies graduate of the Inaugural Class of the City of Los Angeles Small Business Academy, a 10 week joint venture civic engagement partnership with the MBDA program at the University of Southern California exploring Major Initiatives in Sustainability.

21st Century Value to Your Organization
Through his Twitter account Twitter.com/alramirezusa with over 160,000 Twitter high value organically accumulated followers Mr. Ramirez is uniquely able to generate the social media reach needed to develop the high level of public awareness critical to the purpose and success of a wide range of public service civic engagement projects, emergency response notifications and the development of strategic alliances with commercial and community partners.

Verifiable Record of Experience
Mr. Ramirez has over 25 years of business and corporate development expertise specifically in the telecommunications and internet industry with previous government affairs & public sector contracting experience with the State of Montana, Wayne County Detroit Michigan, US. Air Force, Camp Pendleton - USMC, Port of San Diego, the LAPD, City of New Orleans, Miami Dade County, Miami International Airport, Miami Fire & Rescue and the States of Florida and California. Projects are fundamentally based in delivering wireless, fiber optic or software technology based cloud solutions in a wide range of settings including new construction or vacant land sites requiring municipal right of way planning, security & facilities management and the follow on servicing and leasing of data centers or pad sites or other vertical access points for the deployment of Internet of Things Surveillance and Management Applications.

Mr. Ramirez was most recently a Vice President of Government Markets at Broadvoice. A Los Angeles based Cloud Solutions Provider with 150 employees and $50M in Revenue. Previously he was the Director of Government Markets and Strategic Alliances at Airespring a competitive company also in the San Fernando Valley. Mr. Ramirez has also held leadership roles with AT&T, Sprint, Verizon and CenturyLink as well as formerly leading the US Public Networks Division for Samsung during its initial entry into the North American Market during the Internet Boom of the 1990’s. He was also a key executive responsible for the development and presentation of a successful Initial Public Offering (IPO) for Flash.Net a Ft Worth based 1st generation Start-Up Internet Service Provider that was subsequently acquired to become part of what is today AT&T.
Ramirez Partners  
A Public Sector Solutions Firm  

Mr. Ramirez founded Ramirez Partners as a Start-Up Public Sector Sustainability Solutions firm to address the gaps between Governments, Prime Contractors and Sub-Contractors. The single purpose of his firm is to serve the public trust. His services are based on his successful career as an Inter-Government Relations Manager, Private Sector Government & Regulatory Affairs Advocate and former Guest Political Commentator on English & Spanish Cable News including CNN Espanol, Telemundo, Univision and One America News.

His vision is to be a resource center to Governments seeking to build 21st Century Communities, Provide Coordination and Mentoring for Millennials New to Public Service or Private Industries New to Government Affairs, and help Disadvantaged and Veteran Owned Businesses Who Struggle to Overcome the Barriers to Entry.

About Ramirez Partners – Building 21st Century Communities
Ramirez Partners is a Start-Up Public Sector Solutions firm owned and managed by Al Ramirez, a sole proprietor certified State of California and City of Los Angeles SBE.

While attending the City of LA Small Business Academy at USC in the fall of 2017 Mr. Ramirez saw a need from his class cohorts. There was one common challenge facing these Small First Time Entrepreneurs, Women, Minorities and Veterans and City of Los Angeles leadership. The need for a local catalyst to help drive better socio-economic networking and participation in public sector contracting opportunities to drive the innovation and solutions for Communities to thrive in the 21st Century.

The Company Vision and Mission – Serve the Public Trust through Sustainable Initiatives
Ramirez Partners is working to fulfill the role as a Resource Center Partner for the Public Sector as a Responsive and Responsible Prime Contractor with a committed strategy to team with Small Local Entrepreneurs as a Mentor to include their expertise and Ramirez Partners will also work to serve as a Sub-Contractor to Established Major Primes that need an Outside Chief of Staff uniquely able to serve as a Prime-Over-Subs or Project General Manager to help build bigger and more inclusive teams.

Ramirez Partners works as a retainer fee based consultant and independent contractor. Project deliverables and scope of work assignments are customer driven proposals with the opportunity for ongoing fee based project retention or hourly fee schedules. Scope of Work Assignments Include:

- Partnerships, Alliances and Corporate Development Initiatives
- Technology Research, Development & Field Deployment Services
- On-Site General Contractor - Outside Chief of Staff
- Strategic Planning & Project Management
- Community Outreach, Civic Engagement, Inter-Government Relations & Public Affairs
- Contract Compliance, Risk Assessment, Performance Auditing & Regulatory Reporting
- Marketing, Radio or Print News & Social Media Communications
- Master Planning & Site Design and other Real Estate Development Services
- Economic Development, Feasibility Analysis and Due Diligence Audit
Executive Team Strategic Alliance Partners & Scope of Services Proposed

Al Ramirez, Ramirez Partners
Chairman of the Board Ramirez Partners
General Manager

Inter-Government Relations & Regulatory Affairs | Real Estate Services | Public-Private Partnerships | Project Feasibility and Underwriting | Economic Development Analysis | Community Outreach and Engagement | Master Planning and Site Planning | Technology Project Management

Al Ramirez is a trusted business technology executive and public policy advocate with a verifiable record of success developing niche strategies to help public sector and enterprise clients. Mr. Ramirez has proven to be a reliable source of information and has demonstrated a talent for being able to work with all sides of the table in politics in part to the fundamental need in business to get things done in a Win-Win result. Rivals become friends. Friends become partners. Partners focus on the future. The future is based on positive experience and results. Positive results builds trust. Al Ramirez builds trust.

Mr. Ramirez holds a B.A. in American Studies from the University of Texas at Dallas. Mr. Ramirez has over 25 years of business and corporate development expertise. Mr. Ramirez was most recently Vice President of Government Markets for Broadvoice. A Los Angeles based Cloud Solutions Provider with over 150 employees and $50M in Revenue. Previously he was the Director of Government Markets and Strategic Alliances at Airespring a competitive technology services company also in the San Fernando Valley.

Mr. Ramirez will be the Main Point of Contact for all Contract Matters as the Sole Owner of Ramirez Partners. He will be available daily, 24X7 On Call to The University System Board & Each Campus Board Trustees and Executive Staff and other State or Local Officials as requested unless excused or has provided Planned Back-Up in his Absence. Mr. Ramirez will attended weekly meetings and on-site local meetings anywhere in the world as requested. He has complete responsibility for oversight of business operations and compliance of all staff, sub-contractors and consultants working under his authority. His duties specifically include acting as the client lead spokesman and relationship manager for the CSU System and Campuses.

Javier Reyes Jr. – Javier Reyes Communications
Outside Chief of Staff
Inter-Government Relations & Regulatory Affairs Field Project Partner

Javier Reyes has over a decade experience working in both the California and Texas Legislatures. For Capitol Consultants in Austin, TX he assisted a variety of clients ranging from Municipalities to Ag Business. Mr. Reyes is currently a communications and public affairs advisor to Taft College handling many of the same initiatives that the City of Beverly Hills is requiring in this RFP.
Prior to teaming with Ramirez Partners, Javier was also the State of California Field Director for US Senator Ted Cruz for President. He also served as the David Cassidy for US Senate from Louisiana Field Coordinator. Both opportunities continue to have positive relationships and opportunities for cooperation. For the previous 6 years he worked in The California State Assembly as a Senior Field Representative. For Assemblywoman Shannon Grove he coordinated extensively with the Congressional Office of Majority Leader Kevin McCarthy, California State Senator Jean Fuller and Members of Congress throughout the entire State of California.

In his role, Javier was responsible for promoting Assemblywoman Shannon Grove’s business development initiatives and maintaining strong relationships with municipalities throughout the County of Kern. He was also responsible to advocating constituent issues to the Office of the Governor or other State Constitutional Officers and Agencies.

Javier is a graduate of Texas State University with a B.A. in Political Science and was awarded the National Hispanic Institute, John F. Lopez Fellowship. In his spare time, Javier serves as the Vice President of the Kern County Young Republicans and an avid Triathlete.

Mr. Reyes serves as a Chief of Staff of Field Operations and Primary Point of Contact for On-Site Assignments in Sacramento and Washington DC. His services include providing daily direction and oversight to client approved additional field support operations staff specifically recruited to provide strategic alliances to work the Halls of Congress or the State Legislature. Mr. Reyes will be developing legislative tracking action plans as well as weekly reports to present to client authorized staff, media professional or community stakeholders as requested.

Scope of Services, Project Management & Sample Legislative Report

CITY OF BEVERLY HILLS REQUIRED OBJECTIVES AND SCOPE

Upon acceptance of the successful response to the RFP, the selected firm will utilize the “Scope of Work” as part of the contract entered to with the City. The selected firm will be expected to perform all technical and other analyses necessary to complete the scope of work. The scope of services shall include, but is not limited to, the following:

1. Work with the City Council, the City Manager, and key staff to discuss goals, objectives, opportunities and priorities. Ramirez Partners has Read, Understood and Will Fully Comply.
2. Advocate the City’s position to members of the State Assembly, State Senate, the Executive Branch, and other interested parties. Identify opportunities for elected officials and City officials to participate in the legislative process and make recommendations. Those opportunities include, but are not limited to, communication to legislators, providing testimony at legislative hearings, and communication with the Governor and the Governor’s staff. Ramirez Partners has Read, Understood and Will Fully Comply.
3. Support a positive relationship with the Governor's office, State Legislature, State Water Resources Control Board, California Department of Motor Vehicles, the California Department of Parks and Recreation, the Resources Agency, the California Department of Transportation, and/or other agencies. Assist in establishing relations between Councilmembers/City staff and legislative persons, including Chairs and consultants of key committees and other important decision makers. Ramirez Partners has Read, Understood and Will Fully Comply.

4. Provide sufficient support to lobby aggressively on any number of legislative priorities as determined by City. Support would include proactively searching for potential legislative vehicles relating to those topics and affecting the outcome of those proposals. Ramirez Partners has Read, Understood and Will Fully Comply.

5. Research, provide information, and prepare reports/memo as requested by on a variety of topics, including but not limited to:
   a. State laws or proposed legislation
   b. Legislative hearings, reports and testimony
   c. State regulations/policies
   d. State funding opportunities for proposed City projects

6. Technical memoranda or reports impacting City operations Ramirez Partners has Read, Understood and Will Fully Comply.

7. Provide an updated state legislative bill matrix on legislation of interest to City upon request by the City. Request will be made on an as needed basis. Bill matrix shall include current status of legislation, house and/or committee of where legislation is residing, summary of the bill, and City position on legislation. Ramirez Partners has Read, Understood and Will Fully Comply.

8. Lobby for the City's position on legislation and regulatory matters of interest including attendance at key legislative hearings and expressing the City's position at these hearings. Ramirez Partners has Read, Understood and Will Fully Comply.

9. Coordinate and cooperate with other organizations, municipalities, companies and firms having similar legislative objectives as the City. Where appropriate, advocate positions on legislation and work to secure language in law that will advance the City's interests. Ramirez Partners has Read, Understood and Will Fully Comply.

10. Identify potential future legislative issues or opportunities that may interest the City, and help to position the City to benefit from new laws, programs or funding opportunities. Ramirez Partners has Read, Understood and Will Fully Comply.

11. Provide the City with copies of bills (introduced or amended) or proposals pertaining to issues of concern/interest to City, particularly those affecting or relating to City's Legislative Program. Ramirez Partners has Read, Understood and Will Fully Comply.
12. Track said legislation and provide the City with advance notice of hearings or critical actions relating to those bills or issues. Ramirez Partners has Read, Understood and Will Fully Comply.

13. Provide "value added" services such as webinars, grantsmanship symposia, training resources, etc. Ramirez Partners has Read, Understood and Will Fully Comply.

14. Prepare briefing materials such as memos summarizing legislation. Ramirez Partners has Read, Understood and Will Fully Comply.

15. Draft letters of opposition/support on legislation as directed by City and provide to City for review and modification. Ramirez Partners has Read, Understood and Will Fully Comply.

16. Coordinate meetings with State Legislators and agency department leaders to provide the City the opportunity to meet face-to-face with key decision-makers on pertinent City issues. Ramirez Partners has Read, Understood and Will Fully Comply.

17. Provide monthly reports of activities pursued or accomplished on behalf of the City. Ramirez Partners has Read, Understood and Will Fully Comply.

18. Provide regular updates on the political landscape in Sacramento to help provide context, and identify opportunities and potential issues. Ramirez Partners has Read, Understood and Will Fully Comply.

19. Prepare and file all applicable Fair Political Practices Commission lobbying documents and reports within all applicable deadlines, per the provisions of the Political Reform Act of 1974 as amended. Provide the City notification of any changes or modifications that may be pertinent. Ramirez Partners has Read, Understood and Will Fully Comply.

Al Ramirez working with Javier Reyes will provide the City with regular grant announcements and legislative and regulatory updates. Working with the City of Beverly Hills a legislative plan that meets the City’s Priorities will be developed to help search for appropriate government funding.

Presentation materials and Social Media and other Print or TV News as necessary will be prepared to help communicate and promote the City’s message. We will draft testimony, provide research data and witness or other stakeholder surveys and petitions to use before committees.

An important element in successful government communications is communication between the government officials who may be representing two different sides. California and the Federal government could not be more far apart in a number of ways. Now more than ever personal and fair and open communications forums are critical to staying on message and working together wherever or whenever
possible to bridge the gaps between elected officials. For example between Governor Jerry Brown and President Trump.

In that sense Ramirez Partners will work to establish the following opportunities for Positive and Effective Advocacy:

1) Bi-Annual Council Workshop to Set Priorities and Re-Evaluate Progress and Political Dynamics

2) Regularly Scheduled Day at the Capital Visits with Key Elected Officials or agency staff.

3) Representation at Local, State and National Good Government, Inter-Government and Government Associations Conferences & Networking Events to develop alliances with other cities or private or public entities with similar legislative goals and priorities.

4) Volunteer for Local Community Service & Civic Engagement to promote success stories and positive communication between the City and residents, businesses, stakeholders and the public at large.

- Ramirez Partners Sample Legislative Analysis Update -
  Bill Analysis Assignments
  Texas

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**Priority Legislation**

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<thead>
<tr>
<th>Bill</th>
<th>Sponsor</th>
<th>Description</th>
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<tbody>
<tr>
<td>HB 29 (1)</td>
<td>Berman</td>
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<tr>
<td>SB 6</td>
<td>Zaffirini</td>
<td>Relating to the apprehension, prosecution, and punishment of individuals committing or attempting to commit certain sex offenses and to the placement by public schools of students who are sex offenders.</td>
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<td>SB 7 (1)</td>
<td>Hinojosa</td>
<td>Relating to instruction in cardiopulmonary resuscitation, the availability and use of automated external defibrillators at certain school campuses and athletic events, and the creation of a cardiovascular screening pilot program.</td>
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**New Bill Assignments**

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offenses and to the placement by public schools of students who are sex offenders.

**SB 7 (1) Hinojosa**
Relating to instruction in cardiopulmonary resuscitation, the availability and use of automated external defibrillators at certain school campuses and athletic events, and the creation of a cardiovascular screening pilot program.

### Pending Bill Assignments

**HB 29 (1) Berman**
Relating to the imposition of a fee for money transmissions sent to certain destinations outside the United States.

**SB 6 Zaffirini**
Relating to the apprehension, prosecution, and punishment of individuals committing or attempting to commit certain sex offenses and to the placement by public schools of students who are sex offenders.

**SB 7 (1) Hinojosa**
Relating to instruction in cardiopulmonary resuscitation, the availability and use of automated external defibrillators at certain school campuses and athletic events, and the creation of a cardiovascular screening pilot program.

### Late Bill Assignments

**HB 29 (1) Berman**
Relating to the imposition of a fee for money transmissions sent to certain destinations outside the United States.

**SB 6 Zaffirini**
Relating to the apprehension, prosecution, and punishment of individuals committing or attempting to commit certain sex offenses and to the placement by public schools of students who are sex offenders.

**SB 7 (1) Hinojosa**
Relating to instruction in cardiopulmonary resuscitation, the availability and use of automated external defibrillators at certain school campuses and athletic events, and the creation of a cardiovascular screening pilot program.

### New Language Updates

**SB 23 Nelson**
Relating to promoting and purchase and availability of health coverage.

**New Version: House Floor Amendment(s)**

**HB 3678 Howard, Charlie**
Relating to voluntary student-initiated expression of religious viewpoints in public schools.

**New Version: Senate Committee Substitute**

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<th>Atlas Reference</th>
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<tr>
<td>HB 154 Pickett</td>
<td>Abolishing the Transportation Commission</td>
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<td>HB 235 Talton</td>
<td>Ad valorem tax on low income housing</td>
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<td>HB 477 Vo</td>
<td>School district trustees' terms</td>
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<td>HB 601 Thompson</td>
<td>State agency effect on minorities</td>
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Ramirez Partners
A Public Sector Solutions Firm

Statement of Qualifications

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<td>SB 41</td>
<td>Nelson</td>
<td>Health care and disasters</td>
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<td>SB 218</td>
<td>Carona</td>
<td>After-school license requirements</td>
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<td>SB 235</td>
<td>Harris</td>
<td>County bail bond board</td>
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<tr>
<td>SB 483</td>
<td>Fraser</td>
<td>Regulation of electric generation capacity</td>
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- End of Report -

Ramirez Partners Advisory Board Mentors

Raquel Ibarra, Ibarra Consulting Engineers
Mentor, Advisory Board
Master Planning, Site Planning and Project Management

Raquel Ibarra is the president and stockholder of IBARRA Consulting Engineers, Inc. (IBARRA). Ms. Ibarra has over 30 years of demonstrated expertise in Corporate Leadership, Marketing, and Acquisition Planning Management. Raquel has managed to make IBARRA is one of the leading Procurement, Tunnel, Rail, Mass Transit, Heavy Civil Construction, Highway, ROW, Aviation, Civil, Municipal, Management, Engineering, companies, specializing in Design-Build, CDA (Comprehensive developer Agreements), PPP, Construction Management at Risk (CMAR), and Program Management projects.

With Ms. Ibarra’s more than 29 years in experience, she has had a wide range of infrastructure, transportation and public works with projects both in public and private sectors ranging from $500 million to several Billion. Under Ms. Ibarra’s leadership and strive to satisfying existing and potential clients, she has played a leading role in turning around failing business projects and introduced new concepts for its overwhelming success, including the negotiation and implementation in all design built projects.

Ms. Ibarra areas of responsibility include business development in the following sectors; procurement, rail, positive train controls, mass transit, highways, ROW acquisition, complex bridge, aviation, tunnel, water and wastewater treatment plant, public works projects, roadway, streets, civil engineering. In addition to being a design built professional she is also on the National Board of DBIA (Design Build Institute of America), Southwest Region DBIA Board of Directors, Transit Coalition of North Texas Board of Directors, and DBIA national certification instructor.

Ms. Ibarra will provide oversight to Mr. Ramirez as he grows the company to hire 100% locally based qualified professionals to staff and deliver daily task orders.
Dennis Martinez, DMAssociates
Mentor, Advisory Board
Economic Development & Analysis

In the course of his twenty-five year career, Dennis Martinez has gained considerable experience implementing complex public-private initiatives. As principal of DMAssociates, Mr. Martinez has consulted for a wide variety of public and private entities, including the San Antonio Housing Authority, the Alamo Community College District, Boeing, and the Downtown Dallas Improvement District.

Prior to founding DMAssociates, Mr. Martinez served as Special Projects Officer for the City of San Antonio, Director of the Office of Minority Business Opportunity for the City of Dallas, and Director of the Dallas Economic Development Department. An active leader in the business and non-profit communities of San Antonio, Mr. Martinez also possesses expertise in disadvantaged business development and first-hand knowledge of the challenges surrounding the federal Base Realignment and Closure (BRAC) process, the latter gained during his successful tenure as Director of Commercial Development for EG&G Management Services, which had been charged with oversight of the redevelopment plans for the former Kelly Air Force Base in San Antonio.

Mr. Martinez additionally serves as an Adjunct Professor in Texas Political History, Public Policy and Urban Economics for the University of Texas at San Antonio. He is also a longtime advocate for public libraries and was elected in 2006 to the board of the Urban Libraries Council.

Mr. Martinez will provide oversight to Mr. Ramirez as he grows the company to hire 100% locally based qualified professionals to staff and deliver daily task orders.

Brent Kenefick, Vice President at Walker & Dunlop
Mentor, Advisory Board
Project Feasibility and Underwriting

Mr. Kenefick is a Vice President at Walker & Dunlop a real estate capital advisory. He is formerly a Loan Consultant for several banks including Wells Fargo, US Bank, as well as several community banks and commercial mortgage companies. His background includes analysis and financing of investment properties, Apartments, Retail, Industrial, Office via Life Companies, Banks, CMBS, and "the Agencies" Fannie Mae, Freddie Mac, and FHA/HUD as well as Structured Finance - Debt & J. V. Equity.

His experience also includes assisting clients with distressed loan scenarios by arranging successful loan work-outs and/or refinancing resulting from my underwriting, consulting, and communication to client's lenders/Asset Managers. National Real Estate Investor Magazine recently published Johnson Capital as #16 out of the 25 top Financial Intermediaries (brokers) in the U.S. per loan volume in 2013- closing approx. $1.80 Billion. Specialties: Commercial Real Estate Lending Nationwide, Investor and Owner-User property Underwriting and Analysis, Cash flow modeling via Excel and Argus.
Mr. Kenefick will provide oversight to Mr. Ramirez as he grows the company to hire 100% locally based qualified professionals to staff and deliver daily task orders.

**Jill Kotvis, Attorney at Law**  
Mentor, Advisory Board  
Environmental & Regulatory Affairs

Ms. Kotvis, who has an AV rating from her peers in the legal profession and Martindale Hubbell, established her own environmental law firm in 1998, after five years as Chair of the Environmental Practice Group at the Dallas-based law firm Hughes & Luce, L.L.P. and as an associate at Winstead. She was also a Senior Attorney, Director, and Environmental and International counsel for the Fortune 500 Company, LTV Aerospace and Defense Company/LTV Corporation in Dallas, Texas where she received the LTV Senior Vice Presidents' Award for efforts "clearly beyond the recognized scope of her position."

Jill was identified by her peers as a Best Lawyer in Dallas in 2015, and in 2014 she was appointed to the World Commission on Environmental Law. Jill finds creative and productive solutions to complex environmental issues. She has successfully shepherded matters involving environmental due diligence, asbestos, radon, mold, vapor intrusion, dry cleaners, gas stations, landfills, industrial sites, oil and gas, storm water, and wetlands through hundreds of transactions, and Voluntary Cleanup, Innocent Owner/Operator, Corrective Action, Petroleum Storage Tank and Dry Cleaner Remediation Program closures in Texas. Referred by her clients, respected by her peers, and a favorite of real estate investors, developers, owners, lenders, and asset and property managers needing experienced environmental counsel. Jill’s clients include RREEF/Deutsche Bank, Lone Star Investment Advisors, LLC, Comerica Bank, Cencor Realty Services, Digital Realty Trust, Inc., the various Quik-Way entities and American Energy Distribution, LP. She is also U.S. environmental counsel for Aldi, Inc. and environmental counsel for DART.

Ms. Kotvis serves as personal counsel to Mr. Ramirez as he grows the company to hire 100% locally based qualified professionals to staff and deliver daily task orders.

**Anthony Ramirez, Anthony Ramirez & Co. – DMI Direct**  
Mentor, Advisory Board  
Public Affairs & Public Policy | Publications & Communications

Anthony Ramirez has over 30 years of experience as a brand marketing professional. With a background in art & design, Anthony has leveraged his creative energies into results focused action benefiting clients while overseeing production activities for large national issue advocacy efforts.

Mr. Anthony Ramirez experience spans a broad cross-section of business sectors including; financial services, automotive, wholesale durable goods, and various retail concerns. He has successfully overseen efforts for several startups that have grown into some of the country’s largest correspondent lenders. His approach to advancing the interests of his clients centers on ‘message to market’ strategic planning, and brand development. DMI has been a long time communications partner to a number of California
members of the California Assembly & Congress and continues to be a strong facilitator of key relationships in Sacramento and DC including the White House.

While not knowingly related Anthony is a long time family mentor to AI and is committed to his personal and professional growth as he builds Ramirez Partners.

Ramirez Partners Public Sector Solutions Project Approach & Teaming Methodology

1. Immediate Focus on Project Stated Need and Utilizing Local Small Businesses for Task Order Assignments By Teaming with City of LA Small Business Academy at USC Class Cohorts & Other California DGS or Related Agency Certified Small or Disadvantaged or Veteran or Disabled Business.
2. Strategically Position Projects to Align Value Propositions with Millennials Future Proof Needs
3. Develop a Smart Cities Design from Initiation to Implementation with built in Internet Scalability
5. Maximize all sources of revenue from existing channels and drive new products and features in property management design for the delivery of Internet of Things – Smart Cities value added benefit subscription and leased services.
6. Leverage Partnerships in Public Private Alliances and Competition to Increase Marketability of Ideas, Services and Events.
7. Deliver Safe, Secure and Sociable Atmospheres that Promote Prosperity.
9. Plan for Artificial Intelligence and Autonomous Society Applications and Operations
10. Hire and Scale to Grow Locally as an Emerging California Based Company and Start-Up Community Leader.

Public Sector Contracting, Public Affairs and Regulatory & Public Policy
Previous Record of Performance by Service Area

1. Legislation and Intergovernmental Policy
   Proposed Federal and State Legislation, City Charter Amendments, Ordinances, Development of Policies Reactive or Proactive for Any Subject Matter

   NASPO (National Association of State Procurement Officers) Al Ramirez, Ramirez Partners 20017 Acquisition, Promotion and Web Marketing of Nationwide COOP Contract for Cloud Services for use by 35 States to Reduce Time of Delivery of Cloud Services
State of California – Al Ramirez, Ramirez Partners -20017
Policy Implementation and Promotion and Web Marketing of NASPO Participating Addendum
Contracted for Use by Local Governments and State Agencies to Reduce Need for Complex RFPs

State of Florida – Al Ramirez, Ramirez Partners -20017
Policy Implementation, Promotion and Web Marketing of NASPO Participating Addendum
Contracted for Use by Local Governments and State Agencies to Reduce Need for Complex RFPs

2. **Taxes, Revenue & Forecasting**
Utility Rates, Property Taxes, Fees, Policies, Cost Estimating, Business Analysis, Finance, Market Supply & Demand, Public Private Partnerships, Socio-Economic Impacts and Real Estate Development

Preston Valley Investment Company – Al Ramirez, Ramirez Partners Dallas -1993-1994
Management of Portfolio of 16 Retail Centers and Build to Suite Sites
Managed New Leases and Current Tenant Support
Resolved Common Area Maintenance Issues & Owner Property Management Responsibilities
Executed Commercial Banking and Mortgage Servicing Operations
Supervised New Construction Developments of Fast Food Sites and Other Build to Suite Sites
Supervised New Data Center and Wireless Vertical Access Point Leasing & Facilities Security

Verizon – Al Ramirez, Ramirez Partners Los Angeles 2006-2007
Data Center Leasing & Wireless Site Assessment and Wireless Access Points Mapping
Point to Point Wireless Network Site Assessment and Economic Feasibility Study.
Cost Analysis of Utility Rates and Power Consumption Rates and Clean Power Conversions

CenturyLink – Al Ramirez, Ramirez Partners Dallas 1997-1998
Data Center Leasing & New Right of Way Fiber Construction Management
Filings for Directional Bore Permitting and Site Drilling Supervision
Cost Analysis of Utility Rates and Power Consumption Rates and Clean Power Conversions

Nationwide Data Center Deployments & Leased Facilities Management
Cost Analysis of Utility Rates and Power Consumption Rates and Clean Power Conversions
Regulatory Fillings for New Fiber Conduit Installations
Key Executive Overseeing Preparation of Successful Initial Public Offering (IPO) and Corporate Development M&A Leading to AT&T Strategic Investment and Eventual Acquisition.

3. **Housing**
Affordable Housing, Rental Housing, Housing Policies and Planning

Sinkys Properties – Al Ramirez, Ramirez Partners Santa Monica 2008-2014 Various Engagements
15 Rental Properties /400 Units Portfolio Community Affairs
English/Spanish Translation—Community Communications
Network Systems Management
Municipal Government Public Safety Affairs & Regulatory Filings

ACC | Citigroup – Al Ramirez, Ramirez Partners Santa Monica 2001-2002
Assistant Branch Manager – Oversaw Retail Residential Refinancing & Loan Servicing Operations

4. Transportation
Airports, Ports, Harbors, Rail, Streets, Highways, Traffic, Transit-Oriented Districts and Transit-Oriented Development and Infrastructure

Miami Dade County – Al Ramirez, Ramirez Partners 2015-2016
Acquisition of Miami-Dade County UAP Inter-government Co-OP Contract Implementation
Project Management of Emergency and Overflow Phone Services
Secured and Backed Up Conferencing Applications
Strategic service migration of 30,000 remote phone line conversion and upgrade to VOIP

Miami Dade International Airport – Al Ramirez, Ramirez Partners 2015-2016
Inter-government Contracting Implementation
International and Customs Security Verification Systems Integration
Airport Retail Point of Sales Lines Conversion
Hosted Records and Rebilling Consolidation

Port of San Diego – Al Ramirez, Ramirez Partners 2014-2016
Contract Compliance and Records Preservation
Migration and Consolidation of Legacy Systems for Data Network Access Aggregation

5. Real Estate, Energy, Environment & Urban Sustainability Planning
Project Land Use Policy and Planning, Development, Redevelopment and Land Value.

Flash.Net | AT&T – Al Ramirez, Ramirez Partners Ft Worth 1999
New Trenching, Road Repair and Directional Bore Supervision and Right of Way and Pole Attachment Planning & Permitting
Data Center Back Up-Generators and Clean Power Conversions

CenturyLink – Al Ramirez, Ramirez Partners Dallas & Los Angeles various dates 1994-2014
1st Class High Rise Axillary Services, conduit and easement and environmental site planning
Data Center Back Up-Generators and Clean Power Conversions

Samsung – Al Ramirez, Ramirez Partners Global 1999-2001
Ramirez Partners  
A Public Sector Solutions Firm

Statement of Qualifications

Regulatory Filings for Vertical Right of Way, Pole Attachments and Wireless Access Point Leasing  
Site Mapping and Inventory Management of Facilities Access Credentials  
Data Center Back Up-Generators and Clean Power Conversions

Preston Valley Investment Company – Al Ramirez, Ramirez Partners Dallas 1993-1994  
Oversaw Lease, Transfer and Development of Wendy’s & ATT Towers and AT&T Data Rooms  
Data Center Back Up-Generators and Clean Power Conversions

6. Training, Recreation and Entertainment  
Community Networking, Start-Up Incubator & Business Development Events  
TechBiz Connection – Al Ramirez, Ramirez Partners Orange County 20014  
Member of Board of Directors Producing of Monthly Topic Forums in OC with Senior Executives, Investors and Entrepreneurs

The Bungalow Santa Monica & OC – Al Ramirez, Ramirez Partners  
Online Social Media Influencer & Healthy Lifestyle Promotional Announcements  
DJ Equipment & Entertainment Support Operations  
Advance Private Security and Crowd Control Event Planning  
Community Safety, DUI & Designated Driver Alcohol Awareness Outreach

7. Public Safety  
Develop policies that ensure the protections of citizens, organizations and institutions against threats to their well-being, policies that ensure prosperity of communities and optimization of public safety organizations including law enforcement and fire service

Miami Dade Fire – Al Ramirez, Ramirez Partners 2015-2016  
Inter-government Contracting Implementation  
Project Management of Emergency Fail Over and Toll Free Emergency Services Migration  
Staff Compliance Oversight at Multiple Secured Facilities  
Legacy Radio to Premise Phone Equipment to Back Up and Fail-Over Systems Integration

LAPD – Al Ramirez, Ramirez Partners 2015-2016  
BIP Partner Development between Airespring and Telmate to Replace Jail Phones  
Secure Environment Communications and Surveillance Systems On-Site Installation  
Remote Access Support of Chain of Custody & Transfer of Evidence for Cloud Storage

State of Montana Dept. of Corrections – Al Ramirez, Ramirez Partners 2005  
Secure Environment Communications and Surveillance Systems On-Site Installation  
Public-Private Funding Development Program  
City & Parish of New Orleans – Al Ramírez, Ramirez Partners 2014-2016
Customer Contract Compliance and Records Preservation Management
Disaster Relief Billing and Post Hurricane Katrina Collections Accounting Consolidation
Migration and Consolidation of Legacy Systems for VOIP Conversion

Mr. Checkpoint – Al Ramírez, Ramirez Partners -2012 to Present
Advisor to Millennial Targeted Public Service Announcement Service to Deter Drunk Driving
Recognized and affiliated with numerous local law enforcement agencies
Use SMS Text, Twitter and Propriety Custom Built IPhone and Android App to Broadcast Alerts

Al Ramírez - Ramirez Partners References*

1. LADWP
   Gwendolyn Williams
   LA Small Business Academy at USC Program Moderator
2. LA City Planning
   John Reamer
   LA Small Business Academy at USC Program Moderator
3. Airepring
   Rod Fummelsburg
   Legal Counsel Airespring Contractor for Miami-Dade County, Miami Fire, MIA, Port of SD and NOLA
4. Broadvoice
   Dan Silver
   Chief of Staff Broadvoice Contractor for NASPO, State of California, State of Florida
5. Preston Valley Investment Company
   John Sevikas
   Owner, PVIC
6. Samsung
   Pradeep Samudra
   Former VP, Samsung Networks US R&D
7. Telmate
   Ian Dunnington
   Director of Sales, Telmate – LAPD

*Emails and Phone Numbers to Be Provided Confidentially Upon Request for Interview Appointment
Advisory Project Leaders – LA Small Business Academy at USC Cohort Partners & State of California Small Businesses (Certified, Certification Pending or Eligible for Certification)

Drake Goosby, Owner - Accelerated Appraisals
Lead Advisor - Ramirez Partners – LA Small Business Academy at USC Cohort
Real Estate Services – Appraisal Services Project Manager

Laurent DeSol, Laruent DelSol & Co. - ASCORPI
Lead – Ramirez Partners - LA Small Business Academy at USC Cohort
SAP, Salesforce & IT Public Sector Solutions – BIP Initiatives & Technology Integration Project Manager

Millennial Project Associates

Josie Gödel
Entertainment & Community Management Services
Josie is an experienced millennial community operations manager supporting over 2,000 guests daily.

Megan Zuno
New Media Communications & Public Relations Bookings
Megan is a graduate of the University of West Virginia with a BA in Journalism.

Amelia Cameron
International Guest Diplomacy & Financial Affairs
Amelia moved to SoCal from Australia and focuses on Hospitality, Travel and Premium Guest Services.

Jaime Guerrero
Public Space, Mural & Community Use Design Artist
Jaime is a native of Santa Barbara and accomplished urban artist working on Public Art Spaces in LA.

Sennett Devermont
Mr. Checkpoint Public Safety Announcements - Millennial Marketing
Sennett is a lifelong LA Millennial Entrepreneur who has developed a niche for Social Media Awareness.

Max DeVille
Music & Stage Event Productions
Max is a lifelong lover of music who grew up on a rock tour as a baby and is an active environmental advocate.
Advisory Services Budgetary Rate Card
All Prices Subject to Change to Reflect Complexity or Competitive Bid SOW

A. Basic Monthly Development Retainer Fee per Project $5250 Per Month plus $1,000 per month for Approved Discretion Travel or Other Council Directed Expenses.

B. Additional Hourly Based Services Scalable Based on Staffing, Expertise Level and Resources. Range Starting from $125 per Hour for Associate Level General Assignment to $375 for Full Time Dedicated Project Lead up to $695 for Exclusive Partner Engagement. Expert Professional Witness Testimony or Report or Research Opinion (Ph.D., MD, JD) up to Quoted Professional Rate not to exceed $2000.

C. Economic Feasibility Studies or Appraisals Are Billed Based On Property Type and Size and Complexity of the Property Variables and Follow Industry Guidelines and Market Average Pricing Starting from $500 or less in some cases for Basic Right of Way, Single Unit or Residential Comparable Appraisals. Prices range from $1,000 to $5,000 or More for Commercial, Industrial or Raw Land Appraisals and even higher for Income or Redevelopment and Projected Value Appraisals for Public-Private Partnership Projects.

D. Other Real Estate and Financial Services Subject to Regulatory Syndication Laws, Rules & Policies

E. Printing, Production, Commodity Acquisition, Materials Handling and Documentation Billed to Specification

(50% Cash Deposit – Non-Refundable for all | 100% Cash Deposit – Non-Refundable for Perishable)

###
Attachment 4
PROPOSAL
TO PROVIDE
LEGISLATIVE ADVOCACY SERVICES
TO THE
CITY OF BEVERLY HILLS

SUBMITTED BY:
SHAW / YODER / ANTWHI, INC.

MARCH 21, 2018
March 21, 2018

City Clerk’s Office
City of Beverly Hills
City Hall, 2nd Floor, Room 290
455 N. Rexford Drive
Beverly Hills, CA 90210
Attn: Cindy Owens, Senior Management Analyst

Dear Ms. Owens:

On behalf of all our employees here at Shaw / Yoder / Antwih, Inc., we are pleased to submit a proposal for State Legislative Advocacy Services to represent the City of Beverly Hills in response to your Request for Proposals (RFP). We are proud to have represented the City of Beverly Hills since 2009 and are eager to propose that we continue in that role going forward. Shaw / Yoder / Antwih, Inc. is a corporation co-owned by Joshua W. Shaw, Paul J. Yoder and Andrew Antwih. We have recently elevated two long-time advocates in the firm to partner status: Karen Lange and Jason Schmelzer. The purpose of this letter is to express our interest in providing the services called for in the Scope of Services section of your RFP, and as detailed in our proposal.

As the attached proposal indicates, our firm proposes to continue serving the City of Beverly Hills. We are proud of our track record on behalf of the City and given the opportunity; would continue to build on our 7 plus years of expertise and experience delivering the advocacy services required, as well as unique knowledge of the City’s specific policy priorities and our excellent working relationship with Senator Allen and Assemblyman Bloom. Our lobbyists work as a unified team, and our proposal makes available to you the skills, abilities and relationships of our registered lobbyists, and our entire cadre of support staff.

In response to the request on page 8, section IX of the RFP, the individual with the authority to bind the firm and the contact during this period of proposal evaluation is:

Andrew K. Antwih
Partner
Shaw / Yoder / Antwih, Inc.
1415 L Street, Suite 1000
Sacramento, CA 95814
916-446-4656
andrew@shawyoderantwih.com

We look forward to discussing our qualifications with you and any interview or selection panel that will be evaluating proposals and potential service providers. Thank you for this opportunity.

Sincerely,

Andrew K. Antwih
Partner
2. **TABLE OF CONTENTS**

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Appendices A, B, and C
3. INTRODUCTION

Shaw / Yoder / Antwih, Inc. (SYA) is a Sacramento-based firm providing legislative advocacy, association management and consulting services on a broad range of government programs. The firm is well-known in Sacramento for serving local governments and transportation agencies. We propose that the current team of advocates at SYA continue to provide service for the City of Beverly Hills. This dedicated team (detailed later in this proposal) and our wider pool of advocates and staff has broad local government and transportation advocacy experience, as well as experience working directly for the Legislature and local governments in key policy or funding positions. We enjoy remarkable relationships with many legislators, staff and state administrators, including your current legislative delegation. We know and work regularly with the current representatives -- Senator Ben Allen, through our many years representing the City of Santa Monica, as well as with Assembly Member Richard Bloom.

Overview of Shaw / Yoder / Antwih, Inc.

We specialize in lobbying local government, transportation, and infrastructure issues. Our firm’s record is one of achievement and significant successes in the enactment, defeat, or amendment of legislation for our clients. We’ve helped our public agency clients secure millions of dollars in funding for vital projects and services, through state budget appropriations, accessing bond funds, and securing state agency grant opportunities.

We enjoy regular access to and success in working with the leadership of both parties and both Houses of the California Legislature and the Governor’s Administration. The Partners of Shaw / Yoder / Antwih, Inc. are pleased to emphasize the client focus of the firm. Due to the firm’s client base, we are able to offer an increased scope of services to our core clients and utilize the firm’s resources to tailor legislative representation programs to our clients’ specific needs. We pride ourselves on devoting the proper time and resources to each client’s activities.

Our credentials include a long history of successes specifically representing cities, as well as the other forms of governmental and non-governmental entities described in the Beverly Hills RFP, including similar regional agencies, municipalities, agencies and other government and non-governmental agencies. For instance, we currently lobby for the City and County of San Francisco, City of Santa Monica, the City of Los Angeles, the Los Angeles County Metropolitan Transportation Authority, Los Angeles World Airports, the California Transit Association, and many other public and private sector clients.

Our work for this specific group of clients makes us particularly well-suited to continue representing the City of Beverly Hills. We know the westside of Los Angeles County, we know local government policy and specifically city and municipal issues, and we have worked with the Los Angeles County and city legislative delegation for several years. Please see the Qualifications and References section of our response for a description of several of our most recent successes of particular interest to the City of Beverly Hills.

Structure, Operations and Background

Shaw / Yoder / Antwih, Inc. is a corporation, co-owned by Partners Joshua W. Shaw and Paul J. Yoder. (The firm was previously incorporated as Edward R. Gerber & Associates Inc., then Gerber, Shaw & Yoder Inc.). The two current Partners have owned the firm since 1998. Andrew K. Antwih was named a Partner in
2009. In 2016, SYA announced two additional partners, Karen Lange and Jason Schmelzer. Both have been long-time advocates at SYA.

The firm under its original ownership – which Mr. Shaw joined in 1990 and Mr. Yoder joined in 1993 – was founded in 1975. Since its inception, the firm has specialized in public sector clients.

The Shaw / Yoder / Antwih, Inc. firm has been providing legislative advocacy services to cities for as long as Mr. Shaw has been with the firm, including to the City of Santa Monica. Mr. Shaw became the City’s primary lobbyist in 1993. We also represent the City of Los Angeles, and have been doing so since Mr. Antwih joined the firm in early 2008. In addition, the firm has serviced short-term contracts for the Cities of Benicia, Manhattan Beach, and Wasco, as well as the Independent Cities Association of Los Angeles County.

Shaw / Yoder / Antwih, Inc. currently employs nine registered lobbyists, three legislative aides, and ten other professional, clerical and technical staff, many of them dedicated solely to our local government and transportation clients.

4. SAMPLE REPORTS

The Scope of Services section of the RFP calls for a provision of monthly reports of activities pursued or accomplished on behalf of the City.

We are pleased to show you a variety of sample reports that we have provided to the City of Beverly Hills in the past, and offer to continue producing for the City of Beverly Hills, including above and beyond a monthly summary of activities. Please see Appendices A, B and C for the Sample Reports, which we summarize below:

A. Weekly Reports (matrix style) – These reports display the list of bills we are currently tracking for the City, and could reflect the bill number, link to official language, author, summary, current status, scheduled hearings, recent amendments, and current position (if one has been taken by the City).

B. Monthly Memos – These monthly memos could summarize our activities pursued or results accomplished on behalf of the City in the previous period. Our sample comes from a billing memo we submit monthly to one of our city clients.

C. End of Session Report – This memo style report could summarize the year’s accomplishments and key effort areas, and could include a summary of the most pertinent legislation we lobbied for the City, budget actions, and regulatory actions. The Sample comes from an annual year-end report we submit to one of our city clients.

5. PROJECT MANAGEMENT

Any comprehensive lobbying program – even one that will be implemented by an incumbent team of lobbyists, by a city working hard to maintain a high level of services for its citizens, must be periodically updated and improved based on feedback and observations from both the client and the consultant.
Our basic approach to effective advocacy will continue to be information-based: It will continue to be informed by our clients' advocacy goals, and it will depend on our ability to deliver the right information, in real-time, to the legislators and officials making decisions affecting our clients. The principals at Shaw / Yoder / Antwih, Inc. have demonstrated time and again just that ability: To get the right information to the right decision-makers in Sacramento, as well as the ability to obtain for our clients the meetings with the people they want to meet with, when they want to meet with them.

Shaw / Yoder / Antwih, Inc. proposes to provide the depth and the breadth of access to key decision makers in state government with whom the City of Beverly Hills needs to maintain positive relationships, including Senator Ben Allen and Assembly Member Richard Bloom, as well as the legislators regularly making local government policy, and the Administration officials overseeing regulatory and funding programs vital to City services.

We are proud of the success that we experienced representing the City of Beverly Hills and we propose to continue offering a proactive program of representation for you, wherein we identify bills and other legislative or regulatory developments of potential interest to the City early in the process, report those to you, and work with City staff to evaluate the impacts on the City and take active positions as appropriate to protect the City's interests.

Our approach is also collaborative: We will seek to affiliate the City of Beverly Hills with like-minded organizations working on broader goals supportive of the City's individual efforts. For instance, we work regularly with the League of California Cities staff, and attend the League's City Caucus meetings on Thursday mornings, an opportunity for lobbyists representing various cities to gather and share information on issues of mutual interest. Many times, we have obtained from League lobbyists or other city lobbyists the specific background information on legislative developments requested by clients, analyzed and characterized that data from our client's perspective, and then packaged and reported that information to meet the needs of our clients. Additionally, we know that you are a member of the Westside Cities Council of Government (WSCCOG) – we've long participated with that group and coordinated with the WSCCOG cities' lobbyists in Sacramento.

**Day-to-Day Sacramento Representation Services**

We further propose to continue offering our day-to-day level of service in representing the City of Beverly Hills. This includes ongoing delivery of all the tasks that we are currently engaged in for the City of Beverly Hills and specifically those set forth in the *Scope of Services* section of the City's RFP, which we would incorporate into our contract with the City should we be lucky enough to retain your business. Additionally, we propose to carry out various tasks not specifically listed in the RFP, but which we believe would contribute to an overall effective lobbying program for the City.

Specifically, our proposed program of Sacramento legislative advocacy services for Beverly Hills includes the following, which reflects our approach to incorporating and delivery of the tasks outlined in the City's request for proposals:

1. We would, upon being retained by the City, reach out to members of the City's staff, including the office of the City Manager and Department heads, as directed by the City, to review and refresh our legislative program for the remainder of the 2018 Legislative Year. As this is the end of two-year legislative session, we will also begin planning in the fall for the new Legislative Session that
will begin in December 2018. As a result of term limits, there will be a fair amount of turnover next year. This will require a new assessment of the political situation in Sacramento going forward. At all times, we will work with you to develop short- and long-term strategies to support the City’s funding, administrative and policy goals.

2. We will work with your staff to translate your legislative program into specific objectives, such as introduction of, or amendments to bills to further the City’s goals, and the adoption of official City positions on existing legislation. We will advise on the cost impact of your proposals, and the political feasibility of such proposals. We will obtain authors for your legislative proposals when and if those emerge going forward.

We are uniquely prepared to continue providing support to aggressively pursue major City priority issue areas at any given time, along with other lesser priorities as determined by the City. We will proactively search for potential legislative vehicles relating to those topics and will work aggressively and strategically to affect the outcome of those measures.

3. As bills of interest to the City move through the legislative process, we would continue to aggressively communicate the City’s official position on legislation to the appropriate legislators, committees and staff, including preparing and distributing letters, alerts and communiqués, preparing and delivering testimony before committees, and through personal contact with and lobbying of appropriate legislators and staff. Our emphasis, especially in terms of direct lobbying of legislators, will be on legislation identified by the City as high priority. This process will include preparing City staff and/or members of the City Council for carrying out similar activities, such as testifying before committees and meeting with legislators or administrative officials.

Throughout our tenure with the City, we have endeavored to establish and enhance relationships between your Council members and key legislators. [When City staff or Council members visit Sacramento, we will make our office facilities available (including four conference rooms, a kitchen, WiFi computer and internet services, flat-screen TVs, and phone, fax and copying), and we will work with City staff to develop the itineraries and make lodging arrangements for City officials.] As bills move to the Governor’s desk, we will communicate with the appropriate staff in the Governor’s Office and in his key policy departments and agencies regarding the City’s position on the bills. We will carry out a similar program on all regulatory matters of interest to the City, including lobbying Executive Branch agencies and departments.

4. On a daily basis, we would continue to review every individual piece of legislation, as it is introduced or amended. We assign all of our registered lobbyists and research assistants the task of reviewing every introduced bill every day, and every amendment to every existing bill every day, so that nothing falls through the gaps. For the City of Beverly Hills, we would also continue to use the legislative tracking tools of the League of California Cities and the specific identification of key bills conducted through the weekly City Caucus process to further bolster our efforts to report all important developments.

To give City staff an “early warning” on bills of potential interest, and to facilitate your adoption of official City positions on the most important bills, we will continue to work with you to flag and refer legislation potentially affecting the City to the appropriate City staff for further analysis and response. We specifically propose to continue our practice of sending regular emails about key
bills, key amendments or articles of interest with our overview comments, and solicit your feedback. This feedback informs the positions, prioritization of the matter, identification of whether the City has prior policy on similar bills or whether the bill is recommended to go to the Legislative Lobby Liaison Committee and ultimately the full City Council.

We proposed to continue producing research and background memos as requested and obtain all available specialized reports and other printed information relating to key bills, and refer that material to staff to assist in the development of City positions. We would also continue to provide advice and analysis as necessary on the key bills identified by staff. As the City adopts positions on these introduced and amended bills, we would carry out the activities identified above, in steps 2., 3. and 4., to lobby those positions. Finally, we would track these bills in a computer database and will generate regular reports to the City, upon request, regarding the status of each of your tracked bills.

5. We would monitor and attend as necessary legislative committee and administrative agency hearings to assess the impact on the City of actions taken by these groups regarding proposed legislation or regulations. Our emphasis will be on legislation or funding developments consistent with the City’s historic policy priorities, with an emphasis on the latest issues of most importance.

We will also take the lead in identifying and providing funding, grantsmanship or other program opportunities to enhance the City’s ability to obtain state funding.

6. We will assist the City in developing long-term political strategies and in assessing complex political considerations – in other words, the political environment in which we will navigate your initiatives – and we will provide recommendations to respond to legislative issues as they arise, whether in the form of specific bills or as broad policy, funding or regulatory issues. Our emphasis will be on maximizing state benefits accruing to the City and opposing threats to the City’s authority and funding base.

7. We would assist you in working with other public agencies and organizations to develop support for City policies, such as participation in coalition efforts to protect local government funding. The members of our team regularly interact with the staff, lobbyists and members of organizations the City already is – or, should be – partnering with, such as: the Westside Cities Council of Governments (CCG), the League of California Cities; the Los Angeles Division of the League of California Cities, the Independent Cities Association, the Association of California Water Agencies (ACWA); and, the Metropolitan Water District.

8. We will maintain necessary formal and informal ongoing communications with your legislative delegation and state officials on the City’s behalf. This continuing contact will ensure that legislators and staff understand that the City should be of vital concern to them, and that the City is an active participant in state efforts affecting cities, local governments, transportation, housing, social and human services, the environment and economic development policy making.

9. We will continue providing necessary written and oral reports on issues of importance to the City, including: telephone calls and/or emails around the clock, as needed to provide high priority alerts on breaking legislative news; bi-weekly regularly-scheduled telephone calls for purposes of providing updates and receiving direction; and, regular written reports reflecting the latest status of
each bill lobbied or being monitored by the City, on monthly, quarterly, or annual bases, as requested by the City. Such reporting also includes attendance by members of our team at periodic meetings of and presentations to City staff and / or the City Council, at your request. Our proposed lead lobbyist for the City will be your day-to-day contact, and will be responsible for coordinating these reports and all other communication with the City.

10. We will adhere to all regulations governing the activities of registered lobbyists in California, including preparing necessary Fair Political Practices Commission lobbying reports for execution by the City.

In all these activities, our focus will be on proactively positioning the City and aggressively advancing the City’s initiatives and goals, i.e. we will not just react to what happens in Sacramento.
Client List

The following is a list of the clients for whom we are currently registered to lobby the California state government:

Advanced Energy Economy
Beverly Hills, City of
Boeing Company, The
Butte County
California & Nevada Civil Engineers and Land Surveyors Association, Inc.
California Academy of Child and Adolescent Psychiatry
California Arts Advocates
California Association of County Treasurers and Tax Collectors
California Coalition on Workers' Compensation
California Faculty Association
California Financial Service Providers
California Green Business Network
California Medical Association
California Moving and Storage Association
California Product Stewardship Council
California Transit Association
City/County Association of Governments of San Mateo County Medical Services Program
CSAC Excess Insurance Authority
Del Norte County
FedEx Corporation
Fresno County
Fresno County Transportation Authority
General Motors LLC
Humboldt County
Kern County
Los Angeles, City of
Los Angeles City Attorney's Office
Los Angeles County Metropolitan Transportation Authority
Los Angeles World Airports
Madera County
Merced County
Metrolink
Napa County
National Stewardship Action Council
Nevada County
Pacific Merchant Shipping Association
Peninsula Corridor Joint Powers Board (Caltrain)
Placer County
Port of Los Angeles
Prudential Financial, Inc.
Sacramento County
San Francisco, City and County
San Joaquin County
San Joaquin Valley Unified Air Pollution Control District
San Luis Obispo County
San Mateo County Transit District
Santa Cruz Metropolitan Transit District
Santa Monica, City of
Sedwick Claims Management Services, Inc.
Shasta County
Sierra County
Solano County
Solano Transportation Authority
Solid Waste Association of North America, California Chapters (SWANA)
Sonoma County
Specialty Equipment Market Association (SEMA)
Stanislaus County
State Humane Association of California
Tejon Ranch Corporation
Tulare County
Western Placer Waste Management Authority
Western Propane Gas Association
Yuba County
Yuba County Water Agency

* Shaw / Yoder / Antwih, Inc. is pleased to provide both legislative advocacy and association management services to these clients.
♦ Shaw / Yoder / Antwih, Inc. is pleased to serve these clients through our strategic alliance with Advocacy, Inc.
▼ Shaw / Yoder / Antwih, Inc. is retained as a subcontractor for these clients: CSAC Excess Insurance Authority under a subcontract with Corbett & Associates.
■ Shaw / Yoder / Antwih, Inc. serves these clients under a joint contract: Caltrain and SamTrans with Edelstein, Gilbert, Robson & Smith; Fresno County with Corbett & Associates; and, Butte County and Kern County with DiMare, Brown, Hicks & Kessler.
○ Shaw / Yoder / Antwih, Inc. serves the City & County of San Francisco and retains Carter, Wetch & Associates as a subcontractor for this client; Los Angeles World Airports and retains Fernandez Government Solutions, LLC as a subcontractor for this client; Metrolink and retains Smith, Watts & Martinez, LLC as a subcontractor for this client.
6. **STAFF**

**Our Team Dedicated to the City of Beverly Hills**

To coordinate our efforts and ensure clear communication with City staff, Shaw / Yoder / Antwih, Inc. proposes Mr. Andrew K. Antwih as the City's primary legislative representative and day-to-day contact with the City – he would be our Project Manager for you. We will also make available on a regular basis Ms. Silvia Solis Shaw and Ms. Melissa Immel to lobby City issues and/or provide information to the City as needed. All three will be supported by legislative aide Tim Sullivan, who monitors committee and regulatory hearings, researches legislative and regulatory proposals, carries out the electronic bill referral process, tracks bills in our computer database, and otherwise facilitates information sharing with and reporting to our clients as needed. (Partners Paul Yoder, Joshua W. Shaw, Jason Schmelzer, Karen Lange and the firm's other lobbyists, Mr. Matt Robinson, and Mr. Michael Pimentel are always available to the City when their specialized contacts and/or knowledge is needed by Beverly Hills.)

**Organization Chart**

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<th>Advocate / Staff</th>
<th>Assignment</th>
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<tr>
<td>Andrew K. Antwih</td>
<td>Project Manager: Principal day-to-day client contact, with primary responsibility for lobbying and charting strategy.</td>
</tr>
<tr>
<td>Melissa Immel</td>
<td>80%</td>
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<tr>
<td></td>
<td></td>
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<tr>
<td>Silvia Solis</td>
<td>Supportive advocacy as necessary. Research and legislative tracking, and assistance with written reports and other correspondence on behalf of client.</td>
</tr>
<tr>
<td>Shaw Tim</td>
<td>10%</td>
</tr>
<tr>
<td>Sullivan</td>
<td></td>
</tr>
<tr>
<td>Joshua W. Shaw</td>
<td>Strategic consulting and supportive advocacy as necessary.</td>
</tr>
<tr>
<td>Paul J. Yoder</td>
<td>10% total</td>
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The following summarizes the background and qualifications of the team members that would most regularly serve the City.

**Andrew K. Antwih** is a Partner with Shaw / Yoder / Antwih, Inc., joining the firm in 2008, he was named Partner in 2009. He offers years of experience as one of Sacramento's most respected Capitol staffers, a wealth of policy and budget knowledge, wide-ranging political contacts, and acknowledged and admired advocacy skills, honed most recently as Mayor Antonio R. Villaraigosa's Chief Legislative Representative for the City of Los Angeles.

Before joining Shaw / Yoder / Antwih, Inc., Mr. Antwih oversaw a comprehensive local government lobbying effort in all areas of state public policy of interest to the City of Los Angeles, including
a focus on the City’s transportation infrastructure, homeland security, education, water, and economic development needs. In that role, Mr. Antwih advised and developed legislative strategy for the Mayor’s Office, City Council, and City Departments; he negotiated with state regulatory departments, boards and commissions on behalf of the City; he coordinated the City’s grant funding requests; he formed coalitions with local governments and other groups with similar goals; and, he worked through the Mayor’s office to engage City departments in the preparation, analysis, revision, support and/or defeat of state legislation.

During his 12-and-a-half years working as a legislative staffer in the state Capitol, Mr. Antwih’s policy work in progressively more responsible positions included health and human services, governmental organization, insurance and transportation. Mr. Antwih’s last position in the Capitol was Chief Consultant to the Assembly Transportation Committee where he served for more than eight years, developing a rich understanding of the complex funding, planning and programming issues facing the state, regional and local transportation agencies and private sector companies in California.

While with the City of Los Angeles, Mr. Antwih was one of the lead lobbyists on a team of advocates serving the Los Angeles County Metropolitan Transportation Authority. His experience on that team, plus his years working on transportation policy in the Capitol, provides a unique advantage to the City of Beverly Hills in furthering its transportation goals.

Mr. Antwih, a South Los Angeles native, began his career in the Legislature in 1994 as a Senate Fellow, shortly after graduating with a Bachelor of Arts degree in Government from Pomona College.

Melissa Immel works as a Legislative Advocate for Shaw / Yoder / Antwih, Inc. Before starting her work as a Legislative Advocate, Ms. Immel was a Legislative Aide for Shaw / Yoder / Antwih, Inc. Prior to joining the firm, she worked on First Lady Michelle Obama’s advance team, traveling domestically and internationally to assist with logistical planning, preparation, and execution of events. She has interned in the East Wing of the White House for the Obama Administration, in California Senator Wolk’s district and Capitol offices, and at Political Solutions, LLC in Sacramento.

Melissa holds a Bachelor of Arts degree in Political Science from the University of California, Santa Barbara. She studied abroad in Rome, Italy and graduated Summa Cum Laude and Phi Beta Kappa.

Silvia Solis Shaw’s political and policy expertise derives from years as a legislative staffer in the California Capitol, where she served during three different Democratic Assembly Speakerships, as well as more than eight years as a lobbyist for a variety of local government and private sector clients. She most recently served as a Senior Lobbyist with the distinguished lobbying firm Public Policy Advocates, LLC (PPA). Her clients included high-profile companies, non-profit trade organizations, and local governments, including the City of Los Angeles and several special district clients (the California Fire Chiefs Association, the Mosquito and Vector Control Association of California, and the California Association of Recreation and Park Districts). For these clients, she’s lobbied a variety of legislative and regulatory issues, such as public safety, education, revenue and taxation, transportation, energy and the environment, economic development and enterprise zones, and labor issues, delivering numerous successes on these fronts.
Also, while at PPA, Silvia served as Legislative Director for the California Electric Transportation Coalition, a trade association of the state’s five largest electrical utilities. She successfully advocated for rollout of plug-in electric and electric vehicles and for a sustainable charging infrastructure. Her private sector clients have included Southwest Airlines, Capstone Turbine Corp., NetJets, and Hawaiian Gardens Casino.

At PPA Silvia has acted as the main point of contact for the firm’s local government and corporate clients on state budget developments. Her experience in the Capitol staffing members of the Assembly Budget Committee, including a chairman of that influential committee, has translated to successful navigation of the turbulent budget waters for clients at the firm.

For three years prior to joining PPA, Silvia was a lobbyist in the Office of Mayor Antonio Villaraigosa and the City of Los Angeles. As an employee of and lobbyist for the City of Los Angeles, she served as a liaison between the Mayor’s Office and state government, including the Legislature, Governor’s Administration and a variety of state agencies and departments. Silvia was instrumental in developing and implementing legislative strategy for the Mayor’s office. She has advocated on behalf of the Mayor and the City on a variety of local government issues including transportation, energy and the environment, housing, enterprise zones, revenue and taxation, as well as public safety. She also successfully secured funding for the City through the state budget process.

Silvia has become well known for establishing and maintaining strong relationships with her clients’ respective legislative delegations, as well as with the committee chairs, consultants, legislators, agency officials and other decision makers wielding influence over the policy and fiscal interests of her clients.

Prior to working for Mayor Villaraigosa, Silvia worked at the State Capitol for four years as legislative staff for two Assembly Members, where she gained extensive experience with the legislative and budget processes.

Silvia began her career in the political world working for the National Association of Latino Elected and Appointed Officials (NALEO) Educational Fund.

Silvia received a degree in Political Science from the University of California, Los Angeles.

**Tim Sullivan** joined the firm in July 2017. He is a Legislative Aide at Shaw / Yoder / Antwich Inc. and his responsibilities include supporting the Partners and their clients in their legislative advocacy efforts, assisting with scheduling; reviewing, tracking and analyzing legislative bills; drafting position letters and bill memos; conducting legislative referrals and research; and monitoring legislative committee and agency hearings.

Prior to joining Shaw / Yoder / Antwich Inc., Mr. Sullivan worked as the Office of Governmental Affairs Director for California State University, Sacramento’s ASI doing higher education and student advocacy. Prior to that, he worked as the Legislative Affairs Coordinator within the ASI Office of Governmental Affairs. Mr. Sullivan graduated Magna Cum Laude from California State University, Sacramento with a Bachelor of Arts degree in History with a minor in Government.
7. QUALIFICATIONS AND REFERENCES

Our whole team's contacts in the Capitol and in the Governor's Administration position us to deliver high quality Sacramento legislative advocacy results to the City of Beverly Hills. These include, but are not limited to, the Chairs, Vice Chairs and staff and consultants of key legislative committees in each House overseeing issues of concern to the City of Beverly Hills, such as Local Government, Transportation, Appropriations, Environmental Quality, Natural Resources and Water, as well as the California State Transportation Agency (CalSTA), Department of Transportation (Caltrans), California Transportation Commission (CTC), California Air Resources Board (ARB), Department of Toxic Substances Control (DTSC), Department of Water Resources, State Water Resources Control Board, Department of Housing and Community Development (HCD), and Department of Health Services.

Shaw / Yoder / Antwi, Inc. has been proud to represent the City of Beverly Hills since August 2009. Below is a brief overview of the services we have provided to the City of Beverly Hills:

2009
- Provided information to City staff regarding current pension reform efforts.
- Researched potential efforts to revise Low-Income housing development procedures.
- Provided research and prepared letter to State Board of Equalization regarding allocation of local sales taxes.
- Flagged, monitored and provided updates on AB 524 (Bass), anti-paparazzi bill.
- Prepared letter to Governor Schwarzenegger and key legislators regarding state water policy.

2010
- Provided initial summary and ongoing updates regarding the Governor's budget proposal, which included pension reform and an auto speed enforcement proposal, originally proposed by the City of Beverly Hills.
- Researched and provided information on Anthem Blue Cross rate increases, Iran divestment, storm water fees, DUI penalty enhancement, tobacco prevention, a proposed constitutional convention initiative and other issues of interest to the council.
- Provided update on impact of state budget on local transportation funding and public safety (HUTA and COPS) funding to the City of Beverly Hills.
- Monitored and provided updates on public transparency bills introduced in the wake of the City of Bell scandal.
- Coordinated a meeting for members of the council with Bob Stern from the Center for Governmental Studies, a state expert on initiative reform.
- Researched concerns regarding CA Energy Commission distribution of federal stimulus (ARRA) funds and reported to City staff.
- Worked with stakeholders and assisted in defeating TOT legislation multiple times during the legislative session, which would have a detrimental impact to the City's finances.

2011
- Provided updates on State Budget proposals.
- Researched and prepared memo summarizing recently-released federal census data for the city.
- Worked with legislative delegation and Governor's office to secure resolutions for outgoing Councilmembers Jimmy Delshad and Nancy Krasne.
- Met and briefed Councilman Brien on state budget and transportation issues in Sacramento.
- Continued providing updates on potential pension reform efforts.
- Researched and tracked progress of potential TOT legislation, which again would have detrimental impacts to the City's finances.
2012

- Provided timely updates regarding the State Budget, and state budget trailer bills, and highlighted key areas that are of interest to the City of Beverly Hills, including the Governor's plan for reorganization and elimination of several agencies and departments, and changes to the gas tax rate adjustment (HUTA).
- Provided memos, analysis, and detailed information regarding the Governor's proposed pension reform and its applicability and costs to local governments.
- Opposed AB 2231 (Fuentes) regarding mandated sidewalk repairs by cities.
- Opposed AB 904 (Skinner) regarding parking spaces.
- Opposed Senate Bill 1330 (Simitian) regarding license plate recognition technology.
- Opposed AB 1551 (Torres) regarding public safety employees accidents.
- Provided ongoing summaries and updates on AB 1446 (Feuer) Measure R extension.
- Worked to restore $4.7 million in funding to the California State Library Act, and the California Literacy and English Acquisition Services.
- Supported SB 1123 (DeLeon) which would have addressed the problem of disabled placard abuse. Met with Assemblymember Fiona Ma's staff regarding this issue, as she previously authored similar legislation.

2013

- Supported AB 48 (Skinner), which will require ammunition vendors to report all ammunition purchases to the Department of Justice, and ban possession of magazine conversion kits. The Beverly Hills City Council has unanimously agreed to support local, state and national efforts to reduce gun violence and keep Beverly Hills schools and the community safe.
- Opposed AB 325 (Alejo), which would have expanded from one year to a total of four years the statute of limitations to sue a city or county over the adoption or implementation of a housing element, the adoption of a density bonus ordinance and other local government decisions related to housing.
- Supported AB 47 (Gatto) which would increase penalties against those who are convicted of making false 911 reports. This illicit activity is also known as "swatting."
- Supported SB 606 (de Leon) which established a crime, punishable by imprisonment in a county jail for any person who intentionally harasses a child or ward of any other person, as specified, because of that person's employment. Children are often the target of aggressive members of the paparazzi as a result of their parent's fame or fortune.
- Supported SB 53 (DeLeon), which would have required the Attorney General to maintain copies of ammunition purchase permits, information about ammunition transactions, as specified, and ammunition vendor licenses, as specified, for those purposes.
- Opposed SB 556 (Corbett) which would have prohibited a person, firm, corporation, or association that is a nongovernmental entity and contracts to perform labor or services relating to public health or safety for a public entity from displaying on a vehicle or uniform a logo, that reasonably could be interpreted as implying that the labor or services are being provided by employees of the public agency.

2014

- Researched and reported on action taken by LA City Council calling for a ban on fracking.
- Researched legislation regarding Red Light Cameras.
- Prepared letter to Senator Lieu regarding the CA Massage Therapy Council (CAMTC).
- Added AB 1871 (Dickinson) and drafted letter regarding farmer's markets to the BH legislative matrix.
- Drafted and circulated letter of Support for Asm. Gatto's AB 1839 relative to Film and Television Tax Credits.
- Coordinated the development and delivery of a legislative proclamation for Mayor Mirisch from the City's legislative delegation.
- Revised letter and provided additional feedback regarding the AB 1147 (Gomez) relative to Massage Parlor Establishments.
- Sent BH staff a summary document regarding AB 1383 (Hernandez), also relative to elections
- Coordinated a call for Councilmember Mirisch and staff from Assemblymember Holden’s office re: AB 1941; SYA also provided a memorandum on this legislation for City Staff’s review
- Worked with PUC staff for guidance on an issue raised by the City regarding tour bus operations on certain streets/roads.
- Provided summary information and background memos on legislative proposals Groundwater management proposals. Drafted a letter on behalf of the City relative to the State Water Bond
- BH staff with background information on legislation relative to nursing mothers and lactation accommodation
- Successfully opposed AB 2145 (Bradford) regarding Community Choice Aggregation.

2015

- Prepared summary memo on recently proposed and enacted minimum wage increases.
- Shared information about apartment-sharing service Airbnb’s lobbying activities.
- Successfully supported SB 277 by Senators Pan and Allen relative to vaccinations.
- Summarized and reported on AB 1160 (Harper), a bill relative to automated traffic enforcement systems.
- Supported AB 189 (Bloom), a bill relative to cultural arts districts
- Flagged legislation relative to farmers markets for City staff review and comment
- Supported AB 1111 (Gatto), relative to disabled parking placards, and delivered proposed amendments that were provided by the author’s office.
- Flagged, summarized and provided ongoing updates on SB 593 (McGuire) regarding homesharing and drafted two memos on the subject for City staff review.
- Drafted letter of support for the "Fix Our Roads" initiative
- Prepared research memo and letter of support for AB 1650 (Blumenfield) from 2013.
- Discussed US Conference of Mayor’s letter regarding anti-Semitism with Asm. Bloom’s District office staff, on behalf of the City
- Prepared summary memo of SB 350 (de Leon), the Clean Energy and Pollution Reduction act of 2015. This landmark bill on state energy policy was ultimately signed by Governor Brown.
- Supported SB 485 (Hernandez) relative to LA County sanitation districts

2016

- Provided legislative analysis and background information on AB 970 (Nazarian, 2015) relative to Overtime and Minimum Wage laws
- Met with staff from Asm. Bonilla’s office and our legislative delegation to discuss the potential for BH inclusion into AB 1592 (Bonilla) which authorized an autonomous vehicle testing facility pilot program in Contra Costa County.
- Supported AB 21 (Bonta, Cooley, Jones-Sawyer, Lackey, and Wood) regarding medical cannabis.
- Provided updates on AB 2586, Assemblyman Gatto’s Parking Bill of Rights legislation
- Prepared for and participated in two calls Beverly Hills Legislative Committee calls. Provided memos for the City’s Lobby/Liaison Committee, regarding:
  - Minimum Wage
  - Ellis Act
  - Prop 47/AB109/Mandatory Sentencing
  - Parking Reform
- Supported Assemblyman Bloom’s Anti-BDS bill, AB 2844. Testified in support of AB 2844 when it was heard in the Assembly Accountability and Review Committee
- Monitored, reported and summarized AB 1719 (Rodriguez) related to CPR instruction in schools
• Travelled to Southern California to attend a strategy/planning lunch meeting in Culver City with Senator Allen regarding future legislation to curb disabled parking placards abuse.
• Supported AB 2763 (Gatto), dealing with transportation network companies and the use of personal vehicles
• Supported SB 1463 (Moorlach), related to undergrounding utilities
• Provided advice regarding positioning on Propositions 53 and 54

2017
• Traveled to Beverly Hills to meet with City staff to discuss the legislative platform
• Supported SB 1 (Beall) and AB 1 (Frazier) regarding transportation funding
• Generated research and background materials for agenda items on the Legislative Lobby Committee meeting, including a memo on transportation funding, a side-by-side comparison of SB 1, AB 1, and the Governor’s transportation funding proposal, a city by city breakdown of projected funding to cities from SB 1 and AB 1.
• Prepared draft support letters for SB 1 and AB 1, a memo on the Governor’s budget release, a memo on AB 87 (Ting), the bill text and fact sheet for AB 87 (Ting), a memo on SB 145 (Hill), and the bill text for SB 145 (Hill)
• Opposed SB 35 (Wiener)
• Supported SB 378 (Portantino) which would have authorized increased state enforcement against the abuse of state liquor licenses.
• Monitored and reported on AB 1644 (Bloom), regarding the transit occupancy tax.
• Successfully opposed AB 252 (Ridley-Thomas) which would have prohibited cities from imposing a tax on video streaming services.
• Supported SB 231 (Hertzberg) which defines “sewer” for the purposes of imposing stormwater fees under Proposition 218.
• Testified before the CA DMV during their public hearing regarding DMVs draft guidelines for the testing and deployment of autonomous vehicles
• Successfully opposed SB 649 (Hueso)
• Successfully opposed AB 1250 (Jones-Sawyer). (Cities were amended out of this bill).
• Ongoing updates to the City on SB 268 (Mendoza) and SCA 12 (Mendoza)
• Scheduled and participated in call between local delegation, the City of Beverly Hills, and BHUSD regarding abandoned oil wells. Distributed contact list of call participants with local delegation
• Provided updates on and breakdowns of Cap-and-Trade deal package
• Researched and reported on AB 1479 (Bonta), regarding management of public records.
• Researched and reported on AB 444 (Ting) regarding medical waste disposal.
• Provided information on AB 1578 (Jones-Sawyer) regarding recreational cannabis.
• Provided information on AB 1505 (Bloom) regarding inclusionary zoning ordinances.
• Provided update and report on forthcoming ballot measure to respond to impacts of Proposition 47 (2014) and Proposition 57 (2016)
• Provided briefing and summary memos on the following:
  o Affordable Housing Package
  o SB 10 (Hertzberg)
  o SB 21 (Hill)
  o SB 384 (Wiener)
  o SB 568 (Lara)
  o SB 611 (Hill)
  o AB 84 (Mullin)
  o Cap-and-Trade Package: AB 398 (E. Garcia) & AB 617 (C. Garcia)
  o AB 954 (Chiu)
  o AB 1069 (Low)
  o AB 1219 (Eggman)
o AB 1479 (Bonta)
- Successfully amended and supported SB 568 (Lara) regarding statewide direct and presidential primary elections.
- Ongoing preparation of agenda materials and presentations during the City's Legislative Liaison Meetings
- Provided updates on and breakdowns of the potential Affordable Housing package

References

Please feel free to contact these clients relative to the Shaw / Yoder / Antwih, Inc. advocacy services:

City of Los Angeles
Office of State and Federal Affairs
200 North Main Street
Los Angeles, CA 90018
Ms. Breelyn Pete, Chief of State and Federal Affairs
Office of Mayor Eric Garcetti
213.978.0659

City and County of San Francisco
1 Carlton B. Goodlett Plaza
San Francisco, CA 94102
Kathryn Angotti, Director, State & Federal Legislative Affairs
Office of Mayor Mark Farrell
(415) 554-6971

City of Santa Monica
1685 Main Street
Santa Monica, CA 90401
Stephanie Venegas, Intergovernmental & Legislative Affairs Liaison
310-458-8411

For each of these clients listed above, we have provided a scope of services substantially similar to that called for in the City of Beverly Hills's RFP.

8. **COST PROPOSAL**

Our proposed cost to serve the City of Beverly Hills is based on the notion that government advocacy is simultaneously a regular and ongoing effort but also subject to cyclical periods of more or less intensity. Our proposal further rests on these specific assumptions:

- There will be some weeks we work significantly more hours for the City than other weeks.
- We will invest as much time and effort as necessary to tend to issues that affect the City.
- Our expertise and experience is valuable to the City; in some instances, the effort we expend or the activity we pursue to advantage the City will be successful due to our expertise and experience, and to the relationships we have spent years cultivating, rather than due to the exact length of time.
it will take us to transact certain business on your behalf – to use a real-world government advocacy example, sometimes a few strategically timed phone calls or quick meetings with us with the right highly-placed officials or staff will be worth as much or more to you than seven or eight hours spent by us monitoring one policy committee hearing.

- There will be administrative and support staff in our firm expending some level of effort to further the purposes of the lobbyists' efforts (delivering letters, inputting data into computer databases, etc.); we will not bill separately these individuals to the City of Beverly Hills— rather, their costs are contemplated in the overall flat fee we quote below.

We believe we can continue to deliver the proposed scope of work in the City of Beverly Hills RFP, and the services described in our proposal, for with no change in our current fee. Specifically, we propose a total not-to-exceed annual fee of $72,000 in the first year, payable in 12 monthly installments of $6,000.

This figure includes all expenses we might incur in service to the City, including postage, messaging, travel, etc. (We would hope to negotiate with you a mutually satisfactory schedule of travel, for instance to the City to report to City staff and/or the Council, such that we can expect to limit unplanned or prohibitively high costs throughout the year.)

To ensure continuity and certainty for both parties, we propose that the agreement shall provide for an annual cost-of-living-adjustment after the first 12-month contract period (2018-19), based on a consumer price index to be negotiated and of mutual agreement to the City and Shaw / Yoder / Antwih, Inc.

9. ADDITIONAL INFORMATION

The RFP describes the City's Conflict of Interest policy. Shaw / Yoder / Antwih, Inc. fully intends to comply with that policy. However, as noted above, we do currently represent the cities of Los Angeles and Santa Monica and the Los Angeles County Metropolitan Transportation Authority. While we believe our effort for the City of Beverly Hills would be synergistic with and supportive of the goals and efforts of our existing cities, and good for the Westside of Los Angeles County in general, there is technically always the possibility of some sort of conflict.

If such a situation should arise, our loyalty must be to our clients engaged prior in time (first Santa Monica, then Los Angeles). We therefore hope you would understand, and should we be lucky enough to receive your business, we would ask that you negotiate a mutually agreeable provision for incorporation into our final agreement that spells out a clear conflict of interest policy and process, one that protects your City's interests and also honors our prior commitments. We suggest this would include early notification to all parties of any potential conflict, a communication between the parties in an attempt to resolve the issue, and, failing that, permission to Shaw / Yoder / Antwih, Inc. to recuse its lobbyists from representing Beverly Hills on that issue only. If such a case were to arise, and if the communication failed to resolve the issue, we would work with you to find a qualified firm to represent you on that issue, and we would endeavor to minimize or eliminate the cost to you.
**Appendix A**

*SAMPLE WEEKLY REPORT*

City of Beverly Hills Position Matrix as of Wednesday, March 21, 2018

<table>
<thead>
<tr>
<th>Bill ID/Topic</th>
<th>Location</th>
<th>Summary</th>
<th>Position</th>
</tr>
</thead>
<tbody>
<tr>
<td>AB 84 Mullin D</td>
<td>8/31/2017-S. INACTIVE FILE 8/31/2017-Ordered to inactive file at the request of Senator Lara.</td>
<td>Would require that the presidential primary election be held on the first Tuesday after the first Monday in March of a year that is evenly divisible by the number 4. The bill would require that the statewide direct primary election be held on that same day in March and consolidated with the presidential primary election during a presidential primary election year. The statewide direct primary election would continue to be held in June of an even-numbered year in which a presidential primary election is not held.</td>
<td>Support</td>
</tr>
<tr>
<td>AB 1250 Jones Sawyer D</td>
<td>9/5/2017-S. RLS. 9/5/2017-Read second time and amended. Re-referred to Com. on RLS.</td>
<td>Would establish specific standards for the use of personal services contracts by counties. The bill would allow a county or county agency to contract for personal services currently or customarily performed by employees, as applicable, when specified conditions are met. The bill would exempt certain types of contracts from its provisions, and would exempt a city and county from its provisions. By placing new duties on local government agencies, the bill would impose a state-mandated local program. The bill also would provide that its provisions are severable.</td>
<td>Oppose</td>
</tr>
<tr>
<td>AB 1745 Ting D</td>
<td>1/16/2018-A. TRANS. 1/16/2018-Refereed to Com. on TRANS.</td>
<td>Would, commencing January 1, 2040, prohibit the Department of Motor Vehicles from accepting an application for original registration of a motor vehicle unless the vehicle is a zero emissions vehicle, as defined. The bill would exempt from that prohibition, a commercial vehicle with a gross vehicle weight rating of 10,001 pounds or more, and a vehicle brought into the state from outside of the state for original registration, as specified.</td>
<td>Watch</td>
</tr>
<tr>
<td>AB 1775 Muratsuchi D</td>
<td>1/29/2018-A. NAT. RES. 1/29/2018-Refereed to Com. on NAT. RES.</td>
<td>Would prohibit the State Lands Commission and the local trustees of granted public trust lands from entering into any new lease or other conveyance or from entering into any lease renewal, extension, or modification that authorizes a lessee to engage in new or additional exploration, development, or production of oil or natural gas upon lands owned by the state and under the jurisdiction of the commission that are located seaward of the ordinary high water mark for tidal waterways and the ordinary low water mark for navigable nontidal waterways that would result in the increase of oil or natural gas production from federal waters.</td>
<td>Support</td>
</tr>
<tr>
<td>AB 1876 Frazier D</td>
<td>3/15/2018-Refereed to Com. on W.,P., &amp; W. 3/15/2018- Re-referred to Com. on W.,P., &amp; W. In committee: Hearing postponed by committee.</td>
<td>The Sacramento-San Joaquin Delta Reform Act of 2009 establishes the Delta Stewardship Council, which consists of 7 members, and requires the council to develop, adopt, and commence implementation of a comprehensive management plan for the Delta, known as the Delta Plan. This bill would increase the membership of the Delta Stewardship Council to 13 members, including 11 voting members and 2 nonvoting members, as specified. By imposing new duties upon local officials to appoint new members to the council, the bill would impose a state-mandated local program.</td>
<td>Oppose</td>
</tr>
<tr>
<td>ACA 4 Aguilar-Curry D</td>
<td>4/24/2017-A. L. GOV. 4/24/2017-Refereed to Coms. on L. GOV. and APPR.</td>
<td>Local government financing: affordable housing and public infrastructure: voter approval.</td>
<td>Watch</td>
</tr>
<tr>
<td>Bill ID/Topic</td>
<td>Location</td>
<td>Summary</td>
<td>Position</td>
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<tr>
<td>A11</td>
<td>7/3/2017-A. H. &amp; C.D. 8/22/2017-Re-referred to Com. on H. &amp; C.D.</td>
<td>Would create the California Middle Class Affordable Housing and Homeless Shelter Account in the General Fund for the support of local and state programs that assist in the development or acquisition of housing, as specified. The measure would impose a tax upon all retailers at the rate of 0.25% of the gross receipts of any retailer from the sale of all tangible personal property sold at retail in this state on and after January 1, 2019.</td>
<td>Watch</td>
</tr>
<tr>
<td>SR10</td>
<td>9/6/2017-A. APPR. 9/6/2017-From committee with author's amendments. Read second time and amended. Re-referred to Com. on APPR.</td>
<td>Would declare the intent of the Legislature to enact legislation that would safely reduce the number of people detained pretrial, while addressing racial and economic disparities in the pretrial system, and to ensure that people are not held in pretrial detention simply because of their inability to afford money bail. This bill contains other related provisions and other existing laws.</td>
<td>Oppose</td>
</tr>
<tr>
<td>SB21</td>
<td>9/1/2017-A. 2 YEAR 9/1/2017-Failed Deadline pursuant to Rule 61(a)(12). (Last location was APPR. on 8/23/2017)(May be acted upon Jan 2018)</td>
<td>Would, beginning July 1, 2018, require each law enforcement agency, as defined, to submit to its governing body at a regularly scheduled hearing, open to the public, a proposed Surveillance Use Policy for the use of each type of surveillance technology and the information collected, as specified. The bill would require the law enforcement agency to cease using the surveillance technology within 30 days if the proposed plan is not adopted. The bill would require the law enforcement agency to submit an amendment to the surveillance plan, pursuant to the same open meeting requirements, for each new type of surveillance technology sought to be used.</td>
<td>Oppose</td>
</tr>
<tr>
<td>SB268</td>
<td>9/5/2017-A. L. GOV. 9/5/2017-From committee with author's amendments. Read second time and amended. Re-referred to Com. on L. GOV.</td>
<td>Would require the Los Angeles County Metropolitan Transportation Authority, the Los Angeles County Division of the League of California Cities, the California Contract Cities Association, and the Los Angeles County City Selection Committee to prepare and provide to the Legislature by December 1, 2018, a plan agreed to by at least 3 of these entities, for reorganizing the membership of the authority to include 22 members, and to provide equitable and proportional voting representation for each area of the county on the authority, including more representation for cities other than the City of Los Angeles. The bill would require the plan to provide for the reconstitution of the authority no later than January 1, 2020.</td>
<td>Support</td>
</tr>
<tr>
<td>SB378</td>
<td>9/1/2017-A. 2 YEAR 9/1/2017-Failed Deadline pursuant to Rule 61(a)(12). (Last location was APPR. on 8/23/2017)(May be acted upon Jan 2018)</td>
<td>Would authorize the Department of Alcoholic Beverage Control, by temporary restraining order, to temporarily suspend or condition any license, as defined, when, in the opinion of the department, and supported by a preponderance of the evidence indicating a pattern of behavior, the action is urgent and necessary to protect against an immediate threat to health or safety, as defined, that is reasonably related to the operation of the licensed business, subject to specified provisions, including provisions related to notice and judicial review.</td>
<td>Support</td>
</tr>
<tr>
<td>SB460</td>
<td>1/29/2018-A. DESK 1/30/2018-In Assembly. Read first time. Held at Desk.</td>
<td>The Consumers Legal Remedies Act, makes unlawful certain unfair methods of competition and unfair or deceptive acts or practices undertaken by any person in a transaction intended to result or which results in the sale or lease of goods or services to any consumer. This bill would revise the act to prohibit specified actions by an Internet service provider, as defined, that provides broadband Internet access service, as defined, and make a violation of those prohibitions subject to the remedies available pursuant to the act.</td>
<td>Support</td>
</tr>
<tr>
<td>Bill ID/Topic</td>
<td>Location</td>
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<td>Position</td>
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<tr>
<td>SB 623</td>
<td>9/1/2017-A. RLS. 9/1/2017-From committee: Without recommendation. (Ayes 11. Noes 0.) (September 1) Re-referred to Com. on RLS.</td>
<td>Would establish the Safe and Affordable Drinking Water Fund in the State Treasury and would provide that moneys in the fund are continuously appropriated to the State Water Resources Control Board. The bill would require the board to administer the fund to secure access to safe drinking water for all Californians, while also ensuring the long-term sustainability of drinking water service and infrastructure. The bill would authorize the state board to provide for the deposit into the fund of federal contributions, voluntary contributions, gifts, grants, bequests, and settlements from parties responsible for contamination of drinking water supplies.</td>
<td>Oppose</td>
</tr>
<tr>
<td>SB 822</td>
<td>1/3/2018-S. RLS. 3/13/2018-From committee with author’s amendments. Read second time and amended. Re-referred to Com. on RLS.</td>
<td>Would revise the Consumers Legal Remedies Act to prohibit specified actions by an Internet service provider, as defined, that provides broadband Internet access service, as defined, and would authorize the Attorney General to enforce those prohibitions pursuant to specified laws. This bill would prohibit a public entity, as defined, from purchasing, or providing funding for the purchase of, any fixed or mobile broadband Internet access services that violate these prohibitions.</td>
<td>Watch</td>
</tr>
<tr>
<td>SB 827</td>
<td>1/16/2018-S. T. &amp; H. 3/1/2018-From committee with author’s amendments. Read second time and amended. Re-referred to Com. on T. &amp; H.</td>
<td>Would require a local government to, if requested, grant a development proponent of a transit-rich housing project a transit-rich housing bonus if that development meets specified planning standards, including complying with demolition permit requirements, local inclusionary housing ordinance requirements, preparing a relocation benefits and assistance plan, any locally adopted objective zoning standards, and any locally adopted minimum unit mix requirements. The bill would define a transit-rich housing project as a residential development project the parcels of which are all within a 1/2 mile radius of a major transit stop or a 1/4 mile radius of a stop on a high-quality transit corridor.</td>
<td>Oppose</td>
</tr>
<tr>
<td>SB 828</td>
<td>1/3/2018-S. RLS. 3/14/2018-From committee with author’s amendments. Read second time and amended. Re-referred to Com. on RLS.</td>
<td>The Planning and Zoning Law requires a city or county to adopt a comprehensive, long-term general plan for the physical development of the city or county and of any land outside its boundaries that bears relation to its planning. That law also requires the general plan to include a housing element and requires a planning agency to submit a draft of the housing element to the Department of Housing and Community Development for review, as specified. Current law requires the program to accommodate 100% of the need for housing for very low and low-income households, allocated, as specified. This bill would increase the percentage of the need for housing for very low and low-income households that the program is required to accommodate to 200%.</td>
<td>Oppose</td>
</tr>
<tr>
<td>SB 912</td>
<td>1/18/2018-S. RLS. 3/8/2018-From committee with author’s amendments. Read second time and amended. Re-referred to Com. on RLS. (Amended 3/8/2018)</td>
<td>Would, upon appropriation in the annual Budget Act, require that the sum of $2,000,000,000 be allocated from the General Fund to the Department of Housing and Community Development. The bill would require that $1,000,000,000 of that money be transferred to the Housing Rehabilitation Loan Fund and expended to assist in the new construction, rehabilitation, and preservation of permanent and transitional rental housing for persons with incomes of up to 60% of the area median income.</td>
<td>Watch</td>
</tr>
<tr>
<td>SB 946</td>
<td>2/8/2018-S. GOV. &amp; F. 2/8/2018-Referred to Com. on GOV. &amp; F.</td>
<td>Would prohibit the local authority from adopting rules or regulations, by ordinance or resolution, that regulate or prohibit sidewalk vendors, as defined, unless it first adopts a sidewalk vending licensing program that requires a sidewalk vendor to obtain a license from the local authority before selling food or merchandise. The bill would require a local authority that elects to adopt a sidewalk vending licensing program to, among other things, not restrict the location of a licensed sidewalk vendor unless the restriction is directly related to objective health, safety, or welfare concerns, and not unreasonably restrict sidewalk vendors to operate only in a designated neighborhood or area.</td>
<td>Oppose</td>
</tr>
<tr>
<td>SCA 12</td>
<td>9/14/2017-A. DESK 9/14/2017-Read. Adopted. (Ayes 27. Noes 7. Page 2898.) Ordered to the Assembly. In Assembly. Read first time. Held at Desk.</td>
<td>Would, commencing January 1, 2022, in a county that is found at a decennial United States census, beginning with the 2020 United States census, to have a population of more than 5,000,000, require, and deem any applicable law, including a county charter, to require, a governing body consisting of the greater of either 5 members or a sufficient number of members so as to ensure that each member represents a district containing a population equivalent to no more than 2 districts in the United States House of Representatives. The measure would require that the members of the governing body serve for a term of 4 years and limit election to the governing body to no more than 3 terms.</td>
<td>Monitor</td>
</tr>
</tbody>
</table>
Appendix B

*SAMPLE MONTHLY MEMO*

TO: Cindy Owens
City of Beverly Hills

FROM: Andrew K. Antwih, Partner
Shaw / Yoder / Antwih, Inc.

SUBJECT: Billing Memo (for Previous Month’s Activities)

General Activities
• Responded to variety of emails and phone calls to address various questions and requests

• Forwarded articles and press releases on issues relevant to the City

• Scheduled and participated in biweekly recurring calls

Other Legislative Activities
• Drafted, updated, and distributed the City’s position and request for veto/signature letters

• Testified in committee hearings on behalf of the City

• Scheduled and attended several meetings with legislative offices for City of Beverly Hills Councilmember John Mirisch during League of Cities visit
  • Made reservation for and attended dinner with Councilmember Mirisch during Sacramento visit

• Continued to discuss disabled parking placard misuse with Senator Allen’s office

• Provided a fact sheet and updates on amendments to SB 54 (de León)

• Provided a memo on AB 1505 (Bloom)
  • Forwarded the League of Cities’ Support letter for AB 1505 (Bloom)

• Continued to engage in opposition efforts and provide regular updates regarding SB 649 (Hueso) and AB 1069 (Low)
  • Provided updates on amendments to SB 649 (Hueso) and AB 1069 (Low)
  • Provided vote count for Assembly floor vote on SB 649 (Hueso)
  • Forwarded Joint Mayors SB 649 (Hueso) Request for Veto letter
- Forwarded Department of Finance’s analysis of SB 649 (Hueso)
- Forwarded League of Cities AB 1069 (Low) Request for Veto letter

- Continued to provide updates on SB 568 (Lara) and worked with author’s office to include suggested amendments
- Added bills of interest to the matrix and updated positions taken
- Provided updated bill matrices with positions
- Participated in Legislative Liaison Call with the Beverly Hills City Council
- Provided updates on and breakdowns of the final Affordable Housing package
- Provided updates on bills signed by the Governor
Appendix C

*SAMPLE END OF SESSION REPORT*

To: Mahdi Aluzri, City Manager, City of Beverly Hills
    Cheryl Friedling, Deputy City Manager, City of Beverly Hills

From: Andrew K. Antwi, Partner
       Melissa Immel, Legislative Aide

Re: Beverly Hills 2017 End-of-Session Legislative Wrap-Up

This report highlights key legislation that Shaw / Yoder / Antwi, inc. worked on in 2017 for the City of Beverly Hills. We also discuss key state budget developments. Furthermore, we highlight several other policy objectives we pursued on behalf of the City this year.

2017 Legislation

The City pursued advancement of Council policies and priorities at the California state government level.

Attachment 1 to this memo displays a summary of the 21 bills we actively lobbied or monitored.

The following is a brief summary of the City's highest priority issues this year:

Housing and Homelessness

To address the state's ongoing housing crisis, legislators worked to pass a package of bills to: expand funding for affordable housing; streamline approval processes for new development projects; limit the ability of local governments to reject developments; expand requirements for local governments to include information regarding housing needs as part of their general plans; allow inclusionary zoning; and, expand the income tax credit to incentivize developers to build more housing for farmworkers.

With a total of 15 bills, the package included three key bills. SB 2 (Atkins), passed with a 2/3 vote, will create a dedicated revenue source for affordable housing by implementing a new $75 fee on real estate transaction documents, with the exclusion of home sales, that is capped at $225 per transaction. This new fee is projected to generate $200-$300 million annually. SB 3 (Beall) will place a $4 billion general obligation bond on the November 2018 ballot. Of the money generated by this bond $3 billion will go to funding existing housing programs and $1 billion will go towards home purchase assistance for veterans. Finally, SB 35 (Wiener) will require cities and counties that do not meet their state-mandated housing production goals to approve multi-family urban development projects that meet specific requirements.

The Governor signed these bills into law.

Energy and the Environment

Three key pieces of legislation were approved as part of the Cap-and-Trade package, with bipartisan support: AB 398 (Eduardo Garcia), AB 617 (Cristina Garcia), and ACA 1 (Mayes). Different from previous Cap-and-Trade extension discussions, a wide range of stakeholders, including the oil industry, manufacturers, and agriculture, were heavily involved in negotiations with the
Legislature and the Governor’s Office and ultimately supported the final package. While some environmental groups supported the package, others, including the Sierra Club, came out in opposition because they felt it did not go far enough.

AB 398 extends the California Air Resources Board’s (ARB) authority to establish and utilize the Cap-and-Trade system through 2030. Approved by a 2/3 majority vote, this bill’s passage essentially eliminates the legal battle regarding whether the Cap-and-Trade program constitutes a fee or a tax. Negotiations with industry and agriculture stakeholders led to the inclusion of the expansion of a sales and use tax exemption (STE) for manufacturers, as well as the suspension of the fire prevention fee on owners of structures in State Responsibility Areas as determined by the State Board of Forestry and Fire Protection.

AB 617 was advocated for primarily by the environmental justice community, in efforts to improve air quality, particularly in disadvantaged communities throughout the state. This bill requires the ARB to work with local air districts to develop local air emission plans with the goal of reducing emissions of criteria pollutants and toxic air contaminants from large stationary sources. This bill was promoted as a public health measure that ensures that the areas affected most by pollution see benefits of the Cap-and-Trade program.

ACA 1, a constitutional amendment authored by then Assembly Minority Leader Chad Mayes, requires that the first appropriation of Cap-and-Trade auction revenue from the Greenhouse Gas Reduction Fund (GGRF) after January 1, 2024 be subject to a 2/3 majority vote of the Legislature. The purpose of this bill was to build in a check-in opportunity approximately halfway between now and the 2030 extension period of the Cap-and-Trade program, to help ensure that the expenditure of funds from the program maintains broad, bipartisan support of the Legislature. This constitutional amendment will be placed on the June 2018 ballot and will become operative if approved by the voters.

2017-18 State Budget
The Legislature approved and the Governor signed the Budget Act of 2017, which includes $125.1 billion in General Fund spending and $9.9 billion in total reserves, including $1.4 billion in the regular reserve and $8.5 billion in the Rainy Day Fund, which is 66% of the constitutional target. Total spending, including special funds and bond funds, is approximately $184.5 billion. Highlights of the 2017-18 State Budget are summarized below.

Earned Income Tax Credit
The California Earned Income Tax Credit is expanded to support more working families, including self-employed parents, in line with the federal EITC. The expansion makes more than 1 million more households eligible to claim the credit. For the 2015 tax year, almost 400,000 households claimed the credit.

Education Funding
Funding for K-14 schools is expected to grow by $3.1 billion over the revised 2016-17 level to $74.5 billion in 2017-18. Schools will receive an additional $1.4 billion next year for the Local Control Funding Formula, increasing its implementation to 97% complete. The budget includes $14.5 billion General Fund for higher education, and essentially requires the University of California to implement reforms to its cost structure.

Reducing Pension Liabilities
The budget includes a one-time $6 billion (loan from the Surplus Money Investment Fund) supplemental payment to CalPERS to mitigate the impact of increasing pension contributions and CalPERS Board’s recent action to lower its assumed investment rate of return from 7.5% to 7%.

Transportation Infrastructure
The budget accelerates $2.8 billion toward repairing infrastructure to improve commutes, fix roads, strengthen overpasses and bridges, and build mass transit.

Medi-Cal Funding
The Medi-Cal program will continue to receive ongoing investments, including via new revenue from Proposition 56 (the California Healthcare, Research and Prevention Tobacco Tax Act of 2016), $465 million of which, in 2017-18 and 2018-19, will be used for Medi-Cal rate increases for physicians and dentists.

Arts Funding
$6.8 million ongoing General Fund was restored to the California Arts Council. Boeing has been an active supporter of Arts Education issues, and has participated in several Sacramento area events with the Arts Council and other organizations.
Budget Trailer Bills of Interest
The Governor signed AB 102 (Committee on Budget) regarding State Board of Equalization (BOE) reform, which implements various reforms to the BOE, including:
- Establishes, in the Government Operations Agency, the California Department of Tax and Fee Administration (Department), and transfers to the Department the duties, powers, and responsibilities of the BOE.
- Places the Department under the control of a director appointed by the Governor and subject to confirmation by the Senate; authorize the Governor to appoint a chief deputy director and a chief counsel.
- Civil servant employees at the BOE will be transferred to the Department as well.
- Authorizes the Department to adopt regulations, including emergency regulations, necessary and appropriate to carry out these provisions.
- Renames the BOE Secretary as the Executive Director.
- Requires each member to have one office in Sacramento and one district office.

The above provisions become operative on July 1, 2017. The bill also:
- Establishes the Office of Tax Appeals and places the Office under control of a director appointed by Governor and confirmed by the Senate.
- Transfers responsibilities from BOE to conduct appeals hearings.
- Establishes tax appeals panels and requires each panel to consist of three administrative law judges.
- Beginning January 1, 2018, requires panels to conduct and prohibit the board from conducting, appeals hearings.
- Appropriates $5 million General Fund to the Office of Tax Appeals.

Attachment 1 contains a list and descriptions of the bills on which the City took a position or closely monitored during the first year of the 2016-18 legislative session, along with their final status, organized by issue area. Please note that in 2017, 1,484 bills were sent to the Governor for his consideration; he signed XXX of those bills and vetoed XXX. XXX bills became law without the Governor’s signature.

Please do not hesitate to contact us if you have any questions about this material.
COMMUNITY DEVELOPMENT

SB 35 (Wiener) Planning and zoning: affordable housing: streamlined approval process. – Oppose
This law creates a ministerial approval process for housing developments in cities that have not met their regional housing needs assessment numbers. This law also restricts the ability of local governments to set parking requirements for ministerially approved developments that are part of a historically or architecturally significant historic district, or are located near public transit or a car share vehicle. This law also declares that ensuring access to affordable housing is a matter of statewide concern, and not a municipal affair.

Status: Signed by Governor

SB 540 (Roth) Workforce Housing Opportunity Zone. – Neutral
This law gives local governments the ability to establish a Workforce Housing Opportunity Zone (WHOZ) by preparing an environmental impact report pursuant to CEQA to identify and mitigate impacts from establishing a WHOZ and adopting a plan to mitigate those environmental effects. This law eliminates the need for project specific environmental review, within the WHOZ, allowing for housing developments to proceed more expeditiously.

Status: Signed by Governor

COMMUNITY SERVICES

AB 1219 (Eggman) California Good Samaritan Food Donation Act – Support
This bill would expand existing protections for food donors to crop harvesters, food donated past its sell-by-date that is still fit for consumption, and food donated directly by food manufacturers, retailers, and restaurants. This bill would also educate potential donors about the protections that they are entitled to under the law in an effort to further reduce liability concerns.

Status: Signed by Governor

ELECTORAL PROCESS

AB 84 (Mullin) Primary elections: election date. – Support
This bill would have moved the presidential and statewide direct primary elections to the first Tuesday after the first Monday in March during presidential primary election years. During years when the presidential primary election was not being held the statewide primary election would have continued to be held in June.

Status: Held on Senate Inactive File

SB 568 (Lara) Primary elections: election date. – Support
This law changes the date of the statewide direct primary election to the first Tuesday after the first Monday in March during both Presidential and non-Presidential years. This change would begin on January 1st 2019.

Status: Signed by Governor

FISCAL AND ADMINISTRATIVE INITIATIVES

AB 252 (Ridley-Thomas) - Oppose
This bill would have prohibited local governments from taxing video streaming services until January 1st 2023.

Status: Referred to Assembly Rules Committee

LOCAL CONTROL

AB 1069 (Low) Local government: taxicab transportation services. – Oppose
This bill would limit the ability of cities and counties to regulate taxicab service providers that operate within their boundaries by allowing taxi cab companies to only be subject to the ordinances and resolutions of the city in which has the largest share of their business activity. This bill would effectively eliminate franchise systems like the one that the City of Beverly Hills currently utilizes.

Status: Signed by Governor
**AB 1147 (Salas) Solid waste: disposal. — Oppose**
This bill would have made solid waste enterprises the only entities that can be authorized by local governments to collect, transport, or haul solid waste.

Status: Held in Assembly Natural Resources Committee

**AB 1250 (Jones-Sawyer) Counties: contracts for personal services. — Oppose**
This bill would have made it extremely difficult for counties to contract for a wide variety of services by imposing additional standards for the situations in which counties can contract as well as strict disclosure rules on both counties and their contractors.

Status: Held in Senate Rules Committee

**AB 1479 (Bonta) Public records: custodian of records: civil penalties. — Oppose**
This bill would reduce the autonomy of local agencies by forcing them to designate either a person or office to act as that agency's custodian of records, making them responsible for responding to any California Public Records Act requests, rather than determining the most appropriate person or office to respond on a case by case basis.

Status: Vetoed by Governor

**SB 268 (Mendoza) Los Angeles County Metropolitan Transportation Authority. — Support**
This bill would have increased the number of members on the Los Angeles Metropolitan Transportation authority from 14 to 22, ensuring a more fair representation of all areas of Los Angeles County than the board’s current distribution.

Status: Held in Assembly Committee on Local Government

**SB 649 (Hueso) Wireless telecommunications facilities. — Oppose**
This bill would strip local governments of their ability to establish discretionary permitting processes for “small cell” equipment while also preventing them from charging fair rent for the use of public space by capping leasing fees for vertical infrastructure.

Status: Vetoed by Governor

**MISCELLANIOUS**

**AB 954 (Chiu) Food labeling: quality and safety dates. — Support**
This bill would require the Department of Food and Agriculture to work with the Department of Public Health to publish information by July 1st 2018 that will encourage labelers of food products to voluntarily use “best if used by” or “use by” labels instead of more obscure alternatives such as “enjoy by” and “sell by”.

Status: Signed by Governor

**SB 623 (Monning) Water quality: Safe and Affordable Drinking Water Fund. — Oppose**
This bill would have created the Safe and Affordable Drinking Water Fund to be administered by the State Water Resources Control Board(SWRCB) by imposing fees on water, fertilizer, and dairy.

Status: Held in Assembly Rules Committee

**PUBLIC SAFETY**

**AB 1408 (Calderon) Crimes: Supervised release. — Support**
This bill would enhance public safety by requiring the Board of Parole Hearings to consider an inmate’s entire criminal history when making parole determinations and by increasing the information being shared between the Division of Adult Parole Operations and county probation departments. The bill would also ensure that individuals that violate the terms of their Post Release Community Supervision (PRCS) three times will be brought before a PRCS revocation hearing.

Status: Vetoed by Governor
SB 10 (Hertzberg) Bail: pretrial release. – Oppose
This bill would have inhibited local control and negatively impacted public safety by limiting pretrial detention, eliminating the use of county bail schedules, and establishing a county pretrial services agency that would have been tasked with conducting risk assessments on arrested persons.

Status: Held in Assembly Appropriations Committee at Request of Author

SB 21 (Hill) Law enforcement agencies: surveillance: policies. – Oppose
This bill would have required local law enforcement agencies to develop a policy detailing their use of surveillance technology and to make that policy available to the public. This would make such information openly available to criminals and undermine the ability of surveillance technology to contribute to public safety.

Status: Held in Assembly Committee on Appropriations

SB 54 (De Leon) Law enforcement: sharing data. – Oppose
This bill would impede local control over resource allocation by limiting the ability of state and local law enforcement to cooperate with ICE to ensure the safety of their communities.

Status: Signed by Governor

SB 378 (Portantino) Alcoholic beverages: licenses: emergency orders. – Support
This bill would have allowed the Department of Alcoholic Beverage Control to issue an emergency order to suspend, limit, or condition any business's alcoholic beverage license in order to protect against an immediate threat to public health or safety.

Status: Held in Assembly Appropriations Committee

PUBLIC WORKS – TRANSPORTATION
SB 611 (Hill) Vehicles. – Support
This bill would reform DMV's disabled person parking placard program by implementing the recommendations of the State Auditor including requiring the DMV to work with the state Medical Board to conduct application audits and requiring applicants to provide their full true names. Additionally this bill would require more frequent renewal of the placard, and it would place limits on the numbers of replacement placards the DMV may issue before requiring someone to reapply.

Status: Signed by Governor

PUBLIC WORKS – STORMWATER
SB 231 (Hertzberg) Local government: fees and charges. – Support
This bill would expand the definition of "sewer" to include storm drainage, which will clarify that local governments may build projects necessary to manage and reuse stormwater. This will create more opportunities for local governments to access state and federal dollars that require matching local funds.

Status: Signed by Governor
Item 3
INTRODUCTION
The City of Beverly Hills utilizes federal legislative advocacy services to secure clear and strategic initiatives in Washington, D.C. The Agreement with the City's current firm, David Turch & Associates, will conclude on June 30, 2018. While City Municipal Code 3-3-113 (E) exempts contracts for professional services from the bidding process, it is best practice to perform a competitive bid every three to five years for these services. As the last request for proposal ("RFP") was performed in 2012, staff issued RFP 18-7 (Attachment 1) on February 8, 2018.

This item is being brought to the Legislative/Lobby Liaison Committee for consideration and direction on selecting a federal legislative advocacy firm.

DISCUSSION
Background
The City has been utilizing federal legislative advocacy firms for well over a decade. Some of the firms the City has contracted with include Manatt, Phelps, and Phillips, LLC; the Ferguson Group, LLC; and David Turch & Associates.

The City's current lobbyist, David Turch & Associates, was selected as the City's lobbying firm in 2012 by a panel composed of City staff and Councilmembers who interviewed the finalist firms from a RFP. The firm was awarded a one year contract. Verbiage in the agreement allowed staff to extend the contract for two, successive, one-year terms based on their performance. In 2015, they were awarded a similar contract which was extended in 2016 and 2017.

Request for Proposal
On February 8, 2018, the City issued RFP 18-7 in accordance with current City procedures for procurement with a response date of March 22, 2018. Due to severe winter storms, and the identification of packages containing explosives at a Federal Express facility in Texas, an addendum was issued extending the deadline to March 27, 2018.
The RFP provided an overview of the federal legislative advocacy services the City desired, which included a scope of work that outlined the technical work and analyses expected by City. The scope included:

1. Work with the City Council, the City Manager, and key staff to discuss goals, objectives, opportunities and priorities.
2. Advocate the City’s position to the President of the United States, members of Congress, Federal Departments, and other interested parties. Identify opportunities for elected officials and City officials to participate in the legislative process and make recommendations.
3. Work with the City to identify and evaluate potential funding categories with annual budget or appropriation bills, and specific funding on grant opportunities.
4. The firm will represent the City before associations, committees, legislators and regulators, and also coordinate with the National League of Cities, U.S. Conference of Mayors and representatives of other cities and public agencies.
5. Support a positive relationship with the President of the United States, members of Congress, and key Federal Department staff. Assist in establishing relations between Councilmembers/City staff and legislative persons, including Chairs of key committees and other important decision makers.
6. Provide sufficient support to lobby aggressively on any number of legislative priorities as determined by City. Support would include proactively searching for potential legislative vehicles relating to those topics and affecting the outcome of those proposals.
7. Research, provide information, and prepare reports/memo as requested by on a variety of topics, including but not limited to:
   a. Federal laws or proposed legislation,
   b. Legislative hearings, reports and testimony,
   c. Federal regulations/policies,
   d. Federal funding opportunities for proposed City projects; and
   e. Technical memoranda or reports impacting City operations.
8. Provide updates on federal legislation that affects the City’s adopted Legislative Platform. Identify potential future legislative issues or opportunities that may interest the City, and help to position the City to benefit from new laws, programs or funding opportunities.
9. Provide the City with copies of bills (introduced or amended) or proposals pertaining to issues of concern/interest to City, particularly those affecting or relating to City’s Legislative Program.
10. Track said legislation and provide the City with advance notice of hearings or critical actions relating to those bills or issues.
11. Provide regular updates on the political landscape in Washington, D.C. to help provide context and identify opportunities and potential issues especially those that may be of interest to City or affect City operations. Minimally, provide monthly reports of activities pursued or accomplished on behalf of the City.
12. Coordinate and cooperate with other organizations, municipalities, companies and firms having similar legislative objectives as the City. Where appropriate, advocate positions on legislation and work to secure language in the law that will advance the City’s interests.
13. Provide “value added” services such as webinars, training resources, support with coordinating efforts with the US Conference of Mayors, etc.
14. Prepare briefing materials such as memos summarizing legislation.
15. Coordinate meetings with Federal Legislators and agency department leaders to provide the City the opportunity to meet face-to-face with key decision-makers on pertinent City issues. Provide meeting space and arrange appointments with legislators and agency officials for Councilmembers and City staff.
16. Draft letters of opposition/support on legislation or language for City resolutions as directed by City and provide to City for review and modification.

Staff notified eight different companies in Washington, D.C. that perform federal legislative advocacy services that the RFP had been issued. These companies were also notified of the extension of the deadline. Additionally, the RFP was posted on the City’s website. At the opening of the bid in the City Clerk’s Office on March 27, 2018 at 2 p.m., five firms responded (Attachment 2).

RFP Analysis
As part of the RFP, a statement was included that said:

The City is currently finalizing its municipal budget for FY 2018-2019. At this time, the budget for Legislative Advocacy Services is $75,000 (inclusive of all expenses such as postage, messaging, travel, etc.)

Of the five respondents, the submission by The Ferguson Group (Attachment 3) exceeded the $75,000 by $3,000. The Ferguson Group does have experience form 2009-2012 working for the City; however, their proposal exceeds the allocated Fiscal Year 2018-19 budget for federal advocacy services and therefore, staff is not recommending this firm move on in the process. However, should the Liaisons wish to move the firm along in the process, the City can attempt to negotiate a lower price prior to finalizing the Agreement.

Of the other four respondents, Ramirez Partners (Attachment 4) is not located in Washington, D.C. As this firm has no physical, full time, weekday presence in Washington, D.C., Mr. Ramirez indicated his firm would travel as often as required by the City to Washington, D.C. at no additional charge. This firm was also the lowest bidder.

The other three firms David Turch & Associates (Attachment 5), Federal Advocates Inc. (Attachment 6), and Squire, Patton and Boggs (Attachment 7) are within the established budget; have a presence in Washington, D.C.; and are experienced in providing federal legislative advocacy services.

RECOMMENDATION
Staff recommends that the Legislative/Lobby Liaison Committee review the federal legislative advocacy services requests for proposal and provide direction to staff. The Liaisons may:

- Request staff to reissue the request for proposal if the Liaisons are unsatisfied with the responses;
- Request staff to schedule interviews with the finalist firms selected by the Liaisons; or
- Select a firm based on the attached proposals and direct staff to draft an agreement for City Council approval at a future meeting date.
Attachment 1
City of Beverly Hills

Request for Proposals #18-7

Notice Inviting Submission of Proposals for Federal Legislative Advocacy Services

Due Date: March 22, 2018
City of Beverly Hills  
Beverly Hills, CA  
REQUEST FOR PROPOSAL  
for  
Federal Legislative Advocacy Services  
RFP # 18-7  
March 22, 2018  

OVERVIEW

The City of Beverly Hills (herein after referred to as “City”) is seeking to enter into a professional services agreement with a qualified, experienced firm to provide federal lobbying services to augment the City’s existing relationship with key federal legislators and policy administrators.

BACKGROUND

Beverly Hills is located in the middle of Los Angeles County, surrounded by the cities of Los Angeles, West Hollywood, Santa Monica and Culver City. Within its 5.7 square mile radius, Beverly Hills has approximately 34,000 residents with a business and commercial base that ranks next to cities with a population of several hundred thousand.

Internationally recognized for its alluring retail stores, five-star hotels and exclusive attractions, Beverly Hills attracts visitors from around the world.

As a full-service community, police, fire, water treatment, refuse collection and building inspections, among other services, are provided directly by the City. Beverly Hills has its own school district with a reputation for some of the best schools in the nation.

OBJECTIVES AND SCOPE

Upon acceptance of the successful response to the RFP, the selected firm will utilize the “Scope of Work” as part of the contract entered to with the City. The selected firm will be expected to perform all technical and other analyses necessary to complete the scope of work. The scope of services shall include, but is not limited to, the following:

1. Work with the City Council, the City Manager, and key staff to discuss goals, objectives, opportunities and priorities.
2. Advocate the City’s position to the President of the United States, members of Congress, Federal Departments, and other interested parties. Identify opportunities for elected officials and City officials to participate in the legislative process and make recommendations.
3. Work with the City to identify and evaluate potential funding categories with annual budget or appropriation bills, and specific funding on grant opportunities.
4. The firm will represent the City before associations, committees, legislators and regulators, and also coordinate with the National League of Cities, U.S. Conference of Mayors and representatives of other cities and public agencies.
5. Support a positive relationship with the President of the United States, members of Congress, and key Federal Department staff. Assist in establishing relations between Councilmembers/City staff and legislative persons, including Chairs of key committees and other important decision makers.
6. Provide sufficient support to lobby aggressively on any number of legislative priorities as determined by City. Support would include proactively searching for potential legislative vehicles relating to those topics and affecting the outcome of those proposals.

7. Research, provide information, and prepare reports/memo as requested by on a variety of topics, including but not limited to:
   a. Federal laws or proposed legislation,
   b. Legislative hearings, reports and testimony,
   c. Federal regulations/policies,
   d. Federal funding opportunities for proposed City projects; and
   e. Technical memoranda or reports impacting City operations.

8. Provide updates on federal legislation that affects the City's adopted Legislative Platform. Identify potential future legislative issues or opportunities that may interest the City, and help to position the City to benefit from new laws, programs or funding opportunities.

9. Provide the City with copies of bills (introduced or amended) or proposals pertaining to issues of concern/interest to City, particularly those affecting or relating to City's Legislative Program.

10. Track said legislation and provide the City with advance notice of hearings or critical actions relating to those bills or issues.

11. Provide regular updates on the political landscape in Washington, D.C. to help provide context and identify opportunities and potential issues especially those that may be of interest to City or affect City operations. Minimally, provide monthly reports of activities pursued or accomplished on behalf of the City.

12. Coordinate and cooperate with other organizations, municipalities, companies and firms having similar legislative objectives as the City. Where appropriate, advocate positions on legislation and work to secure language in the law that will advance the City's interests.

13. Provide "value added" services such as webinars, training resources, support with coordinating efforts with the US Conference of Mayors, etc.

14. Prepare briefing materials such as memos summarizing legislation.

15. Coordinate meetings with Federal Legislators and agency department leaders to provide the City the opportunity to meet face-to-face with key decision-makers on pertinent City issues. Provide meeting space and arrange appointments with legislators and agency officials for Councilmembers and City staff.

16. Draft letters of opposition/support on legislation or language for City resolutions as directed by City and provide to City for review and modification.

**SCHEDULE**

The anticipated schedule is as follows:

<table>
<thead>
<tr>
<th>Event</th>
<th>Date</th>
</tr>
</thead>
<tbody>
<tr>
<td>Solicitation issued</td>
<td>February 28, 2018</td>
</tr>
<tr>
<td>Deadline for receipt of questions</td>
<td>March 7, 2018</td>
</tr>
<tr>
<td>City response to questions</td>
<td>March 14, 2018</td>
</tr>
<tr>
<td>Proposal due date</td>
<td>March 22, 2018</td>
</tr>
<tr>
<td>Finalist contacted to schedule interview</td>
<td>Beginning of April 2018</td>
</tr>
<tr>
<td>Conduct interview, recommend firm</td>
<td>Mid-April 2018</td>
</tr>
<tr>
<td>Anticipated award date</td>
<td>May 2018</td>
</tr>
<tr>
<td>Anticipated start date</td>
<td>July 1, 2018</td>
</tr>
</tbody>
</table>

**CONTENTS AND ORGANIZATION OF PROPOSAL**

The intent of this RFP is to encourage responses that meet the outlined requirements.

A. **Proposal Content**

Each proposal shall contain the following major sections:
1. **Transmittal Letter.** The transmittal letter should include the name, title, address, phone number, and original signature of an individual with authority to negotiate on behalf of and to contractually bind the firm, and who may be contacted during the period of proposal evaluation. Only one transmittal letter need be prepared to accompany all copies of the proposal. The proposal shall clearly identify the firm’s legal name and address; the legal form of the firm (e.g. partnership, corporation, joint venture, sole proprietorship). If a joint venture, identify the members of the joint venture and provide all the information required under this section for each member, and attach a copy of the joint venture agreement. If the firm is a wholly-owned subsidiary of a “parent company,” please identify the “parent company.”

2. **Table of Contents.** List major sections in the proposal and the associated page numbers.

3. **Introduction.** Demonstrate the firm’s experience providing legislative advocacy services. Experience in providing legislative services to similar regional agencies, municipalities, agencies, and other governmental or non-governmental agencies should be highlighted. The description should, among other things, summarize capabilities/qualifications, experience/success with representing clients in Sacramento.

4. **Sample Reports.** Describe the format for providing the required reports as identified in the Scope of Services, and attach a sample format if available.

5. **Project Management.** Describe the plans for accomplishing the required work and the firm’s approach to representing the City, including: the management approach to the work, location where work will be done, responsibilities for coordination of work with City, and lines of communication needed to maintain required contact. Provide a detailed outline of the firm’s current client list and ability to provide timely services.

6. **Staff.** Describe the qualifications and experience of each professional who will participate in the project, including a resume for each member of the project team. A Project Manager must be designated, and an organizational chart showing the manager and all project staff must be included, if applicable. A matrix must be presented indicating the effort, either in percentage of the total project or in person-hours, which will be contributed by each professional, during each phase or task making up the project.

7. **Qualifications and References.** The proposal must describe the nature and outcome of projects previously conducted by the firm which are related to the work described within the RFP. Descriptions should include client contact names, address, phone numbers, descriptions of the type of work performed, approximate dates on which the work was completed, and professional staff who performed the work. If a sub-consultant is proposed, two to three similar qualifications and references should be provided for the sub-consultant. Up to two samples of the firm’s work on closely related projects can also be included with the proposal, if available. References (at least three (3) including contact name and phone number) from cities that have used your consulting services for similar projects within the past two (2) years, who are willing to discuss the work of your firm and/or performance. References shall include the names of the clients, contact names and phone numbers, addresses, and brief descriptions of the scope of services and funding accomplishments.

8. **Cost Proposal.** A description of the total costs and/or billing rates for services, staff time, equipment, materials, travel, administrative/clerical, overhead and other out-of-pocket expenses, if applicable to this contract. If the firm uses hourly billing rates (instead of a flat retainer fee), please provide a detailed fee summary with a total annual not to exceed cost. All figures entered on the cost sheets must be clearly legible and justified. Please note that the City is currently finalizing its municipal budget for FY 2018-2019. At this time, the budget for
Legislative Advocacy Services is $75,000 (inclusive of all expenses such as postage, messaging, travel, etc.) The City Council may take action to revise this amount prior to issuance of this contract.

9. Additional Information. Submit any additional information or recommendations supporting the proposal.

B. Proposal Format
Respondent’s submission shall be a maximum of 20 pages in length.

SUBMITTAL REQUIREMENTS

Proposals must be prepared in English.

The submission requirements for the RFP are detailed below. Any submission shall constitute an irrevocable offer for sixty (60) days following the deadline for its submission. Information contained in the proposal is confidential and shall remain so until a contract is signed.

A. Copies
The respondent shall submit one (1) original and five (5) non-laminated copies of the proposal and all subsequent information requested by City. The City will not accept any proposal submitted by facsimile or email.

B. Contact
Bidders shall not contact the City’s Mayor or any Councilmembers during this RFP process regarding the RFP. Only the firm currently under contract with the City may have contact with the Councilmembers, but discussions must be in regards to current legislative advocacy topics. The current firm MUST NOT discuss this RFP with the City’s Mayor or any Councilmembers during this RFP process or they will be disqualified.

Questions regarding the Requests for Proposal are to be submitted by email only to Cindy Owens at cowens@beverlyhills.org and copied to Logan Phillipo at lphillippo@beverlyhills.org, no later than 4:30 PM PST on Wednesday, March 7, 2018. The subject title of such emails should read “RFP No. 18-7 Potential Respondent - (Insert Firm Name).” Any inquiry should state the question only, without additional information. Questions emailed by potential respondents and any additional information that the City provides in response to such questions will be posted on the City’s website by Wednesday, March 14, 2018 at 6:00 PM PST. Oral responses by any City employee or agent of the City are not binding and shall not in any way be considered as a commitment of the City.

C. Deadline
To be considered for this RFP selection process, the Bidder shall submit one (1) original, clearly marked as such, and five (5) copies no later than 2:00 p.m. on March 22, 2018 to:

City Clerk’s Office
City of Beverly Hills
City Hall, 2nd Floor, Room 290
455 N. R rexford Drive
Beverly Hills, CA 90210
Attn: Cindy Owens, Senior Management Analyst

5
Proposals shall be submitted in writing to the address above, with Attn. Cindy Owens on the outside of the envelope or package. City Hall office hours are Monday through Thursday, 7:30 a.m. to 5:30 p.m. and Friday 8:00 a.m. to 5:00 p.m.

Until award of the contract, the proposals shall be held in confidence and shall not be available for public review. Upon award of a contract to the successful Bidder, all proposals shall be public records. Any respondent may withdraw their response either in person or by written request, sent by mail or facsimile, at any time prior to the scheduled closing time for receipt of submittal. No proposal shall be returned after the date and time set for opening thereof.

D. Rejection of Proposals
Proposals received after 2:00 p.m. shall be considered late. Late submittals will be rejected and returned unopened. If mail delivery is used, the Bidder should mail the proposal early enough to provide for arrival by this deadline. The Bidder uses mail or courier service at its own risk. The City will not be liable or responsible for any late delivery of proposals.

The City reserves the right in its sole discretion to reject any or all submissions in whole or in part for any reason without incurring any cost or liability whatsoever. All proposals will be reviewed for completeness of the submission requirements. If a proposal fails to meet a material requirement in the Request for Proposal, or if it is incomplete or contains irregularities, the proposal may be rejected. A deviation is material to the extent that a response is not in substantial accord with the requirements in the RFP.

Immaterial deviations may cause a bid to be rejected. The City may or may not waive an immaterial deviation or defect in a bid proposal. The City's waiver of an immaterial deviation or defect shall in no way modify the RFP or excuse a respondent from full compliance with the remaining RFP.

Proposals that contain false or misleading statements may be rejected if in the City's opinion the information was intended to mislead the City regarding a requirement of the RFP. Bids may be rejected in any case where it is determined that the proposals are not really competitive, or where the cost is not reasonable.

E. Proof of Authority
The proposal will also provide the following information: name, title, address and telephone number of individual with authority to bind the firm and also who may be contacted during the period of proposal evaluation. The proposal shall be signed by an official authorized to bind the Consultant or consulting firm and shall contain a statement to the effect that the proposal is a firm offer for at least a one hundred eighty (180) day period.

F. Conflict of Interest
The Consultant shall have no interest in other projects or independent contracts that conflict in any manner with the interests of the City. The Consultant shall notify the City of any existing contracts or proposed new contracts which may conflict with the City's interests. The Legislative Representative, and each principal thereof, will file with the City an annual Conflict of Interest statement listing all of its lobbying contracts. Firms submitting proposals in response to this RFP must disclose to the City any actual, apparent, or potential conflicts of interest that may exist relative to the services to be provided under Agreement for Legislative Advocacy Services to be awarded pursuant to this RFP. If this firm has no conflict of interest, a statement to that effect shall be included in the proposal.
EVALUATION AND SELECTION PROCESS

A. Evaluation
If a firm submits a complete proposal by the City's deadline, an evaluation of the proposal will be performed, based on a competitive selection process. Each of the major sections of the proposal will be reviewed and evaluated with criteria designed to help judge the quality of the proposal. Evaluation of proposals will not be limited to price alone; technical merit, expertise, track record and references, completeness of proposal documents, and demonstrated successes will be strongly considered in the selection process. The following criteria will be used in reviewing and comparing the proposals:

1. Completeness of proposal documents. The ability, capacity, flexibility, and skill of the respondent to provide quality performance under the contract, as evidenced by the quality of any demonstration, client references, and any prior contracts with the City.

2. Understanding of the background and requirements of the Scope of Work.

3. The relative allocation of resources, in terms of quality and quantity, to key tasks including the time and skills of personnel assigned to the tasks and firm's approach to managing resources and project output. Education and experience of proposed personnel. Expertise, competence, experience, performance, solvency and responsiveness.

4. Responsiveness of proposal to specifications described in the RFP, including whether the respondent has agreed to the contracting requirements set forth in this RFP.

5. Demonstrated success in state legislative process generally, and in projects similar to the one described in this RFP.

6. Cost and compensation required.

B. Precontractual Expense
Precontractual expenses include any expenses incurred by Bidders and selected Consultant include the following:
1. Preparing proposals in response to this RFP.

2. Submitting proposals to the City.

3. Travel or accommodation to the City to participate in the interview process.

4. Negotiations with the City on any matter related to proposals.

5. Other expenses incurred by a Consultant or Bidder prior to the date of award of any agreement.

In any event, the City shall not be liable for any precontractual expenses incurred by any Bidder or selected Consultant. Bidders shall not include any such expenses as part of the price proposed in response to this RFP. The City shall be held harmless and free from any and all liability, claims, or expenses whatsoever incurred by, or on behalf of, any person or organization responding to this RFP.

C. Selection Panel
The Selection Panel, composed of City staff and a Council-appointed subcommittee, will evaluate the proposals considering the scope of work and various evaluation criteria, as described below, and will develop a "short list" of acceptable firms. Firms not selected to the short list will be notified at that time. Selected firms will be contacted and an interview will be
scheduled. Following interviews, candidate firms will be ranked. Upon determination of the top-ranked firm, the Panel will issue a recommendation to the City Council.

Respondents may be telephoned and asked for further information, if necessary, and may be expected to appear for oral interviews. Previous clients may also be called. The Panel will make recommendations to the City Council on the basis of the proposal, any oral interviews, and reference check. The City reserves the right to select firm based solely on written proposals and not convene oral interviews. The City Council shall have final authority for the selection. It is anticipated that the City Council will consider awarding a bid at a May 2018 City Council Meeting. The Contract would then become effective July 1, 2018 or as soon as it can be executed thereafter.

D. Negotiations
Negotiations will cover the scope of work, the contract schedule duration, contract terms and conditions, technical specifications, and price. If the negotiating team is unable to reach an acceptable agreement with the selected firm, the team will recommend to the City Manager that the negotiations be terminated and an alternative approach be attempted, including the possibility of entering into negotiations with the second ranking firm.

No contract or agreement, express or implied, shall exist or be binding on the City before the execution of a written contract by both parties. If agreement on the terms of such a contract cannot be reached after a period deemed reasonable by the City in its sole discretion or if, after the City and the Consultant agree to terms and execute a contract, that contract is terminated for any reason, the City may enter into negotiations and sign a contract with any other respondent who submitted timely, responsive and responsible proposals to this RFP, or issue a new RFP and begin the proposal process anew.

At the time of negotiations, the selected firms and all personnel assigned to this contract shall submit verification, if required by applicable State or federal laws, that it is a registered lobbyist and meets the applicable industry standards.

**CONTRACT**

The City will prepare an Agreement for implementation between the successful respondent and the City (See Appendix A for a Sample). The Consultant’s standard form contract will not be considered as an acceptable substitute. The Consultant shall maintain, at a minimum, the insurance requirements specified in the sample Agreement. This includes, but is not limited to:

- Insurance shall be issued by an insurer admitted in the State of California and with a rating of at least a A+/VII in the latest edition of Best's Insurance Guide.
- A policy or policies of Comprehensive General Liability Insurance, with minimum limits of Two Million Dollars ($2,000,000) for each occurrence, combined single limit, against any personal injury, death, loss or damage resulting from the wrongful or negligent acts by CONSULTANT.
- A policy or policies of Comprehensive Vehicle Liability Insurance covering personal injury and property damage, with minimum limits of One Million Dollars ($1,000,000) per occurrence combined single limit, covering any vehicle utilized by CONSULTANT in performing the Scope of Work required by this Agreement.
- Workers’ compensation insurance as required by the State of California.
- All of the policies shall contain an endorsement providing that the policies cannot be canceled or reduced except on thirty (30) days prior written notice to CITY, and specifically stating that the coverage contained in the policies affords insurance pursuant to the terms and conditions as set forth in this Agreement.
- The policies of insurance shall include provisions for waiver of subrogation.
• The general and auto liability insurance shall contain an endorsement naming the CITY as an additional insured.

GENERAL INFORMATION AND INSTRUCTIONS

All communications concerning this RFP should be directed to Cindy Owens, Senior Management Analyst by email at cowens@beverlyhills.org and copied to Logan Phillippo, Senior Management Analyst by email at lphillippo@beverlyhills.org.

No questions or comments are to be directed to the Mayor of the City of Beverly Hills, the Mayor’s Office, Beverly Hills City Council, City of Beverly Hills Director of Finance, any public official, or any City of Beverly Hills trustee.

Any information obtained by the selected respondent is confidential, and the selected respondent shall not release or use the information in conjunction with any other endeavor.

The issuance of this RFP and receipt of proposals does not commit the City to award a contract, which is at the sole discretion of the City Council. The City reserves the right to negotiate with any firm which responds to this RFP. The City is not liable for any costs incurred by the proposer in the preparation and submission of a proposal.

City reserves the right to cancel or revise any section of the RFP prior to the due date, and further reserves the right to extend the due date. Any cancellations or revisions to the RFP will be published on the City's website at: http://www.beverlyhills.org/business/bidlistings/. The information will also be emailed to any Consultant who the City emailed a copy of the RFP to, as well as to any Consultant who has reached out to the City in regards to this bid as directed above. If any Bidder determines that an addendum unnecessarily restricts its ability to bid, it must notify the City no later than three (3) days following the receipt of the addendum.

The City expressly reserves the right to reject any and all proposals or to waive any irregularity or informality in any proposal or in the RFP procedure and to be the sole judge of the responsibility of any Bidder and of the suitability of the materials and/or services to be rendered. The City reserves the right to withdraw this RFP at any time without prior notice. Further, the City reserves the right to modify the RFP schedule described above.

The City will be the sole and exclusive judge of quality, compliance with RFP specifications or any other matter pertaining to this RFP. The City reserves the exclusive right to award this RFP in any manner it deems to be in the best interest of the City.

No prior, current, or post award verbal conversations or agreement(s) with any officer, agent, or employee of the City shall affect or modify any terms or obligations of the RFP, or any contract resulting from this RFP.

Respondents are responsible for complying with all federal, state, and local rules and regulations. Respondents agree that the City may, in its sole discretion, at any time prior to the execution of a final contract, accept, reject or cancel all or any part of a proposal, issue another proposal with terms and conditions similar or different to those set forth above, extend any deadline and/or supplement, amend or otherwise modify the proposal.

By submission of a proposal, respondents acknowledge and agree that the City of Beverly Hills, as a public trust, is subject to state and local public disclosure laws and, as such, is legally obligated to disclose to the public documents, including proposals, to the extent required thereunder. Without limiting the foregoing sentence, the City's legal obligations shall not be limited or expanded.
Respondents are advised to become familiar with all conditions, instructions and specifications governing this RFP. Once the award has been made, a failure to have read all the conditions, instructions and specifications of this RFP document shall not be cause to alter the contract or for respondent to request additional compensation.

The successful respondent shall not assign the contract or subcontract, in whole or in part, without the prior written consent of the City. Such consent shall neither relieve the respondent from its obligation nor change the terms of the contract.

Each respondent shall submit in full this completed original RFP document and all necessary catalogues, descriptive literature, etc., needed to fully describe the materials or work it proposes to furnish. **Respondent's failure to fully and adequately respond to this RFP may render the bid non-responsive and is grounds for rejection by the City.**

Upon the award of the contract to the successful respondent, the City will require evidence of insurance coverage be furnished prior to issuing a purchase order. **The amounts and types of coverage are specified in Appendix A, Section 11 of this RFP document. All insurance forms must be in a format acceptable to the City.**

Every supplier of materials and services and all Consultants doing business with the City shall be an "Equal Opportunity Employer" as required by Section 2000e of Chapter 21, Title 42 of the United States Code Annotated and Federal Executive Orders #11375, and as such shall not discriminate against any other person by reason of race, creed, color, religion, age, sex or physical or mental handicaps with respect to the hiring, application for employment, tenure, terms or conditions or employment of any person.

Prices quoted herein must be firm for a period of not less than one hundred eighty (180) days after closing date of this RFP.

RFPs calling for other than a "lump sum" total may be awarded by single item, by groups of items, or as a whole, as the City deems to be in the best interest of the City.

Consultants shall cooperate with the City in all matters relating to taxation and the collection of taxes. It is the policy of the City to self-accrue use tax associated with its own purchases. The City requests that its Consultants self-accrue their use tax, when applicable, and report the use tax to the State Board of Equalization with a City-assigned permit number. The City's own use tax, which is self-accrued by the City, will be remitted to the State of California pursuant to the City's permit with the State Board of Equalization.

All materials submitted in response to an RFP will become the property of the City of Beverly Hills and will be returned only at the City's option and at the expense of the Bidder submitting the proposal or bid. One copy of a submitted proposal will be retained for official files and become a public record. However, any confidential material submitted by Bidder that was clearly marked as such will be returned upon request.
APPENDIX A

AGREEMENT BETWEEN THE CITY OF BEVERLY HILLS AND <Insert name of Consultant> FOR FEDERAL LEGISLATIVE ADVOCACY SERVICES

NAME OF CONSULTANT: TBD
RESPONSIBLE PRINCIPAL OF CONSULTANT: TBD
CONSULTANT'S ADDRESS: Attention: TBD
City of Beverly Hills
455 N. Rexford Drive
Beverly Hills, CA 90210
Attention: Mahdi Aluzri, City Manager

CITY'S ADDRESS:

COMMENCEMENT DATE: July 1, 2018
TERMINATION DATE: June 30, 2021
CONSIDERATION: Not to exceed <TBD>
AGREEMENT BETWEEN THE CITY OF BEVERLY HILLS AND <Insert name of Consultant> FOR FEDERAL LEGISLATIVE ADVOCACY SERVICES

THIS AGREEMENT is made by and between the City of Beverly Hills (hereinafter called "CITY"), and (hereinafter called "CONSULTANT").

RECITALS

A. CITY desires to have certain services and/or goods provided as set forth in Exhibit A (the "Scope of Work"), attached hereto and incorporated herein.

B. CONSULTANT represents that it is qualified and able to perform the Scope of Works.

NOW, THEREFORE, the parties agree as follows:

Section 1. CONSULTANT’s Scope of Work. CONSULTANT shall perform the Scope of Work described in Exhibit A in a manner satisfactory to CITY and consistent with that level of care and skill ordinarily exercised by members of the profession currently practicing in the same locality under similar conditions. City shall have the right to order, in writing, changes in the Scope of Work. Any changes in the Scope of Work by CONSULTANT must be made in writing and approved by both parties. The cost of any change in the Scope of Work must be agreed to by both parties in writing.

Section 2. Time of Performance.

CONSULTANT shall commence its services under this Agreement upon the Commencement Date or upon a receipt of a written notice to proceed from CITY. CONSULTANT shall complete the performance of services by the Termination Date set forth above and/or in conformance with the project timeline established by the City Manager or his designee.

The City Manager or his designee may extend the time of performance in writing for two (2) additional one-year terms or such other term not to exceed two years from the date of termination pursuant to the same terms and conditions of this Agreement.

Section 3. Compensation.

(a) Compensation

CITY agrees to compensate CONSULTANT for the services and/or goods provided under this Agreement, and CONSULTANT agrees to accept in full satisfaction for such services, a sum not to exceed the Consideration set forth above and more particularly described in Exhibit B, attached hereto and incorporated herein.

(b) Expenses
The amount set forth in paragraph (a) shall include reimbursement for all actual and necessary expenditures reasonably incurred in the performance of this Agreement (including, but not limited to, all labor, materials, delivery, tax, assembly, and installation, as applicable). There shall be no claims for additional compensation for reimbursable expenses.

(c) Additional Services. City may from time to time require CONSULTANT to perform additional services not included in the Scope of Services. Such requests for additional services shall be made by City in writing and agreed upon by both parties in writing.

Section 4. Method of Payment. CITY shall pay CONSULTANT said Consideration in accordance with the method and schedule of payment set forth in Exhibit B.

Section 5. Independent Consultant. CONSULTANT is and shall at all times remain, as to CITY, a wholly independent Consultant. Neither CITY nor any of its agents shall have control over the conduct of CONSULTANT or any of CONSULTANT’s employees, except as herein set forth. CONSULTANT shall not, at any time, or in any manner, represent that it or any of its agents or employees are in any manner agents or employees of CITY.

Section 6. Assignment. This Agreement shall not be assigned in whole or in part, by CONSULTANT without the prior written approval of CITY. Any attempt by CONSULTANT to so assign this Agreement or any rights, duties or obligations arising hereunder shall be void and of no effect.

Section 7. Responsible Principal(s)

(a) CONSULTANT’s Responsible Principal set forth above shall be principally responsible for CONSULTANT’s obligations under this Agreement and shall serve as principal liaison between CITY and CONSULTANT. Designation of another Responsible Principal by CONSULTANT shall not be made without prior written consent of CITY.

(b) CITY’s Responsible Principal shall be the City Manager or his designee set forth above who shall administer the terms of the Agreement on behalf of CITY.

Section 8. Personnel. CONSULTANT represents that it has, or shall secure at its own expense, all personnel required to perform CONSULTANT’s Scope of Work under this Agreement. All personnel engaged in the work shall be qualified to perform such Scope of Work.

Section 9. Permits and Licenses. CONSULTANT shall obtain and maintain during the Agreement term all necessary licenses, permits and certificates required by law for the provision of services under this Agreement, including a business license.

Section 10. Interests of CONSULTANT. CONSULTANT affirms that it presently has no interest and shall not have any interest, direct or indirect, which would conflict in any manner with the performance of the Scope of Work contemplated by this Agreement. No person having any such interest shall be employed by or be associated with CONSULTANT.

Section 11. Insurance.
(a) CONSULTANT shall at all times during the term of this Agreement carry, maintain, and keep in full force and effect, insurance as follows:

(1) A policy or policies of Comprehensive General Liability Insurance, with minimum limits of Two Million Dollars ($2,000,000) for each occurrence, combined single limit, against any personal injury, death, loss or damage resulting from the wrongful or negligent acts by CONSULTANT.

(2) A policy or policies of Comprehensive Vehicle Liability Insurance covering personal injury and property damage, with minimum limits of One Million Dollars ($1,000,000) per occurrence combined single limit, covering any vehicle utilized by CONSULTANT in performing the Scope of Work required by this Agreement.

(3) Workers' compensation insurance as required by the State of California.

(b) CONSULTANT shall require each of its sub-Consultants to maintain insurance coverage which meets all of the requirements of this Agreement.

(c) The policy or policies required by this Agreement shall be issued by an insurer admitted in the State of California and with a rating of at least a A+;VII in the latest edition of Best's Insurance Guide.

(d) CONSULTANT agrees that if it does not keep the aforesaid insurance in full force and effect CITY may either immediately terminate this Agreement or, if insurance is available at a reasonable cost, CITY may take out the necessary insurance and pay, at CONSULTANT's expense, the premium thereon.

(e) At all times during the term of this Agreement, CONSULTANT shall maintain on file with the City Clerk a certificate or certificates of insurance on the form set forth in Exhibit C, attached hereto and incorporated herein, showing that the aforesaid policies are in effect in the required amounts. CONSULTANT shall, prior to commencement of work under this Agreement, file with the City Clerk such certificate or certificates. The general and auto liability insurance shall contain an endorsement naming the CITY as an additional insured. All of the policies required under this Agreement shall contain an endorsement providing that the policies cannot be canceled or reduced except on thirty (30) days prior written notice to CITY, and specifically stating that the coverage contained in the policies affords insurance pursuant to the terms and conditions as set forth in this Agreement.

(f) The insurance provided by CONSULTANT shall be primary to any coverage available to CITY. The policies of insurance required by this Agreement shall include provisions for waiver of subrogation.

(g) Any deductibles or self-insured retentions must be declared to and approved by CITY. At the option of CITY, CONSULTANT shall either reduce or eliminate the deductibles or self-insured retentions with respect to CITY, or CONSULTANT shall procure a bond guaranteeing payment of losses and expenses.

(h) The insurance coverage amounts required under the Agreement do not limit CITY's right to recover against CONSULTANT and its insurance carriers.
Section 12. **Indemnification.** CONSULTANT agrees to indemnify, hold harmless and defend CITY, City Council and each member thereof, and every officer, employee and agent of CITY, from any claim, liability or financial loss (including, without limitation, attorneys' fees and costs) arising from any intentional, reckless, negligent, or otherwise wrongful acts, errors or omissions of CONSULTANT or any person employed by CONSULTANT in the performance of this Agreement.

Section 13. **Termination.**

(a) CITY shall have the right to terminate this Agreement for any reason or for no reason upon five calendar days' written notice to CONSULTANT. CONSULTANT agrees to cease all work under this Agreement on or before the effective date of such notice.

(b) In the event of termination or cancellation of this Agreement by CITY, due to no fault or failure of performance by CONSULTANT, CONSULTANT shall be paid based on the percentage of work satisfactorily performed at the time of termination. In no event shall CONSULTANT be entitled to receive more than the amount that would be paid to CONSULTANT for the full performance of the services required by this Agreement. CONSULTANT shall have no other claim against CITY by reason of such termination, including any claim for compensation.

Section 14. **CITY's Responsibility.** CITY shall provide CONSULTANT with all pertinent data, documents, and other requested information as is available for the proper performance of CONSULTANT's Scope of Work.

Section 15. **Information and Documents.** All data, information, documents and drawings prepared for CITY and required to be furnished to CITY in connection with this Agreement shall become the property of CITY, and CITY may use all or any portion of the work submitted by CONSULTANT and compensated by CITY pursuant to this Agreement as CITY deems appropriate.

Section 16. **Records and Inspections.** CONSULTANT shall maintain full and accurate records with respect to all matters covered under this Agreement for a period of 2 years. City shall have access, without charge, during normal business hours to such records, and the right to examine and audit the same and to make copies and transcripts therefrom, and to inspect all program data, documents, proceedings and activities.

Section 17. **Changes in the Scope of Work.** The CITY shall have the right to order, in writing, changes in the scope of work or the services to be performed. Any changes in the scope of work requested by CONSULTANT must be made in writing and approved by both parties.

Section 18. **Notice.** Any notices, bills, invoices, etc. required by this Agreement shall be deemed received on (a) the day of delivery if delivered by hand during the receiving party's regular business hours or by facsimile before or during the receiving party's regular business hours; or (b) on the second business day following deposit in the United States mail, postage prepaid to the addresses set forth above, or to such other addresses as the parties may, from time to time, designate in writing pursuant to this section.

Section 19. **Attorney's Fees.** In the event that either party commences any legal action or proceeding to enforce or interpret the provisions of this Agreement, the prevailing party in such
action shall be entitled to reasonable attorney's fees, costs and necessary disbursements, in addition to such other relief as may be sought and awarded.

Section 20. Entire Agreement. This Agreement represents the entire integrated agreement between CITY and CONSULTANT, and supersedes all prior negotiations, representations or agreements, either written or oral. This Agreement may be amended only by a written instrument signed by both CITY and CONSULTANT.

Section 21. Exhibits; Precedence. All documents referenced as exhibits in this Agreement are hereby incorporated in this Agreement. In the event of any material discrepancy between the express provisions of this Agreement and the provisions of any document incorporated herein by reference, the provisions of this Agreement shall prevail.

Section 22. Governing Law. The interpretation and implementation of this Agreement shall be governed by the domestic law of the State of California.

Section 23. City Not Obligated to Third Parties. CITY shall not be obligated or liable under this Agreement to any party other than CONSULTANT.

Section 24. Severability. Invalidation of any provision contained herein or the application thereof to any person or entity by judgment or court order shall in no way affect any of the other covenants, conditions, restrictions, or provisions hereof, or the application thereof to any other person or entity, and the same shall remain in full force and effect.
EXECUTED the ____ day of _______________, 20__, at Beverly Hills, California.

CITY OF BEVERLY HILLS
A Municipal Corporation

LILI BOSSE
Mayor of the City of Beverly Hills, California

ATTEST:

(SEAL)

BYRON POPE
City Clerk

CONSULTANT:

Name
Title

APPROVED AS TO CONTENT:

MAHDI ALUZRI
City Manager

SHARON L’HEUREUX DRESSEL
Interim Risk Manager
EXHIBIT A
SCOPE OF WORK

CONSULTANT shall perform the following services:

1. Work with the City Council, the City Manager, and key staff to discuss goals, objectives, opportunities and priorities.
2. Advocate the City's position to the President of the United States, members of Congress, Federal Departments, and other interested parties. Identify opportunities for elected officials and City officials to participate in the legislative process and make recommendations.
3. Work with the City to identify and evaluate potential funding categories with annual budget or appropriation bills, and specific funding on grant opportunities.
4. The firm will represent the City before associations, committees, legislators and regulators, and also coordinate with the National League of Cities, U.S. Conference of Mayors and representatives of other cities and public agencies.
5. Support a positive relationship with the President of the United States, members of Congress, and key Federal Department staff. Assist in establishing relations between Councilmembers/City staff and legislative persons, including Chairs of key committees and other important decision makers.
6. Provide sufficient support to lobby aggressively on any number of legislative priorities as determined by City. Support would include proactively searching for potential legislative vehicles relating to those topics and affecting the outcome of those proposals.
7. Research, provide information, and prepare reports/memo as requested by on a variety of topics, including but not limited to:
   a. Federal laws or proposed legislation,
   b. Legislative hearings, reports and testimony,
   c. Federal regulations/policies,
   d. Federal funding opportunities for proposed City projects; and
   e. Technical memoranda or reports impacting City operations.
8. Provide updates on federal legislation that affects the City's adopted Legislative Platform. Identify potential future legislative issues or opportunities that may interest the City, and help to position the City to benefit from new laws, programs or funding opportunities.
9. Provide the City with copies of bills (introduced or amended) or proposals pertaining to issues of concern/interest to City, particularly those affecting or relating to City's Legislative Program.
10. Track said legislation and provide the City with advance notice of hearings or critical actions relating to those bills or issues.
11. Provide regular updates on the political landscape in Washington, D.C. to help provide context and identify opportunities and potential issues especially those that may be of interest to City or affect City operations. Minimally, provide monthly reports of activities pursued or accomplished on behalf of the City.
12. Coordinate and cooperate with other organizations, municipalities, companies and firms having similar legislative objectives as the City. Where appropriate, advocate positions on legislation and work to secure language in the law that will advance the City's interests.
13. Provide “value added” services such as webinars, training resources, support with coordinating efforts with the US Conference of Mayors, etc.
14. Prepare briefing materials such as memos summarizing legislation.
15. Coordinate meetings with Federal Legislators and agency department leaders to provide the City the opportunity to meet face-to-face with key decision-makers on pertinent City issues. Provide meeting space and arrange appointments with legislators and agency officials for Councilmembers and City staff.
10. Draft letters of opposition/support on legislation or language for City resolutions as directed by City and provide to City for review and modification.
EXHIBIT B

SCHEDULE OF PAYMENT AND RATES

<RATES TO BE DETERMINED>

CONSULTANT shall submit an itemized statement to CITY for its services performed, which shall include documentation setting forth in detail a description of the services rendered. CITY shall pay CONSULTANT the undisputed amount of such billing within thirty (30) days of receipt of same.
EXHIBIT C
CERTIFICATE OF INSURANCE

This is to certify that the following endorsement is part of the policy(ies) described below:

NAMED INSURED

ADDRESS

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<th>COMPANY (A.B.C.)</th>
<th>COVERAGE</th>
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It is hereby understood and agreed that the City of Beverly Hills, its City Council and each member thereof and every officer and employee of the City shall be named as joint and several assureds with respect to claims arising out of the following project or agreement:

It is further agreed that the following indemnity agreement between the City of Beverly Hills and the named insured is covered under the policy: Consultant agrees to indemnify, hold harmless and defend City, its City Council and each member thereof and every officer and employee of City from any and all liability or financial loss resulting from any suits, claims, losses or actions brought against and from all costs and expenses of litigation brought against City, its City Council and each member thereof and any officer or employee of City which results directly or indirectly from the wrongful or negligent actions of Consultant’s officers, employees, agents or others employed by Consultant while engaged by Consultant in the (performance of this agreement) construction of this project.

It is further agreed that the inclusion of more than one assured shall not operate to increase the limit of the company’s liability and that insurer waives any right of contribution with insurance which may be available to the City of Beverly Hills.

In the event of cancellation or material change in the above coverage, the company will give 30 days written notice of cancellation or material change to the certificate holder.

Except to certify that the policy(ies) described above have the above endorsement attached, this certificate or verification of insurance is not an insurance policy and does not amend, extend or alter the coverage afforded by the policies listed herein. Notwithstanding any requirement, term, or condition of any contract or other document with respect to which this certificate or verification of insurance may be issued or may pertain, the insurance afforded by the policies described herein is subject to all the terms, exclusions and conditions of such policies.

DATE: ___________________________ BY: ___________________________

AUTHORIZED INSURANCE REPRESENTATIVE

TITLE: ___________________________

AGENCY: _________________________

ADDRESS: _______________________

21
CITY OF BEVERLY HILLS
455 NORTH REXFORD DRIVE
BEVERLY HILLS, CALIFORNIA 90210

Date of Request: February 28, 2018

Bid Number: 18-7

Item Description: The City of Beverly Hills (herein after referred to as "City") is seeking to enter into a professional services agreement with a qualified, experienced firm to provide federal lobbying services to augment the City's existing relationship with key federal legislators and policy administrators.

Open Date: Thursday, March 22, 2018 at 2:00 p.m. Pacific
EXTENDED TO TUESDAY, MARCH 27, 2018 AT 10:00 A.M. PACIFIC

On the cover page, page 2, page 3, and page 5 of the Request for Proposal for Federal Legislative Advocacy Services (RFP #18-7), the proposal due date is listed as Thursday, March 22, 2018 at 2:00 p.m. (Pacific). The City is extending that deadline to Tuesday, March 27, 2018 at 10:00 a.m. Pacific due to the severe winter storms throughout the nation which could impact the timely delivery of proposals.

All interested parties shall still need to submit one (1) original, clearly marked as such, and five (5) copies no later than 10:00 a.m. on Tuesday March 27, 2018 to:

City Clerk's Office
City of Beverly Hills
City Hall, 2nd Floor, Room 290
455 N. Rexford Drive
Beverly Hills, CA 90210
Attn: Cindy Owens, Senior Management Analyst
Attachment 2
**SUMMARY OF BIDS**

**RFP NO.:** 18-7  
**BID OPENING DATE:** March 27, 2018 at 10 a.m.  
**NAME OF BID:** Federal Legislative Advocacy Services

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Give a copy to the Issuing Department and retain original in the City Clerk's Office.
Attachment 3
Proposal to the
City of Beverly Hills, California
for Federal Legislative Advocacy Services

February 2, 2018
Proposal to the City of Beverly Hills, CA for Federal Legislative Advocacy Services

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Proposal to the City of Beverly Hills for Federal Legislative Services

Introduction

Our History

The Ferguson Group LLC (TFG) is a bipartisan government relations consulting firm founded in 1982 in the District of Columbia. We provide federal advocacy services to over 80 public and private entities in 17 states, including counties, cities, public works agencies, and joint powers authorities. We also advocate on behalf of national organizations focused on federal issues directly impacting local government: the National Association of Towns and Townships, the Manufacturing Alliance of Communities, and the Perfect Storm Communities Coalition.

For 35 years, TFG has been the preeminent provider of federal government relations advice to municipalities seeking to advance or protect their interests in Washington’s complex legislative and regulatory arenas. Our knowledge of both Congress and the Administration provides our clients with unique strategic advantages that put our clients in the best position possible to be successful. As the congressional ban on “earmarks” continues to be enforced, TFG has successfully adapted to changes in the federal budget process and has expanded the grant services we provide our clients. We continue to play a leadership role in helping both the Administration and Congress understand how changes in the federal funding process affect local governments like the City.

TFG Focus

TFG provides federal government relations services to progressive cities and water agencies seeking to advance or protect their interests in Washington, D.C.’s complex legislative and regulatory arenas. We have a demonstrated track record of responding to our clients’ needs while also identifying and developing strategies to address emerging issues and opportunities. We focus primarily on issue areas of direct interest to Beverly Hills, including but not limited to the following:

- Stormwater, drinking water, drought, and wastewater policy;
- Water and wastewater infrastructure development, planning, funding, and financing;
- Clean Water Act, Endangered Species Act, and Safe Drinking Water Act regulations;
- Environmental restoration;
- Irrigation, flood control, and hydroelectric generation funding, regulations, and policy;
- Land use issues as impacted by federal policy and permitting;
- Transportation policy and funding, including transit, highway funding, and rail safety;
- Economic development;
- Public safety, law enforcement, and fire services;
- Municipal government finance and revenue protection; and
- Housing, homelessness, and social services, including veterans’ affairs.

Commitment to California

It is important to note our congressional and agency relationships are not limited to offices “inside the Beltway.” We work regularly with key officials and staff in congressional district offices and agency local and regional offices. TFG has particularly strong ties to California. Many of our first
clients were located in California and remain clients of the firm today. Our commitment to California is exhibited by the fact we have maintained offices and partners in California continuously since 1991, and over the years we have developed an unparalleled working knowledge of the opportunities, challenges, and needs facing California local governments. Our California connections benefit our clients, particularly in recent years, as decision making authority within many relevant federal agencies has been entrusted to local and regional offices. Our California presence gives us a unique opportunity to engage in unmatched levels of communication and collaboration with the City.

Our Philosophy

TFG’s customer service philosophy and overall approach to representing clients sets us apart from other firms. We take pride in our 35-year commitment to local communities.

Commitment to Highly Personalized Service. You will know your lobbying team well and will always know what we are accomplishing on your behalf and what opportunities exist in Washington that could benefit the City. This highly personal service is a cornerstone of our success and is achieved through constant communication with you about your priorities and the ever-changing political climate in Washington.

Primary Focus is Local Communities. We advocate on behalf of organizations that serve large public constituencies – local governments, coalitions of local governments, regional/national nonprofit and other public or quasi-public organizations. The collective experience of all our professionals helps us identify opportunities to increase federal funding and to promote legislative and policy changes that can have a significant impact on your constituents.

California. TFG has strong ties to California. We have represented many local and regional government entities throughout California for over three decades. Our experience working with the California delegation – House and Senate – provides our firm unparalleled capability to represent the City. Several TFG partners worked for Members of Congress from California and we will bring decades of knowledge of California issues, California delegation Members, and the activities of federal agencies in California to bear on issues important to the City. Our strong California presence – two TFG partners are based in California – is evidence of our long-standing commitment to providing the best representation for our California clients.

Innovative Client Services. Along with individualized reports on legislative and regulatory activities, our clients receive weekly Legislative Updates, Grants Alerts, and special Client Alerts that are distributed on a timely basis. We also manage an interactive blog that posts daily updates on key topics, legislative and regulatory events, and other articles of interest to local governments.

Firm Experience and Client Successes

After representing local communities for thirty-five years, TFG’s list of accomplishments and successes on behalf of our clients is quite extensive. The following examples are provided as case studies for work we have performed that is relevant to the City’s goals and priorities. We chose to highlight a few examples of our work on economic development, public safety and law enforcement, transportation, and water resources projects which we believe most directly relate to the goals of Beverly Hills. Expanded information on additional client successes can be provided upon request.
Economic Development

TFG has a long history of successfully identifying federal programs and finding creative opportunities to secure funds for community and economic development projects. Almost every aspect of TFG's representation of local governments touches on economic development. From improved transportation and water infrastructure, to downtown revitalization projects, to increased community services and housing options, we have helped bring significant resources to our clients to help them build their local economies.

**City of Santa Ana, California.** TFG provided guidance and secured congressional support for a competitive grant application submitted by the City of Santa Ana, C.A. to the Department of Housing and Urban Development under the Neighborhood Stabilization Program to assist the City in its existing efforts to stabilize a core area of the City which was negatively impacted during the recession by home foreclosures. The City was awarded $10 million to assist households in the purchase of an affordable home, thereby stabilizing the community.

**City of Harrisburg, Pennsylvania — Lead Abatement.** TFG helped the City of Harrisburg receive $3.714 million in Lead Hazard Reduction Demonstration grant funds provided by the Department of Housing and Urban Development to remove lead and other health hazards from city homes. The funding will be used to reduce health and safety hazards in low-income homes to help reduce the number of children under six years old who suffer from lead poisoning. The grant program fills a critical need in urban communities to address substandard housing built before 1940 that threatens the health of the most vulnerable residents, children.

**City of High Point, NC — EPA Community — Wide Brownfield Assessment Grant.** The City of High Point, NC, recently received a $400,000 Community-Wide Brownfield Assessment grant to assess sites in its Core City area believed to be contaminated by hazardous substances and petroleum. The Core City area was once the community's industrial base, and the City is committed to economic development and community revitalization in this area. However, these efforts have been hindered by the large number of brownfield properties throughout the area. By enabling the City to inventory, characterize and plan the reuse of these sites, the EPA Brownfield Assessment funding serves as a catalyst to revitalize the Core City and bring jobs and private investment into High Point. This was the City's fifth attempt at accessing these federal funds. TFG took a leadership role in developing and drafting this last application, and the EPA informed the City that its application was the top-rated application in the country.

Public Safety and Social Services

TFG staff are experts in Department of Justice (DOJ) and Department of Homeland Security (DHS) programs which provide funding for local governments. Our work is focused on assisting our clients in the preparation of grant applications and developing working relationships with key DOJ and DHS officials.

**City of Folsom, California — Emergency Operations Center.** In addition to normal municipal operations, the City of Folsom’s police department is the first responder to critical national and regional infrastructure, including the US power grid Independent System Provider (ISO) and the Folsom Dam and Reservoir. The City's old EOC was unsecure and inadequately equipped to respond effectively to major events. TFG worked with the City and secured support from Members of
Proposal to the City of Beverly Hills for Federal Legislative Services

Congress, Senators, and the Department of Justice to secure $1.5 million in funding for the City’s new EOC located inside the City Police Department Facility. The EOC is also now able to fulfill its function as chief alternate regional EOC.

City of College Park, Georgia – Uniform Crime Reporting. The City of College Park’s residential and community development is stifled by the FBI’s Uniform Crime Reporting (UCR) methodology. TFG has coordinated with the Federal Bureau of Investigation (FBI) and the Georgia Bureau of Investigation (GBI) to propose a solution whereby the UCR methodology takes into account the City’s commuter-adjusted population. Doing so would cast the City in a much more favorable light related to crime and safety. As a result of our work, the GBI is currently working to adjust its methodology, and the FBI hopes to use that as a model in the future. This has a huge impact on economic and community development in College Park.

City of High Point, North Carolina – Personal Protective Equipment. TFG worked closely with the High Point Police Department to secure a grant for $17,822 for personnel accountability equipment and $1,141,858 for Self-Contained Breathing Apparatus (SCBAs) through FEMA’s FY 2015 Assistance to Firefighters Grant program. The Department had previously applied for these funds but was unsuccessful. After facilitating a debrief with the FEMA Grants Office, and significant project tailoring, the Department was successful in its second try.

Transportation and Aviation

TFG has been involved in federal transportation issues since its inception. In fact, our first clients engaged us to specifically address federal and local transportation issues they were facing. TFG has helped our clients secure billions of dollars in federal authorizations, appropriations, and grants and has been involved in every highway authorization bill enacted by Congress.

El Paso County, CO – TIGER Planning Grant. TFG helped El Paso County, C.O., secure a $1.2 million TIGER planning grant. TFG professionals worked with the County from the project’s inception to application submission to craft a winning application with significant political support. To accommodate Fort Carson’s ongoing expansion, El Paso County is working with the U.S. Army to reopen a gate to provide alternate access to the base’s military training infrastructure. The roads leading to this gate are in substandard condition and are unable to support expected traffic resulting from the reopened gate. The project will develop conceptual design and preliminary engineering for rehabilitation of the two roads impacted by the reopening. TFG continues to assist El Paso County on the implementation of the TIGER grant project and is working with the County, regional partners, DOT, and the Congressional delegation to position the project for future TIGER funding.

Butte County Association of Governments, California – Transit and Maintenance Facility. TFG helped the Butte County Association of Governments (BCAG) secure one of the largest grants of the fiscal year from the Federal Transit Administration’s State of Good Repair grant program. The $18 million was used to construct the Butte Regional Transit Operations and Maintenance Facility, which allowed BCAG to expand transit operations in Butte County, California. TFG assisted BCAG throughout the entire grant application process including advance preparation for the project, generation of political support, draft of the grant application, and final review. The project represented the seventh-largest award in the nation and the highest award for a rural community.
City of Greenville, NC – New Interstate Designation. TFG worked with Greenville’s Congressional Delegation, the U.S. Department of Transportation, the North Carolina Department of Transportation (NCDOT), and the American Association of State Highway and Transportation Officials (AASHTO) to get a road leading into Greenville designated as a future interstate highway. The City is the largest in the State of North Carolina that does not have direct interstate highway access. We coordinated with all parties to secure a Memorandum of Understanding between NCDOT and the Governor’s Office and the Federal Highway Administration that the project will meet interstate standards within 25 years. On a parallel track, Greenville’s bipartisan Congressional Delegation introduced a bill that designates the road a future interstate. TFG facilitated this effort using our congressional, federal agency, AASHTO, and state and local relationships. Future Interstate 587 was approved by then-Transportation Secretary Anthony Foxx on November 21, 2016.

Water Resources and Infrastructure

TFG has extensive experience with water resources issues, particularly water infrastructure development, planning and implementation, flood control, harbors, ports, environmental restoration, and shore protection. In addition to securing federal funding assistance, TFG’s water resources practice provides strategic counsel in the legislative and regulatory arenas.

North Bay Water Reuse Program, California – Water Reuse Funding. TFG worked with the North Bay Water Reuse Program, a regional group composed of seven public utility agencies in Napa, Sonoma and Marin Counties, to secure $3.8 million in federal competitive grant assistance through the Bureau of Reclamation’s WaterSMART program. The funds are being used as part of a program to recycle up to 3,757 acre-feet of water per year for beneficial uses in agriculture, irrigation and habitat restoration. In Napa, just over $2 million of the grant award is being used to help complete a pipeline project that will provide up to 1,000 acre-feet of water per year for irrigation uses and agriculture. Groundwater in the area has been over-pumped and the recycled water will help alleviate water quality and water supply problems. The Sonoma County portion of the funding, $1.8 million, is going towards completion of a 3.5 mile pipeline near the Sonoma-Napa County border that will deliver recycled water to help restore 640 acres of former salt ponds. The Salt Marsh project is one of the largest wetland restoration projects in the West.

Multiple Clients – Development of WIFIA. On behalf of our water clients, TFG was active in advocating for legislative language in the recently passed Water Resources Reform and Development Act (WRRDA) that created a new Water Infrastructure Finance and Innovation Act (WIFIA). TFG advocated for a program that allowed our clients to participate in financing opportunities that are affordable and fit their needs. We also wanted to ensure that the State Revolving Fund (SRF) programs were not diminished by a new WIFIA program. Innovative financing tools, like WIFIA, will create opportunities for public agencies to save money by providing access to federally-backed, low-cost, long-term financing. The savings to a local government from WIFIA are significant. WIFIA can reduce the annual debt service cost for financing public works water projects by an estimated 20 percent or more compared to traditional municipal financing.

Western Municipal Water District – Water Reuse and Recycling Projects. Since 1992, TFG has assisted many individual water reuse and recycling projects to obtain congressional authorizations for cost-shared funding under the Bureau of Reclamation’s WaterSMART Title XVI Program. More recently, TFG has assisted several large Title XVI Projects in obtaining this competitive cost-shared
grant funding. For example, TFG directly assisted the Western Municipal Water District in Riverside, California, in collaboration with the Chino Desalter Authority, Jurupa Community Services District, and the Inland Empire Utilities Agency, in securing $21.1 million in Title XVI cost-share grants over several years for their Lower Chino Dairy Area Desalination and Reclamation Project. These grants helped to fund a portion of the Phase 3 Expansion of the Chino I and Chino II Desalter facilities, which will produce an additional 10 million gallons per day of new water, benefitting more than 1.5 million people in the Inland Empire.

**Los Osos Wastewater Facility, San Luis Obispo County, CA.** The community of Los Osos is required to improve wastewater facilities to prevent polluted waters from leaching from thousands of private septic systems into Morro Bay National Estuary. The County was originally barred from competing for grant funding under the U.S. Department of Agriculture's (USDA) Rural Utilities Service grants and loans because Los Osos exceeded the regulatory population limit. TFG worked with the County to accurately define the area of benefit and worked with the County’s Congressional Delegation to secure legislation providing a population limitation waiver to Los Osos. This action allowed the County to compete for USDA funding, resulting in approximately $85 million in grant and low-interest loan funding, as well as some loan principal forgiveness from the RUS.

### Sample Reports

#### Communications

Regular and efficient communication is essential to successful working relationships with our clients. We provide regular status reports, including monthly and end of the year reports, to the City to review the status of each priority project and issue on the City’s federal agenda. Based upon your needs and availability, we can also convene regularly scheduled conference calls. Personalized reports to our clients include grant summaries and profiles that include tips on how to be the most successful, topic specific funding guides that review available grant and loan opportunities, legislative trackers that review pending bills related to a certain topic, and policy issue briefs that provide historical background and new developments on regulatory and administrative issues.

In addition to more personalized updates from your advocacy team, the City will benefit from the following communications: Every Monday, TFG releases a Weekly Legislative Update and a Water and Natural Resources Update that provide a brief synopsis of relevant action that occurred the week before, as well as an outlook of what to expect from Congress and/or the Administration in the coming week. These outlooks include information on congressional committee meetings and hearings. On Fridays, TFG provides a list of grant solicitations that were published that week, and we distribute quarterly grants reports that announce upcoming grant opportunities. TFG also develops comprehensive reports on major events coming out of Washington. For example, over the last several months, TFG has prepared special reports for our clients on pending legislative matters after the Thanksgiving break, the release of the President’s FY 2019 budget request, the announcement of the White House infrastructure plan, and the recent passage of the FY 2013 omnibus appropriations bills. We tailor these reports to focus on specific issues and areas of importance to local governments.
Examples of Client Work

The following snippets are provided as examples of our weekly client communications. Additional samples of specific client work can be provided upon request.

**Weekly Legislative Update**  
March 19, 2018

**Congressional Outlook**

The House and Senate are in session this week. The House will vote on the Strengthening Local Transportation Act (H.R. 5039), which would reduce emergency response times by putting officers and resources near high-risk surface transportation as a week. The House will also vote on the Allowing State Trucking Act (H.R. 4960), which exempts non-ready financial institutions that are not Reserve from the Dodd-Frank Act stress testing requirement.

The Senate will vote on the nomination of Kevin McCarthy to be and Border Protection. The Senate will also vote on the Allow Sex Trafficking Act of 2017 (H.R. 1858), which proposes to provide new tools to law enforcement to prosecute criminal acts of advertisements for prostitution and solicitation of victims of sex trafficking in Yemen. The House has not yet been voted on by Congress.

House and Senate negotiators are still trying to complete a transportation spending bill. The House passed a spending bill that includes $75 million annually for FYs 2019-2022. This is also a provision of the Senate School Violence Act that was signed into law. The two bills are roughly similar but are not the same. The Senate School Violence Act would authorize more grant funding, for example.

**Week in Review**

**Cabinet Secretaries Testify to Senate Committee to Sell Infrastructure Plan**

On March 14, five Trump Administration secretaries testified before the Senate Commerce, Science and Transportation Committee to defend and sell President Trump’s infrastructure plan, which was released in early February. The hearing, which aimed to examine the various infrastructure policy reforms proposed by the Administration, featured Transportation Secretary Elaine Chao, Commerce Secretary Wilbur Ross, Labor Secretary Alexander Acosta, Agriculture Secretary Sonny Perdue, and Energy Secretary Rick Perry. The biggest issue discussed at the hearing was how to pay for the proposal, which the White House has yet to officially comment on. After the hearing, Committee Chairman John Thune (R-SD) told reporters, “There are some other offsets that we could come up with to put together a decent package, but to get the big, really robust package the president’s talking about, we have to come up with a significant source of revenues. And so far there haven’t been identified.”

**Farm Bill Talks Stalled in the House**

The farm bill is up for reauthorization in 2018, and consideration of both bills has generally been on track. Last week, both committees began work on the farm bill. The Senate Agriculture Committee passed its version of the bill, while the House Agriculture Committee passed its own version. The two bills are roughly similar but not the same. The Senate Agriculture Committee passed its version by a vote of 40-13. The bill would authorize $15 billion annually for FYs 2019-2022. This is also a provision of the Senate School Violence Act that was signed into law. The two bills are roughly similar but not the same. The Senate School Violence Act would authorize more grant funding, for example.

**House Passes Secure Our Schools Program Reauthorization**

On March 14, the House passed the Student, Teachers, and Officers Preventing (STOP) School Violence Act of 2016 (H.R. 4066) by a vote of 417-19. The bill would reauthorize CCU’s Secure Our Schools program at $75 million annually for FYs 2019-2022. This is also a provision of the STOP School Violence Act that was signed into law. The two bills are roughly similar but not the same. The Senate School Violence Act would authorize more grant funding, for example.

**Senate Passes Dodd-Frank Reform Bill**

On March 14, the Senate passed the Economic Growth, Regulatory Relief, and Consumer Protection Act (S. 2155) by a vote of 57-31. The bill would roll back several Dodd-Frank Act regulations for small and medium-sized banks. The bill also includes the Municipal Finance Support
New Grant Opportunities Announced

Department of Interior

FY 2018 WaterSMART Grants Program: Water and Energy Efficiency Grants - The purpose of this program is to support projects that result in quantifiable and sustained water savings. Projects supported through this program will conserve and use water more efficiently, increase the production of hydropower, mitigate conflict risk in areas at high risk of future water conflict, and enable farmers to make additional on-farm improvements in the future, and accomplish other benefits that contribute to water supply reliability in the western United States. Eligible applicants include states, Indian tribes, irrigation districts, water districts, or other organizations with water or power delivery authority. Eligibility is limited to applicants located in the western United States or territories, specifically Arizona, California, Colorado, Idaho, Kansas, Montana, Nebraska, Nevada, New Mexico, North Dakota, Oklahoma, Oregon, South Dakota, Texas, Utah, Washington, Wyoming, American Samoa, Guam, the Northern Mariana Islands, and the Virgin Islands. Applications must be submitted by May 10, 2018. Click here for more information.

FY 2018 WaterSMART Grants: Small-Scale Water Efficiency Projects - The purpose of this program is to support small-scale on-the-ground water efficiency projects that seek to implement work identified through previous planning efforts. Projects supported through this program will conserve and use water more efficiently, mitigate conflict risk in areas at high risk of future water conflict, and accomplish other benefits that contribute to water supply reliability in the western United States. Eligible applicants include states, Indian tribes, irrigation districts, water districts, or other organizations with water or power delivery authority. Applications must be submitted by May 10, 2018. Click here for more information.

Department of Justice

FY 2018 Specialized Services and Mentoring for Child and Youth Victims of Sex Trafficking - The purpose of this program is to support efforts to provide mentoring services for children and youth who are victims of commercial sexual exploitation and domestic sex trafficking (CSE/DST). Projects will prevent further victimization of children through mentoring, support services, and community awareness activities. Projects must provide direct service to youth up to the age of 18. Eligible applicants include State, local and Tribal governments, academic institutions, non-profit organizations and for-profit organizations. Applications must be submitted by May 15, 2018. Click here for more information.

FY 2018 Local Law Enforcement Crime Gun Intelligence Center Integration Initiative - The purpose of this program is to encourage local jurisdictions to work with the Bureau of Alcohol, Tobacco, Firearms and Explosives ( ATF) partners to utilize intelligence, technology, and community engagement to swiftly identify firearms used unlawfully and their sources and effectively prosecute perpetrators engaged in violent crimes.

The Ferguson Group
1001 Pentagon Ave NW
Suite 700
Washington, DC 20004
202-931-5000
http://www.fergusongroup.com
Proposal to the City of Beverly Hills for Federal Legislative Services

Highlights of the FY 2018 Omnibus Appropriations Package

March 7, 2018

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Introduction

On March 23, 2018, Congress released the FY 2018 Omnibus Appropriations Bill to provide funding for Federal government programs until September 30, 2018. The bill, which funds the federal government for the remainder of FY 2018, was passed by the Senate on March 22, 2018.

The bill includes $1.1 trillion in discretionary spending for Fiscal Year 2018. The Senate’s version of the bill reduces funding for some programs and increases funding for others. The bill also includes funds for disaster relief and other emergency programs. The bill is expected to be signed into law by the end of next week, providing temporary funding for the government.

Overall, the bill is expected to be received well by most Americans. The budget is projected to remain in deficit for at least the next decade, but the bill includes measures to reduce spending and increase revenue. The bill also includes funds for education, health care, and other important programs. The bill is expected to be signed into law by the end of next week, providing temporary funding for the government.

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Introduction

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Highlights of the FY 2018 Omnibus Appropriations Package

March 7, 2018

---

Dr. [Last Name]
[Title]
[Organization]
[Address]
[City, State ZIP]
[Email]

[Signature]
Project Management

TFG’s Approach

The following diagram provides a general overview of TFG’s approach to our federal advocacy strategy, which is centered on three activity areas: Agenda Development, Advocacy and Communications. A summary of the tasks identified in the diagram follows.

**Federal Agenda Development**
- Strategic assessment
- Develop Federal Agenda
- Prepare advocacy materials

**Communications**
- We serve as your staff in Washington
- Regular reporting
- Open communication - with you and with Congress and federal agencies

**Advocacy**
- Meetings in Washington, D.C. and ongoing communication with staff
- Influence federal funding and policy
- Track legislation and respond accordingly

**Federal Agenda Development**

*Conduct Strategic Assessment of Opportunities.* TFG will meet with City officials to learn about your priorities and help you define the City's desired federal goals and objectives. We typically spend two full days with a client to get an in-depth understanding about priority projects, and to meet with leadership, staff and local partners, as determined by the City. We explore all aspects of the City’s priorities to ensure that you are positioned to take advantage of all opportunities, and that you are aware of any potential threats to your interests.

*Develop Federal Agenda and Strategy.* TFG will develop a Federal Agenda that outlines the City’s federal priorities, as well as the strategy to advance those priorities. Once approved by the City, the Federal Agenda serves as TFG’s work plan, but remains flexible enough to be revised and improved upon, as needed. Making timely adjustments keeps the Federal Agenda current and enables the City to take advantage of new opportunities and to better manage any new challenges that arise. The Federal Agenda is reviewed and revised annually, if necessary, in preparation for the next session of Congress.
Advocacy

Preparing for Meetings in Washington, D.C. TFG will work with the City to prepare the materials needed to advance your Federal Agenda, and successfully advocate the City’s priorities. Developing persuasive, easy-to-understand messages that promote a well-articulated Federal Agenda are critical to achieving results. TFG’s team will prepare meeting materials, provide recommended talking points, brief you in advance, discuss political strategies, and answer all your questions to help you optimize your effectiveness during advocacy meetings and otherwise. Knowing how to deliver the right message to the right people is essential to successful advocacy and a cornerstone of TFG’s clients’ success.

Effective Bipartisan Advocacy. TFG strongly believes in a bipartisan approach to federal advocacy — most community needs and issues are not partisan. This approach has enabled our firm and our clients to smoothly transition into working with whichever party holds the majority. It also enables us to work cooperatively within a state’s congressional delegation, which is often bipartisan – like Beverly Hills’s delegation.

Legislative and Regulatory Services. TFG will shepherd the City’s legislative priorities through the entire legislative process, including bill introduction, when applicable, committee hearings, markups, and votes. We will ensure that you push your legislative priorities at the critical time. In Washington, D.C., timing often marks the difference between achievable results and a missed opportunity. This process is particularly important when trying to include local priorities in the federal budget or to avoid cuts to critical federal programs. TFG consistently monitors legislative and regulatory action that can be either beneficial or harmful to our clients’ priorities. We help our clients engage directly in the legislative and regulatory processes to ensure their support and/or concerns are known.

Enhance Relationships. Our team has working relationships with Beverly Hills’s Congressional Delegation. We also have productive working relationships with key congressional committee chairmen and staff; Administration officials within the Executive Office of the President; and key appointed officials and civil servants within the federal agencies. Additionally, we have existing relationships with stakeholder groups, trade associations and issue-oriented coalitions. Through these contacts, we remain actively involved in the development of legislation and regulations, as well as the preparation and adoption of the federal budget, annual appropriations bills and competitive grant applications. By leveraging our contacts, we will enhance the City’s existing relationships. In addition, by maintaining regular contact with the City’s Congressional Delegation, we are able to keep them abreast of your priorities and your developing positions on new issues that arise during the legislative year. Just as we assist the City in promoting your priorities, TFG assists federal officials and their staff in identifying and undertaking activities to achieve the City’s goals and objectives, being sure to reserve credit for the elected officials where it is due.

Schedule Washington, D.C. Meetings. TFG practices a cooperative team approach in which the City is an integral part of the education and advocacy process in Washington, D.C. We are committed to helping you become your own best advocate and will work closely with you to identify the best timing, audience and message when you are in Washington, D.C., or meeting with officials in the District. TFG will make all arrangements for the most effective use of your time, resources and effort. We will coordinate meetings with Members of the Beverly Hills’s Congressional Delegation, other targeted Members, congressional and committee leadership, and key federal agencies where it is important to raise the City’s profile and to advocate effectively for the goals and objectives in
the Federal Agenda. We personally guide you through these visits in Washington, D.C., assist with related logistics, and provide all of the necessary follow-up. As noted previously, our California presence also allows us to schedule and attend meetings with key federal agency officials and staff as well as congressional offices in local and regional offices in California and the West. This allows our clients to utilize all avenues and all contacts to reach their goals locally, regionally, and nationally.

**Federal Grant Services**

As part of the Federal Agenda and strategy, there likely will be a significant grants component. TFG’s Grants Office will support the team representing Beverly Hills to ensure all relevant competitive grant opportunities are explored. The City will receive a weekly list of newly published federal competitive grant solicitations. We also provide a quarterly outlook to give our clients enough time to prepare for upcoming grant opportunities. TFG’s team provides the following key competitive grant services:

**Opportunities Analysis.** TFG provides a comprehensive approach to developing project priorities and identifies the best funding opportunities for those projects. We provide a full report of funding options and a recommended action plan that will improve award rates.

**Project Evaluation.** The project evaluation focuses on identifying funding opportunities for your specific projects. TFG will provide a list of funding opportunities along with recommendations about the best approach based on the project.

**Strategic Advice.** Once an opportunity is identified and you decide to move forward, we guide you in positioning the application for success. Central to our success is knowledge of the underlying program authorizing legislation and priorities of the grant-making agency.

**Inside Track.** We help put you face-to-face with program officers and decision makers within funding agencies. TFG gives our clients a competitive advantage: we pitch your projects while developing relationships with key agency officials and staff while gaining valuable insight on agency priorities related to specific grant opportunities.

**Client List**

TFG specializes in representing local governments and pride ourselves on our ability to represent each client as an individual while drawing upon our collective knowledge and experience in Washington. We have the capacity to represent the City of Beverly Hills and look forward to the opportunity to do so. TFG represents 95 clients in 22 states and manages two national coalitions. The following is a list of our current clients. Items in italics are subcontracts.

- Amah Mutsun Tribal Band, CA
- AMEC Foster Wheeler
- American Equipment Distributors, DC
- Bryant & Associates, CA
- Butte County Association of Governments, CA
- Caregiver Action Network, DC
- Cat Creek Energy, ID
- CDM Smith/ALCOSAN
- City of Ashford, NY
- City of College Park, GA
- City of Concord, NC
- City of Daly City, CA
- City of Folsom, CA
- City of Fort Wayne, IN
City of Ephraim, UT
City of Greenville, NC
City of Harrisburg, PA
City of High Point, NC
City of Linden, NJ
City of Morro Bay, CA
City of Oceanside, CA
City of Oak Ridge, TN
City of Palmdale, CA
City of Roseville, CA
City of Santa Monica, CA
City of St. Petersburg, FL
City of Tamarac, FL
City of Woodland, CA
City of Westminster, CA
County of Butte, CA
County of Charles, MD
County of El Paso, CO
County of Hamilton, OH
County of Lee, FL
County of Livingston, NY
County of Loudoun, VA
County of Sacramento, CA
County of San Joaquin, CA
County of San Luis Obispo, CA
County of Sutter, CA
County of Vance, NC
Cumberland CID, GA
Data buoy Corporation, VA
El Dorado County Water Agency, CA
Family Farm Alliance, OR
Florida Association of Counties, FL
Friant Water Authority, CA
Glenn-Colusa Irrigation District, CA
Greenville Utilities Commission, NC
Heritage Fields El Torro LLC, CA
Idaho Water Users Association, ID
Idaho Water Resources Board, ID
Imperial Irrigation District, CA
Kansas Bostwick Irrigation District, KS
Kings River Conservation District, CA
Kings River Water Association, CA
Klamath Water Users Association, OR
Lennar Communities, CA
Lung Cancer Alliance, DC
M&R Strategy Services/Pew Charitable Trusts
MGC Holdings, Inc., OH
Merced Irrigation District, CA
Midpeninsula Regional Open Space District, CA
Modesto Irrigation District, CA
Monterey Peninsula Water Management, CA
National Stripper Wells Association, OK
Newhall Land Development Company, CA
North Bay Water Reuse Authority, CA
North Carolina Association of Electric Cooperatives, NC
Northern California Water Association, CA
Parson Brinkerhoff, LLC, NY
Phillips 66 Company, TX
Poseidon Water, MA
Poyner Spruill, LLC, NC
R3 Water District, CA
Reclamation District 108, CA
Ridgecrest Fire Department, NC
San Juan Water District, CA
Scioto Valley Local School District, OH
Silicon Valley Clean Water Authority, CA
Somach, Simmons, & Dunn, CA
Southeast Rural Community Assistance Project, VA
Southern California Public Power Authority, CA
State of Texas
Tollhouse Energy, WA
Town of Cary, NC
Town of Mooresville, NC
Tule River Improvement Joint Powers Agencies, CA
Turlock Irrigation District, CA
Vance County Tourism, NC
Village of Piketon, OH
Water Environment Reuse Foundation, VA
Western Municipal Water District, CA
Yakima Basin Joint Board, WA

National Association of Towns and Townships (NATaT) represents the interests of approximately 10,000 towns and townships in eight states. NATaT is the voice in Washington for these typically smaller communities and advocates on issues such as incentives for volunteer first responders, transportation and Farm Bill programs. www.natat.org
Perfect Storm Communities Coalition is a group of municipal and regional wastewater and stormwater agencies dealing with expensive mandates from the Environmental Protection Agency to fix wet weather Clean Water Act compliance issues such as combined sewer overflows and new stormwater regulations, while experiencing record high unemployment, home foreclosures and flat economic growth conditions.

Staff

The Beverly Hills Advocacy Team

TFG’s approach to staffing is to assemble a team of individuals who, by education, training and professional experience, are best positioned to provide the greatest value to the client. One team member is selected as the client manager and serves as the primary point of contact, oversees distribution of work, and ensures quality work product for the client. TFG’s professional team works closely together and draws from the expertise of other TFG professionals who are not specifically assigned to the client, but whose expertise enhances the team’s ability to provide unparalleled service to the client.

Understanding the City’s current federal priorities and needs, TFG proposes the following Advocacy Team for Beverly Hills.

<table>
<thead>
<tr>
<th>Team Member</th>
<th>Responsibilities</th>
<th>Estimated Time</th>
</tr>
</thead>
<tbody>
<tr>
<td>Charmayne Macon</td>
<td>Charmayne will serve as the co-team leader and main point of contact to the City in Washington D.C.</td>
<td>40%</td>
</tr>
<tr>
<td>Mike Miller</td>
<td>Mike will serve as the co-team leader and main point of contact to the City in California.</td>
<td>30%</td>
</tr>
<tr>
<td>Zach Israel</td>
<td>Zach will assist the Client Manager on all of the City’s priorities with a focus on legislative matters.</td>
<td>15%</td>
</tr>
<tr>
<td>Heidi Schott</td>
<td>Heidi will be responsible for overseeing all grant preparation, development, and submission.</td>
<td>15%</td>
</tr>
</tbody>
</table>

The following biographies highlight educational and professional backgrounds in addition to relevant client experience of partners and staff available to the City. Full resumes for each team member are included in Appendix A to this proposal. In addition to your designated advocacy team, the County will have access to all members of TFG’s advocacy staff. Biographies of all members of the firm can be found on our website at www.thefergusongroup.com.
Charmayne Anderson
Senior Advisor

Charmayne Anderson advocates for public agencies and nonprofit organizations on a variety of legislative and policy issues affecting their funding and program operations. With over two decades of experience, she designs and executes federal appropriations strategies and advances policy objectives on housing, economic and workforce development, transportation, and environment and water resources issues. Her activities also include advising on competitive grant opportunities, providing regulatory representation before federal agencies and coalition building with other groups with similar legislative or policy goals. Charmayne served on TFG's Management Committee from 2006-2008 and chaired the firm's Local Government Practice Group from 2010-2011. She currently serves as one of TFG's liaisons to the US Conference of Mayors, the National League of Cities and the California League of Cities.

Charmayne has been successful over the years working on local community priorities nationwide. Her work includes securing federal resources to leverage public and private investments for community development, programs and services; obtaining federal legislative language for communities to address critical water and transportation infrastructure needs; and interfacing with federal agencies to help communities satisfy transportation, housing and environmental regulatory requirements. Her work with nonprofit organizations has involved engaging them in the public policy process, forging partnerships among federal policymakers and building networks of existing and prospective supporters. She champions quality education for underprivileged youth, workforce development, healthy living, and economic stability in our nation’s urban core.

Charmayne is a former staff assistant in the House of Representatives for a congressional committee with jurisdiction over immigration, transportation and agricultural issues. Charmayne received her B.A. in Government and Politics, and her M.P.A. with a concentration in policy from George Mason University. She is a member of the Women in Government Relations, Women’s Transportation Seminar and the California State Society.

Mike Miller
Partner

Mike has helped local and regional governments work at the federal level for nearly 30 years, first as a counsel to Robert T. Matsui, then as a land use attorney in Northern California, and for the past twenty years as a federal lobbyist and partner at TFG.

Mike has extensive experience dealing with large and politically complex federal projects including highway and bridge construction and water infrastructure. Mike assisted Roseville in securing over $70 million to widen Interstate 80 and also assisted Folsom in securing approximately $100 million in federal funding to build the new $140 million Folsom Crossing Bridge. While practicing law, Mike helped negotiate one of the first Habitat Conservation Plans (HCP), in Northern California. Mike also assisted San Luis Obispo County secure the largest USDA ARRA grant and loan in the nation for the Los Osos Wastewater Project.
Before joining TFG, Mike served as counsel to U.S. Representative Robert T. Matsui (D-CA), serving as Mr. Matsui’s local government point person in Washington. Mike focused on transportation, flood control, water resources and infrastructure, economic development, environmental issues, and military base closure and reuse. Notably, Mike was deeply involved in the successful effort to defer the closure of McClellan Air Force Base for two years and in efforts to develop a major flood control alternative for the Sacramento area. Mike is an active member of the State Bar of California and practiced land use and environmental law in California before joining TFG.

Mike received his B.A. with High Honors from the University of California, his law degree from the College of William & Mary in Virginia, and his Master of Laws from the University of the Pacific.

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**Zach Israel**

**Senior Associate and Manager of Legislative Affairs**

Zachary Israel is an Associate at The Ferguson Group. Zach works on behalf of clients by identifying and researching grant opportunities for specific client projects and works on municipal, water infrastructure, energy, transportation, criminal justice, and law enforcement practice areas, among other issues, at the federal level. Zach also analyzes federal legislation and interacts with federal agencies and offices on behalf of clients.

Prior to joining The Ferguson Group, Zach worked for two years in the Government Affairs department at the North American Securities Administrators Association (NASAA) in Washington, D.C., the oldest international organization devoted to investor protection. Zach conducted policy and legal research on various issues relating to federal and state financial regulation, investor protection, and securities matters in the U.S., Canada, and Mexico, in addition to educating members of Congress and their staff on issues of importance to NASAA. Zach also served in 2012 as the Field Director and Policy Research Associate on a Congressional campaign in his native New Jersey and, during college, interned for former U.S. Representatives Rush Holt (D-NJ) and Scott Murphy (D-NY), in addition to U.S. Senator Bob Menendez (D-NJ).

Zach received his B.A. in Political Studies from Bard College, focusing on American politics and international affairs.

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**Heidi Schott**

**Senior Associate and Manager of Grant Services**

Heidi Schott is an integral part of the TFG’s Grants Team. She specializes in grants services for public agencies and nonprofit organizations on a wide variety of funding and program operations. She undertakes complex policy and research analysis on housing, public safety, economic and workforce development, education, transportation, environment and water resources issues. She has been successful leading, developing, advising on and writing competitive grant proposals since joining the firm. She also has experience administering HUD entitlement programs, having drafted Consolidated Plans, Annual Action Plans, Environmental Record Reviews, and Analysis of Impediments to Fair Housing reports for clients.
Heidi’s grant experience is significant, having successfully secured funding from DOT, DOJ, HUD, DHS, USDA, and EPA. In 2016, she assisted clients to secure approximately $11 million in grants and loans. Some of her 2016 accomplishments include a $2 million FEMA Assistance to Firefighters Grant for Loudoun County, VA; a $999,600 DOJ Body-Worn Camera grant for Los Angeles County, CA; a $222,663 USDA Farmers Market Promotion Program grant for College Park, GA and a $250,000 USDA Rural Community Development Initiatives grant for Southeast Rural Community Assistance Project. Her success continued in 2015, working collaboratively with Karl to secure a $3.7 million in HUD Lead Hazard Reduction Demonstration Grant for the City of Harrisburg, PA, as well as a $375,000 DOJ COPS Hiring Program Grant for the City of Woodland, CA. In 2015, Heidi wrote and secured a $25,000 USDA Local Food Promotion Program Grant and $438,001 in DOJ Grants to Encourage Arrest Policies and Enforcement of Protection Orders for Cumberland County, ME, and a $238,435 in FEMA Assistance to Firefighters grant for the Town of Buxton, ME. In 2014, Heidi and Karl won over $14 million in USDA funding for our client, the North Carolina Electric Membership Corporation, and a $250,000 grant for the Midway City Sanitation District for Air Quality Improvement. Additionally, in 2014, Heidi wrote and won a $1.2 million TIGER planning grant for El Paso County, CO; a $572,524 Department of Justice (DOJ) Second Chance Act Grant, and a $97,000 USDA Local Food Promotion Grant for Cumberland County, ME.

Heidi received her B.A. in European History from the University of Victoria and her Masters in Public Administration, with a concentration in Public Management and Economic Analysis, from George Washington University. Heidi is based in TFG’s Oakland office.

Qualifications and References

Qualifications

As described in the Introduction to this proposal, TFG has extensive experience representing local governments at the federal level. The following client experiences represent specific cases in which TFG has successfully assisted clients on issues similar to those of Beverly Hills.

Loudoun County, VA – TIGER Grant. TFG worked in close collaboration with Loudoun County staff to secure a $25 million TIGER grant award for the County’s Northstar Boulevard project. Of the 41 awardees, Loudoun County received the largest grant award in the country. (Two other projects also secured $25 million.) Loudoun County is experiencing tremendous growth and a study of the transportation network concluded that this segment of Northstar Boulevard is a critical missing link. Completing this segment will accommodate the County’s growing traffic demand and alleviate increasing congestion on its roadways. The County submitted an application for this project in a previous TIGER round. TFG coordinated a detailed debrief with USDOT staff and helped apply recommended changes to the winning application.

CLIENT CONTACT: Gwen Kennedy, Legislative Liaison, Gwen.Kennedy@loudoun.gov, (703) 777-0208
DATE OF WORK PERFORMED: August 2017 to March 2018
TFG STAFF: Jennifer Imo
**City of Morro Bay, CA – WIFIA Project.** TFG is currently facilitating communications with all levels of EPA’s Water Infrastructure Financing and Investment Act (WIFIA) Office to ensure an efficient and positive outcome for the City’s pending WIFIA loan application for its new water reclamation project. The City was one of twelve applicants nationwide to be invited by EPA to proceed with negotiations for very low interest and long term financing of the $150 million project. In addition to EPA, TFG is also advocating for funding, technical, and regulatory assistance from the US Department of Agriculture, the Bureau of Reclamation, and the US Army Corps of Engineers to ease the impact of the project on rate payers. In March TFG secured a meeting at EPA headquarters with key program officials and intergovernmental affairs staff to ensure the WIFIA application is on track and to address specific questions and concerns regarding the process.

**CLIENT CONTACT:** Rob Livick, City Engineer, rlivick@morrobayca.gov, (805) 772-6261  
**DATE OF WORK PERFORMED:** March 2017 - present  
**TFG STAFF:** Mike Miller

**City of Roseville, California – Homelessness and Veterans Services.** Very recently the City has undertaken a positive and forward-leaning effort to develop an understanding of regional homelessness and find meaningful ways to address this important issue, especially as it relates to homeless veterans. On a recent trip to D.C., the City met with top officials at the Department of Housing and Urban Development (HUD) and the Veterans Administration (VA) to discuss Roseville’s effort and to find ways to work with HUD and VA to assist those in need. While still in development, the City and VA have already taken positive steps forward, including facilitating easier meetings for veterans with caseworkers by providing meeting space at City facilities.

**CLIENT CONTACT:** Mark Wolinski, City of Roseville, mwolinski@roseville.ca.us, (916) 774-5179  
**DATE OF WORK PERFORMED:** January 2016 - Present  
**TFG STAFF:** Mike Miller

**Client References**

TFG provides the City of Beverly Hills with the following three references for which we have performed government relations and federal advocacy services.

**Mr. Mark Wolinski**  
Government Relations Administrator  
City of Roseville  
**ADDRESS:** 311 Vernon Street, Roseville, CA 95678  
**PHONE:** (916) 774-5179  
**EMAIL:** mwolinski@roseville.ca.us

TFG has represented the City of Roseville for 13 years. We focus on all funding and regulatory opportunities and challenges facing the City, including public infrastructure construction, energy efficiency, public safety, and onerous regulatory actions. For example, TFG helped secure over $70 million for interstate widening and over $5 million for alternative transportation facilities. TFG also helped the City secure several important regulatory changes protecting and stimulating the local and regional economy, including favorable FOMA regulatory language shielding local housing from startlingly negative changes in federal home loan policy that would have dramatically impacted the Roseville housing market and, by extension, the local and regional economy. TFG has also actively worked with EPA and other federal agencies on behalf of the City regarding proposed and onerous stormwater regulations.
Proposal to the City of Beverly Hills for Federal Legislative Services

Mr. Rick Cole  
City Manager  
City of Santa Monica  
ADDRESS: 1685 Main St., Santa Monica, CA 90401  
PHONE: (310) 458-8301  
EMAIL: rick.cole@smgov.net

For the City of Santa Monica, TFG has engaged in policy efforts at the federal level to combat homelessness and solutions to affordable housing. We have also facilitated engagement with the Federal Transit Administration and secured resources to maintain the City’s bus and bus facility options in the face of the Exposition Light Rail operations and transportation network companies (TNC) impacting ridership. We have also worked to increase resources for human services and public safety efforts in the City.

Ms. Michelle Lawrence  
City Manager  
City of Oceanside  
ADDRESS: 300 North Coast Hwy, Oceanside, CA 92054  
PHONE: (760) 435-3072  
EMAIL: mlawrence@ci.oceanside.ca.us

For the City of Oceanside, TFG has worked to secure federal resources and develop relationship with the Bureau of Reclamation for water desalination and recycling efforts in the City. We have engaged in other community and economic development matters for this growing coastal community and increased resources for veteran housing options in particular. We have also increased resources and facilitated engagement with the U.S. Army Corps of Engineers for the City’s coastline and harbor due to the building of Camp Pendleton Marine Corps Base.
Cost Proposal

TFG spends the time necessary – and typically much more – to bring success to our clients. Our retainer contract approach to professional fees provides budget stability for our clients while giving your lobbying team the freedom to concentrate on substantive work and achieving measurable results. As a retainer client, the City will always have at its disposal TFG's diverse complement of staff experts in the full range of federal issues to help navigate this new and changing federal environment.

Fixed Fee: $6,500 per month

Services Provided: Assumes the equivalent of approximately 15 hours of partner-equivalent time per month. A full retainer contract also provides the City with access to all TFG staff and federal grant services.

Expenses: Reimbursable expenses, including out-of-town travel (pre-approved by client), in-town travel (taxicab), long-distance telephone charges, faxes, miles, document reproduction, overnight delivery and in-town courier services, would not exceed $5,000 annually.

Again, TFG stands ready to work closely with you to refine and tailor our retainer fee based upon your needs. The figures included in this cost proposal are negotiable and depend on the final scope of services decided upon by the City.
Request for Proposals #18-7
Notice Inviting Submission of Proposals
For
Federal Legislative Advocacy Services
Due Date: March 22, 2018
March 22, 2018

Made to the Attention of the City of Beverly Hills:

It is with great pleasure that I present for your review my response to your invitation for Proposals for Federal Legislative Advocacy Services.

As the sole proprietor of Ramirez Partners I realize how important it is to have "Partners", that's why it's in the name of my business. That's the business we are in, creating sustainable teams, joint ventures, public-private strategic initiatives and long term improvements that drive innovative public services and access to greater opportunity and prosperity. And that includes working with governments when they are working with other governments. Whether it be another city, county, state or federal agency or legislative body or executive or constitutional officer or even another country. We have been there to bridge the gaps. We have delivered on public safety, economic development, technology, education & healthcare policy as well as urban planning issues and have a strong background in inter-government procurement policy development.

This success is rooted in well developed, long term and trusted relationships based on a positive record of performance and high moral and ethical standards in all areas of professional and personal life matters. We have worked with, for and been in continuous communications with the top decision makers in Washington DC, including the White House, the Senate and Congress and the State Capital in Sacramento and State Houses around the country from West Virginia and back to Reno for over 25 years. And we have a positive working record with Democrats & Republicans nationwide.

And while I am a State of California Certified Small Business I am not working alone. I have the backing and professional expertise and support of a highly respected and accomplished Board of Advisors and Subject Matter Experts who like myself are also recent graduates of the City of LA Office of The Mayor Small Business Academy at USC who are available for additional unique projects.
I look forward to continuing to be part of the evaluation process and patiently wait a decision. I am prepared and understand and will fully comply with the City of Beverly Hills Contracting Terms & Conditions and any other matters subject to negotiation at the discretion of The City of Beverly Hills and additional regulatory or compliance requirements including insurance coverages or other business licenses or lobbying registrations and reporting.

I base my operations in Southern California primarily to be able to maintain our strongest relationships with our local elected officials, their staff, the media and coalitions in the region and will be available to attend every Council meeting and will be utilizing additional staff to scale according to project initiatives. Additionally as a We Work co-working space member I will be able to provide office space in 2 venues less than 2 miles from Beverly Hills City Hall at the Pacific Design Center in WeHo and the former MGM HQs in Century City. We will also have access to the We Work DC offices on K Street and their premier White House location to hold meetings, conferences or events with other community leaders, elected officials or to support City Staff or the Mayor or Council while working in Washington D.C.

Much appreciated and respectfully,

Al Ramirez
Owner – General Manager | Chairman Ramirez Partners
www.ramirezpartners.org
info@ramirezpartners.org or alramirez@alramirez.com
Phone 310-985-0645
Ramirez Partners
A Public Sector Solutions Firm

Statement of Qualifications

City of Beverly Hills Proposal for Federal Legislative Advocacy Services

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About Al Ramirez

Al Ramirez is a trusted business technology executive and public policy advocate with a verifiable record of success developing niche strategies to help public sector and enterprise clients improve their technology, minimize compliance risks and reduce their costs in executing inter-government affairs or public sector contracting opportunities and developing leading edge public-private partnership service solutions.

Mr. Ramirez holds a B.A. in American Studies from the University of Texas at Dallas where he began his involvement in civic activities and has continued to serve as a public policy advocate at the Federal, State and Local levels of government to promote greater economic opportunity, accountability and public safety. He is also a recent professional studies graduate of the Inaugural Class of the City of Los Angeles Small Business Academy, a 10 week joint venture civic engagement partnership with the MBDA program at the University of Southern California exploring Major Initiatives in Sustainability.

21st Century Value to Your Organization
Through his Twitter account Twitter.com/alramirezusa with over 160,000 Twitter high value organically accumulated followers Mr. Ramirez is uniquely able to generate the social media reach needed to develop the high level of public awareness critical to the purpose and success of a wide range of public service civic engagement projects, emergency response notifications and the development of strategic alliances with commercial and community partners.

Verifiable Record of Experience
Mr. Ramirez has over 25 years of business and corporate development expertise specifically in the telecommunications and internet industry with previous government affairs & public sector contracting experience with the State of Montana, Wayne County Detroit Michigan, US. Air Force, Camp Pendleton - USMC, Port of San Diego, the LAPD, City of New Orleans, Miami Dade County, Miami International Airport, Miami Fire & Rescue and the States of Florida and California. Projects are fundamentally based in delivering wireless, fiber optic or software technology based cloud solutions in a wide range of settings including new construction or vacant land sites requiring municipal right of way planning, security & facilities management and the follow on servicing and leasing of data centers or pad sites or other vertical access points for the deployment of Internet of Things Surveillance and Management Applications.

Mr. Ramirez was most recently a Vice President of Government Markets at Broadvoice. A Los Angeles based Cloud Solutions Provider with 150 employees and $50M in Revenue. Previously he was the Director of Government Markets and Strategic Alliances at Airespring a competitive company also in the San Fernando Valley. Mr. Ramirez has also held leadership roles with AT&T, Sprint, Verizon and CenturyLink as well as formerly leading the US Public Networks Division for Samsung during its initial entry into the North American Market during the Internet Boom of the 1990’s. He was also a key executive responsible for the development and presentation of a successful Initial Public Offering (IPO) for Flash.Net a Ft Worth based 1st generation Start-Up Internet Service Provider that was subsequently acquired to become part of what is today AT&T.
Ramirez Partners
A Public Sector Solutions Firm

Mr. Ramirez founded Ramirez Partners as a Start-Up Public Sector Sustainability Solutions firm to address the gaps between Governments, Prime Contractors and Sub-Contractors. The single purpose of his firm is to serve the public trust. His services are based on his successful career as an Inter-Government Relations Manager, Private Sector Government & Regulatory Affairs Advocate and former Guest Political Commentator on English & Spanish Cable News including CNN Espanol, Telemundo, Univision and One America News.

His vision is to be a resource center to Governments seeking to build 21st Century Communities, Provide Coordination and Mentoring for Millennials New to Public Service or Private Industries New to Government Affairs, and help Disadvantaged and Veteran Owned Businesses Who Struggle to Overcome the Barriers to Entry.

About Ramirez Partners – Building 21st Century Communities
Ramirez Partners is a Start-Up Public Sector Solutions firm owned and managed by Al Ramirez, a sole proprietor certified State of California and City of Los Angeles SBE.

While attending the City of LA Small Business Academy at USC in the fall of 2017 Mr. Ramirez saw a need from his class cohorts. There was one common challenge facing these Small First Time Entrepreneurs, Women, Minorities and Veterans and City of Los Angeles leadership. The need for a local catalyst to help drive better socio-economic networking and participation in public sector contracting opportunities to drive the innovation and solutions for Communities to thrive in the 21st Century.

The Company Vision and Mission – Serve the Public Trust through Sustainable Initiatives

Ramirez Partners is working to fulfill the role as a Resource Center Partner for the Public Sector as a Responsive and Responsible Prime Contractor with a committed strategy to team with Small Local Entrepreneurs as a Mentor to include their expertise and Ramirez Partners will also work to serve as a Sub-Contractor to Established Major Primes that need an Outside Chief of Staff uniquely able to serve as a Prime-Over-Subs or Project General Manager to help build bigger and more inclusive teams.

Ramirez Partners works as a retainer fee based consultant and independent contractor. Project deliverables and scope of work assignments are customer driven proposals with the opportunity for ongoing fee based project retention or hourly fee schedules. Scope of Work Assignments Include:

- Partnerships, Alliances and Corporate Development Initiatives
- Technology Research, Development & Field Deployment Services
- On-Site General Contractor - Outside Chief of Staff
- Strategic Planning & Project Management
- Community Outreach, Civic Engagement, Inter-Government Relations & Public Affairs
- Contract Compliance, Risk Assessment, Performance Auditing & Regulatory Reporting
- Marketing, Radio or Print News & Social Media Communications
- Master Planning & Site Design and other Real Estate Development Services
- Economic Development, Feasibility Analysis and Due Diligence Audit
Executive Team Strategic Alliance Partners & Scope of Services Proposed

Al Ramirez, Ramirez Partners
Chairman of the Board Ramirez Partners
General Manager

Inter-Government Relations & Regulatory Affairs | Real Estate Services | Public-Private Partnerships | Project Feasibility and Underwriting | Economic Development Analysis | Community Outreach and Engagement | Master Planning and Site Planning | Technology Project Management

Al Ramirez is a trusted business technology executive and public policy advocate with a verifiable record of success developing niche strategies to help public sector and enterprise clients. Mr. Ramirez has proven to be a reliable source of information and has demonstrated a talent for being able to work with all sides of the table in politics in part to the fundamental need in business to get things done in a Win-Win result. Rivals become friends. Friends become partners. Partners focus on the future. The future is based on positive experience and results. Positive results builds trust. Al Ramirez builds trust.

Mr. Ramirez holds a B.A. in American Studies from the University of Texas at Dallas. Mr. Ramirez has over 25 years of business and corporate development expertise. Mr. Ramirez was most recently Vice President of Government Markets for Broadvoice. A Los Angeles based Cloud Solutions Provider with over 150 employees and $50M in Revenue. Previously he was the Director of Government Markets and Strategic Alliances at Airespring a competitive technology services company also in the San Fernando Valley.

Mr. Ramirez will be the Main Point of Contact for all Contract Matters as the Sole Owner of Ramirez Partners. He will be available daily, 24X7 On Call to The University System Board & Each Campus Board Trustees and Executive Staff and other State or Local Officials as requested unless excused or has provided Planned Back-Up in his Absence. Mr. Ramirez will attended weekly meetings and on-site local meetings anywhere in the world as requested. He has complete responsibility for oversight of business operations and compliance of all staff, sub-contractors and consultants working under his authority. His duties specifically include acting as the client lead spokesman and relationship manager for the CSU System and Campuses.

Javier Reyes Jr. – Javier Reyes Communications
Outside Chief of Staff
Inter-Government Relations & Regulatory Affairs Field Project Partner

Javier Reyes has over a decade experience working in both the California and Texas Legislatures. For Capitol Consultants in Austin, TX he assisted a variety of clients ranging from Municipalities to Ag Business. Mr. Reyes is currently a communications and public affairs advisor to Taft College handling many of the same initiatives that the City of Beverly Hills is requiring in this RFP.
Prior to teaming with Ramirez Partners Javier was also the State of California Field Director for US Senator Ted Cruz for President. He also served as the David Cassidy for US Senate from Louisiana Field Coordinator. Both opportunities continue to have positive relationships and opportunities for cooperation. For the previous 6 years he worked in The California State Assembly as a Senior Field Representative. For Assemblywoman Shannon Grove he coordinated extensively with the Congressional Office of Majority Leader Kevin McCarthy, California State Senator Jean Fuller and Members of Congress throughout the entire State of California.

In his role Javier was responsible for promoting Assemblywoman Shannon Grove's business development initiatives and maintaining strong relationships with municipalities throughout the County of Kern. He was also responsible to advocating constituent issues to the Office of the Governor or other State Constitutional Officers and Agencies.

Javier is a graduate of Texas State University with a B.A. in Political Science and was awarded the National Hispanic Institute, John F. Lopez Fellowship. In his spare time Javier serves as the Vice President of the Kern County Young Republicans and an avid Triathlete.

Mr. Reyes serves as a Chief of Staff of Field Operations and Primary Point of Contact for On-Site Assignments in Sacramento and Washington DC. His services include providing daily direction and oversight to client approved additional field support operations staff specifically recruited to provide strategic alliances to work the Halls of Congress or the State Legislature. Mr. Reyes will be developing legislative tracking action plans as well as weekly reports to present to client authorized staff, media professional or community stakeholders as requested.

Scope of Services, Project Management & Sample Legislative Report

**CITY OF BEVERLY HILLS REQUIRED OBJECTIVES AND SCOPE**

Upon acceptance of the successful response to the RFP, the selected firm will utilize the “Scope of Work” as part of the contract entered to with the City. The selected firm will be expected to perform all technical and other analyses necessary to complete the scope of work. The scope of services shall include, but is not limited to, the following:

1. Work with the City Council, the City Manager, and key staff to discuss goals, objectives, opportunities and priorities. Ramirez Partners has read, understands and will comply.
2. Advocate the City's position to the President of the United States, members of Congress, Federal Departments, and other interested parties. Identify opportunities for elected officials and City officials to participate in the legislative process and make recommendations. Ramirez Partners has read, understands and will comply.
3. Work with the City to identify and evaluate potential funding categories with annual budget or appropriation bills, and specific funding on grant opportunities. Ramirez Partners has read, understands and will comply.

4. The firm will represent the City before associations, committees, legislators and regulators, and also coordinate with the National League of Cities, U.S. Conference of Mayors and representatives of other cities and public agencies. Ramirez Partners has read, understands and will comply.

5. Support a positive relationship with the President of the United States, members of Congress, and key Federal Department staff. Assist in establishing relations between Councilmembers/City staff and legislative persons, including Chairs of key committees and other important decision makers. Ramirez Partners has read, understands and will comply.

6. Provide sufficient support to lobby aggressively on any number of legislative priorities as determined by City. Support would include proactively searching for potential legislative vehicles relating to those topics and affecting the outcome of those proposals. Ramirez Partners has read, understands and will comply.

7. Research, provide information, and prepare reports/memo as requested by on a variety of topics, including but not limited to:
   a. Federal laws or proposed legislation,
   b. Legislative hearings, reports and testimony,
   c. Federal regulations/policies,
   d. Federal funding opportunities for proposed City projects; and

8. Technical memoranda or reports impacting City operations. Ramirez Partners has read, understands and will comply.

9. Provide updates on federal legislation that affects the City’s adopted Legislative Platform. Identify potential future legislative issues or opportunities that may interest the City, and help to position the City to benefit from new laws, programs or funding opportunities. Ramirez Partners has read, understands and will comply.

10. Provide the City with copies of bills (introduced or amended) or proposals pertaining to issues of concern/interest to City, particularly those affecting or relating to City’s Legislative Program. Ramirez Partners has read, understands and will comply.
11. Track said legislation and provide the City with advance notice of hearings or critical actions relating to those bills or issues. Ramirez Partners has read, understands and will comply.
12. Provide regular updates on the political landscape in Washington, D.C. to help provide context and identify opportunities and potential issues especially those that may be of interest to City or affect City operations. Minimally, provide monthly reports of activities pursued or accomplished on behalf of the City. Ramirez Partners has read, understands and will comply.
13. Coordinate and cooperate with other organizations, municipalities, companies and firms having similar legislative objectives as the City. Where appropriate, advocate positions on legislation and work to secure language in the law that will advance the City's interests. Ramirez Partners has read, understands and will comply.

14. Provide "value added" services such as webinars, training resources, support with coordinating efforts with the US Conference of Mayors, etc. Ramirez Partners has read, understands and will comply.

15. Prepare briefing materials such as memos summarizing legislation. Ramirez Partners has read, understands and will comply.

16. Coordinate meetings with Federal Legislators and agency department leaders to provide the City the opportunity to meet face-to-face with key decision-makers on pertinent City issues. Provide meeting space and arrange appointments with legislators and agency officials for Councilmembers and City staff. Ramirez Partners has read, understands and will comply.

17. Draft letters of opposition/support on legislation or language for City resolutions as directed by City and provide to City for review and modification. Ramirez Partners has read, understands and will comply.

Al Ramirez working with Javier Reyes will provide the City with regular grant announcements and legislative and regulatory updates. Working with the City of Beverly Hills a legislative plan that meets the City's Priorities will be developed to help search for appropriate government funding.

Presentation materials and Social Media and other Print or TV News as necessary will be prepared to help communicate and promote the City's message. We will draft testimony, provide research data and witness or other stakeholder surveys and petitions to use before committees.

An important element in successful government communications is communication between the government officials who may be representing two different sides. California and the Federal government could not be more far apart in a number of ways. Now more than ever personal and fair and open communications forums are critical to staying on message and working together wherever or whenever possible to bridge the gaps between elected officials. For example between Governor Jerry Brown and President Trump.

In that sense Ramirez Partners will work to establish the following opportunities for Positive and Effective Advocacy:

1) Bi-Annual Council Workshop to Set Priorities and Re-Evaluate Progress and Political Dynamics

2) Regularly Scheduled Day at the Capital Visits with Key Elected Officials or agency staff.
3) Representation at Local, State and National Good Government, Inter-Government and Government Associations Conferences & Networking Events to develop alliances with other cities or private or public entities with similar legislative goals and priorities.

4) Volunteer for Local Community Service & Civic Engagement to promote success stories and positive communication between the City and residents, businesses, stakeholders and the public at large.

- Ramirez Partners Sample Legislative Analysis Update - Bill Analysis Assignments Texas

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<thead>
<tr>
<th>Priority Legislation</th>
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<td>HB 29 (1) Berman</td>
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**SB 7 (1) Hinojosa**
Relating to instruction in cardiopulmonary resuscitation, the availability and use of automated external defibrillators at certain school campuses and athletic events, and the creation of a cardiovascular screening pilot program.

### Late Bill Assignments

**HB 29 (1) Berman**
Relating to the imposition of a fee for money transmissions sent to certain destinations outside the United States.

**SB 6 Zaffirini**
Relating to the apprehension, prosecution, and punishment of individuals committing or attempting to commit certain sex offenses and to the placement by public schools of students who are sex offenders.

**SB 7 (1) Hinojosa**
Relating to instruction in cardiopulmonary resuscitation, the availability and use of automated external defibrillators at certain school campuses and athletic events, and the creation of a cardiovascular screening pilot program.

### New Language Updates

**SB 23 Nelson**
Relating to promoting and purchase and availability of health coverage.

**New Version:** House Floor Amendment(s)

**SB 3678 Howard, Charlie**
Relating to voluntary student-initiated expression of religious viewpoints in public schools.

**New Version:** Senate Committee Substitute

### Assignment Index

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- End of Report -
Ramirez Partners Advisory Board Mentors

Raquel Ibarra, Ibarra Consulting Engineers
Mentor, Advisory Board
Master Planning, Site Planning and Project Management

Raquel Ibarra is the president and stockholder of IBARRA Consulting Engineers, Inc. (IBARRA). Ms. Ibarra has over 30 years of demonstrated expertise in Corporate Leadership, Marketing, and Acquisition Planning Management. Raquel has managed to make IBARRA is one of the leading Procurement, Tunnel, Rail, Mass Transit, Heavy Civil Construction, Highway, ROW, Aviation, Civil, Municipal, Management, Engineering, companies, specializing in Design-Build, CDA (Comprehensive developer Agreements), PPP, Construction Management at Risk (CMAR), and Program Management projects.

With Ms. Ibarra’s more than 29 years in experience, she has had a wide range of infrastructure, transportation and public works with projects both in public and private sectors ranging from $500 million to several Billion. Under Ms. Ibarra’s leadership and strive to satisfying existing and potential clients, she has played a leading role in turning around failing business projects and introduced new concepts for its overwhelming success, including the negotiation and implementation in all design built projects.

Ms. Ibarra areas of responsibility include business development in the following sectors; procurement, rail, positive train controls, mass transit, highways, ROW acquisition, complex bridge, aviation, tunnel, water and wastewater treatment plant, public works projects, roadway, streets, civil engineering. In addition to being a design built professional she is also on the National Board of DBIA (Design Build Institute of America), Southwest Region DBIA Board of Directors, Transit Coalition of North Texas Board of Directors, and DBIA national certification instructor.

Ms. Ibarra will provide oversight to Mr. Ramirez as he grows the company to hire 100% locally based qualified professionals to staff and deliver daily task orders.

Dennis Martinez, DMAssociates
Mentor, Advisory Board
Economic Development & Analysis

In the course of his twenty-five year career, Dennis Martinez has gained considerable experience implementing complex public-private initiatives. As principal of DMAssociates, Mr. Martinez has consulted for a wide variety of public and private entities, including the San Antonio Housing Authority, the Alamo Community College District, Boeing, and the Downtown Dallas Improvement District.

Prior to founding DMAssociates, Mr. Martinez served as Special Projects Officer for the City of San Antonio, Director of the Office of Minority Business Opportunity for the City of Dallas, and Director of the Dallas Economic Development Department. An active leader in the business and non-profit communities of San Antonio, Mr. Martinez also possesses expertise in disadvantaged business development and first
hand knowledge of the challenges surrounding the federal Base Realignment and Closure (BRAC) process, the latter gained during his successful tenure as Director of Commercial Development for EG&G Management Services, which had been charged with oversight of the redevelopment plans for the former Kelly Air Force Base in San Antonio.

Mr. Martinez additionally serves as an Adjunct Professor in Texas Political History, Public Policy and Urban Economics for the University of Texas at San Antonio. He is also a longtime advocate for public libraries and was elected in 2006 to the board of the Urban Libraries Council.

Mr. Martinez will provide oversight to Mr. Ramirez as he grows the company to hire 100% locally based qualified professionals to staff and deliver daily task orders.

**Brent Kenefick, Vice President at Walker & Dunlop**  
**Mentor, Advisory Board**  
**Project Feasibility and Underwriting**

Mr. Kenefick is a Vice President at Walker & Dunlop a real estate capital advisory. He is formerly a Loan Consultant for several banks including Wells Fargo, US Bank, as well as several community banks and commercial mortgage companies. His background includes analysis and financing of investment properties, Apartments, Retail, Industrial, Office via Life Companies, Banks, CMBS, and “the Agencies” Fannie Mae, Freddie Mac, and FHA/HUD as well as Structured Finance - Debt & J. V. Equity.

His experience also includes assisting clients with distressed loan scenarios by arranging successful loan work-outs and/or refinancing resulting from my underwriting, consulting, and communication to client’s lenders/Asset Managers. National Real Estate Investor Magazine recently published Johnson Capital as #16 out of the 25 top Financial Intermediaries (brokers) in the U.S. per loan volume in 2013- closing approx. $1.80 Billion. Specialties: Commercial Real Estate Lending Nationwide, Investor and Owner-User property Underwriting and Analysis, Cash flow modeling via Excel and Argus.

Mr. Kenefick will provide oversight to Mr. Ramirez as he grows the company to hire 100% locally based qualified professionals to staff and deliver daily task orders.

**Jill Kotvis, Attorney at Law**  
**Mentor, Advisory Board**  
**Environmental & Regulatory Affairs**

Ms. Kotvis, who has an AV rating from her peers in the legal profession and Martindale Hubbell, established her own environmental law firm in 1998, after five years as Chair of the Environmental Practice Group at the Dallas-based law firm Hughes & Luce, L.L.P. and as an associate at Winstead. She was also a Senior Attorney, Director, and Environmental and International counsel for the Fortune 500 Company, LTV Aerospace and Defense Company/LTV Corporation in Dallas, Texas where she received the LTV Senior Vice Presidents’ Award for efforts “clearly beyond the recognized scope of her position.”
Ramirez Partners
A Public Sector Solutions Firm

Statement of Qualifications

Jill was identified by her peers as a Best Lawyer in Dallas in 2015, and in 2014 she was appointed to the World Commission on Environmental Law. Jill finds creative and productive solutions to complex environmental issues. She has successfully shepherded matters involving environmental due diligence, asbestos, radon, mold, vapor intrusion, dry cleaners, gas stations, landfills, industrial sites, oil and gas, storm water, and wetlands through hundreds of transactions, and Voluntary Cleanup, Innocent Owner/Operator, Corrective Action, Petroleum Storage Tank and Dry Cleaner Remediation Program closures in Texas. Referred by her clients, respected by her peers, and a favorite of real estate investors, developers, owners, lenders, and asset and property managers needing experienced environmental counsel. Jill’s clients include RREEF/Deutsche Bank, Lone Star Investment Advisors, LLC, Comerica Bank, Cencor Realty Services, Digital Realty Trust, Inc., the various Quik-Way entities and American Energy Distribution, LP. She is also U.S. environmental counsel for Aldi, Inc. and environmental counsel for DART.

Ms. Kotivs serves as personal counsel to Mr. Ramirez as he grows the company to hire 100% locally based qualified professionals to staff and deliver daily task orders.

Anthony Ramirez, Anthony Ramirez & Co. – DMI Direct
Mentor, Advisory Board
Public Affairs & Public Policy | Publications & Communications

Anthony Ramirez has over 30 years of experience as a brand marketing professional. With a background in art & design, Anthony has leveraged his creative energies into results focused action benefiting clients while overseeing production activities for large national issue advocacy efforts.

Mr. Anthony Ramirez experience spans a broad cross-section of business sectors including; financial services, automotive, wholesale durable goods, and various retail concerns. He has successfully overseen efforts for several startups that have grown into some of the country’s largest correspondent lenders. His approach to advancing the interests of his clients centers on ‘message to market’ strategic planning, and brand development. DMI has been a long time communications partner to a number of California members of the California Assembly & Congress and continues to be a strong facilitator of key relationships in Sacramento and DC including the White House.

While not knowingly related Anthony is a long time family mentor to Al and is committed to his personal and professional growth as he builds Ramirez Partners.

Ramirez Partners Public Sector Solutions Project Approach & Teaming Methodology

1. Immediate Focus on Project Stated Need and Utilizing Local Small Businesses for Task Order Assignments By Teaming with City of LA Small Business Academy at USC Class Cohorts & Other California DGS or Related Agency Certified Small or Disadvantaged or Veteran or Disabled Business.
2. Strategically Position Projects to Align Value Propositions with Millennials Future Proof Needs
3. Develop a Smart Cities Design from Initiation to Implementation with built in Internet Scalability
5. Maximize all sources of revenue from existing channels and drive new products and features in property management design for the delivery of Internet of Things – Smart Cities value added benefit subscription and leased services.
6. Leverage Partnerships in Public Private Alliances and Competition to Increase Marketability of Ideas, Services and Events.
7. Deliver Safe, Secure and Sociable Atmospheres that Promote Prosperity.
9. Plan for Artificial Intelligence and Autonomous Society Applications and Operations
10. Hire and Scale to Grow Locally as an Emerging California Based Company and Start-Up Community Leader.

Public Sector Contracting, Public Affairs and Regulatory & Public Policy

Previous Record of Performance by Service Area

1. Legislation and Intergovernmental Policy
   Proposed Federal and State Legislation, City Charter Amendments, Ordinances, Development of Policies Reactive or Proactive for Any Subject Matter

   NASPO (National Association of State Procurement Officers) Al Ramirez, Ramirez Partners 20017 Acquisition, Promotion and Web Marketing of Nationwide COOP Contract for Cloud Services for use by 35 States to Reduce Time of Delivery of Cloud Services

   State of California – Al Ramirez, Ramirez Partners -20017 Policy Implementation and Promotion and Web Marketing of NASPO Participating Addendum Contracted for Use by Local Governments and State Agencies to Reduce Need for Complex RFPs

   State of Florida – Al Ramirez, Ramirez Partners -20017 Policy Implementation, Promotion and Web Marketing of NASPO Participating Addendum Contracted for Use by Local Governments and State Agencies to Reduce Need for Complex RFPs

2. Taxes, Revenue & Forecasting
   Utility Rates, Property Taxes, Fees, Policies, Cost Estimating, Business Analysis, Finance, Market Supply & Demand, Public Private Partnerships, Socio-Economic Impacts and Real Estate Development

   Preston Valley Investment Company – Al Ramirez, Ramirez Partners Dallas -1993-1994 Management of Portfolio of 16 Retail Centers and Build to Suite Sites
Managed New Leases and Current Tenant Support
Resolved Common Area Maintenance Issues & Owner Property Management Responsibilities
Executed Commercial Banking and Mortgage Servicing Operations
Supervised New Construction Developments of Fast Food Sites and Other Build to Suite Sites
Supervised New Data Center and Wireless Vertical Access Point Leasing & Facilities Security

Verizon – Al Ramirez, Ramirez Partners Los Angeles 2006-2007
Data Center Leasing & Wireless Site Assessment and Wireless Access Points Mapping
Point to Point Wireless Network Site Assessment and Economic Feasibility Study.
Cost Analysis of Utility Rates and Power Consumption Rates and Clean Power Conversions

CenturyLink – Al Ramirez, Ramirez Partners Dallas 1997-1998
Data Center Leasing & New Right of Way Fiber Construction Management
Filings for Directional Bore Permitting and Site Drilling Supervision
Cost Analysis of Utility Rates and Power Consumption Rates and Clean Power Conversions

Nationwide Data Center Deployments & Leased Facilities Management
Cost Analysis of Utility Rates and Power Consumption Rates and Clean Power Conversions
Regulatory Filings for New Fiber Conduit Installations
Key Executive Overseeing Preparation of Successful Initial Public Offering (IPO) and Corporate Development M&A Leading to AT&T Strategic Investment and Eventual Acquisition.

3. Housing
Affordable Housing, Rental Housing, Housing Policies and Planning

Sinkys Properties – Al Ramirez, Ramirez Partners Santa Monica 2008-2014 Various Engagements
15 Rental Properties /400 Units Portfolio Community Affairs
English/Spanish Translation – Community Communications
Network Systems Management
Municipal Government Public Safety Affairs & Regulatory Filings

ACC | Citigroup – Al Ramirez, Ramirez Partners Santa Monica 2001-2002
Assistant Branch Manager – Oversaw Retail Residential Refinancing & Loan Servicing Operations

4. Transportation
Airports, Ports, Harbors, Rail, Streets, Highways, Traffic, Transit-Oriented Districts and Transit-Oriented Development and Infrastructure

Miami Dade County – Al Ramirez, Ramirez Partners 2015-2016
Acquisition of Miami-Dade County UAP Inter-government Co-OP Contract Implementation
Project Management of Emergency and Overflow Phone Services
Secured and Backed Up Conferencing Applications
Ramirez Partners
A Public Sector Solutions Firm

Statement of Qualifications

Strategic service migration of 30,000 remote phone line conversion and upgrade to VOIP

Miami Dade International Airport – Al Ramirez, Ramirez Partners 2015-2016
Inter-government Contracting Implementation
International and Customs Security Verification Systems Integration
Airport Retail Point of Sales Lines Conversion
Hosted Records and Rebilling Consolidation

Port of San Diego – Al Ramirez, Ramirez Partners 2014-2016
Contract Compliance and Records Preservation
Migration and Consolidation of Legacy Systems for Data Network Access Aggregation

5. Real Estate, Energy, Environment & Urban Sustainability Planning
Project Land Use Policy and Planning, Development, Redevelopment and Land Value.

Flash.Net | AT&T – Al Ramirez, Ramirez Partners Ft Worth 1999
New Trenching, Road Repair and Directional Bore Supervision and Right of Way and Pole
Attachment Planning & Permitting
Data Center Back Up-Generators and Clean Power Conversions

CenturyLink - Al Ramirez, Ramirez Partners Dallas & Los Angeles various dates 1994-2014
1st Class High Rise Axillary Services, conduit and easement and environmental site planning
Data Center Back Up-Generators and Clean Power Conversions

Samsung - Al Ramirez, Ramirez Partners Global 1999-2001
Wireless Towers Project Deployment in 28 Metro US Cities Central Business Districts and Puerto
Rico as well as assignments with South Korean Samsung Owned High Rise Real Estate Holdings.
Regulatory Filings for Vertical Right of Way, Pole Attachments and Wireless Access Point Leasing
Site Mapping and Inventory Management of Facilities Access Credentials
Data Center Back Up-Generators and Clean Power Conversions

Preston Valley Investment Company – Al Ramirez, Ramirez Partners Dallas 1993-1994
Oversaw Lease, Transfer and Development of Wendy’s & ATT Towers and AT&T Data Rooms
Data Center Back Up-Generators and Clean Power Conversions

6. Training, Recreation and Entertainment
Community Networking, Start-Up Incubator & Business Development Events
TechBiz Connection – Al Ramirez, Ramirez Partners Orange County 20014
Member of Board of Directors Producing of Monthly Topic Forums in OC with Senior Executives,
Investors and Entrepreneurs

The Bungalow Santa Monica & OC – Al Ramirez, Ramirez Partners
Online Social Media Influencer & Healthy Lifestyle Promotional Announcements
7. **Public Safety**

Develop policies that ensures the protections of citizens, organizations and institutions against threats to their well-being, policies that ensure prosperity of communities and optimization of public safety organizations including law enforcement and fire service

- Miami Dade Fire – Al Ramirez, Ramirez Partners 2015-2016
  - Inter-government Contracting Implementation
  - Project Management of Emergency Fail Over and Toll Free Emergency Services Migration
  - Staff Compliance Oversight at Multiple Secured Facilities
  - Legacy Radio to Premise Phone Equipment to Back Up and Fail-Over Systems Integration

- LAPD – Al Ramirez, Ramirez Partners 2015-2016
  - BIP Partner Development between Airespring and Telmate to Replace Jail Phones
  - Secure Environment Communications and Surveillance Systems On-Site Installation
  - Remote Access Support of Chain of Custody & Transfer of Evidence for Cloud Storage

- State of Montana Dept. of Corrections – Al Ramirez, Ramirez Partners 2005
  - Secure Environment Communications and Surveillance Systems On-Site Installation
  - Public-Private Funding Development Program

- City & Parish of New Orleans – Al Ramirez, Ramirez Partners 2014-2016
  - Customer Contract Compliance and Records Preservation Management
  - Disaster Relief Billing and Post Hurricane Katrina Collections Accounting Consolidation
  - Migration and Consolidation of Legacy Systems for VOIP Conversion

- Mr. Checkpoint – Al Ramirez, Ramirez Partners -2012 to Present
  - Advisor to Millennial Targeted Public Service Announcement Service to Deter Drunk Driving
  - Recognized and affiliated with numerous local law enforcement agencies
  - Use SMS Text, Twitter and Propriety Custom Built IPhone and Android App to Broadcast Alerts

**Al Ramirez - Ramirez Partners References***

1. LADWP
   - Gwendolyn Williams
   - LA Small Business Academy at USC Program Moderator

2. LA City Planning
   - John Reamer
LA Small Business Academy at USC Program Moderator
3. Airepring
   Rod Rummelsburg
   Legal Counsel Airespring Contractor for Miami-Dade County, Miami Fire, MIA, Port of SD and NOLA
4. Broadvoice
   Dan Silver
   Chief of Staff Broadvoice Contractor for NASPO, State of California, State of Florida
5. Preston Valley Investment Company
   John Sevikas
   Owner, PVIC
6. Samsung
   Pradeep Samudra
   Former VP, Samsung Networks US R&D
7. Telmate
   Ian Dunnington
   Director of Sales, Telmate – LAPD
*Emails and Phone Numbers to Be Provided Confidently Upon Request for Interview Appointment

Advisory Project: Leaders – LA Small Business Academy at USC Cohort Partners & State of California Small Businesses (Certified, Certification Pending or Eligible for Certification)

Drake Goosby, Owner - Accelerated Appraisals
Lead Advisor - Ramirez Partners – LA Small Business Academy at USC Cohort
Real Estate Services – Appraisal Services Project Manager

Laurent DelSol, Laruent DelSol & Co. - ASCORPI
Lead – Ramirez Partners - LA Small Business Academy at USC Cohort
SAP, Salesforce & IT Public Sector Solutions – BIP Initiatives & Technology Integration Project Manager

Millennial Project Associates

Josie Gödel
Entertainment & Community Management Services
Josie is an experienced millennial community operations manager supporting over 2,000 guests daily.

Megan Zuno
New Media Communications & Public Relations Bookings
Megan is a graduate of the University of West Virginia with a BA in Journalism.
Amelia Cameron
International Guest Diplomacy & Financial Affairs
Amelia moved to SoCal from Australia and focuses on Hospitality, Travel and Premium Guest Services.

Jaime Guerrero
Public Space, Mural & Community Use Design Artist
Jaime is a native of Santa Barbara and accomplished urban artist working on Public Art Spaces in LA.

Sennet: Devermont
Mr. Checkpoint Public Safety Announcements - Millennial Marketing
Sennet: is a lifelong LA Millennial Entrepreneur who has developed a niche for Social Media Awareness.

Max DeVille
Music & Stage Event Productions
Max is a lifelong lover of music who grew up on a rock tour as a baby and is an active environmental advocate.

Advisory Services Budgetary Rate Card
All Prices Subject to Change to Reflect Complexity or Competitive Bid SOW

A. Basic Monthly Development Retainer Fee per Project $5250 Per Month plus $1,000 per month for Approved Discretion Travel or Other Council Directed Expenses.
B. Additional Hourly Based Services Scalable Based on Staffing, Expertise Level and Resources. Range Starting from $125 per Hour for Associate Level General Assignment to $375 for Full Time Dedicated Project Lead up to $695 for Exclusive Partner Engagement. Expert Professional Witness Testimony or Report or Research Opinion (Ph.D., MD, JD) up to Quoted Professional Rate not to exceed $2000.
C. Economic Feasibility Studies or Appraisals Are Billed Based On Property Type and Size and Complexity of the Property Variables and Follow Industry Guidelines and Market Average Pricing Starting from $300 or less in some cases for Basic Right of Way, Single Unit or Residential Comparable Appraisals. Prices range from $1,000 to $5,000 or More for Commercial, Industrial or Raw Land Appraisals and even higher for Income or Redevelopment and Projected Value Appraisals for Public-Private Partnership Projects.
D. Other Real Estate and Financial Services Subject to Regulatory Syndication Laws, Rules & Policies
E. Printing, Production, Commodity Acquisition, Materials Handling and Documentation Billed to Specification
   (50% Cash Deposit – Non-Refundable for all | 100% Cash Deposit – Non-Refundable for Perishable)
   ###
Attachment 5
FEDERAL LEGISLATIVE ADVOCACY SERVICES

PROPOSAL (RFP #18-7)

FOR

CITY OF BEVERLY HILLS

CALIFORNIA

SUBMITTED BY:

David Jurch and Associates

MARCH 22, 2018

517 2nd STREET, NORTHEAST, WASHINGTON, D.C. 20002

(202) 543-3744
Dear Ms. Owens:

David Turch and Associates is very much interested in renewing our federal legislative advocacy services contract with the City of Beverly Hills. We want to continue to represent Beverly Hills and promote your interests at the federal level.

David Turch and Associates provides a strong voice for the many communities and businesses in California and elsewhere who are our clients. We know the issues that concern you. Our success is based on hard work and experience. We understand the institutions, the people and the processes of our federal system. Members of our firm have a thorough knowledge of the federal government, arising from their previous service in the Executive Branch and the US Senate and House of Representatives. We have close working relationships with many Members of Congress on both sides of the aisle and with agencies across the federal spectrum of interest to you.

David Turch and Associates is located on Capitol Hill at 517 2nd Street, Northeast, Washington, DC 20002. Our main line office number is (202) 543-3744. David Turch and Associates is a sole proprietorship owned by David Turch. Our Federal Legislative Advocacy Services Proposal to the City of Beverly Hills is valid for a period of one hundred eighty days. David Turch and Associates does not have any conflicts of interests relative to the services to be provided under Agreement for Legislative Advocacy Services to be awarded pursuant to this RFP.

David Turch and Associates is an experienced federal government relations firm with a proven track record of success. We look forward to continuing to provide Beverly Hills with the excellent representation in Washington you deserve.

Sincerely,

[Signature]

David N. M. Turch
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SECTION 3.  INTRODUCTION

David Turch and Associates is an experienced federal government relations firm. Since 1987 we have provided comprehensive strategic planning, legislative goal setting, intergovernmental liaison and political analysis. We provide these services to many private companies, city and county governments, and other public service entities across the United States.

David Turch and Associates is a leader in providing federal advocacy services for municipalities, defense, transportation and water related interests. Our clients include public sector entities from across the country to corporations in the U.S. and abroad. Much of our work, however, focuses on serving the needs of municipalities. Our proven record of success is a result of collaborating with clients to develop sound and realistic objectives.

We have long-standing relationships with the senior decision-makers on Capitol Hill and federal agencies. We have strong ties with Members from California to Florida, with Republicans and Democrats alike, and in the House and the Senate. As a dominant federal advocacy firm representing California interests, we work with most members from the state. Many Members are personal friends. We are well known by the chairmen of the committees as well as the ranking minority members. Consequently, our work is relatively unaffected by changes in congressional leadership.

We are well grounded in the process of our government, not just in the people elected to govern. Our staff understands how, when, and where the laws are written. We are respected for our integrity and honesty in representing our clients. Your priorities will receive attention at the highest levels.

We not only focus on securing congressional support for our clients’ priorities but also work with federal agencies, including the White House Office of Intergovernmental Affairs and the Office of Management and Budget. Our firm is staffed, experienced and able to meet the demanding schedules of meetings and conferences important to you. Our firm is large enough to provide all the services you demand.

Below is a list of some of the projects and initiatives we worked with the City of Beverly Hills over the past few years:

- Municipal Autonomous Shuttle System (MASS)

Worked closely with City staff and then Mayor John Mirisch on promoting the City’s interest in operating and managing driverless municipal shuttles as a means of increasing mobility for its residents and visitors, as well as addressing “first and last mile” issues in connection with a planned subway station. The Municipal Autonomous Shuttle System (MASS), as envisioned by Beverly Hills, will provide riders with citywide on-demand, point-to-point transportation allowing anyone in the
City to get from one part of town to another with pickup and drop-off locations determined by the rider. This new public mode of transportation will help take private cars off streets, reduce demand for parking, and increase safety and mobility for everyone, including the disabled and the elderly, and will afford local policymakers with exciting new opportunities in urban planning and land use decisions.

Provided support services to City staff for Mayor’s participation in the US Conference of Mayors forums. Worked with Mayor Mirisch and City staff on Autonomous Vehicle (AV) resolution for consideration before the US Conference of Mayors (USCM) Indianapolis meeting in June 2016. We coordinated the City’s initiative with USCM’s staff and submitted the resolution on behalf of Beverly Hills. Following USCM adoption, we circulated the resolution to the City’s congressional delegation. Organized and planned Washington, DC meetings for Mayor Mirisch to discuss the City’s Municipal Autonomous Shuttle System. Mayor Mirisch met with General Motors and was invited to attend the World Mobility Leadership Forum in Detroit, Michigan. In an effort to promote the City’s plans, Mayor Mirisch also met with the Association of Unmanned Vehicles Systems International, the administrators of the Federal Transit Administration and the National Highway Traffic Safety Administration, the director of the Department of Transportation Office of Infrastructure Finance and Innovation along with a host of key congressional players including the chairman of the House Transportation Subcommittee on Highways and Transit, the founding member of the Congressional Smart Transportation Caucus, and senior Republican and Democratic staffs on the Senate Environment and Public Works Committee and the Banking, Housing and Urban Affairs Committee. We continue to work with the City in promoting the project.

- Homeland Security

As part of our efforts to further develop the City of Beverly Hills’s working relationship with the Department of Homeland Security, we organized and planned several advocacy meetings in Washington, DC for City officials with the Department of Homeland Security’s Science and Technology Directorate’s Resilient System Division. In these meeting, City and Homeland Security officials discussed areas of potential collaboration in hosting new, cutting-edge anti-terrorism technologies. Discussions with HS are ongoing.

From a funding perspective, we have advocated for full funding for the Federal Emergency Management Agency’s (FEMA) Urban Areas Security Initiative (UASI) and the State Homeland Security Grant Program (SHGP). The Los Angeles/Long Beach UASI and LA County secure tens of millions of dollars annually from these two programs which are allocated for key regional projects, including over $20 million in UASI funds for the Interagency Communications Interoperability System (ICIS) Joint Powers Authority. In addition, we have also promoted, with the assistance of City staff and Council Member involvement, the Department of Homeland Security’s BioWatch Program, which plays a vital role in providing first responders in the Los Angeles area with an early biological attack detection system. We organized a
meeting at the Department of Homeland Security headquarter to discuss the City’s interest in the program which led to follow up conversations between DHS, LA County and City staff.

- **Beverly Hills and the Interagency Communications Interoperability System (I-C-I System)**

The City of Beverly Hills is a founding member of the Interagency Communications Interoperability System (I-C-I System), which provides county-wide interoperable communications to its members’ first and second responders.

David Turch and Associates has been working with Beverly Hills and other I-C-I System member cities (Burbank, Culver City, Glendale, Montebello, Pasadena, Pomona, Santa Monica, Torrance and the South Bay region, and ComNet -- includes Azusa, Covina, Glendora, Irwindale, LaVerne and West Covina) in securing federal pass through funds (through FEMA’s Urban Areas Security Initiative and State Homeland Security Grant Program). In addition, we have been working with Beverly Hills and the I-C-I System Joint Powers Authority in addressing a section of federal law that threatens the viability of the I-C-I System. In this regard, Beverly Hills, through the JPA, has been working with the Federal Communications Commission (FCC), Members of Congress and relevant congressional committees in addressing Section 6103 of Public Law 112-96 that requires the FCC to auction T-Band (Television spectrum used by public safety entities) by 2021. Public safety entities operating on T-Band have two years from the auction close to migrate their networks to another communications platform.

As it stands today, the T-Band “take back” mandate directly threatens the I-C-I System network as well as public safety communications systems in eleven of the largest metropolitan areas of the country (Boston, Chicago, Dallas, Houston, Los Angeles, Miami, New York, Philadelphia, Pittsburg, San Francisco and Washington, DC). According to a National Public Safety Telecommunications Council (NPSTC) report, the following five metro areas do not have sufficient spectrum in any band to reallocate their existing T-Band operations: Boston, Chicago, Los Angeles, New York and Philadelphia. Beverly Hills has played an important role in advocating for relief from the T-Band mandate before Congress and the Executive Branch. We continue to aggressively work this issue in Washington, DC, both with Beverly Hills and with the I-C-I System JPA, enlisting the support of the Los Angeles congressional delegation, the Federal Communications Commission (FCC); the Department of Homeland Security Office of Emergency Communications, the International Association of Fire Chiefs, the International Associations of Police Chiefs, the House Committee on Energy and Commerce and the Senate Committee on Commerce, Science and Transportation. We have also been working closely with the House and Senate Homeland Security committees whose members have expressed concerns about the effect of the T-Band mandate on mission critical voice communications for first responders who cover over 90 million Americans. In addition, we are working closely with New York City and its congressional delegation.
• Helicopter Noise Pollution in LA County

In light of the City’s ongoing interest in reducing if not eliminating the noise pollution from low altitude helicopter flights in LA County, we continue to work with key members of the Los Angeles congressional delegation to ensure the Federal Aviation Administration (FAA) addresses this problem.

In a multi-year advocacy effort, we have coordinated with Beverly Hills and congressional members from Los Angeles County, including Senators Dianne Feinstein and Representative Ted Lieu, pushing the FAA to step-in and regulate helicopter flights over LA County. Beverly Hills has raised its concerns, both in Capitol Hill meetings and through multiple City correspondence, encouraging Congress to enact a legislative fix to the problem. In response to congressional pressure, the FAA released a report delineating six steps aimed at mitigating noise affiliated with low flying helicopters.

As a direct result of Senator Feinstein and the Los Angeles County delegation’s support, the FAA established a new helicopter noise complaint system for residents in Los Angeles County. The Automated Complaint System (ACS), which is operated by an FAA vendor, enables residents to file complaints and research (through a website) flight tracks of helicopters and identify those causing excessive noise. Once on the website, a resident can either file a general complaint by inputting their zip code, date and time of disturbance, and the disturbance type or use an interactive map to specifically locate the helicopter that caused the disturbance based on their location. The FAA monitors data from the complaint/tracking system which allows it to identify patterns and trends in helicopter operations, improve their understanding of community reaction to helicopter noise, and inform future efforts to develop and implement noise abatement measures. As the FAA continues to try to address this issue, we will ensure that the City’s views and concerns are addressed by both the agency and Congress.

• Advocacy in Support of the LGBT Community

At the request of Beverly Hills, reviewed congressional bills and Administration/State Department statements regarding the sultan of Brunei’s imposition of Islamic (Sharia) law in the country. Shared with the City the State Department’s Country Report on Human Rights Practices on Brunei. Of particular concern is the effect of the law on the LGBT community and the extreme sanctions, including death by stoning, written in Brunei’s penal code.

Drafted letters on the Brunei issue to then Secretary of State John Kerry, then Chairman Bob Menendez and Ranking Member Bob Corker of the Senate Foreign Relations Committee, and Chairman Ed Royce and Ranking Member Eliot Engel of
the House Foreign Affairs Committee, Representative Henry Waxman and Senators Dianne Feinstein and Barbara Boxer.

Met with then Representative Henry Waxman to discuss the City of Beverly Hills Brunei's resolution urging the government of Brunei to jettison its penal code as it relates to Islamic law and divest its holding in the Beverly Hills Hotel as well as any other properties in the City. Shared Mayor Lili Bosse’s letter to Congressman Waxman urging him to apply all due pressure on the government of Brunei. Waxman forwarded Mayor Bosse’s letter to Secretary of State John Kerry with a cover letter. Moreover, following our contacts with Waxman’s office, the Congressman spearheaded a congressional joint letter to Secretary of State John Kerry and U.S. Trade Representative Michael Froman expressing concern about Brunei’s new penal code and asking them to insist that Brunei address its human rights violations as a condition before the United States will enter into further trade negotiations with the country regarding reaching a Trans-Pacific Partnership (TPP).

- **Gun Control Advocacy**

Following the horrific murder of elementary students and teachers in Newton, Connecticut, David Turch and Associates worked with City Council and staff in presenting to your congressional delegation, in particular Senator Dianne Feinstein, Beverly Hills’ support for sensible gun control legislation. Senator Feinstein highlighted the City’s position and letter on her official website in an effort to enlist wider support for her gun control initiative. We continue to monitor gun control legislation for the City.

### SECTION 4. SAMPLE REPORTS

One of our main services is to research, provide information, draft letters of support/opposition, resolutions, and prepare reports/memoranda on a host of topics of interest to the City including: federal laws and proposed legislation; congressional hearings and markups, reports and testimony; regulations and policies; funding opportunities; and technical reports on federal budgetary/appropriations impacts on City operations. These memoranda are generated at the City’s request and proactively, based on the City’s legislative platform and discussions with City Council and staff. We also provide the City with monthly activity reports.

**Sample Report**

**TO:** Cindy Owens  
City of Beverly Hills  

**FROM:** Jamie Jones  
Jamie.jones@daviddurch.com  
202-543-3744
DATE: October 3, 2017

RE: Chairman Bill Shuster’s Air Traffic Control (ATC) Privatization Plan

House Transportation and Infrastructure Committee Chairman Bill Shuster (R-PA) wants to transfer ownership and management of the Air Traffic Control (ATC) system from the Federal Aviation Administration (FAA) to a private, nonprofit corporation run by commercial airlines and other aviation stakeholders. This proposal is highly controversial and, if enacted, would fundamentally transform the FAA and how the federal government regulates our nation’s air space.

For the past year and a half, Chairman Shuster has been singularly focused on enacting his ATC proposal in FAA reauthorization bills. Shuster argues that while our aviation system is the busiest and safest in the world and continues to grow, it is not keeping pace with growing demand or developments in technology. Shuster, for instance, has been highly critical of the FAA’s oversight and deployment of NextGen – the multibillion dollar federal project centered on replacing our antiquated aviation’s ground-based radar with a GPS/satellite-based system and our current radio communications with digital voice and text communications. NextGen is expected to improve safety, save aviation fuel and greatly improve flight efficiency. The FAA, according to Chairman Shuster, has proven incapable of handling the project over the past decade, to the great detriment of the airline industry and the flying public. President Trump has endorsed separating the ATC from the FAA.

- Shuster’s plan would involve the handover of about 300 airport towers and other flight tracking centers from the FAA to a private corporation, representing one of the largest transfers of US government assets. About 35,000 FAA workers, including 14,000 controllers and 6,000 technicians, would be affected.

Shuster has struggled to enlist the support of his congressional colleagues on both sides of the aisle and in both chambers of Congress. In the Senate, Shuster has been fighting an uphill battle in securing support for his initiative. For instance, Chairman John Thune (R-SD) of the Commerce, Science and Transportation Committee, whose committee has jurisdiction over the FAA, has refused to endorse Shuster’s plan. Republican senators from rural states, moreover, have expressed deep reservations about ceding federal control over our nation’s airspace to the airline industry with its potential negative impact (via higher fees and less service) on small, rural airports. Meanwhile, Democratic senators are nearly unanimous in their opposition to the initiative, arguing that the FAA is, in fact, doing a fine job managing/regulating our nation’s airspace and deploying NextGen.

**SUPPORT ATC PRIVATIZATION**

- Proponents argue that ATC privatization would improve efficiency and modernize the air traffic system.
• The idea is to remove air traffic control from the vagaries of the congressional budget and political process, which has limited the FAA’s ability to commit to long-term contracts and raise money for major expenditures. Recent controller furloughs and government shutdowns have only served to worsen the problem and demonstrate the need for separating ATC operations from the FAA.

• Privatization supporters complain that the FAA’s procurement process is so cumbersome that new equipment is no longer the latest technology by the time it’s acquired. Also, delays in updating landing and takeoff procedures to incorporate technological advances make the system less efficient. Airlines say that costs them billions of dollars in flight delays each year.

• Many countries have created government-owned corporations, independent government agencies or quasi-governmental entities. Over 60 countries—including Canada, Germany, Australia, New Zealand and the United Kingdom—have now successfully separated ATC from their safety regulator.

• Canada is the only country to create what is clearly a private nonprofit air-traffic corporation. NavCanada can raise private capital, make long-term financial commitments, and it recently lowered the fees it charges airlines.

• The National Air Traffic Controllers Association, the union representing controllers, has endorsed Chairman Shuster’s proposal after winning assurances that wages, benefits and collective bargaining rights would be protected.

OPPOSE ATC PRIVATIZATION

• Concerns with Shuster’s ATC plan include giving up government oversight of the busiest and safest air traffic control system in the world.

• General Aviation aircraft operators and stakeholders, private pilots, business aircraft operators, small aircraft manufacturers oppose privatizing the ATC out of concern that major airlines in the US, through their “control” of the Corporate Board, would have too much power to regulate/manage our nation’s airspace.

• House and Senate Democrats in large measure oppose Chairman Shuster’s proposal. Congressional Democrats argue that the FAA’s ATC system has worked well and served the greater public good. Moreover, privatizing the ATC would cede too much power to the airline industry, in particular major airline companies, and transfer over valuable federal assets at no charge to a private, unaccountable corporation.

• House Republican members are split over Chairman Shuster’s plan while GOP Senators, particularly those who represent rural areas, oppose ATC privatization. Concerns center on general aviation and small, rural airports interests being ignored by major airline industry players. GOP congressional members have also voiced concerns about handing over valuable ATC
taxpayer assets to a private, nonprofit corporation that is likely to be heavily influenced by the interests of major airline carriers.

SECTION 5. PROJECT MANAGEMENT

We maintain close relationships with our clients. Members of the management governing boards of our clients know us personally. We make frequent visits to your area. We listen. We work hard to understand your current needs and your plans for the future. We appreciate the role everyone plays in this team effort.

Following contract renewal in July, we will travel to Beverly Hills and meet with City staff, and others, at your behest. We will work with you to conduct a mid-year review of the City’s short- and long-term priorities. Following this visit, we will contact your congressional delegation, relevant House and Senate committees, and agencies on your updated policy/agenda items. We will also begin to plan for any Council member visit to Washington, DC.

One of the most effective ways to promote the City’s priorities is by leveraging Beverly Hills’ elected officials in Washington, DC. We encourage the City to consider sending a small group of officials to meet with congressional representatives and relevant House/Senate committees and federal agencies in the winter or spring of each calendar year. If Council members are unable to come to Washington, DC as part of a City delegation, we would like to piggy-back on any non-City related trips Council members may take to our nation’s capital. Your involvement with us in the federal advocacy process and public policy issue debates are integral for success.

Congressional Timeline

January through mid-March is the time when City officials across the country frequently come to Washington, DC for the annual meetings of the U.S. Conference of Mayors, the National League of Cities, the American Public Transit Association and other organizations that deal with public sector issues. If Beverly Hills officials are in town for these activities, we will encourage you to also participate in Capitol Hill and agency meetings specific to your interests. We will organize these meetings around your planned itinerary. This will give us the opportunity to further promote the City’s federal agenda.

During February, March and April, appropriations committees hold their most important hearings on the President’s budget proposal. These hearings offer an excellent opportunity to deliver your message. If the City has a strong vested interest in a particular budget item/issue, we can arrange for you to testify at a hearing as well as help to draft your statement. From about April through September, we regularly meet with Members, senior committee professional staff and executive branch officials to monitor the progress of funding priorities, regulatory reform and other City interests.
Appropriations bills are traditionally produced between June and September. These bills are frequently passed on very short notice. An entire year’s hard work can be lost overnight. Additional visits, phone calls and letters to congressional offices may be required to ensure the City’s interests are protected. The identities and agendas of the decision-makers may not be apparent to outsiders. We know how to close the deal.

How We Serve As Your Congressional/Federal Liaison

One important part of congressional liaison work is simply to be there. We are. We walk the halls on a daily basis, talk with Members and their staffs and understand the latest developments. David Turch and Associates’ physical location in an historic district adjacent to the Senate office buildings on Capitol Hill helps.

Promoting your program and interests to the Congress and federal agencies is best done by keeping it simple. We help develop material and messages that can be encapsulated in one page – or less. The detail, when required, will be attached but the message or request needs to be clear and concise. The follow up is crucial. Reminders are constantly made with key congressional offices. We keep you informed of progress and problems.

Besides monitoring federal budgetary issues for Beverly Hills, we will also track legislative bills that may have a positive or negative affect on the City. When appropriate, we will work in sync with national organizations like the US Conference of Mayors and the National League of Cities to advance your priorities.

Demonstrated Bipartisan Support

David Turch and Associates has a working relationship with many Members from both political parties in the House and the Senate. We work closely with the senior decision-makers on Capitol Hill to advance your agenda.

Congressional staff is also important. They provide expert advice and counsel as well as carry out to conclusion decisions made by Members. We pay careful attention to our continuing relationship with staff members. We also work with many of the committees and subcommittees that handle issues important to you.

We are well grounded in the process of our government, not just in the people elected to govern. Our staff understands how, when and where the laws are written. Consequently, our work is relatively unaffected by changes in congressional leadership. We are well known by the chairmen of the committees and the ranking minority members. We are respected for our integrity and honesty in representing our clients.

Federal Funding Opportunities

Part of our strategy to overcome the earmark moratorium is to be aggressive in pursuing federal funding opportunities and regulatory/programmatic issues of concern. We will continue to match the City’s priorities with current federal funding programs.
We have one of the most sophisticated grant tracking programs in Washington. We systematically search for programs that will meet your needs. We flag all relevant funding opportunities and guide you through the application process. We are notified by the appropriate agency relevant to the City of Beverly Hills and convey the funding opportunities to you. We work with you to implement our strategy to win political support and pursue funding for your various priorities. And, of course, we work with your congressional delegation to leverage their support for your federal funding requests as well as advise them of your legislative/regulatory interests and concerns.

Council Federal Workshop

As part of our effort to strengthen the City’s federal agenda, we recommend holding a federal workshop for the Council at a time of your convenience. We have found that these workshops act as a constructive way to get Council input and direction on the City’s federal priorities and interests. We will provide an overview of the federal budget process, explore different City priorities and federal funding opportunities and recalibrate, if need be, the City’s federal agenda.

Reporting

We place great emphasis on communication. This is done through personal updates and frequent visits to Beverly Hills. We will communicate with the City extensively and regularly expect to hear from you. This gives you immediate information and provides you with the ability to ask detailed questions and provide specific direction. Such personal service fosters improved relations and provides a forum for more detailed examination of your federal issues.

This clear understanding of the City’s direction is most useful during the legislative session when we arrange meetings and the opportunity for you to testify before the federal government. Your issues are important – they deserve proper acknowledgment and action.

We understand how issues can develop quickly and have the ability to adapt to such changing political dynamics to advance the City’s priorities. We also track issues not specifically listed but of interest to you. As a client, you are a priority to us. We are always available to you by email and phone call.

Collaborating With National Associations/Organizations

To further enhance the City of Beverly Hills presence in Washington, we belong to, or actively participate in, a number of organizations which include:

- Women in Government Relations,
- California League of Cities,
- California State Association of Counties,
- Washington Area Transit Industry Representatives,
- The U.S. Conference of Mayors,
— The National League of Cities,
— The National Association of Counties,
— The National Association of Housing and Redevelopment Officials.

When appropriate, we coordinate and cooperate with other organizations, municipalities, companies and firms having similar legislative objectives as Beverly Hills. Moreover, by leveraging nationally based organizations representing public sector interests, particularly during policy/programmatic campaigns targeting Congress and the Administration, we can more effectively advance the City’s interest.

**Client List**

- Saint John’s University, MN
  - College of Saint Benedict, MN
- Riverside Transit Authority, CA
  - City of Beverly Hills, CA
- City of Burbank, California, CA
  - City of Redondo Beach, CA
- City of Temecula, CA
  - Fallon County, MT
- Grand Rapids Airport, MI
  - City of Imperial, CA
- City of Lake Elsinore, CA
  - City of Montclair, CA
- City of Ontario, CA
  - City of Calimesa, CA
- RFD Beaufort, OH
  - City of Rialto, CA
- City of Rosemead, CA
  - City of Saint Cloud, MN
- Sherburne County, MN
  - Stearns County, MN
- City of Stockton, CA
  - City of Chino, CA
- Willmar Municipal Utilities, MN
  - City of South Gate, CA
- Monrovia Unified School District, CA
  - West Valley Water District, CA
- Saint Cloud Area Planning Organization, MN
- Interagency Communications Interoperability System Joint Powers Authority, CA
- Ontario International Airport Authority, CA
- San Bernardino International Airport Authority, CA

We also have provided advocacy services for the San Bernardino Associated Governments (SANBAG renamed the San Bernardino County Transportation
Authority) and the Riverside County Transportation Commission (RCTC). In the past we have also provided limited advocacy services for the Ventura County Transportation Commission (VCTC).

SECTION 6. STAFF BIOGRAPHIES: OUR FIRM -- YOUR TEAM

David Turch and Associates has the right people to achieve your objectives. We have the institutional knowledge to expertly navigate Congress and the Executive Branch. We pride ourselves in working year-round for our clients and are accessible through many means of communication. Our whole advocacy team is dedicated to your success.

Your project manager and day-to-day point of contact will be Jamie Jones, a veteran Hill staffer. Jamie is reachable at jamie.jones@davidturch.com and (202) 543-3744. Jamie has extensive experience working with California cities, including the City of Beverly Hills. Kevin Bosch, our research director, will assist in providing the City with federal grant announcements and legislative/regulatory updates. David Turch, along with Jamie Jones, will work with Beverly Hills in executing your strategic legislative plan. While our advocacy team will be working on your federal agenda, the general breakdown in the percentage of staff time devoted to the City’s activities is roughly: Jamie Jones 70 percent; Kevin Bosch 20 percent and David Turch 10 percent.

David Turch

David Turch served more than fifteen years as a legislative aide with Members of both the U.S. House and Senate and both major political parties. A former Division Director for two of the nation’s largest public relations firms, David achieved substantial expertise in the development of successful government marketing strategies. In August of 1987 he founded David Turch and Associates at its present location on Capitol Hill. David was graduated from Saint John’s University with majors in economics and business administration.

Marilyn Campbell

Marilyn Campbell is our chief operating officer. A native Washingtonian, Marilyn brings extensive management and political experience including staff service on the House Rules Committee, the most powerful committee in Congress. Ms. Campbell also served as a staff member to the Senate Committee on Energy and Natural Resources and the Senate Committee on the Judiciary. Subsequently, Marilyn managed some of Washington’s top law firms and the Washington office of Ferranti International of the United Kingdom, one of the world’s leading defense contractors.

Col. Vic Tambone (USAF Ret.)

Mr. Tambone served the country as an Air Force officer for twenty-four years, rising to the rank of colonel. In addition to being a pilot, staff officer, and commander, he served with distinction in the Office of Legislative Liaison for the Secretary of the Air Force. Tambone also served as a program manager for aircraft acquisition, an
Advance Agent for Presidential Flight Support, and the military aide to Secretary Henry Kissinger. President Bush appointed Mr. Tambone as the first Chief of Staff, Science and Technology Directorate, U.S. Department of Homeland Security, where he served as special advisor to the members of the Under Secretary’s immediate staff and also as a liaison to other components of the Department, the Administration, and the US Congress. Victor Tambone attended the Virginia Military Institute, and graduated from the United States Air Force Academy. He earned a Bachelor of Science degree in aeronautic engineering and a minor in astronautic engineering. He also holds a Masters degree in international politics from Webster University and is a graduate of the Harvard University, JFK School of Government, National Preparedness Leadership Institute.

Kodiak Hill-Davis

Kodiak Hill-Davis brings experience in both the legislative and regulatory process. Ms. Hill-Davis joined David Turch and Associates in 2007 after serving on the staff of Congresswoman Nancy L. Johnson. She has worked extensively on behalf of both public and private sector clients on a wide range of initiatives. Ms. Hill-Davis earned dual degrees in Political Science and History from Smith College and a J.D. from George Mason University where she focused on regulatory law and analysis.

Jamie Jones

Jamie Jones has been with David Turch and Associates for the past 17 years focusing on meeting our clients’ interests in public safety, transportation, economic development, defense, environment and water related matters. Jamie has extensive experience working with municipalities, particularly in Los Angeles County and the Inland Empire. Prior to joining the firm, Jamie worked for twelve years in the U.S. House of Representatives. As a senior level staffer for a member from the Los Angeles County Congressional Delegation, Jamie managed the legislative operations of the office and worked closely with both the Republican and Democratic leaderships of the House. Jamie worked as a consultant/advance representative on a congressional campaign in New York. He was also a senior associate for a New York-based financial institution. Jamie holds an advanced degree in International Affairs from The American University.

Kevin Bosch

Kevin Bosch is the director of legislative research; he monitors the activities of Congressional committees and agencies of the Executive Branch. Mr. Bosch provides the firm with a solid business perspective from his work as manager of Georgetown Pipe and Tobacco, an internationally renowned firm. Mr. Bosch holds an advanced degree in Comparative Politics from The American University.

Amanda Stephenson

Amanda Stephenson joined the firm from the School of Policy and Government at George Mason University where she earned her degree in political science. Ms.
Stephenson attended George Mason as the recipient of a prestigious athletic scholarship and was a member of the Division I Women’s Soccer Team. She also earned a coveted nomination as a Women in Government Relations fellow. As a Southern California native, Ms. Stephenson has cultivated a deep understanding of the California region where her policy ingenuity proves to be advantageous.

SECTION 7. QUALIFICATIONS AND REFERENCES

Qualifications

1. Project: Transfer of Ontario International Airport
Client: City of Ontario
303 East B Street, Ontario, California
Mayor Pro Tem Alan Wapner, OIAA President and SCAG President or Al Boling, Deputy City Manager
909-395-2447 or 909-395-2010
Timeline: Fall 2015 to November 2016
Professional Staff Who Handled Work: Jamie Jones

We worked with the City of Ontario, California in its campaign to regain control of the Ontario International Airport (ONT) from the City of Los Angeles/Los Angeles World Airports (LAWA). In this successful endeavor, we coordinated closely with Southern California municipalities, counties, national aviation stakeholders, members of Congress, congressional committees and the Federal Aviation Administration (FAA), to advance our client’s agenda. This multi-pronged strategy involved orchestrating a House Transportation and Infrastructure Aviation Subcommittee field hearing in Ontario, enlisting bipartisan congressional support as well as securing the enactment of a legislative provision amending federal law to allow $70 million in Passenger Facility Charges (PFCs) to be transferred from ONT to LAX following the separation of ONT from LAWA ownership and control. The PFC amendment was the cornerstone that allowed the $250 million settlement agreement between Ontario and Los Angeles to take effect.

In securing a legislative fix, we enlisted the support of key congressional players including Chairman Bill Shuster (R-PA) and Ranking Member Pete Defazio (D-OR) of the House Transportation and Infrastructure Committee, Chairman John Thune (R-SD) and Ranking Member Bill Nelson (D-FL) of the Senate Commerce, Science and Transportation Committee, Senators Dianne Feinstein (D-CA) and then Senator Barbara Boxer (D-CA), and assembled a bipartisan coalition of members from the Southern California delegation including Representatives Ken Calvert (R-CA), an appropriations cardinal, and Grace Napolitano (D-CA), a senior Democrat on the Transportation and Infrastructure Committee.

Over a period of ten months, we secured the introduction of stand-alone, companion bills in each chamber of Congress, overcame committee earmark concerns, ensured our legislative text was part of Chairman Shuster and Chairman Thune’s respective FAA reauthorization measures and, as a fall back plan, inserted, through the leadership of Senator Feinstein, our provision in the Senate Transportation Appropriations bill.
Moreover, we enlisted the support of the House Republican leadership team, in particular Kevin McCarthy (R-CA), in moving our bill through the Transportation and Infrastructure Committee and the House. Enactment of our legislative fix allowed the airport transfer to take place on November 1, 2016.

2. Project: NASA/SOFIA Program
Client: City of Palmdale
38300 Sierra Highway, Suite A
Palmdale, CA 93550
Mayor James Ledford
661-267-5100
Professional Staffer Who Handled Work: Jamie Jones

President Obama’s FY 2015 budget request for the National Aeronautics and Space Administration (NASA) proposed to eliminate funding for the Stratospheric Observatory For Infrared Astronomy (SOFIA) program operated out of Palmdale, California. David Turch and Associates was tasked by the City of Palmdale to mobilize and secure congressional support to restore full funding -- $87 million -- for SOFIA. Termination of the program would have resulted in the direct loss of over 200 high-paying jobs in the Palmdale region.

We immediately engaged key House and Senate Appropriations Committee Members and enlisted the support of the California Congressional Delegation. We organized a Palmdale City advocacy trip to Washington, DC prior to the NASA budget markup by the House Appropriations Subcommittee on Commerce, Justice, Science. The Palmdale delegation met with top NASA representatives including the official in charge of handling funding justifications for the Astrophysics Division. The Palmdale group had meetings with Kevin McCarthy, then House Majority Whip, whose congressional district stretches into the Antelope Valley, as well as with the Republican and Democratic leadership of the CJS Subcommittee.

We leveraged, through the City, local business and labor interests for the project on Capitol Hill. We duplicated our efforts on the Senate side, working closely with Senators Dianne Feinstein. We coordinated our legislative advocacy efforts with research stakeholders from northern California. The end result was a House mark of $70 million and a Senate mark of $87 million. The enacted continuing resolution for FY 2015 included $70 million and allowed NASA to continue to fully operate SOFIA. The respective House/Senate appropriations marks, moreover, ensured that the program was funded through the end of 2015 fiscal year and established an important milestone for technical field demonstrations for the retrofitted 747 aircraft and program.

References

1. Riverside Transit Agency
1825 Third Street, PO Box 59968, Riverside, California
Larry Rubio, CEO
951-565-5022
David Turch and Associates secured $2.4 million from the Federal Transit Agency through the Clean Fuel Grant as well as replaced and doubled to a total of $2.2 million of previously rescinded funds for the transit center. We continue to work with the Riverside Transit Agency on other ongoing projects.

2. City of Rialto, California
   150 South Palm Avenue, Rialto, California
   Mayor Deborah Robertson
   909-820-2689

David Turch and Associates secured the national priorities listing and $23 million for perchlorate remediation from DOD and EPA for contaminated water supply. We continue to work with the City of Rialto on other ongoing projects.

3. City of Ontario, California
   303 East B Street, Ontario, California
   Mayor Pro Tem Alan Wapner, OIAA President and SCAG President or Al Boling, Deputy City Manager
   909-395-2447 or 909-395-2010

David Turch and Associates amended federal aviation statute to allow for the transfer of Ontario International Airport to the Ontario International Airport Authority (OIAA) from Los Angeles city. The airport transfer, achieved in November 2016, was the top priority for the City. We continue to work with the City of Ontario on other ongoing projects.

4. City of Temecula, California
   41000 Main Street, Temecula, California
   Mayor Matt Rahn and/or
   Betsy Lowery Senior Management Analyst
   951-694-6416 City Council/Mayor Matt Rahn
   951-693-3959 Betsy Lowery

We worked with Congressman Ken Calvert (R-CA) and the US Army Corps of Engineers in securing $2.4 million in FY 2017 funds for the Murrieta Creek Flood Control Project and are in the final stage of securing an additional $10 million in the upcoming FY 2018 Omnibus Appropriations Act for the ACOE Work Plan to complete Phase 1 and Phase 2A which runs through the City of Temecula.

5. Fallon County, Montana
   10 West Fallon Avenue, PO Box 846, Baker, Montana
   Steve Baldwin
   406-778-7107

David Turch and Associates negotiated with EPA and the Corps of Engineers remediation for Baker Lake and forgiveness of imposed $37,500/day fine. We also
reduced large force exercise use of MOA from 240 days down to 10 days per year. We continue to work with Fallon County on other ongoing projects.

SECTION 8.  COST PROPOSAL

We recommend a negotiated monthly retainer as the best method of payment for our services. Monthly retainers are an agreed upon amount for which we will perform all of the activities necessary to effectively represent your interests.

For you, a monthly retainer provides stability for planning and the elimination of the administrative expense required to analyze bills. Retainers allow you to level those expenses over the life of the contract. We demand that members of this firm focus on the job to be accomplished, not on dollars received. Monthly retainers are one way to maintain this high standard.

We do not bill for routine costs. Before incurring any extraordinary expenses we solicit your prior approval. We encourage you to specify any other control over expenses you feel is appropriate. There are no hidden costs in our contract.

Several times we have analyzed our billing procedures and in every case the negotiated retainer amount was less than what hourly fees would have been. Our suggested cost for the level of services we believe the City of Beverly Hills’ will require is $6,000 per month or $72,000 per year.
Attachment 6
# Table of Contents

- **Table of Contents** ................................................................. 1
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Federal Advocates (the “Firm) is a full-service, bipartisan government relations firm that specializes in providing strategic counsel to implement effective and successful federal legislative and regulatory initiatives.

The Firm’s diverse team of public policy professionals has well over 100 years of combined experience focusing primarily on federal issues. As former Members of Congress, senior congressional staff, and Presidential appointees, the Firm’s professionals possess in-depth experience promoting various interests before Congress and the White House. The Firm has strong relationships across the State of California, including with Boards of Supervisors, mayors, city council members, county executives, assemblymen, and state senators. The Firm is staffed by twenty full-time professionals (includes legislative support staff and administrative personnel) in its Washington, D.C. and Los Angeles-based West Coast offices.

In March 2018, Bloomberg Government generated its latest list of top performing lobbying firms in Washington, D.C. These firms are responsible for $200 million in revenue and have a high client satisfaction rate as measured by client retention rate at one year and three years. Other indicators for placement on the list include revenue growth, growth in average revenue per client, and employee profitability. Of roughly 2,000 lobbying firms, Federal Advocates was listed as the Top Performing Firm for 2017, with a client satisfaction rate of 100%. These accolades were due in large part to the Firm’s tenured history of success for municipalities in California, which includes securing over $1 billion in federal funding for California municipal entities.

In addition to our recent recognition, the Firm’s President, Michael Esposito, recently accepted a personal invitation from Republican National Committee Chairwoman Ronna McDaniel to serve on the RNC Chairman’s Advisory Board. Mr. Esposito joined the senior-most leadership of the RNC and directly advises the Chairwoman on issues of significance to the Nation. Chairwoman McDaniel refers to her Advisory Board as “our Party’s most prestigious group,” and their advice is heeded at the highest levels of the Administration. Mr. Esposito supports the RNC’s national leadership by offering vital counsel, serving as its eyes and ears on issues across the country, and providing key in-depth insight for the RNC’s ultimate mission: exemplary governance. He is the only lobbyist serving on the board.
STATE CORPORATION COMMISSION

Richmond, January 12, 2006

This is to certify that the certificate of incorporation of

Federal Advocates Inc.

was this day issued and admitted to record in this office and that the said corporation is authorized to transact its business subject to all Virginia laws applicable to the corporation and its business.

Effective date: January 12, 2006

State Corporation Commission
Attest:

[Signature]

Clerk of the Commission
The Firm customizes all reports and deliverables for each client we serve. However, there are three formats that will be used to report on issues and updates identified in the City’s RFP.

1. **MONTHLY REPORTS**

With every monthly invoice, the Firm provides a Monthly Report summarizing actions in Washington D.C. on issues that are important to the City. In addition, the report will include a list of relevant legislation the Firm is tracking on behalf of the City. The report will also include summaries on any meetings/calls with federal officials, relevant stakeholders, and with the City’s staff during the month. Below is a brief sample from a report provided to another California municipality. The client’s name and specific meetings/calls have been redacted as the information is privileged to that client.

**Monthly Report - Prepared for**

*The City of [Redacted], California*  
*February 2018*

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**With Appreciation**

February brought a slew of new issues as we work to maintain our steadfast efforts to advocate on your behalf. As we move into the spring, our staff remains dedicated to representing you and your interests to decision makers throughout the government.

Both the House of Representatives and Senate were in session the first two weeks of February before recessing in observation of President’s Day and returned to Washington the last week of the month. Their time this month was spent negotiating over a long-term budget and a permanent solution to the Deferred Action for Childhood Arrivals (DACA) program. On February 8, the government shut down for a few hours before Congress passed a continuing resolution that will fund the government through March 23. During this month, the Senate took up several bills to address immigration issues as they pertained to deferred action recipients; however, all attempts to address this issue through legislation failed.

Federal Advocates will continue to be active in the ongoing conversations surrounding the long-term funding bill and the fixes to the DACA program. As the Administration begins to shift its focus to infrastructure in the coming months, we will ensure our seat at the table during those negotiations while maintaining steady attention to non-spotlight issues that are meaningful to your interests.

Thank you,

Michael Esposito  
President  
Federal Advocates Inc.
Our Commitment

As part of our continuous improvement process, we meticulously plan and execute a detailed strategy to meet the goals of our clients – one that is fluid, yielding the necessary flexibility providing our clients with real-time, rapid-response to the ever-changing political landscape. Our paramount goal is to be the pipeline of relevant information to aid and inform decision-making. Below is a summary of pertinent legislative developments, as well as Congressional and Executive Branch updates.

Sober Living

Background: Sober living homes are facilities used by people recovering from substance abuse that serve as an interim environment between rehab and mainstream society. Since recovering alcoholics and drug addicts are considered disabled under California and federal laws, cities are limited in the regulations it can impose on sober living homes. Last year, Congressman Darrell Issa (R-CA) reintroduced H.R. 472, the “Safe Recovery and Community Empowerment Act,” a bill that would amend the Fair Housing Act and Americans with Disabilities Act to regulate sober living homes. The bill currently has seven cosponsors, including Congressman Rohrabacher. H.R. 472 is awaiting consideration from the House Judiciary Subcommittee on the Constitution and Civil Justice.

On January 10, 2018, Rep. Darrell Issa formally announced he will not seek reelection for California’s 49th Congressional District; however, Issa did not formally rule out running in another, more Republican-leaning District.

Developments: Federal Advocates will continue to monitor H.R. 472 and report on any pertinent updates. Additionally, Federal Advocates will also continue working to identify and enlist additional House members to reintroduce legislation.

Next Steps: The FA team will continue to meet with key Members of Congress and Department of Housing and Urban Development officials regarding unlicensed sober living homes in the City of

2. MEMOS

The Firm regularly keeps clients updated through emails and phone calls. For more in-depth coverage, the Firm will provide memos on relevant Congressional hearings, legislation, proposed rules/regulations, and new grant opportunities. Below is a memo the Firm recently sent to a client.

TO: [redacted]
FROM: Federal Advocates Inc.
DATE: March 12, 2018
REGARDING: Opening Hearings on Trump Infrastructure Proposal

Background

Over the last two weeks, Congressional lawmakers leading the action on infrastructure began to discuss timing on the Trump Administration’s proposal and obstacles to its success. The majority of the debate since the plan’s release centered around how to fund the measure with Administration officials floating the possibility of an increase in the gas tax. However, Republicans in the House and Senate are leery of imposing such a tax in an election year, leading House Transportation and Infrastructure Committee Chairman Bill Shuster (R-PA) to suggest completing the infrastructure package in the lame duck session following the election. A discussion over whether to allow earmarks, or Congressionally-directly
spending, in the bill also stalled its progress. Additionally, Senate Leadership is skeptical that there will be sufficient floor time to debate and pass the measure, with Majority Whip John Cornyn (R-TX) informing reporters on February 27 that the package may not make it through the Senate this year. However, transportation advocates on and off the Hill, including the U.S. Chamber of Commerce, are still hopeful that Congress will pass an infrastructure package this year or next.

House and Senate Hearings

The Senate Committee on Environment and Public Works (EPW) and the House Committee on Transportation and Infrastructure (T&I) held their first official hearings with Transportation Secretary Elaine Chao to discuss the Administration’s infrastructure proposal. Republicans in both chambers praised the plan’s streamlining of permitting processes and focus on state and local control of infrastructure projects. Democrats, on the other hand, criticized the proposal’s 20% federal cost share, inability to leverage private investment, rollbacks to environmental protections, and lack of pay-fors. Republicans and Secretary Chao pushed back on Democrats’ assertions that the proposal would not leverage investment, arguing that the return on federal loan programs, like Transportation Infrastructure Finance and Innovation Act (TIFIA) and Water Infrastructure Finance and Innovation Act (WIFIA), speaks for itself. Chao also stated that the Administration would consider all revenue sources to finance the plan.

California Representatives probed the Secretary on a variety of issues they found with the infrastructure proposal. House T&I Water Resources and Environment Subcommittee Ranking Member Grace Napolitano (D-CA) and Representative John Garamendi (D-CA) asked Chao why the plan fails to use state and locally-passed infrastructure packages, such as California SB 1, in determining its funding levels and goals, and whether municipal governments should have hiring preference for projects in their states. House T&I Railroads, Pipelines, and Hazardous Materials Chairman Jeff Denham asked whether TIFIA, WIFIA, or National Environmental Policy Act (NEPA) streamlining could be used to support water storage projects. Representative Alan Lowenthal (D-CA) argued for a dedicated freight trust fund in the Plan. Finally, Representative Mark DeSaulnier (D-CA), who represents a district where 70% of constituents travel out of district for work, labeled the Plan an “attack on suburban commuters.”

Next Steps

House Appropriations Transportation Subcommittee Chairman Mario Diaz-Balart (R-FL) told reporters that upcoming omnibus appropriations legislation would include generous funding for infrastructure-related programs, since Congress raised non-military spending caps by $63 billion in the recent budget deal and labeled the promised funding a “down payment” for the Administration’s proposal. Senate Environment and Public Works Committee Chairman John Barrasso (R-WY) also noted that Water Resources Development Act (WRDA) reauthorization would likely be passed by Congress this year, even if infrastructure did not.

As Congress begins work on shaping infrastructure legislation, Federal Advocates will continue to engage appropriate decision makers and staff to ensure the final infrastructure package maintains favorable terms for .

3. Trip Itineraries

As the Firm is responsible for scheduling and accompanying City leaders and staff to meetings in Washington D.C., draft itineraries will be sent to City staff and leaders for any trips to Washington, D.C. The itinerary will be updated as meetings are confirmed. Below is a sample from a finalized itinerary.
Tuesday, June 27th

8:45 AM – Prep meeting with Federal Advocates
1666 K Street, Suite 1100
Washington, DC 20006

9:45 AM – Office of Representative Jerry McNerney (D-CA-09)
United States House of Representatives
2265 Rayburn House Office Building
Attendees: Rep. McNerney – Member of Congress
    Patrick Arness – Legislative Director
Justification: Regional impact

10:30 AM – Office of Representative Mike Thompson (D-CA-05)
United States House of Representatives
231 Cannon House Office Building
Attendees: Rep. Thompson – Member of Congress
Justification: Regional impact

11:00 AM – Committee on Transportation and Infrastructure
United States House of Representatives
2165 Rayburn House Office Building
Attendees: Ryan Sieger – Staff Director
    Michael Brian – Counsel
Justification: The committee has jurisdiction over water and environmental infrastructure projects.

11:30 AM – Committee on Energy and Commerce
United States House of Representatives
2122 Rayburn House Office Building
Attendees: Rick Kressler – Senior Advisor
Justification: The committee has jurisdiction over energy and environmental issues.

12:00 PM – Office of Representative John Garamendi (D-CA-03)
United States House of Representatives
2438 Rayburn House Office Building
Attendees: Emily Burns – Deputy Chief of Staff
    Betsy Thompson – Legislative Assistant
Justification: Regional impact

12:45 PM – Lunch

2:30 PM – Committee on Environment and Public Works
United States Senate
508 Hart Senate Office Building
Attendees: Kusai Merchant – Senior Policy Advisor
Justification: The committee has jurisdiction over environmental and infrastructure issues.
The Firm provides an exceptional level of customer service, which includes:

- Developing and advancing federal legislative goals;
- Proactively monitoring and identifying public policy opportunities;
- Reviewing and advising on federal legislation, budget impacts, and policy discussions;
- Pursuing and enhancing relationships with key decision makers;
- Working with federal officials to advance an agenda;
- Coordinating and conducting meetings with appropriate federal officials as well as Congressional and agency staff; and
- Assisting in preparing and reviewing written correspondence and presentations.

The cornerstone of the Firm’s services are the development and implementation of a Federal Legislative and Regulatory Action Plan (the “Plan”). Before developing the Plan, the Firm would engage in discussions with the City to gain a complete, in-depth understanding of the City’s federal priorities and goals. Once this assessment is complete, the Firm would provide the City with a proposed framework for the Plan. Once the framework is approved by the City, the Firm, in continuous consultation with the City, would begin to implement the Plan. The Plan would center the Firm’s activities around the following areas:

1. Developing a timeline to achieve the City’s federal priorities and goals.
2. Beginning a dialogue to enhance relationships with lawmakers and staff.
3. Arranging meetings to enhance the City’s relationships with federal Executive Branch agencies.
4. Identifying funding opportunities for the City and senior leadership through tracking of the budget and appropriations processes.
5. Recommending legislative and regulatory strategy and positions on issues after thorough political and policy analyses.
6. Communicating positions on proposed legislation and regulations to key White House aides and senior Congressional leadership.
7. Monitoring the Congressional hearing process for opportunities to testify on matters that impact the City and/or submit testimony for the record.
8. Drafting legislation, testimony, talking points, briefing materials, and policy memoranda.
9. Identifying and securing collaborative efforts with other associations and coalitions advocating similar issues, including the U.S. Conference of Mayors and the National League of Cities.

The Firm will communicate regularly with designated City contacts to ensure goals and priorities are aligned, track progress, and provide updates. The Firm’s team members will collaborate with City leadership to provide “value added” services such as webinars and training resources. Accompanying
each monthly invoice, the City will also receive a monthly report detailing the Firm’s actions and a summary on all of the City’s federal priorities.

**THE WHITE HOUSE**

The Firm can immediately work to best position the City with the Trump Administration. The principals of the Firm, particularly Firm President Michael Esposito, have a strong personal and professional relationship with the President and his senior advisors. Michael Esposito advised Mr. Trump on several key real estate development purchases including the Trump National Golf Course (Northern Virginia) and the Trump Hotel (Washington, D.C.). In addition to President Trump, the Firm enjoys a strong relationship with key advisors to the President, including Mr. Jared Kushner, the President’s son-in-law and senior advisor. Michael Esposito advised Mr. Kushner in real estate development deals. The Firm has also worked with all members of the Trump family including both of the President’s sons.

No other Washington, D.C. government relations firm enjoys a previous working relationship with both President Trump and his immediate family. Therefore, Michael Esposito is one of only a few D.C. lobbyists with an open and direct line of communication to the President of the United States. Therefore, representatives of the Firm have regular and frequent contact with both the President and his senior advisors.

The Firm has direct relationships with the following:

- **Trump Administration:**
  - President Donald Trump
  - Vice President Mike Pence
  - Chief of Staff John F. Kelly
  - Senior Advisor Jared Kushner
  - Secretary of Transportation Elaine Chao
  - Secretary of Treasury Steven Mnuchin
  - Other Senior Advisors

**CONGRESS**

The Firm prides itself on its institutional knowledge in both the authorization and appropriations processes. The Firm also enjoys a strong working relationship with senior Members of Congress and staff on key House and Senate committees. Particular to this engagement, the Firm has strong relationships with the following Members of Congress and Congressional committees and would use those relationships to the best interest of the City:

- **Congressional Leadership:**
  - Representative Paul Ryan (R-WI), Speaker of the House
  - Representative Kevin McCarthy (R-CA), House Majority Leader
  - Representative Steve Scalise (R-LA), House Majority Whip
  - Representative Nancy Pelosi (D-CA), House Minority Leader
  - Representative Steny Hoyer (D-MD), House Minority Whip
  - Senator Mitch McConnell (R-KY), Senate Majority Leader
  - Senator John Cornyn (R-TX), Senate Majority Whip
- **City of Beverly Hills Congressional Delegation:**
  - Representative Ted Lieu (D-CA-33)
  - Senator Dianne Feinstein (D-CA)
  - Senator Kamala Harris (D-CA)

<table>
<thead>
<tr>
<th>Committee</th>
<th>Chair</th>
<th>Ranking Member</th>
<th>Jurisdiction</th>
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</thead>
<tbody>
<tr>
<td>House Appropriations</td>
<td>Rodney Frelinghuysen (R-NJ)</td>
<td>Nita Lowey (D-NY)</td>
<td>Budget Allocation</td>
</tr>
<tr>
<td>Senate Appropriations</td>
<td>Richard Shelby (R-AL)</td>
<td>Patrick Leahy (D-VT)</td>
<td>Budget Allocation</td>
</tr>
<tr>
<td>Senate Environment and Public Works</td>
<td>John Barrasso (R-WY)</td>
<td>Tom Carper (D-DE)</td>
<td>Infrastructure Package and FAST Act Reauthorization</td>
</tr>
<tr>
<td>House Transportation and Infrastructure</td>
<td>Bill Shuster (R-PA)</td>
<td>Peter DeFazio (D-OR)</td>
<td>Infrastructure Package and FAST Act Reauthorization</td>
</tr>
<tr>
<td>Senate Commerce, Science and Transportation</td>
<td>John Thune (R-SD)</td>
<td>Bill Nelson (D-FL)</td>
<td>Infrastructure Package and FAST Act Reauthorization</td>
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<tr>
<td>Senate Finance</td>
<td>Orrin Hatch (R-UT)</td>
<td>Ron Wyden (D-OR)</td>
<td>FAST Act Reauthorization</td>
</tr>
<tr>
<td>House Ways and Means</td>
<td>Kevin Brady (R-TX)</td>
<td>Richard Neal (D-MA)</td>
<td>FAST Act Reauthorization</td>
</tr>
<tr>
<td>House Judiciary</td>
<td>Bob Goodlatte (R-VA)</td>
<td>Jerry Nadler (D-NY)</td>
<td>Law Enforcement and Federal Courts</td>
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<tr>
<td>Senate Judiciary</td>
<td>Chuck Grassley (R-IA)</td>
<td>Dianne Feinstein (D-CA)</td>
<td>Law Enforcement and Federal Courts</td>
</tr>
</tbody>
</table>

**AGENCIES**

In addition to working with all 26 federal agencies, the Firm was instrumental in recommending Cabinet appointments for the Departments of Commerce, Energy, Interior, Justice, Labor, State, Transportation, and Treasury. The Firm has a strong relationship with Secretary Chao, dating back to her time as Secretary for the Department of Labor. In all, the Firm has a strong track record of securing significant project funding from each of the 26 federal agencies. In addition, the Firm has worked discreetly with several agencies, crafting legislative language that was ultimately included in the legislative process. The Firm would leverage its relationships within these agencies to garner quick action on the City’s priorities.
CURRENT AND FORMER CLIENTS

- Affiliated Computer Services
- Airport Consultants Council
- Albert D. Seeno Construction Company
- American Council of Engineering Companies
- Appraiser Prosperity Coalition
- Association of American Railroads
- Association of Sanctuary Cities
- Bus Coalition
- Canndescent
- CARBIO Consortium, Argentina
- Cargill
- Coyote Springs Investment
- Central Contra Costa Sanitary District
- Chabot Community College District
- Children's Discovery Museum of San Jose
- Children's Museum of Houston
- City of Antioch, California
- City of Brentwood, California
- City of Desert Hot Springs, California
- City of Dinuba, California
- City of Emeryville, California
- City of Garden Grove, California
- City of Laguna Niguel, California
- City of Merced, California
- City of Pittsburg, California
- City of Rancho Palos Verdes, California
- City of Richmond, California
- City of South Pasadena, California
- City of Thousand Oaks, California
- Clean Water Construction Coalition
- Currie Technologies
- Delta Diablo Sanitation District
- Detroit River Tunnel Project
- Des Moines Area Regional Transit Authority
- Duluth Children's Museum
- Detroit Economic Growth Corporation
- EcoEngineers
- Edventure Children's Museum
- Emergency Vehicle Alarm
- Ft. Worth Museum of Science and History
- Global Traffic Technologies
- Great Projects Film Company
- HELP, Inc.
- Highway 53 Taskforce, Minnesota
- Koochiching County, Minnesota
- Lipsmark
- Los Angeles County Museum of Art
- Louis Dreyfus Commodities
- Los Medanos Community Healthcare District
- Lyft
- Moffatt & Nichol
- Mt. Diablo Resource Recovery
- Murfreesboro Pharmaceutical
- Museum of Latin American Art
- National Auto Auction Association
- National Cannabis Industry Association
- National Independent Automobile Dealers Association
- National Women’s History Museum
- New Jersey Institute of Technology
- Newsmarket
- Norfolk Southern Railway
- Orange County, California
- ParkWorks
- Peppermill Casinos, Inc.
- PetSmart
- Placer County Transportation Planning Agency, California
- Please Touch Children’s Museum
- Polk County, Iowa
- Talisen Technologies
- Townsend Public Affairs
- Town of Sahuarita, Arizona
- Tradepoint Atlantic
- Veteran's Cannabis Project
- Virginia Port Authority
- Western Recycled Water Coalition
- Yorba Linda Water District
- Zap Electric Bike
Michael Esposito, President

Michael Esposito is widely regarded as an expert in securing federal funding. He has strong relationships with key Members of Congress, including members of the House and Senate Appropriations Committees. In addition, Esposito maintains a strong personal and professional relationship with the current Administration.

Due to his unmatched knowledge of the Parliamentary Rules of the House and the Senate, coupled with his strong contacts, Esposito is often consulted upon to contribute to landmark legislative policy. From the “outside,” he has been instrumental in the creation of several significant pieces of legislation. As President of the Firm, he provides congressional and Executive Branch liaison on various legislative and policy initiatives.

Esposito has successfully secured well over $2 billion in federal funding for municipal clients of the Firm. His experience is unmatched, representing some of the most well-known public and private entities in the country. He has worked with clients in developing strategies, drafting legislation, preparing project proposals, assisting in submitting necessary project planning information, coordinating the various needs/requirements between the client and congressional/committee office, organizing and attending client D.C. briefings, monitoring the congressional process in its entirety, and assisting in agency implementation on behalf of clients.

Esposito has a strong personal and professional relationship with President Trump and his senior advisors. Esposito worked on behalf of Mr. Trump and The Trump Organization, dealing directly with the General Services Administration regarding leasing the Old Post Office in Washington, D.C. (now the Trump International Hotel), as well as with several federal agencies. In addition to President Trump, the Firm enjoys a strong relationship with the President’s family and key advisors including Mr. Kushner, the President’s son-in-law and Senior Advisor to the President. Michael Esposito worked on behalf of Jared Kushner and Kushner Companies, assisting in the purchase and development of real estate in New York City. Esposito has also collaborated with Eric Trump, the President’s son, regarding the acquisition of a golf resort in Northern Virginia (now the Trump National Golf Club in Potomac Falls, Virginia). No other Washington, D.C. lobbyist enjoys a previous working relationship with both President Trump and his immediate family.

Specific to this Engagement:
Michael Esposito brings to this potential engagement, a successful career representing a significant number of California entities, both public and private. Esposito is one of only a few D.C. lobbyists with an open and direct line of communication to the President of the United States. Esposito is in regular contact with both the President and his senior advisors. Esposito will be able to immediately provide the White House (and relevant federal agencies) with key information on the City and it’s needs/priorities. In addition, Esposito can leverage his position with the Republican National Committee to ensure the City is kept up-to-date on the national political landscape.

Proposed Role for this Engagement: Point of Contact/Team Lead
CONGRESSMAN CHRISTOPHER CARNEY, VICE PRESIDENT

Congressman Christopher “Chris” Carney is a former U.S. Representative (Democrat) for Pennsylvania’s 10th Congressional District from 2007 to 2011. As a member of the Homeland Security Committee, Chris served as the Chairman of the Management, Investigations, and Oversight Subcommittee. Additionally, Chris served on the Transportation & Infrastructure Committee, serving on both the Economic Development and Highways & Transit subcommittees. Following his time in Congress, Chris was appointed a Commissioner to the Military Compensation and Retirement Modernization Commission by President Obama.

Immediately prior to joining Federal Advocates, he served as a Senior Specialist in the National Aviation Intelligence Integration Office under the Director of National Intelligence working on transportation and infrastructure security issues. Prior to running for Congress, Chris worked at the Pentagon for four years on strategic analysis of the global terrorist threat. Having worked directly with the most senior decision-makers of the Bush Administration, Chris provided Red Cell analysis of the threat posed to the United States by Al-Qaeda, its network, and its affiliated groups.

SPECIFIC TO THIS ENGAGEMENT:
As a former Member of Congress, the Honorable Chris Carney brings to this potential engagement, the knowledge gained as a member of both the House Transportation and Infrastructure Committee and House Homeland Security Committee. In addition, Carney enjoys longstanding relationships with senior Members of Congress, including Democratic Leader Nancy Pelosi.

PROPOSED ROLE FOR THIS ENGAGEMENT: Senior Staff Support

NICK TOBENKIN, VICE PRESIDENT

Nick Tobenkin joins Federal Advocates as an experienced politico and trusted advisor, with a reputation for getting the job done. Originally from Los Angeles, Nick caught the political bug after working as the GOTV Logistics Director in John Spratt’s 2010 reelection campaign in Rock Hill, South Carolina. Soon after, Nick moved to Washington D.C. and began his career in the influence industry. He has worked with cities, non-profits, private industry, and trade associations to advance their policy priorities on the federal, state, and local level. Nick’s policy background is steeped in transportation and infrastructure policy. He spent several years advocating on behalf of the American Planning Association on their community development and transportation priorities.

SPECIFIC TO THIS ENGAGEMENT:
Nick Tobenkin brings to this potential engagement, an unmatched expertise in transportation policy having worked directly with the American Planning Association, National League of Cities, National Association of Counties, American Public Transportation Association, and others.

PROPOSED ROLE FOR THIS ENGAGEMENT: Senior Staff Support
Michael Stroud, Senior Director of Government Affairs

Michael Stroud, Esq. currently serves as a Senior Director of Government Affairs. Michael brings a unique bevy of experience having worked in two different Cabinet-level Departments, Capitol Hill, and at the local and state levels. Prior to joining the Firm, Michael served as the Congressional Relations Officer for the U.S. International Trade Commission working extensively with dozens of offices in the U.S. Senate and House of Representatives and with important congressional committees, including Appropriations, Senate Finance, and House Ways & Means. Prior to the Commission, Michael was the Director for Intergovernmental Relations for the Washington Suburban Sanitary Commission (WSSC), the nation’s eighth largest municipal water and wastewater utility. Before WSSC, Michael served in several roles at the U.S. Department of Homeland Security (DHS). Michael joined DHS as a Presidential Appointee and was appointed to the role of Deputy Assistant Secretary for Legislative Affairs and ended his tenure as the Assistant Secretary (Acting) for the Private Sector Office. Before DHS, Michael worked for the U.S. House of Representatives’ Committee on Homeland Security, serving as the Deputy Chief Counsel and a Subcommittee Director for Emergency Communications Preparedness and Response as well as Transportation Security and Infrastructure Protection.

Specific to This Engagement:
Michael Stroud brings to this potential engagement, a unique expertise as a Presidential Appointee at the Department of Homeland Security. In that role, Stroud worked on border and transportation security, infrastructure, technology, FEMA issues, state and local first responders, information sharing, etc.

Proposed Role for This Engagement: Senior Staff Support

John Lopez, Senior Director of Government Affairs

John Lopez is the Senior Director of Government Affairs for Federal Advocates Inc., covering a diverse portfolio of issues for its valued clients. Prior to joining the firm in 2017, John led government and regulatory affairs for Cox Communications Las Vegas. Prior to that position, John was the chief lobbyist for the City of Las Vegas. John has over 20 years of experience on Capitol Hill and in the private sector successfully managing numerous legislative and political issues and shepherding bills through Congress that have been signed into law by Presidents Clinton, Bush, and Obama. John served as a senior Republican leadership staff member and chief of staff to former U.S. Senator John Ensign (R-NV). Senator Ensign was the past chairman of the National Republican Senatorial Committee, the Senate Republican Policy Committee, and a member of the influential Finance, Commerce, and Budget panels.

Specific to This Engagement: John Lopez brings to this potential engagement, a unique expertise as a former chief of staff to senior Senate Republican from a battleground state. In that role, and his role at the City of Las Vegas, Lopez was able to work on behalf of a variety of municipal interests.

Proposed Role for This Engagement: Senior Staff Support
Jim Kiley currently serves as the Senior Director of Government Affairs. Prior to joining the firm in 2017, Jim served as the Director of Federal Affairs and Global Public Policy at General Motors (GM). Jim’s issue portfolio consisted of intellectual property, safety as well as energy and environmental policy. In addition to his policy work, Jim sat on the Candidate Selection Committee for GM’s PAC.

Prior to joining General Motors in 2006, Jim served as the Senior Director of State Government Affairs at the Alliance of Automobile Manufacturers. While at the Alliance, Jim led efforts on behalf of automobile manufacturers that operate in the United States. The Alliance is the leading advocacy group for the auto industry, representing almost 80% of all car and light truck sales in the United States. The Alliance is active in the areas of environment, energy and motor vehicle safety.

Specific to This Engagement:
Jim Kiley brings to this potential engagement, a unique expertise as a seasoned Washington, D.C. lobbyist, working across both sides of the aisle. In addition, Kiley serves as the coach for the Women’s Congressional Softball Team.

Proposed Role for This Engagement: Senior Staff Support

Ben Odendahl, Esq. is a Senior Director of Government Affairs for the firm covering tax, gaming, environmental, and federal procurement issues for clients. Prior to joining Federal Advocates in 2017, Ben was a legislative assistant on the State Government Affairs team for Charter Communications, Inc. In that role, he conducted legislative research at both the federal and state level and managed the ethical and lobbying compliance for the company’s in-house lobbyists across their forty-one-state footprint. While at Charter, Ben was a member of the government affairs team that successfully guided the company’s $71 billion acquisition of Time Warner Cable and BrightHouse Networks through the various state and local level regulatory approval processes.

Specific to This Engagement:
Ben Odendahl brings to this potential engagement, an unmatched knowledge of federal tax policy. Working with senior Members of Congress and key congressional committees, Odendahl was able to secure significant client provisions within the recently enacted Tax Reform legislation.

Proposed Role for This Engagement: Senior Staff Support
MICHAEL GRIMES, GOVERNMENT AFFAIRS ASSOCIATE

A veteran of Washington, DC’s public and private sectors, Michael most recently worked at the American Council of Engineering Companies (ACEC), where he was responsible for managing policy and political issues for engineers, architects, and other specialty stakeholders. Michael was an integral part of ACEC’s PAC operations and compliance team. Prior to entering the private sector, Michael worked to organize and administer constituent services for Members of Congress including Senator Sherrod Brown, Congressman Tim Ryan, and Congressman Charlie Wilson. Michael graduated from Virginia Tech with a B.A. in Business Management.

PROPOSED ROLE FOR THIS ENGAGEMENT: Legislative and Regulatory Staff Support

VICTORIA HONARD, LEGISLATIVE ASSISTANT

Victoria Honard is an experienced policy analyst and congressional affairs professional based out of Federal Advocates’ K Street office. Prior to joining Federal Advocates Inc., Victoria worked as a Program and Policy Evaluation Analyst at ICF where she focused on evaluating federal substance abuse prevention programs specifically related to heroin and opioid prevention. Victoria also assisted in preparing and securing proposals for ICF. Before joining ICF, Victoria served as a Legislative Correspondent for Congressman Brian Higgins of New York where she handled a diverse legislative portfolio. In this capacity, Victoria helped advance legislative priorities for the Congressman, managed the office’s constituent mail program and oversaw the transition of Constituent Management Systems.

PROPOSED ROLE FOR THIS ENGAGEMENT: Legislative and Regulatory Staff Support

DAVID GELLMAN, LEGISLATIVE ASSISTANT

David Gellman is an experienced congressional affairs professional based out of Federal Advocates’ K Street office. Prior to his move to the government relations sector, David served on Capitol Hill as a legislative aide to Congressman Raúl Grijalva of Arizona and Congressman Ted Deutch of Florida, where he handled a diverse portfolio of issues and responsibilities. As an aide to Representative Grijalva, David was integral in reforming the office’s constituent response program and securing bipartisan support for many of the Member’s priorities, notable in an increasingly partisan environment.

PROPOSED ROLE FOR THIS ENGAGEMENT: Legislative and Regulatory Staff Support
The City will have three points of contact: The Firm’s President (Michael Esposito), Vice President (Nick Tobenkin), and Senior Director (Ben Odendahl). Project effort by team members is outlined below:

<table>
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<tr>
<th>Staff</th>
<th>Effort</th>
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<tr>
<td>Michael Esposito</td>
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<tr>
<td>Nick Tobenkin</td>
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<tr>
<td>Ben Odendahl</td>
<td>15%</td>
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<tr>
<td>Hon. Chris Carney</td>
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<tr>
<td>John Lopez</td>
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<tr>
<td>Michael Stroud</td>
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<tr>
<td>Jim Kiley</td>
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<td>Michael Grimes</td>
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</tr>
<tr>
<td>Victoria Honard</td>
<td>5%</td>
</tr>
<tr>
<td>David Gellman</td>
<td>5%</td>
</tr>
</tbody>
</table>

Federal Advocates is comprised of a senior team of premiere government relations professionals brought together, under the leadership of Michael Esposito, to offer a superior level of service. The Team consistently receives accolades for its work as well as referrals among the business community, and testimonials from existing clients. As requested, here are three client references:

**Firm References**

1. Pete Longmire, Mayor  
   City of Pittsburg, California  
   - plongmire@ci.pittsburg.ca.us  
   - (925) 252-4850

Like most of the Firm’s municipal clients, the City of Pittsburg has been with the Firm for several years. The Firm is currently working with the City to redevelop a plot of land. The redevelopment will include homes and a space for a large IT service provider, which will result in a massive windfall of tax revenue for the City. The issue: a majority of the targeted land has a federal land designation restricting the City from redeveloping the land. The Firm is engaged with the National Park Service, the General Services Administration, and the Bureau of Land Management to negotiate a land swap between the City and the federal government. Following a successful swap, construction will begin immediately.
2. Ron Bernal, City Manager  
City of Antioch, California  
   o rbernal@ci.antioch.ca.us  
   o (925) 779-7011

The Firm has secured well over $40 million in federal funding for infrastructure improvements in the City of Antioch. The improvements include funds towards highway/road widenings, and other community infrastructure improvements including a new BART subway station. In addition, the City was faced with a budget shortage to employ additional law enforcement officers. The Firm identified the Community Oriented Policing Services (COPS) Hiring Program as a potential opportunity for the City. Having secured millions of dollars for other municipal entities, the Firm is highly familiar with the Program and assisted the City of Antioch through the process, including identifying the grant, guiding and reviewing the application, and working the political process after the application was submitted. Representatives of the Firm were able to leverage their contacts with key members of Congress and within the Department of Justice to highlight the City of Antioch’s application. Ultimately, the City was successful in several rounds of discretionary grant funding for a total of $5 million.

3. Bill Lindsay, City Manager  
City of Richmond, California  
   o Bill_lindsay@ci.richmond.ca.us  
   o (510) 620-6512

The City of Richmond and the Department of Housing and Urban Development (HUD) had a series of disagreements over housing reimbursements between the City of Richmond and the Richmond Housing Authority. Rather than engage the City after initial discussions, HUD decided to take harsh administrative actions (i.e. a large financial fine) to punish the City of Richmond for improprieties the department believed the city committed. The Firm was scoped to find a solution that benefitted the City and satisfied HUD. Ultimately, the Firm convinced HUD to lower the fine in exchange for the City to make minor changes to its internal housing processes.

**COST PROPOSAL**

The Firm proposes an initial contract amount of $6,000 per month for a total of $72,000 for a year of legislative advocacy services. At the end of the initial term, should the City want to renew the relationship, the Firm will also review pricing to meet the requested scope of services. Additionally, the Firm will work with the City to consider any additional special projects that the City may wish to consider outside of the scope of this current agreement, including any flexible fees for such projects. If the City wishes to engage the Firm, the City will be invoiced monthly for the contract amount. The proposed contract amount would cover the services included in this proposal, as well as the following expenses:

- Travel costs for the Firm in Washington D.C.
- Scheduling City meetings with federal agency staff, elected officials, and associations
- Accompanying City leadership to meetings with elected officials and agency staff
- Coordinating City travel within Washington, D.C. during any trips to the City
- City Leaders’ travel within Washington D.C.
Attachment 7
Response to RFP #18-7
Federal Legislative Advocacy Services

City of Beverly Hills, CA

March 22, 2018
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<th>Contents</th>
<th>Page</th>
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<tr>
<td>2. Introduction</td>
<td>2</td>
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<tr>
<td>3. Project Management</td>
<td>4</td>
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<td>4. Staff</td>
<td>6</td>
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<td>5. Qualifications and References</td>
<td>8</td>
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<td>6. Cost Proposal</td>
<td>19</td>
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<td>Appendix 1: Examples of our Value-Add Resources</td>
<td>20</td>
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</tbody>
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Squire Patton Boggs is the trade name of Squire Patton Boggs (US) LLP, a limited liability partnership organized under the laws of the state of Ohio, USA. Squire Patton Boggs (US) LLP is part of the international legal practice Squire Patton Boggs which operates worldwide through a number of separate legal entities. Please visit squirepattonboggs.com for more information.
1. Transmittal Letter

March 22, 2018

Squire Patton Boggs (US) LLP
2550 M Street NW
Washington, DC 20037

Cindy Owens, Senior Management Analyst
City of Beverly Hills
City Hall, 2nd Floor, Room 290
455 N. Rexford Drive
Beverly Hills, CA 90210

Subject: Transmittal Letter

Dear Ms. Owens:

Squire Patton Boggs is honored to have the opportunity to submit a proposal to provide federal legislative advocacy services to the City of Beverly Hills. Our unmatched substantive expertise and capabilities in representing local governments, as well as our relationships within the California Congressional Delegation and executive agencies, make our team uniquely qualified to meet the requirements delineated in the City’s Request for Proposal (RFP) and to produce stellar results.

Our preeminent Public Policy Practice, which is recognized by publications such as the American Lawyer, Chambers USA, National Law Journal, Roll Call, Politico Influence, and The Hill, is consistently ranked among the leading advocacy firms in the nation. The personal perspectives brought by our deep bench of government insiders truly differentiate our federal government and legislative affairs consulting services from our competitors. Former Senate Majority Leader Trent Lott (R-MS) and former Senate Chief Deputy Whip John Breaux (D-LA) jointly lead our Public Policy Practice, which includes former Secretary of Transportation Rodney Slater, former House Speaker John Boehner (R-OH), former Congressman Jack Kingston (R-GA), former US ambassadors and ambassadors to the US, as well as other former senior officials, both elected and appointed, from numerous federal agencies and Congressional offices.

For nearly a quarter of a century, Squire Patton Boggs has represented a variety of cities, counties, and other public entities. Over the years, we have generated billions of grant dollars for our clients, and with our exceptional technical abilities and substantive experience, we are confident that we will not only successfully help the City of Beverly Hills carry out its government affairs priorities, but also enhance your national profile.

This cover letter is acknowledgement that we have made due inquiry and have not discovered any business relationships that may be construed as conflicts of interest with regard to our representation of Beverly Hills. Squire Patton Boggs is a partnership, and while we maintain 47 offices in 20 countries, work on this contract will be handled primarily out of our Washington, DC office. We respectfully submit the following proposal to represent the City of Beverly Hills.

Sincerely,

Victoria Cram
Principal, Co-Chair, Transportation, Infrastructure, and Local
Government Practice Group
T: +1 202 457 6547
E: victoria.cram@squirepb.com

Pamela Welsh
Principal
T: +1 202 457 6493
E: pamela.welsh@squirepb.com

Jeffrey Turner
Partner, Co-Chair, Public Policy
Practice Group
T: +1 202 457 6434
E: jeffrey.turner@squirepb.com

*As Partner, Mr. Turner can bind the firm.
2. Introduction

Squire Patton Boggs would implement the following approach to assist Beverly Hills with the strategic layout, development, and implementation of a comprehensive and aggressive federal agenda. Throughout the course of our representation, we would anticipate any potential legislation or federal policies that may affect the City and institute a system of proactive and open communication with the Mayor and City Council, as well as various executive agency staff. We would always keep the City informed and aptly prepared with information on issues of pertinence.

From the onset, we would work closely with you to develop a strategic plan for federal government relations representation. We would begin by conducting a comprehensive review of the City's operations and goals in order to develop a federal agenda for the coming year. We would then outline in the strategic plan our proposed agenda for the City with sufficient flexibility to account for possible new legislative, regulatory, and City-specific issues that may arise throughout the year. Next, we would develop legislative strategies in concert with the City and implement a communication plan that would enable us to liaise and interact regularly with Congress and the Administration. Altogether, our robust program would aim to align, supplement, enhance, and achieve the City's federal legislative priorities.

We outline below a preliminary work plan for accomplishing the requirements in the Scope of Work section of the RFP.

### Federal Policy Agenda Development

Effective representation depends on a clear set of achievable objectives, action-oriented timelines, and substantive knowledge.

Squire Patton Boggs will:

- Assist the City of Beverly Hills in further identifying federal legislative and regulatory priorities, in addition to those currently listed in the City's federal agenda, to align current and potential federal trends to the City's priorities and prioritize based on practicality and potential return on investment, and then develop and implement a federal agenda and strategy for remainder of the 115th Congress (2018) and beyond.

- Work with the City to develop a series of public policy goals that are specific, measurable, and attainable. These goals will have three time horizons: short-term (first 100 days); medium-term (end of Second Session of the 115th Congress); and long-term (beginning of the 116th Congress).

- Monitor and match priorities with targeted opportunities before the Legislative and Executive Branches and specified federal agencies, including grants for capital projects.

- Prepare briefing materials related to advancing the City's federal priorities in Washington, DC or at association conferences, before Congressional and/or agency officials and other stakeholders.

### Advice, Advocacy, and Outreach

Advocacy relies on a combination of leveraging direct contact and communication between City representatives to enable ongoing substantive work with policymakers.

Squire Patton Boggs will:

- Develop a proactive, comprehensive itinerary for City of Beverly Hills leadership to connect with relevant federal officials, and provide a recommended agenda and background information for participants.

- Track and analyze key federal legislative, executive, or regulatory activity that might impact the City of Beverly Hills and proactively advise and counsel the City on the appropriate action.

- Identify opportunities and draft letters for City official signature on key federal issues.
- Facilitate and execute Congressional and federal agency visits for the Mayor and other City officials.
- Prepare briefing materials and talking points for City personnel.
- Recommend and perform appropriate liaison and follow-up work with the California Delegation (both local offices and in Washington, DC), Members of Congress, Congressional staff, Administration officials, and agency representatives.
- Provide early notification of upcoming federal funding and partnership opportunities, including White House initiatives.
- Advise the City on best practices to secure and implement federal partnerships and programs.
- Use our existing grant tracking system as a foundation to assist the City of Beverly Hills in developing a comprehensive federal grant tracking system.
- Develop, advance, and advocate for proposals to Congress and Executive Branch agencies for initiatives in line with the priorities held by the Administration and the City of Beverly Hills.
- Review and provide feedback on written comments on Executive Branch regulatory proceedings.
- Prepare briefing and advocacy materials for the City of Beverly Hills throughout each stage of the legislative process, from hearings to markups and floor debate to conference negotiations.
- Assist in securing timely legislative and regulatory approvals on City projects as appropriate.
- Facilitate opportunities for City leadership to participate as members of boards and commissions.
- Identify and create opportunities for City leaders to testify before Congress and draft such testimony or other communications to Congress and to the Executive Branch, as appropriate.
- Promote regionalism and local partnership opportunities to maximize advocacy impact.
- Regularly engage with strategic partners such as interest groups, the US Conference of Mayors, the National League of Cities, and other local governments that may be similarly-positioned on a particular issue. We will collaborate with all associations with affiliations to local government, such as the Low Income Housing Coalition, the National Community Development Association, the American Water Works Association, and the National Association of Clean Water Agencies.
- With regards to the US Conference of Mayors, we have staffed both Mayor Scott Smith of Mesa, AZ and Mayor Mitch Landrieu of New Orleans, LA during their tenures as President of the organization.

Client Interaction

Our experience has taught us that regular, albeit flexible, lines of communication should be established in order to promote accountability and best handle rapidly developing and complex issues. Regular communication and interaction allows us to help generate ideas, measure progress, and better adapt strategies to achieve federal policy objectives.

We would structure regular conference calls with relevant City staff. We will endeavor to make these calls goal-oriented to ensure facilitation of accountability on both sides through updates on recent work performed, federal and client developments, and plans for the immediate future. These activities will be accompanied by regularly provided written summaries on specific topics for general distribution.

Squire Patton Boggs will:
- Provide regular status reports on top priority items in the City's federal agenda;
- Deliver presentations to the City, as required;
- Prepare topical reports assessing impacts of legislative and administrative proposals;
- Plan regular visits to Beverly Hills to meet with our counterparts; and
- Establish clear and efficient communication channels through various means.

Value-Add Resources

As a Squire Patton Boggs client, the City of Beverly Hills would have priority access, before the general public, to information such as:
• Our post-presidential election analysis examining the impact of the election result on US domestic and foreign policies, delivered within 24-36 hours after the election.

• Our quarterly comprehensive updates on legislative and regulatory activity impacting local government interests.

• Our annual analysis of the President's State of the Union (SOTU) address, which is distributed to clients typically within 24 hours of the President's speech, and is often cited by the media in analyses of the policy ramifications of these speeches.

• Our annual analysis of the President's Budget Proposal, which is distributed to clients typically within 24 hours of the budget release, and identifies the Administration's funding and policy priorities for the upcoming fiscal year.

• Special reports on developing legislative issues, enactment of significant legislation, and major political milestones, such as our Fixing America's Surface Transportation Act (FAST Act) summary, our FAST Act Opportunities for Private Sector Investment and P3s, and our Analysis of President Trump's Infrastructure Proposal.

• Invitations to Squire Patton Boggs events with key policymakers, current and former appointed officials, and practitioners, designed to educate and inform clients. This includes our preeminent post-election events.

We have included examples of several of these pieces as an appendix.

3. Project Management

We pride ourselves on our responsiveness, and we are regularly in contact with our clients after typical business hours and on weekends to solve problems as they arise. We are also able to call on members of our broader team with significant expertise in particular issue areas to solve client issues on a wide range of topics. Our broad and deep bench of policy professionals and lawyers means that we have significant experience in almost any policy issue that Beverly Hills will face, and will always have professionals available to assist with any project, whether planned or in response to situations that arise.

Key Personnel and Organizational Chart

<table>
<thead>
<tr>
<th>Team Member</th>
<th>Percentage of time spent on this engagement</th>
</tr>
</thead>
<tbody>
<tr>
<td>Victoria Cram, Principal</td>
<td>25%</td>
</tr>
<tr>
<td>Pamela Welsh, Principal</td>
<td>25%</td>
</tr>
<tr>
<td>Patricia Doersch, Partner</td>
<td>20%</td>
</tr>
<tr>
<td>Kameron Simmons, Public Policy Specialist</td>
<td>30%</td>
</tr>
</tbody>
</table>

At Squire Patton Boggs, we act as a team and deploy our cumulative and complementary talents, technical expertise, and networks of connections to address our clients' needs. Our policy practice includes a deep bench of seasoned lawyers and policy professionals unmatched elsewhere. Above, we have provided a chart detailing our proposed team, which will be co-led by Vicki Cram and Pamela Welsh. Ms. Cram and Ms. Welsh will act as Beverly Hills’ primary points of contact and will manage the day-to-day dissemination of work among the core team members and coordinate additional resources, as necessary.

Our team will maintain regular and frequent communication with Beverly Hills staff via regularly-scheduled conference calls with Beverly Hills officials, participate in meetings as required, and provide timely status reports of activities we undertake on Beverly Hills' behalf.
We will be constantly accessible, usually through email and regularly-scheduled calls. We will ensure Beverly Hills senior staff are kept abreast of pending legislation, Congressional hearings, and Departmental rulemakings and guidance in time to act on this information. We will also provide regular updates on grant opportunities that might be of interest to you.

Please note that this chart only includes individuals who will comprise the core team. However, depending on the nature of the engagement and various tasks required, we have the ability to add additional resources as needed.

While none of our additional representation will impact our ability to serve Beverly Hills, we have provided the requested list of our transportation and local government clients. We request that Beverly Hills inform us of its desire to contact any Squire Patton Boggs client on this list that is not listed as a reference before contacting such client.

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<tr>
<th>Name of Contracting Party/Client (grouped by type)</th>
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<td><strong>Large Cities and Counties (500,000+ population)</strong></td>
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<td>San Diego, California</td>
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<tr>
<td>San Jose, California</td>
<td>Federal Representation</td>
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</tr>
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<td><strong>Small and Mid-Sized Cities and Counties</strong></td>
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<td>Commerce City, Colorado</td>
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<td>American Public Transportation Association</td>
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<td>Chatham Area Transit Authority (Savannah, Georgia)</td>
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<td>Denver Regional Transportation District, Colorado</td>
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### Name of Contracting Party/Client (grouped by type)

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<tr>
<th>Name of Contracting Party/Client</th>
<th>Type of work</th>
<th>Percentage of work complete</th>
<th>Contract amount (Reported per month)</th>
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<tr>
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<td>Federal Representation</td>
<td>Ongoing</td>
<td>Handled on an hourly basis</td>
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<tr>
<td>Northeast Ohio Areawide Coordinating Agency</td>
<td>Federal Representation</td>
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<td>American Water Works Association</td>
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<td>Handled on an hourly basis</td>
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<td>Denver Water, Colorado</td>
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<td>Louis Armstrong New Orleans International Airport</td>
<td>Federal Representation</td>
<td>Ongoing</td>
<td>Managed as part of Municipal Contract</td>
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<tr>
<td>Miami International Airport</td>
<td>Federal Representation</td>
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<td>Managed as part of Municipal Contract</td>
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<td>Gordon K. Bush Ohio University Airport</td>
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<td>Norman Y. Mineta San Jose International Airport</td>
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<td>Bill and Hillary Clinton National Airport/Adams Field</td>
<td>Federal representation</td>
<td>Ongoing</td>
<td>Handled on an hourly basis</td>
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### 4. Staff

As discussed in the previous section, depending on the nature of the engagement and various tasks required, we have the ability to add additional resources as needed. Along with the core team, brief descriptions of the most likely members of this broader team are included below.

#### Core Team Members

**Vicki Cram**
Principal, Washington  
T +1 202 457 6547  
E victoria.cram@squirepb.com

Victoria Cram is the co-chair of the firm’s Transportation, Infrastructure & Local Government Public Policy Practice. She brings more than 25 years of federal advocacy experience representing local governments, other public sector entities, and nonprofit organizations in Washington, DC with a substantive background in urban policy development. She works closely with her clients to strategize on, develop, and implement federal legislative and regulatory agendas.

**Pamela Welsh**
Principal, Washington  
T +1 202 457 6493  
E pamela.welsh@squirepb.com

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*Squire Patton Boggs | Proposal to the City of Beverly Hills*
Pamela Welsh, a key member of the firm's Transportation, Infrastructure, and Local Government Group, has worked for 15 years with almost all of Squire Patton Boggs' local government clients in leading or coordinating our representation, and facilitating cross-cutting initiatives. With an expertise in the federal budget process, Ms. Welsh has experience in a wide range of policy areas, including transportation, public safety, homeland security, economic development, health, housing, education, environment, water, and youth/social services. Ms. Welsh also oversees the firm's highly regarded Public Policy Internship Program and manages the firm's compliance with Lobbying Disclosure Act reporting.

Patricia Doersch
Partner, Washington
T +1 202 457 6029
E patricia.doersch@squirepb.com

Patricia Doersch is a member of the firm’s Transportation Infrastructure & Local Government Public Policy Practice. She helps transportation agencies, corporations and municipal governments in achieving their goals before the federal government, with a focus on assisting automotive industry clients address federal regulatory requirements and compliance matters.

Immediately prior to joining Squire Patton Boggs, Patricia served as Legislative Counsel for the American Public Transportation Association (APTA), advocating on behalf of 1,500 transit providers and private suppliers on Capitol Hill and at federal agencies on issues from transportation funding, finance, and tax policy to wide-ranging federal grant requirements such as Buy America.

Kameron Simmons
Public Policy Specialist, Washington
T +1 202 457 5106
E kameron.simmons@squirepb.com

Kameron Simmons is a member of the firm’s Transportation, Infrastructure & Local Government Public Policy Practice. Prior to joining the firm, Kam was selected through a competitive process to participate in the firm’s public policy intern program and assisted attorneys and senior policy professionals with legislative and regulatory research, as well as hearing and event coverage and reports. Kam has expertise in areas such as telecommunications, infrastructure, opioids, and sanctuary cities.

Additional Team Members

Carolina Mederos
Principal, Washington
T +1 202 457 5653
E carolina.mederos@squirepb.com

Carolina Mederos, co-chair of the firm’s Transportation, Infrastructure and Local Government Practice, counsels corporations, trade associations and local governments on congressional and executive branch policy, legislative and regulatory matters, with an emphasis on creative federal funding and infrastructure development. She has obtained billions of dollars for the firm’s major transportation, water and local government clients through authorizing legislation, appropriations, grants and innovative financing and has expanded market opportunities for private sector clients.

Paul Besozzi
Partner, Washington
T +1 202 457 5292
E paul.besozzi@squirepb.com
Paul Besozzi concentrates in the wireless, broadband and emerging technology areas. His extensive experience of more than 30 years in the telecommunications field includes regulatory, transactional, legislative and litigation matters for clients ranging from wireless service and infrastructure providers to resellers of long-distance service, including cellular, personal communications services, specialized mobile radio, point-to-point microwave, advanced wireless services and other emerging wireless technologies.

Rodney Slater
Partner, Washington
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E rodney.slater@squirepb.com

Former US Secretary of Transportation Rodney E. Slater helps clients integrate their interests in the overall vision for the transportation system of the 21st Century – a vision he set as transportation secretary to promote a safer, more efficient, environmentally sound and sustainable worldwide transportation infrastructure. Secretary Slater also helps state and local government clients address the vexing challenge of closing the gap between transportation demand and capacity by employing public/private strategies and innovative financing solutions. Secretary Slater’s practice focuses on many of the policy and transportation objectives that were set under his leadership, including automobile use and development, aviation competition and congestion mitigation, maritime initiatives, high-speed rail corridor development, and overall transportation safety and funding. He continues to embrace the framework he established as secretary for making transportation decisions that called for more open, collaborative and flexible decision making across the transportation enterprise here and abroad.

5. Qualifications and References

Qualifications

Squire Patton Boggs is one of the leading law and lobbying firms in the U.S. based on global reputation. Our highly regarded public policy practice is consistently recognized for excellence by numerous national and international rating agencies, including Law360, Chambers Global, Chambers USA, and Best Lawyers.

Our public policy practice comprises attorneys and professionals hailing from the public and private sectors, including:

- The 13th U.S. Secretary of Transportation Rodney Slater;
- Former Speaker of the House John Boehner (R-OH);
- Two former U.S. Senators: Trent Lott (R-MS) and John Breaux (D-LA); and
- Former Member of the U.S. House of Representatives Jack Kingston (R-GA).

Former U.S. Senate Majority Leader Trent Lott and former U.S. Senate Chief Deputy Whip Jonn Breaux co-chair our public policy practice. Former U.S. Secretary of Transportation Rodney Slater serves as the Global Chair of our transportation, shipping, and logistics industry group. Former U.S. House Speaker John Boehner, who guided significant transportation measures to passage in Congress during his years as Speaker, joined Squire Patton Boggs in 2016 as senior strategic advisor. Senators Lott and Breaux, Secretary Slater, Speaker Boehner, and former U.S. Representative Jack Kingston, who served as a senior member of the House Appropriations Committee during a long and distinguished career of public service, provide key strategic advice to clients. Their combined experience and understanding of the inner workings of the U.S. government provide unique vantage points to guide our high-impact Federal lobbying practice and give our clients insights into the Washington policy process that are unmatched by any other firm.

Within our public policy practice, our highly regarded Transportation, Infrastructure, and Local Government Practice group provides strategic counsel to public and private sector clients on a wide range of regulatory, legislative, funding, and policy matters. We offer an integrated transportation and public policy team with comprehensive experience and an enviable network of relationships, including a deep bench of experience in Federal transportation policy at both the US DOT and on Capitol Hill.

We have a long and consistent record of success in representing transit and commuter rail agencies, municipalities, airports, water districts, and other public agencies on matters across the full spectrum of funding, policy, regulatory, and safety compliance issues. Our achievements include consistent, high-level wins in helping local entities secure Federal resources that support local projects.
To illustrate our public policy representation abilities and the effectiveness of our federal advocacy strategies, we have provided successes from similar engagements below.

### Federal Budget/Appropriations Discretionary Grants, and Funding

In the era of earmarks, we were extremely successful in securing billions of dollars in earmarked funding for our clients. We have since developed an excellent track record of success with federal grant opportunities and policy issues, an example of which was flagging and beginning the process for our clients, Denver and San Jose, to secure two out of five coveted new Patent and Trademark Office locations.

We also have secured numerous Transportation Investment Generating Economic Recovery (TIGER) transportation grants, two Strong Cities, Strong Communities (SC2) designations, and two Jobs and Innovation Accelerator Challenge (JIAC) grants.

Moreover, we vigorously lead efforts to protect federal programs of priority to local government interests from further deficit reduction cuts through the appropriations process, such as the Community Development Block Grant (CDBG), the HOME Investment Partnership, Community-Oriented Policing Services (COPS), and others. We also facilitate partnership opportunities for our clients with private organizations and foundations in order to leverage funding for projects that are not eligible for federal funding.

Each year, Squire Patton Boggs provides a detailed analysis of the appropriations process and the President's budget to determine how best to advocate for the protection of critical federal funding streams within and outside of the Congressional delegation, including with appropriations committee leaders, when appropriate. We monitor and report on funding levels and policy changes proposed during subcommittee and committee consideration of the spending bills, and then recommend opportunities for our clients to engage in the process.

Throughout the sequester process, we provided written briefings to our clients about the potential impact to funding for them specifically, both with regard to domestic and defense funding. Since the 2011 passage of the Budget Control Act, we also have provided in-depth analysis of the legislation itself, the Office of Management and Budget's sequestration report, and additional developments. Our analysis has helped our clients to determine funding trends that would have an impact on their federal programs. We also have worked with coalitions to protect local government interests in discretionary spending and for example, assisted the US Conference of Mayors in drafting a letter that was signed by over 163 elected officials.

### Federal Budget/Appropriations and Discretionary Funding Examples

<table>
<thead>
<tr>
<th><strong>Preserving Funding Streams for Community Development</strong></th>
</tr>
</thead>
<tbody>
<tr>
<td>We have played an active role in efforts to preserve critical and flexible community development funding streams such as the Community Development Block Grant (CDBG). We have successfully advocated to not only avoid or minimize proposed cuts to the CDBG program, but we also led efforts to maintain the 20 percent administrative cap which is critical to the functioning of local governments' CDBG programs. The House of Representatives sought to reduce the cap to 10 percent in the FY 2012 appropriations process, a proposal that was overlooked by most major organizations which were focused primarily on overall program funding levels. We led a successful effort to maintain the cap at 20 percent in the FY 2012 appropriations process, and, thus far, the House has not reinstated a proposal to lower the cap.</td>
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<table>
<thead>
<tr>
<th><strong>Securing Funding through Department of Defense</strong></th>
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</thead>
<tbody>
<tr>
<td>The University of Miami has a unique satellite downlink facility called the Center for Southeastern Tropical Advanced Remote Sensing (CSTARS). Florida is a leader in space-based activity, and its assets, including CSTARS, have the ability to access a unique constellation of imaging radar satellite systems that provide coverage all over the world. While the University already had a working relationship with the Navy, Squire Patton Boggs worked with the client on appropriations language that would help to bolster this relationship and allow the Navy to take full advantage of CSTARS capabilities. We were successful in securing a $4,000,000 increase in the House FY 2017 Defense Appropriations Bill in the Navy's Ocean Warfighting Environment Applied Research account for space-based monitoring in the Arctic Basin in order to establish a stronger foundation of geospatial reference information and to establish a baseline data set using space-based Synthetic Aperture Radars (SARs). This work is ongoing as the FY 2017 appropriations process continues.</td>
</tr>
</tbody>
</table>
Securing Funding for Federal Courthouses

For several years, the highest priority of the City of Greenville has been the Federal Courthouse project. For many years Congress denied funding to courthouse construction in favor of other General Services Administration (GSA) public buildings, such as border crossings and other projects. In 2014, the House Transportation and Infrastructure Committee requested that the Judicial Conference review and update its Five Year Courthouse Project Plan for FY 2016-2020 based on new criteria. Due to the change in the list of priorities, Greenville moved up from the sixth project in line to fifth.

In preparation for FY 2016, Squire Patton Boggs worked with the City and Senator Lindsey Graham (R-SC) to submit an appropriations request for the FY 2016 Financial Services and General Government appropriations bill, which funds GSA. The Senator’s request was granted and resulted in language that was included in the Senate report accompanying the FY 2016 appropriations bill.

The language called for GSA to submit a report on the extent to which innovative partnerships, including public-private partnerships (P3s), can be used to expedite federal courthouse construction projects. We proceeded to work with GSA to seek their willingness to explore potential innovative solutions to funding federal courthouses. Simultaneously, we convened conference calls between the City and our Firm’s renowned P3 practitioners, and other potential stakeholders, to investigate the possibility of pursuing a P3 solution to the courthouse funding dilemma.

Ultimately, the final FY 2016 Financial Services and General Government appropriations bill included funding for up to nine courthouses totaling $947,760,000. With Greenville fifth on the list, the City received its long-denied goal of $93,999,000 for new construction. Since that time, we have facilitated meetings between the GSA architects and the City on the design of the new Courthouse.

Squire Patton Boggs also coordinated successful efforts to overcome House committee opposition and secure stalled approvals of a federal authorization that released $350 million to complete downtown courthouse construction in San Diego.

Transportation

Our highly-regarded transportation and infrastructure practice provides strategic counsel to public and private sector clients on a wide range of Congressional, Executive Branch, policy, legislative, and regulatory matters, as well as on infrastructure investment opportunities. We have represented local governments and transportation authorities for many years, and, as a result, we have a well-developed understanding of the challenges and opportunities they face at the federal level, as well as how smart transportation choices shape land use and development patterns, improve mobility, and drive economic growth in communities.

Our experienced team, backed by a deep bench of lawyers and professionals with exceptional technical proficiency and public policy experience, were directly involved in the recent efforts of both Congress and the Obama Administration to reauthorize federal surface transportation programs and find a revenue solution that supported a multi-year bill, Fixing America’s Surface Transportation Act, commonly known as the FAST Act. In fact, in every transportation bill in the past 20 years, we have played an active role in advancing the interests of our local government clients, focusing in particular on protecting key federal funding streams, including transportation enhancements/alternatives funding for bicycle, pedestrian, and “rails to trails” projects, and ensuring local control over those funds by requiring a portion to be suballocated based on population.

Widely recognized for tenacity and ingenuity, we offer an exceptional portfolio of accomplishments, having secured billions of dollars in funding for a diverse range of public sector client initiatives. We emphasize creative federal funding and financing, and our experience reflects the many diverse interests we address on our clients’ behalf.

We have excelled at positioning clients for federal funding success through discretionary grant opportunities, innovative financing tools, and even creation of new federal programs. With expertise comes innovation, and we have developed unique strategies to help clients bypass obstacles in the regulatory and discretionary grant processes that may impede their competitors.

Transportation Examples

Directing Federal Transportation Funding to Local Communities

As part of our work on the FAST Act, we successfully advocated on behalf of several cities for more funding to be apportioned directly to local communities, through increases in Surface Transportation Program and
Transportation Alternatives suballocations. We were also instrumental in defeating a proposal that would have reduced the maximum federal share for local roads from 80 percent to 60 percent.

- **Facilitating Streetcars**
  Squire Patton Boggs has unique experience in the growing movement on streetcars. On behalf of the City of Portland, we succeeded in securing the first ever federally-funded streetcar project for the Portland Streetcar Loop. In order to provide a funding mechanism for streetcars, and particularly the Portland Streetcar, we worked with the Oregon Congressional delegation to create the Small Starts program in SAFETEA-LU. Under the Small Starts program, the Federal Transit Administration (FTA) began funding bus rapid transit projects exclusively, so we worked to include language in the SAFETEA-LU technical corrections legislation to provide further guidance to FTA that streetcars were intended to be funded under the new program. Working with the city, developers, and the downtown business community, we worked closely with FTA, the incoming Obama administration and Congressional appropriators to successfully attain the first federal grant for streetcars of $75 million. Additional federal funding, including a TIGER grant, has built out the Portland Streetcar Loop.

- **Securing Ferry and Transit Funding**
  On behalf of Chatham Area Transit (CAT), we briefed FTA officials on the importance of CAT’s transit priorities and the Savannah Belles Ferry to Savannah’s growing population, tourism-related economic activity, and other economic development. We also briefed CAT’s Congressional delegation to develop additional support for CAT’s priorities. Subsequently, CAT received a $713,280 grant through the Passenger Ferry Discretionary Grant Program for the Savannah Belles Ferry.

  We also worked with CAT to develop a competitive Bus and Bus Facilities Grant Program application, highlighting CAT’s role in providing access to the expanding economic opportunities in Savannah. We secured letters of support from CAT’s Congressional delegation, further strengthening the application. These efforts resulted in a $1.6 million Bus and Bus Facilities grant to replace CAT’s fleet of paratransit vehicles.

- **Securing Unprecedented Transportation Funding and Finance Resources**
  We worked with Denver Regional Transportation District (RTD) to secure over $2 billion in federal commitments to develop five new light rail and commuter rail lines, the nation’s first major public transportation project to be advanced via a public-private partnership, the EAGLE P3. Recently, we have fought successfully to minimize the effects of sequestration on RTD’s New Starts appropriation for the EAGLE project.

  We also have worked with RTD in securing over $300 million in the Transportation Infrastructure Finance and Innovation Act (TIFIA) and the Railroad Rehabilitation & Improvement Financing (RRIF) loans, and $50 million in federal grants to redevelop Denver Union Station into the region’s intermodal hub and the hallmark of the city’s reborn downtown.

  At the same time, we have assisted RTD in securing support at both DOT and in Congress for a second New Starts project, which has been approved and included in the President Obama’s latest budget.

- **Securing TCSP and Pedestrian/Bike Path Funding**
  We drafted and successfully advocated for the City of Baton Rouge/Parish of East Baton Rouge’s $1.15 million proposal under DOT’s Transportation, Community and System Preservation (TCSP) grant program to construct the North Boulevard Promenade – a critical component of the Downtown Greenway connecting the riverfront to the heart of Downtown Baton Rouge. We also developed the appropriations requests and obtained $2 million for riverfront development, the Mississippi River levee pedestrian/bike path, and other infrastructure improvements to provide safe pedestrian access from downtown to the riverfront area.

- **Securing TIGER Grant Funding**
  Squire Patton Boggs worked with Miami-Dade Expressway Authority (MDX), Florida International University (FIU), IBM, and the City of Sweetwater on a TIGER grant application that was awarded in 2013 for $11,397,120 for the University City Prosperity Project. The TIGER funds were used to support an innovative package of technology, streetscaping, and transit improvements to connect the town of Sweetwater with FIU. The project facilitates transit use and safe pedestrian-oriented transit access via an advanced and comprehensive electronic wayfinding system that is helping to alleviate congestion.
Smart Cities

In 2016, we worked closely with the City of Portland team competing for $40 million in this year’s Smart Cities funding from US DOT. Portland was one of only seven finalists. We assisted in the preparations of documents, one-pagers, solicitations of support from the Congressional delegation and partner cities, preparations for the Mayor’s presentation to Secretary Foxx, and other critical tasks. While Portland did not win, several private sector partners are pursuing investments in the City’s projects.

Water and Wastewater Initiatives

Drawing on our expertise in infrastructure finance, we played a leading role on behalf of the American Water Works Association in developing, drafting, and advocating for the landmark WIFIA loan program designed to address critical water infrastructure needs unmet by other finance tools. Modelled on the highly successful TIFIA transportation loan program, WIFIA provides low-cost, long-term loans to lower the cost of water infrastructure projects, focusing specifically on large projects that have difficulty accessing adequate funding from other sources. Furthermore we were successfully in advocating for the repeal of WIFIA’s ban on co-financing with tax-exempt debt, securing language repealing the ban in the surface transportation bill which the President Obama signed at the end of 2015.

Water and Wastewater Initiatives Examples

• Securing WIFIA Loans

Squire Patton Boggs was instrumental in the creation of the WIFIA program in 2014, which is a federal loan program at the Environmental Protection Agency (EPA) that aims to accelerate investment in the nation’s water infrastructure by providing long-term, low-cost credit assistance for regional and nationally significant projects. WIFIA also supports loans to private investors in water infrastructure projects.

Now that EPA has stood up the program, we have advocated for and secured robust WIFIA funding in the House and Senate appropriations bills. The final bills included $20 million for WIFIA, which can support over $2 billion in loans.

In its first round of loan solicitations last year, EPA received 43 letters of interest from both public and private entities. After a robust, statutorily required review process, EPA chose 12 projects nationwide to submit applications for loans – and two of those 12 are long-time Squire Patton Boggs clients: Miami-Dade County and the City of San Diego.

On behalf of both Miami-Dade County and the City of San Diego we provided timely information on the WIFIA interim regulations and fee documents, responding to questions on substance and process, and alerted the County to the Notice of Funding Availability (NOFA) for the WIFIA program. We staffed critical meetings at EPA for County and City officials in order to gain insights from EPA as to the kind of projects they were seeking to fund and in order to provide EPA with the best information our clients’ applications.

EPA received 43 letters of interest from both public and private entities in response to the 2017 WIFIA NOFA. After a robust, statutorily required review process, the WIFIA Selection Committee chose 12 projects nationwide to submit applications for loans – and two of those 12 are Squire Patton Boggs clients.

San Diego will apply for a nearly half-billion dollar loan for Pure Water San Diego, an innovative project that will provide one-third of the City’s water supply locally by 2035, using proven water purification technology to clean recycled water to produce safe, high-quality drinking water.

Miami-Dade County’s Ocean Outfall Discharge Reduction and Resiliency Enhancement Project was also one of the projects. The Miami-Dade Water and Sewer Department will construct new injections wells at a series of wastewater treatment plants to allow for the redirecting of effluent discharges from the ocean outfalls to these wells. The project is required to be completed by 2025 in order to comply with the State of Florida ocean outfall legislation. The project will increase availability of reclaimed water for potential reuse, reduce sanitary sewer overflows, increase capacity for the management of peak wet weather flows, and meet the advanced wastewater treatment levels. The WIFIA loan would account for $78.6 million of the $160 million project.

• Extending Modified Permitting

Squire Patton Boggs supported the City of San Diego’s efforts in dealing with federal agencies and legislative interests to secure an extension under the Clean Water Act of a modified Section 301(h) permit, enabling the
Point Loma wastewater plant to continue operating without transitioning to secondary treatment standards. We collaborated with the City on justifications and strategy, and subsequently executed outreach efforts that clarified legal issues and supported ultimate approval.

- **Preventing an Unfunded Mandate**
  Working with the City of Portland, we successfully helped the City win the first and only variance to the EPA’s Long Term Drinking Water Rule (LT2) under the Safe Drinking Water Act. This allowed the City to continue to monitor and test for cryptosporidium in lieu of building a water treatment plant at the Bull Run Reservoir on Mount Hood. Many years of negotiations with EPA, and the Oregon Congressional Delegation contributed to this successful result. After years of negotiations with EPA, and years of testing the untreated water and finding no cryptosporidium, EPA and the State of Oregon granted the first and only variance to the LT2 Rule. This saved the city of Portland around $100 million.

- **Successfully Advancing Amendments to Drought Legislation**
  On behalf of our impacted clients such as the City of San Diego, we worked closely with the California Congressional delegation as they developed drought-related legislation, particularly the California Emergency Drought Relief Act and the California Long-Term Provisions for Water Supply and Short-Term Provisions for Emergency Drought Relief Act. We were successful in securing key provisions that would help our California clients expedite critical water supply and recycling projects without environmental detriment. Upon introduction of the bill, we facilitated public support of the bill from local elected officials. During House consideration of the Western Water and American Food Security Act, we worked with the Congressional delegation to craft and advance an amendment to protect California agencies’ water supply and budgets.

- **Securing Federal Funding for Unfunded Mandate**
  Monroe County’s wastewater management infrastructure systems needed to be upgraded in order to be in compliance with the Advanced Wastewater Treatment Standards under the Clean Water Act. These facilities had been strained from a rapid growth rate and high levels of tourism. Squire Patton Boggs worked with County officials to design and advocate on behalf of the Florida Keys Water Quality Improvement Project (FKWQIP), a cost-effective operations/maintenance wastewater system with a management structure that is adaptable to future changes in wastewater management and infrastructure technologies. FKWQIP received $25 million in funding from the American Recovery and Reinvestment Act, as well as $3.6 million through an EPA wastewater demonstration project.

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### Taxation and Finance/Protection of Revenue Sources

Squire Patton Boggs provides general representation to all of our municipal clients on a wide range of tax policy issues. We closely monitored and lobbied on Congressional efforts on tax reform, including efforts by lawmakers to help pay for such reforms by eliminating the tax-exempt status of municipal bonds. This issue is such a priority for our clients that we have previously held a seminar specifically focused on the potential impact of tax reform on municipal bonds and infrastructure projects.

Other representative tax policy matters include efforts to support local revenue, such as work on various online sales tax bills, and a myriad of tax extenders, including the New Markets and Low Income Housing Tax Credits and Empowerment Zones. We also work on a number of bespoke client initiatives that are tailored to help meet client needs and achieve specific goals.

### Taxation and Finance/Protection of Revenue Examples

- **Tax Reform**
  Squire Patton Boggs was intensely involved in development of the recently enacted tax reform bill, which was the most comprehensive overhaul of the tax code since 1986. We worked with all of our local government clients to successfully advocate for preserving municipal bonds, the Low Income Housing Tax Credit, New Markets Tax Credit and other provisions of interest. We were part of a coalition to try to preserve part of the...
State and Local Tax Deduction. We will continue to engage as Congress works on tax extenders and technical corrections to H.R. 1.

- **Preserving Tax-Exempt Status of Municipal Bonds**
  
  We have been particularly active, both as part of a larger public interest lobbying effort and on behalf of individual cities such as the City of Portland, in lobbying the House Ways and Means Committee, Senate Finance Committee, and the White House on the importance of municipal bonds to construct basic infrastructure like hospitals, schools, roads, and water projects.

  For example, in 2013, for the City of Portland, we analyzed the Sellwood Bridge replacement project, which is nearing completion and funded primarily by a TIGER grant and municipal bonds. We projected how the Portland’s borrowing costs would be driven up on the project by the two scenarios of elimination or reduction of the tax-exempt status. This information was shared with Portland’s Congressional delegation, which has a member on the Ways and Means Committee, and Senator Ron Wyden, then Chairman of the Senate Finance Committee.

  Tax-exempt bonds were preserved in the recently enacted overhaul of the tax code.

- **Extending New Markets Tax Credits**

  At the end of 2015, the New Markets Tax Credit (NMTC) was extended for five years, through 2019, at its current level of $3.5 billion annually. Squire Patton Boggs worked with the tax-writing committees to promote the extension of the NMTC on behalf of all our municipal clients. We also successfully lobbied to preserve NMTC in the recent tax reform legislation. We will continue to advocate for renewal of the NWTC authorization.

- **Supporting Local Revenue**

  Given the work we do with a broad array of municipalities, we understand the importance of protecting local revenue. For example, in recent years, we worked extensively with an ad hoc coalition of interests to defend against renewed legislative efforts that would exempt online travel companies for a portion of local and state hotel taxes.

  We also supported the successful repeal of legislation requiring municipal governments that expend more than $100 million in outside contracts to withhold three percent from all payments for goods and services, which would have imposed new administrative and potential contract costs for our local government clients.

  We have also been active in the online sales tax debate, supporting various legislative efforts that would grant states the authority to compel remote sellers to collect sales tax at the time of a transaction. Beginning with the Marketplace Fairness Act, which evolved into the Remote Transactions Parity Act and most recently the Online Sales Simplification Act of 2016, members of our team have been at the center of the debate—including at the highest levels—advocating that Congress pass this much-needed legislation. We are still actively engaged in this debate on behalf of several clients, including our local government clients.

  We also closely monitor telecommunications legislation and activity at the Federal Communications Commission to protect local rights of way and local authority to impose franchise fees.

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### Community and Economic Development

Squire Patton Boggs provides general representation to all of our municipal clients on all issues ranging from the Marketplace Fairness Act to Patent Reform to Ozone Rules to sanctuary city legislation to tax extenders such as the Low Income Housing Tax Credit/Empowerment Zones. We have extensive experience with the New Markets Tax Credit, as several of our clients have been active in the program since its inception.

### Community and Economic Development Examples

- **Revitalizing Distressed Communities.**

  The Promise Zone Initiative was part of President Obama’s plan to comprehensively revitalize distressed communities by partnering with local communities and businesses to create jobs, increase economic security, reduce poverty, expand educational opportunities, increase access to quality, affordable housing, and improve...
public safety. Squire Patton Bogg was successful in working with the City of San Antonio on its application as one of the first ever Promise Zones. Specifically, we notified the city of the opportunity, arranged meetings at the White House for Mayor Castro to increase the city's visibility with the Administration, worked with the city on its application, and engineered stakeholder and Congressional support for the application. On January 9, 2014, the City of San Antonio was notified of the designation. The Eastside Promise Zone (EPZ) is an initiative of the City of San Antonio, in partnership with the United Way of San Antonio and Bexar County, the San Antonio Housing Authority, San Antonio for Growth on the Eastside (SAGE), and SA2020. The federal government will partner to help the EPZ access the resources and expertise. To date, 12 federal agencies are involved in revitalization efforts.

In 2016, our client, the City of San Diego, was awarded a 2016 Promise Zone designation in the latest round.

- **Building Strong Cities, Strong Communities (SC2)**
  We provided early notification to our clients of the Administration's SC2 Challenge. We worked with EDA to identify selection criteria and helped two clients, Las Vegas and New Orleans, develop and implement successful proposals. The City of Las Vegas’ successful application focused on providing workforce skills training based upon local business needs, education programs at downtown sites that will correlate with workforce certifications, and workforce skills remediation to secure certifications essential for business operations. Squire Patton Bogg worked with the city to flag this opportunity and to develop its successful proposal. Having worked with the City of New Orleans in the implementation of its first round SC2 designation, we were familiar with the program (even though the focus of the second round was slightly different) and could provide informed guidance to the City. We had already laid groundwork with EDA through meetings with high level officials and staff who were familiar with the economic development vision of the City to continue the growth in the downtown area.

### Environment, Sustainability, and Energy Policy

Our Energy and Environment Policy Group began when our law firm was engaged in helping to advocate for, and draft, the legislation that authorized the nation's seminal environmental statutes, including the Clean Air Act and Clean Water Act. Since then, our practitioners have served as trusted advisors to a broad array of private and public sector clients, including municipalities as well as sovereign entities.

Squire Patton Bogg has long been recognized for its comprehensive and innovative approach to the energy and environmental sectors. We have provided counsel on many large-scale energy initiatives over the last several decades, including the development of intercontinental pipelines, ground-breaking LNG facilities, transmission, and state-of-the-art renewable energy projects throughout the world.

We have extensive experience in working on Clean Air Act regulations for non-attainment areas and obtaining funding for climate change adaptation, Department of Energy grants for alternative fuel vehicles, energy efficiency, and solar projects. Several of our clients were HUD Sustainable Communities grantees. We currently collaborate closely with the Nature Conservancy and the World Research Institute in their efforts on climate change.

### Environment, Sustainability, and Energy Policy Examples

- **Securing Geothermal Funding**
  We successfully sought $2.175 million for the extension of the City of Boise's geothermal system to Boise State University.

- **Creating Sustainability in Urban Centers**
  For the City of Portland, we collaborated with the Economic Development Administration (EDA) to successfully attain $1 million in grant funding several years ago for the Oregon Sustainability Center, the first net-zero high rise office building in the country. (The funding ultimately had to be re-programmed, as the building lacked sufficient political support to move forward to construction.)

- **Creating Effective Stormwater Management Models**
The City of Portland completed its 20-year Combined Sewer Overflow (CSO) Program at the end of 2011. The program reduced CSOs to the Columbia Slough by more than 99% and to the Willamette River by 94%. Total costs for the program were $1.4 billion. Squire Patton Boggs successfully sought over $10 million in federal appropriations to partially fund the Innovative Wet Weather Program (IWWP) that was part of the overall CSO project. The IWWP was the first in the nation to manage stormwater onsite instead of piping it into sewers and streams. IWWP projects included water quality-friendly streets and parking lots, downspout disconnections in certain neighborhoods, eco-roofs, rain gardens, swales, and educational efforts such as locating rain gardens at public schools.

We advocated for the program with the Oregon Congressional delegation, Appropriations Committee staff, and with the Environmental Protection Agency (EPA), which, at that time, had not funded these types of projects before under the State and Tribal Assistance Grants program. We worked closely with Region X EPA and headquarters to show them the benefits of the projects, inviting them to tour the City and show that Portland could provide a template for other local governments.

**Promoting Positive Climate Change**

We recently worked on behalf of Mayor Hales of Portland, who was joined by Mayor Landrieu of New Orleans, on coordinating US Mayors attending the Pontifical Academies of Sciences and Social Sciences workshop on July 21, 2015, in Vatican City. In 1993, the City of Portland was the first US city to create a local action plan for cutting carbon. As such, the Squire Patton Boggs team has collaborated with the City of Portland for over 30 years to assist on climate change issues. We worked with Speaker Pelosi when the House drafted and passed climate change legislation, and have sponsored numerous resolutions on climate change at USCM, including at the annual meeting in San Francisco in 2015.

Squire Patton Boggs facilitated the successful application of the City of Las Vegas to the US Conference of Mayors for the Climate Protection Award in 2014.

**Public Safety, Homeland Security, and Disaster Relief**

Public Safety and Homeland Security are key elements of a healthy and functioning municipality. Our team has worked over the years with our clients on a variety of public safety issues from creating the first methamphetamine precursor drug legislation in the 1980s to the successful FY2015 and 2016 COPS and Body Camera funding proposals. We also work closely with our local government clients on critical disaster mitigation and preparedness issues.

**Public Safety, Homeland Security, and Disaster Relief Examples**

- **Supporting Community Crime Prevention Initiatives**
  
  We worked with Baton Rouge to secure appropriations funding over multiple years to expand the city’s law enforcement wireless network and to fund implementation of ShotSpotter camera system technology. Building on this success, last year, we worked with Baton Rouge on a successful $1.5 million grant application for Operation Ceasefire under DOJ’s Community Based Violence Prevention Demonstration Program, and we supported the City of Denver’s successful application under that program the year prior.

- **Building Trust Between Police and Community**
  
  Most recently, we have advocated with DOJ and the White House on body camera funding, meeting with key decision-makers as far back as January 2015. As a result, NOLA received $237,000 in 2015 for body-worn cameras.

- **Securing Urban Areas Security Funds**
  
  We have led the local government lobbying community in Washington, DC in seeking funding and programmatic language related to the UASI. In FY 2012, Federal Emergency Management Agency (FEMA) first responder funding was reduced by nearly $10 billion, and 12 programs previously funded as separate line items were consolidated into one account funded at approximately $977 million, allowing allocation discretion to the Department of Homeland Security. We led the advocacy effort, drafting and circulating a letter to the Secretary
signed by elected officials in many UASI jurisdictions urging that the bulk of the FEMA funds — $600 million — be distributed through the UASI program to maintain level program funding.

Ultimately, the UASI program was funded as a discrete program at $490 million. Since then we have advocated for higher funding for UASI, resulting in approximately $600 million in funding for the past couple of years. We also have successfully advocated for maintaining the status and higher funding levels for the Tier 1 UASIs.

Squire Patton Boggs led successful efforts to prevent removal of San Diego from the UASI program in FY 2007, providing technical analysis of flaws in the risk criteria that justified continuation, advocating directly with federal agencies, and coordinating Congressional delegation interventions. Building on these adjustments, San Diego ranked as an 11th "Tier One" area receiving higher funding levels, despite the intent to limit that category to ten cities. Additionally, Squire Patton Boggs coordinated a coalition of UASI areas advancing San Diego interests to augment funding levels, resolve administrative challenges, and avert the proposed elimination of the program through consolidation into State grants.

We successfully led efforts to resolve San José homeland security funding designation, allocation, and regulatory issues, also organizing a coalition of similarly-situated cities to leverage advocacy efforts that advanced the City's priorities. Specifically, when San José was omitted from the 30 cities that received urban homeland security grants in FY 2002, we engaged directly with the Department of Homeland Security, various Congressional committees of jurisdiction, and the City's delegation on substantive policy concerns regarding changes to risk evaluation and distribution criteria. Through those activities, the federal government adjusted its approach so that San José was made eligible and received $16 million in the next two years, prior to consolidation into a Bay Area program that has yielded about $290 million for the region through FY 2015. Additionally, we secured policy fixes sought by San José, such as securing expanded eligible use of funds for personnel and maintenance costs, preventing dilution of funds through expansion of designees and population calculations, clarifying the definition of "supplantation" to protect future local budget obligations, eliminating set-asides that constrained City spending, and proactively thwarting an administratively-imposed match requirement. Finally, we worked extensively for the City in 700mhz public safety spectrum allocation issues, including successfully advocating for interoperable communications funding criteria that yielded a minimum set-aside worth $14.5 million to the Bay Area UASI.

In FY 2014 and FY 2015, we led the successful effort against the Administration's proposal to create a National Preparedness Program which would consolidate many of the state and local government programs. The main grant programs affected by consolidation would be state and local preparedness grant programs, UASI grants, and port and transit authority grants. The Administration has again proposed this program consolidation in the President's FY 2016 Budget Proposal. Most recently, Squire Patton Boggs worked with Congressional staff regarding the FY 2017 Senate Homeland Security Appropriations report language that would allow the Department of Homeland Security some latitude in funding cities based on threat, vulnerability and consequence, while maintaining funding for the top tiers of jurisdictions to remain whole, yet taking into consideration updated data and military installations as part of the formula. This is intended to counteract any attempt by the House to limit UASI funding to the Tier 1 jurisdictions when it takes up the bill.

- Providing Legislative Support on Hurricane Recovery

In January 2013, we successfully worked with the Louisiana Senate offices to insert the Sandy Recovery Improvement Act of 2013 to assist New Orleans, and all other communities affected by disasters, into the Hurricane Sandy Emergency Supplemental Appropriations Bill. The Sandy Recovery Improvement Act amended the Stafford Act to provide FEMA and local jurisdictions with more flexibility to initiate recovery efforts and improved the Act by implementing lessons learned from previous disasters. We also sought the support of local government organizations and drafted a letter that was sent to Congressional leadership by the National League of Cities and USCM in support of the legislation. The bill passed with the Stafford Act improvements included.

More recently, we coordinated with several counties in Florida impacted by recent hurricanes to expedite reimbursement for clean-up and for resiliency and mitigation funding.

Parks, Recreation and River

Squire Patton Boggs has a successful history in promoting recreational interests and preserving urban waterways.
**Parks, Recreation and River Examples**

- **Creating National Monuments**
  Squire Patton Boggs worked with the City of Las Vegas, neighboring jurisdictions, the Paiute tribe, community activists, and other stakeholders to advocate for the creation of a national monument at Tule Springs to preserve Paleolithic remains. Working with the Nevada Congressional delegation, the Natural Resources Committees, and the Administration, we successfully passed legislation designating the land as a national monument, while also preserving rights of way for water and energy access, and including land swaps with the Bureau of Land Management for the City's economic development purposes.

- **Urban Waterways**
  In 2014, we secured San Antonio’s designation as an Urban Waters Federal Partnership. The program was implemented in 2011 to restore urban waterways as a means to reconnect citizens to open spaces and to enhance economic development and tourism. There are currently 19 areas designated as Urban Water Locations.

- **Protecting Rivers and Waterways**
  In the most recent Water Resources Development Act authorization (WIIN Act, P.L. 114-322), we successfully advocated for authorization of several environmental restoration projects along the Willamette River.

**Bipartisan Nature of our Work**

As a firm, we have developed an extended network of bipartisan relationships with members of Congress, federal agency officials, and appropriations and authorizing committees through our work on behalf of transportation and municipal clients. We work regularly with all relevant Congressional committees, and our relationships include the chairpersons, ranking members, and participating members of the transportation appropriations and authorizing committees. Because of these existing relationships and local connections, Squire Patton Boggs has a strong foundation with which to engage on your behalf.

Given the broad scope of our public entity representation, we have working relationships with senior appointed and career staff in every key agency and sub-agency relevant to public agency interests, as well as within the Executive Office of the President. We are a bipartisan firm with robust connections within both political parties, and we are well positioned to offer clients the same high level of strategic advice and relationships in the Trump Administration as we did during the Obama and previous Administrations. Many administration officials are familiar to us from their tenure on the Hill, or in other levels of government.

We offer an integrated transportation and public policy team with comprehensive experience, including a deep bench of experience in federal transportation policy at USDOT, OMB, the Federal Communications Commission, DHS, HUD, the Environmental Protection Agency (EPA), the Department of Commerce, and other federal agencies.

Within USDOT, we have excellent relationships with Secretary Elaine Chao and senior political appointees and career staff at FTA, FHWA, and the Federal Railroad Administration.

Likewise, the scale of our public entity representation means we have worked with the leadership in the House and Senate and on all committees relevant to public transportation interests including for federal transit funding and tax issues. We regularly participate in smaller-group sessions with House and Senate leadership staff seeking our input or assistance on priority topics. These relationships enable us to reach out beyond the natural constituency of a client’s own delegation and raise the profile of client interests with other influential members.

We regularly work with leadership, members, and professional staff of: the House Transportation and Infrastructure Committee; the House Appropriations Committee and THUD Subcommittee; the Senate Banking Committee; the Senate Commerce Committee; the Senate Environment and Public Works Committee; and the Senate Appropriations Committee and THUD Subcommittee.

While these relationships are one measure of effective public agency representation, we believe the key to successful advocacy is substantive expertise and hard work – backed by strong and credible policy analysis, effective and sensible messaging on the issues, and strategic collaboration. Importantly, we also work substantively with think tanks and other non-traditional opinion leaders, what we consider “policy influencers,” to proactively leverage our voice on our clients’ behalf. As a result, in Washington, DC, the Squire Patton Boggs name continues to mean unmatched credibility and influence for our clients.
Because we pursue a bipartisan approach to representation, our effectiveness is not reliant solely upon associations with any particular party or individuals, but rather is driven by our ability to understand client needs and translate those needs into actionable improvements in federal law, regulation, and policies. This approach has yielded client successes over repeated changes in political party control. Our policy professionals are regularly on Capitol Hill monitoring issues for our clients and communicating with key officials and staff. One of the most significant benefits we offer is that we are often privy to information before it is public due to our expansive network of relationships.

References

Our references are:

Client: City of Greenville, SC
Julie Horton, Government Relations Manager
T: 864-467-5177 E: jhorton@greenvillesc.gov
Represented from: 2003 - Present
Brief description of our work: Squire Patton Boggs has represented Greenville for 15 years and, as such, our legislative goals have changed over that time, but, among many other things, we assist Greenville with their federal policy and appropriations priorities. We also advise them on all federal issues impacting the City, including those related to the appropriations process, transportation and infrastructure policy, federal discretionary grants and other funding opportunities, community and economic development, municipal revenues and operations, and public safety. Beginning in 2014, we began a funding project for a new federal courthouse, and ultimately, in the final FY 2016 Financial Services and General Government appropriations bill, we secured $93,999,000 in federal funding for new construction. More recently, we secured a $1.5 million low and no emissions grant to procure buses this year.

Client: City of Las Vegas, NV
Kelly Crompton, Government Affairs Officer
T: 702-229-2380 E: kcrompton@lasvegasnevada.gov
Represented from: 2001 - Present
Brief description of our work: Ms. Cram has represented Las Vegas for 17 years. We advise them on all federal issues impacting the City, including those related to the appropriations process, transportation and infrastructure policy, federal discretionary grants and other funding opportunities, community and economic development, municipal revenues and operations, and public safety. Additionally, we helped them establish a 22,650-acre national monument in Southern Nevada, granting long-sought protections to a desert prized by paleontologists for its trove of prehistoric artifacts and by the local governments as an economic development driver and tourist attraction.

Client: City of San Diego, CA
Patrick Bouteller, Director of Government Relations
T: 619-236-6330 E: pbouteller@sandiego.gov
 Represented from: 2003 - Present
Brief description of our work: Squire Patton Boggs has also represented San Diego for 15 years, and, as such, our legislative goals have changed over the years. We advise the City on all federal issues impacting the City, including those related to the appropriations process, transportation and infrastructure policy, federal discretionary grants and other funding opportunities, community and economic development, municipal revenues and operations, and public safety. In the Fixing America's Surface Transportation (FAST) Act, we succeeded in repealing a provision prohibiting funding water infrastructure projects with a combination of WIFIA and tax-exempt debt. The repeal will ensure that WIFIA works as intended to leverage limited local bond proceeds and accelerate investment in major water infrastructure projects. Additionally, we assisted with achieving FY 2016 federal appropriations to initiate the program. Along with another one of our clients, the City of San Diego was selected to apply for WIFIA loans, and they did so to the tune of $492 million for their innovative water recycling initiative, Pure Water San Diego. This project utilizes proven water purification technology to clean recycled water to produce safe, high-quality drinking water and will provide one-third of the City's water supply locally by 2035.

6. Cost Proposal

We propose a fee arrangement in which we would bill Beverly Hills a fixed-price monthly retainer, inclusive of ordinary out-of-pocket expenses. We believe this provides our clients the most cost-effective approach, allows clients to operate with a firm fixed budget, and enables our team to perform the work required to be successful on our clients' behalf without concern as to whether each hour might ultimately contribute to that success. The firm will bill and collect 12 months of retainer in each calendar year of the contract and will advance bill some months to facilitate year-end collection.

For the purposes of the effort described herein, we propose a fixed fee of $75,000 for the first year of our engagement with the City, which, rounded to the nearest dollar, is $6,250 per month. This monthly retainer fee is inclusive of ordinary out-of-pocket expenses for services such as telephone tolls, copying, messenger service, parking, transportation, postage, and travel.
Appendix 1: Examples of our Value-Add Resources

This section includes examples of:

- Our annual analysis of the President’s Budget Proposal
- Our annual analysis of the President’s State of the Union address
- One of our recent quarterly updates
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Introduction

On February 12, 2018, President Donald Trump released his $4.4 trillion federal budget request for Fiscal Year (FY) 2019, entitled "An American Budget" (FY 2019 Budget Request/Budget Request), which includes $3 trillion in spending cuts over the next 10 years and would increase revenue by $813 billion from economic growth. The proposal does not include provisions to achieve a balanced budget, projecting a $445 billion deficit by the end of the decade.

In the proposal, President Trump highlights recent economic growth for the nation, including the creation of two million jobs, a 17-year low for unemployment, and adding nearly $5 trillion in new wealth to the stock market. The proposal includes increased federal spending for the military, infrastructure, and border security, while cutting federal healthcare programs like Medicare and Medicaid.

Over a 10-year period, the FY 2019 Budget Request suggests that Congress appropriate $200 billion for infrastructure to spur $1.5 trillion in infrastructure investment with state, local, and private partners. The White House also requests $85.5 billion in discretionary funding for the Department of Veterans Affairs and proposes $23 billion for border security and immigration enforcement, including $18 billion for southern border wall construction during FY 2018 and FY 2019. The Budget Request calls for nearly $17 billion for the Department of Health and Human Services, and additional funding through a variety of different agencies, to address the nation's opioid epidemic.

The FY 2019 Budget Request cuts mandatory spending by $1.86 trillion over the next decade, primarily through cuts to Social Security, Medicare, and Medicaid. Under the proposed budget additional mandatory spending programs would face a 7% budget cut of $513 billion over the next 10 years, including changes to the Postal Service for a savings of $39.5 billion, modifications to crop insurance premiums for $26 billion in reductions, the creation of a single income driven student loan repayment plan for savings of $128.4 billion, and overhauling the Supplemental Nutrition Assistance Program (SNAP) to create $213.5 billion in savings.

The Budget Request also identifies key legislative priorities and proposes to streamline regulatory processes. Examples of such priorities include making the US a net energy exporter by 2026, adding resources to rebuild and modernize the military, addressing high medical drug prices, reforming the current welfare system, and potentially creating a pathway to affordable education and well-paying jobs. The Budget Request proposes eliminating 22 regulations for every new regulation created.

Consistent with the President's FY 2018 Budget Request, the FY 2019 proposal would eliminate or zero out funding for a number of agencies and programs, including:

- Community Development Block Grant
- HOME Investment Partnership Program
- HUD Veterans Affairs Supportive Housing (VASH)
- Public Housing Capital Fund
- HUD Choice Neighborhoods
- Transportation Investment Generating Economic Recovery (TIGER)
- Low Income Energy Assistance Program (LIHEAP)
- Emergency Food and Shelter Program
- State Criminal Alien Assistance Grants
- Economic Development Administration (EDA)
- The Manufacturing Extension Partnership
- 21st Century Community Learning Centers
- The Agency for Healthcare Research and Quality
- The Corporation for National and Community Service
- The Institute of Museum and Library Services
- The National Endowment for the Arts
- The National Endowment for the Humanities

The President's FY 2019 Budget Request comes on the heels of a fifth FY 2018 Continuing Resolution (CR) enacted on February 9, which will fund the federal government through March 23. As previously reported, incorporated into the CR was a $300 billion two-year budget agreement, the Bipartisan Budget Act of 2018, which established new topline discretionary spending levels for FY 2018 and FY 2019. In response, the President released an addendum to his FY 2019 Budget Request that partially accounts for the increased spending levels in the budget agreement. Office of Management and Budget (OMB) Director Mick Mulvaney stated that the proposal should be viewed as utilizing spending caps and not spending floors, continuing, "We're going to show how you can run the government without spending all of it. That will be our 2019 budget."

As expected, Democrats uniformly rejected the President's FY 2019 Budget Request and will likely use it as a vehicle to attack Republicans going into the midterm elections. Even some Congressional Republicans pushed back on many of the proposed program reductions and eliminations. Presidential budgets (even friendly ones) are often considered "dead on arrival" by Congress, but the recent budget deal reached by Congress and signed by the President last week make this proposal even less relevant. However, while the proposal will likely have minimal influence on Capitol Hill, it provides insight into the President's policy and spending priorities.

Following this week's budget hearings, in which OMB Director Mulvaney will testify on the Administration's FY 2019 Budget Request, appropriators will focus on drafting an FY 2018 omnibus that adheres to the new budget parameters set forth in the Bipartisan Budget Act of 2018, before turning their attention to the FY 2019 appropriations process.

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1 The President also released a legislative outline for his $1.5 trillion infrastructure proposal "Rebuilding a Stronger America" on February 12. A comprehensive analysis of the proposal will be provided separately.
Department of Agriculture

Funding

The President's FY 2019 Budget Request proposes $19 billion for the United States Department of Agriculture's (USDA) discretionary budget authority, which is a $3.7 billion or 16% decrease from the FY 2017 enacted level.

For FY 2019, the Budget Request seeks to focus on core mission-critical activities, such as the expansion of agricultural production jobs and research, while also supporting the Secretary's Department-wide reorganization efforts. In the name of demonstrating fiscal constraint and responsible use of taxpayer resources, the FY 2019 Budget Request eliminates funding for “unnecessary or lower priority activities and those that are duplicative of private sector efforts.”

Funding Highlights

Nutrition Programs

- SNAP: $73.218 billion ($78.49 billion in FY 2017)
- Child Nutrition Programs: $23.340 billion ($22.977 billion in FY 2017)
- Special Supplemental Nutrition Program for Women, Infants, and Children (WIC): $5.8 billion ($6.35 billion in FY 2017)
- Commodity Assistance Program: $55 million (discretionary) ($315 million in FY 2017)
- Food Insecurity Nutrition Incentive (FINI) Program: $0 ($19 million in FY 2017)

Research and Food Safety Programs

- Agriculture and Food Research Initiative (AFRI): $375 million ($375 million in FY 2017)
- Agricultural Research Service (ARS): $1.175 billion ($1.328 billion in FY 2017)
- National Institute of Food and Agriculture (NIFA): $13 million (discretionary) ($36 million in FY 2017)
- Agricultural Marketing Service (AMS): $119 million (discretionary) ($85 million in FY 2017)
- Animal and Plant Health Inspection Service (APHIS): $739 million (discretionary) ($976 million in FY 2017)
- Food Safety and Inspection Service (FSIS): $1.032 billion ($1.032 billion in FY 2017)

Farmand Rural Programs

- Crop Insurance Programs: $8.691 billion ($5.088 billion in FY 2017)
- Risk Management Agency: $38 million ($84 million in FY 2017)

Proposed Program Eliminations

- McGovern-Dole International Food for Education Program
- Food for Peace Program
- Food for Progress Program
- Food Insecurity Nutrition Incentive (FINI) Program
- Emergency Citrus Research and Extension Program
- Rural Water and Waste Disposal Loan and Grant Program

Policy Highlights

In order to provide surveillance to protect the nation’s food supply and further the mission of the Food Safety and Inspection Service (FSIS), the Budget Request fully funds the costs necessary to support approximately 8,100 personnel located at more than 6,400 processing and slaughter establishments for meat, poultry, and egg products in the US.

The Budget Request also proposes a new approach to nutrition assistance that combines traditional Supplemental Nutrition Assistance Program (SNAP) benefits with 100% American-grown foods provided directly to households and focuses administrative reforms on outcome-based employment strategies. In addition, the Budget Request expands on previous proposals to strengthen expectations for work among able-bodied adults, preserve benefits for those most in need, promote efficiency in state operations, and improve program integrity.

The Budget Request supports the USDA Secretary’s efforts to reorganize agency functions. Specifically, the Farm Service Agency, Risk Management Agency, and the Natural Resources Conservation Service would be merged under the Under Secretary for Farm Production and Conservation. In addition, the Secretary has established an Under Secretary of Trade and Foreign Agricultural Affairs to sharpen USDA’s focus on increasing agriculture exports to foreign markets. The Budget Request also supports consolidating fair practices, standards work, and commodity procurement within the Agricultural Marketing Service.

The Budget Request highlights the importance of affordable, high-speed internet services in rural and tribal areas. Specifically, the Budget Request provides rural communities with modern information access by proposing $30 million to fund broadband grants, $23 million in broadband loans, and $24 million to fund distance learning and telemedicine grants.

The Budget Request proposes to optimize and improve crop insurance and commodity programs in a way that maintains a strong safety net by including proposals to reduce the average premium subsidy for crop insurance from 62% to 48%, as well as limit commodity, conservation, and crop insurance subsidies to those producers that have an Adjusted Gross Income of $500,000 or less.

The Budget Request calls for the establishment of user fees for the Agriculture Marketing Service (AMS), the Animal and Plant Health Inspection Service (APHIS), the Food Safety and Inspection Service (FSIS), and the Packers and Stockyards Program to offset costs of those programs.
Department of Commerce

Funding
The President's FY 2019 Budget Request proposes $9.8 billion for the Department of Commerce (DOC), a $546 million or 6% increase from FY 2017 enacted levels. The Budget Request focuses on providing funding for core government functions, such as the 2020 Decennial Census, which the Administration identifies as DOC's highest priority. The Budget Request proposes $2.3 billion for the United States Census Bureau, to allow for increased investments in information technology and field infrastructure for the 2020 Decennial Census. The Administration also identifies trade and intellectual property enforcement, weather and Earth observations, and spectrum management as major priorities.

The Budget Request includes a $3 million increase for the International Trade Administration (ITA) and a total of $90 million for ITA's Enforcement and Compliance Unit to enhance investigations into trade violations and eliminate tariff and non-tariff barriers to US exports.

The Budget Request also includes $34 million for the National Telecommunications and Information Administration (NTIA) and highlights the agency's role in representing US interests on internet governance and digital commerce. The Budget Request emphasizes the importance of NTIA in facilitating the deployment of 5G broadband and other connected infrastructure.

Funding Highlights
- United States Census Bureau: $3.8 billion ($1.5 billion in FY 2017)
- National Institute of Standards and Technology (NIST): $537 million ($954 million in FY 2017)
- National Telecommunications and Information Administration (NTIA): $33.6 million ($32 million in FY 2017)
- National Network for Manufacturing Innovation: $15.1 million ($25 million in FY 2017)

Proposed Program Eliminations
- EDA Public Works Program
- EDA Economic Adjustment Assistance (EAA) Program
- EDA Regional Innovation Program (RIS)
- NIST Hollings Manufacturing Extension Partnership (MEP)
- NOAA Sea Grant
- National Estuarine Research Reserve System
- Coastal Zone Management Grants
- Pacific Coastal Salmon Recovery Fund
Department of Education

Funding
The President’s FY 2019 Budget Request seeks a total request of $63.2 billion in discretionary appropriations for the Department of Education, a $3.6 billion or 5.57% decrease from the Department’s FY 2017 enacted level of $66.9 billion.

The Budget Request eliminates, streamlines, or reduces funding for 39 discretionary programs, and seeks to reduce the federal role in education. The Budget Request prioritizes investments in streamlining and simplifying funding for college, expanding access and pathways to post-secondary education and training, and promoting school choice. The Budget Request also highlights supporting high-quality special education services to children with disabilities, promoting innovation and reform around STEM education, and implementing school-based opioid abuse prevention strategies.

Funding Highlights

Early Learning
• Head Start: $9.3 billion ($9.6 billion in FY 2017)

Elementary and Secondary Education
• Title I Grants to Local Educational Agencies (LEAs): $15.9 billion ($14.9 billion in FY 2017)
  – State Assessments: $369 million ($369 million in FY 2017). Funds would support formula and competitive grants to states to develop and implement assessments that are aligned with college- and career-ready academic standards. Funds would also support audits of state and local assessment systems.
  – Rural education: $176 million ($177 million in FY 2017). Funds would support formula grants under two programs: the Small Rural School Achievement program and the Rural and Low-Income School program.

• Supporting effective instruction state grants: $1.68 billion ($2.05 billion in FY 2017)

• Promise Neighborhoods: $72 million ($73 million in FY 2017)

• School safety national activities: $43 million ($67 million in FY 2017). Funds would support School Climate Transformation Grants and technical assistance to help state and local educational agencies to implement evidence-based opioid-abuse prevention strategies for schools in communities impacted by the opioid crisis

• Education, innovation and research: $180 million ($100 million in FY 2017)

• Charter schools: $500 million ($342 million in FY 2017). Funds would support competitive grants for the opening of new charter schools and the replication and expansion of high-quality charter schools. Funds would also support information dissemination activities and competitive grants to improve charter schools’ access to facilities

• Opportunity Grants: $1 billion. This new program supports public and private school choice

• English Language Acquisition Grants: $737 million ($737.4 million in FY 2017)

• Individuals with Disabilities Education Act (IDEA) Grants to states: $11.162 billion ($12 billion in FY 2017). Formula grants are provided to states to assist them in providing special education and related services to children with disabilities ages 3 through 21

Higher Education

• Student Financial Assistance:
  – Federal Pell Grants: $22.5 billion ($22.5 billion in FY 2017). The 2019 Budget Request proposes to expand Pell Grant recipients’ eligibility to include high-quality short-term programs that provide students with a credential, certification, or license in an in-demand field, with sufficient guardrails in place to balance students’ needs with protecting taxpayer interests. The request funds the maximum Pell grant award at $5,920. The broadening of Pell, the budget projects, would cost $401 million over 10 years, and the administration proposes to pay for it through a reallocation of mandatory spending on the program
  – Federal Work-Study: $200 million ($990 million in FY 2017). The Budget Request proposes to reform the Federal Work-Study program to support workforce and career-oriented training opportunities for low-income undergraduate students

• Career and Technical Education State Grants: $791 million ($1.1 billion in FY 2017). Funds would support a reauthorized formula grant program to states to expand and improve career and technical education (CTE) to ensure that participants, upon exit, are able to work in careers for which there is high demand.

• Federal Work-Study: $200 million ($990 million in FY 2017). The addendum does provide an additional $300 million to the Student Financial Assistance account for a reformed Federal Work-Study program

• Strengthening Historically Black Colleges and Universities (HBCUs): $85 million ($245 million in FY 2017)

• Developing Hispanic-serving institution STEM and articulation programs: $100 million ($93 million in FY 2017)

The FY 2019 Budget Request addendum provides an additional $300 million to the Student Financial Assistance account for a reformed Federal Work-Study program.
• Strengthening Alaska native- and native Hawaiian-serving institutions: $15 million (13.8 million in FY 2017)
• Federal TRIO Programs: $950 million ($950 million in FY 2017)

Other Items of Interest
• Office of Civil Rights: $107 million ($108 million in FY 2017)

Proposed Program Eliminations
• Supporting Effective Instruction State Grants
• 21st Century Community Learning Centers program
• Federal Supplemental Educational Opportunity Grant (SEOG) program
• Student Support and Academic Enrichment Grants program
• Comprehensive Literacy Development Grants
• Gaining Early Awareness and Readiness for Undergraduate Programs (GEAR UP)
• Strengthening Institutions
• International Education
• Impact Aid Payments for Federal Property
• Promise Neighborhoods
• Statewide Longitudinal Data Systems
• Supporting Effective Educative Development
• Teacher and School Leader Incentive Grant
• Teacher Quality Partnership (TPQ) program
• Teacher School Leader Recruitment and Support
• Regional Education Lab (REL)
• Comprehensive Centers

Policy Highlights
The Budget Request proposes transitioning TRIO to a single state formula and merging six duplicative Higher Education Act (HEA) Title III and V competitive grant authorities into a single institutional formula. The Budget Request also supports Federal Student Aid (FSA) in reorganizing its servicing and operating infrastructure in order to provide an improved financial services experience for its customers.

The Budget Request recommends changes to the Carl D. Perkins Career and Technical Education (CTE) Act of 2006, which governs spending on CTE training. Specifically, it requests that the majority of Perkins funding go to high schools to promote strategies such as apprenticeship, work-based learning, and dual enrollment. The Budget Request also proposes an increase in STEM offerings, as well as funding for fast-track programs that prepare high school graduates for jobs rebuilding infrastructure.

The President states that colleges should be required to share a portion of the financial risk associated with student loans tied to loan repayment rates. As such, the Budget Request proposes that colleges be evaluated based on the rate at which their students repay their federal loans, and says institutions should be accountable if they consistently fail to deliver students an education that enables them to successfully repay federal student loans.

Finally, the Budget Request proposes capping undergraduate student loan borrowers’ monthly payments at 12.5% of their discretionary income, and proposes forgiving any remaining amount after 15 years. Graduate student loan borrowers would have to make payments for 30 years under the plan. The Budget Request also proposes auto-enrolling severely delinquent borrowers in an income-based repayment program.
Department of Energy

Funding

The President’s FY 2019 Budget Request proposes a budget of $31.3 billion for the Department of Energy (DOE), an approximately $500 million or 2% increase from FY 2017 enacted levels.

The Budget Request initially called for $29.8 billion for DOE in FY 2019; however, the President’s addendum calls for an additional $1.5 billion for the department. The additional $1.5 billion in the addendum for DOE is proposed as follows:

- $1.213 billion for the Science account, to be allocated among physical sciences, biological and environmental studies for the purpose of “securing America’s energy future”
- $200 million to the Fossil Energy Research and Development account for research and development (R&D) of “clean coal” technologies. Specifically, the funding would be distributed through competitively awarded cooperative agreements between the National Labs and industry for early-stage R&D for fossil-based power systems
- $120 million to the Energy Efficiency andRenewable Energy account for R&D of sustainable transportation, renewable energy and energy efficiency technologies. This funding would similarly be distributed through competitively awarded cooperative agreements between the National Labs and industry for early-stage R&D “to improve reliability and resiliency of electricity delivery, integrated energy storage, renewable generation, smart buildings and electric vehicles”

The President’s FY 2019 Budget Request emphasizes cybersecurity and infrastructure hardening, and prioritizes “energy dominance and making the United States a net energy exporter by 2026.” At the same time, the Budget Request recommends cuts in the sustainable transportation area in solar, wind energy, and waterpower programs.

The Budget Request also recommends agency restructuring, reorganization, and consolidation efforts, including National Lab consolidations and other reorganizations, such as a newly created Office of Cybersecurity, Energy Security, and Emergency Response and consolidation of program-level international affairs activities into a single headquarters. Similarly, the Budget Request proposes no funding for the “Carbon Capture” or “Carbon Storage” programs, which received $84 million and $114 million respectively in FY 2017. Instead, the Budget Request proposes funding for a new combined “Carbon Capture, Utilization and Storage” program with lesser funding at $23 million for FY 2019.

The Budget Request also contains some possible conflicting priorities. While the Budget Request discusses supporting efforts by DOE to stop the proliferation of weapons of mass destruction, at the same time it recommends eliminating four programs in the agency’s Defense Nuclear Non-Proliferation Program that would likely assist with this effort. Similarly, the Budget Request touts DOE’s mission to “advance transformative science and technology innovation,” yet it proposes cutting two programs entirely that had previously been significantly funded in this area: the Small Business Innovation Research program (formerly funded at $217 million in FY 2017) and the Small Business Technology Transfer program (formerly funded at $30 million in FY 2017).

With a continued focus on cost savings for the National Labs, the Budget Request, for the second year in a row, proposes a consolidation of the National Energy Technology Laboratory (NETL) operations currently located in three areas (Morgantown, WV, Pittsburgh, PA, and Albany, OR) to a single complex. The Budget Request also again proposes the deactivation and decommissioning of high risk excess facilities of the Y-12 National Security Complex and the Lawrence Livermore National Laboratory.

Also similar to recommendations in last year’s Budget Request, the President continues to support an interim storage program and the licensing of the Yucca Mountain for nuclear waste.

With regard to the Strategic Petroleum Reserve (SPR), the Budget Request estimates receiving a total of $637 million from the sale of Strategic Petroleum Reserve Oil. The Budget Request proposes that, beginning in FY 2019, the management of the Office of Petroleum Reserves, including the Strategic Petroleum Reserve, will be overseen by the newly proposed Office of Cybersecurity, Energy Security, and Emergency Response (CESER). CESER is intended to focus on energy infrastructure security.

The Budget Request also proposes $180 million for DOE’s Grid Modernization Initiative, a joint effort that would be funded by the Office of Electricity Delivery, the Office of Energy Efficiency and Renewable Energy, and the new Office of Cybersecurity, Energy Security, and Emergency Response. In addition, it proposes $757 million for the Office of Nuclear Energy to support early-stage R&D for advanced reactor technologies, instrumentation, and manufacturing methods. The Budget Request would also provide $300 million for R&D by the Office of Fossil Energy to support research at national laboratories for “clean, efficient: fossil fuels and systems.”
In addition, the Budget Request proposes a mandatory sale of refined petroleum product from the SPR in FY 2019 and an optional sale of crude oil in FY 2019 from the SPR in Sections 310 and 311:

- **SEC. 310** — Notwithstanding section 161 of the Energy Policy and Conservation Act (42 U.S.C. 6241), the Secretary of Energy shall draw down and sell one million barrels of refined petroleum product from the Strategic Petroleum Reserve during FY 2019. Proceeds from sales under this section shall be deposited into the general fund of the Treasury during FY 2019.

- **SEC. 311** — The Secretary of Energy may draw down and sell up to 1 million barrels of crude oil from the Strategic Petroleum Reserves during FY 2019. The proceeds of such sale shall be deposited into the SPR Petroleum Account and shall remain available until expended. However, the Budget Request notes that, as authorized by section 404 of the Bipartisan Budget Act of 2015 (Public Law 114–74; 42 U.S.C. 6239 note), "the Secretary of Energy shall draw down and sell not to exceed $300,000,000 of crude oil from the Strategic Petroleum Reserve in fiscal year 2019".

### Funding Highlights

- Energy Efficiency and Renewable Energy: $1.4 billion ($2.09 billion in FY 2017)
- Bioenergy Technologies: $118 million ($205 million in FY 2017)
- Solar Energy: $127 million ($208 million in FY 2017)
- Wind Energy: $61 million ($90 million in FY 2017)
- Geothermal Technology: $81 million ($69.5 million in FY 2017)
- Water Power: $58 million ($84 million in FY 2017)
- Building Technologies: $121 million ($199 million in FY 2017)
- Advanced Manufacturing: $97 million ($257.5 million in FY 2017)
- Electricity Delivery (formerly Electricity Delivery and Energy Reliability): $61 million ($230 million in FY 2017)
- Transmission, Reliability and Resiliency (formerly Clean Energy Transmission and Reliability): $13 million ($36 million in FY 2017)
- Resilient Distribution Systems (formerly Smart Grid Research and Development): $10 million ($50 million in FY 2017)
- Energy Storage: $8 million ($31 million in FY 2017)
- Cyber Security for Energy Delivery Systems: $70 million ($52 million in FY 2017)
- Science: $4.1 billion ($5.39 billion in FY 2017)
- Nuclear Energy: $757 million ($1.01 billion in FY 2017)
- Advanced Technology Vehicles Manufacturing Loan Program (ATVM): $1 million ($4 million in FY 2017)
- Funds to eliminate "Excess Facilities": $150 million ($0 in FY 2017)

### Proposed Program Eliminations

- Cybersecurity for Energy Delivery Systems
- Infrastructure Security and Energy Restoration
- STEP (Supercritical CO2)
- Advanced Research Projects Agency-Energy (ARPA-E)
- Advanced Technology Vehicle Manufacturing Program (ATVM)
- Title 17 Innovative Technology Loan Guarantee Program (encourages early commercial use of new or significantly improved technologies in energy projects).
- Tribal Energy Loan Guarantee Program
- Mixed Oxide (MOX) Fuel Fabrication Facility (MFFF) project (to dispose US weapon-grade plutonium by fabricating it into MOX fuel)
- Weather Assistance and Intergovernmental Activities
- Defense Nuclear Non-Proliferation Program:
  - International Materials Protection and Cooperation
  - Fissile Materials Disposition
  - Global Threat Reduction Initiative
  - Global Material Security
- Energy Program, Office of Science:
  - Small Business Innovation Research
  - Small Business Technology Transfer
- Nuclear Energy:
  - Integrated University Program
  - International Nuclear Safety program
- Fossil Research and Development (FER&D)

### Policy Highlights

The Budget Request proposes to sell the transmission assets owned and operated by PMAs, including those of Southwestern Power Administration, Western Area Power Administration, and Bonneville Power Administration in an effort "to reduce or eliminate the federal government's role in electricity transmission infrastructure ownership and to increase a private sector role."
Department of Health and Human Services

Funding
The President's FY 2019 Budget Request seeks $95.4 billion in discretionary funding for the Department of Health and Human Services (HHS). Of note, the Administration's request includes a total of $10 billion in new HHS funding for programs related to opioid abuse.

Funding Highlights

Health Resources and Services Administration (HRSA)
The President's FY 2019 Budget Request proposes moving the Agency for Healthcare Research and Quality (AHRQ) into NIH and provides $258 million for its activities. It also seeks $9.6 billion in discretionary spending for HRSA. This is $3.45 billion above the FY 2017 level of $6.15 billion.

- Community Health Centers Program: $4.9 billion — $3.1 billion moved from mandatory to discretionary ($1.4 billion in FY 2017)
- Health Workforce: $477 million ($393 million in FY 2017)
- 340B Drug Pricing Program: $26 million — $10 million in discretionary, $16 million through a new user fee on drug purchases by covered entities ($10 million in FY 2017)
- Children's Hospital Graduate Medical Education: $0 ($300 million in FY 2017)
- Ryan White HIV/AIDS Program: $2.26 billion ($2.3 billion in FY 2017)
- Office of Rural Health Policy: $75 million ($156 million in FY 2017)
- Rural Hospital Flexibility Grant: $0 ($43.6 million in FY 2017)

Centers for Disease Control and Prevention (CDC)
The Budget Request seeks $5.6 billion in discretionary spending for the CDC. This is $700 million below the FY 2017 level of $6.3 billion.

- Injury Prevention and Control: $266 million ($286 million in FY 2017)
- Public Health Preparedness and Response: $800 million — Strategic National Stockpile transferred to CDC ($1.4 billion in FY 2017)
- National Center for Emerging and Zoonotic Infectious Diseases: $508 million ($585 million in FY 2017)
- National Institute for Occupational Safety and Health (NIOSH): $200 million ($335 million in FY 2017)
- Chronic Disease and Health Promotion: $939 million ($1.17 billion in FY 2017)
  - Prevention and Public Health Fund: $841 million ($891 million in FY 2017)

Substance Abuse and Mental Health Services Administration (SAMHSA)
The Budget Request seeks $3.5 billion for SAMHSA. This includes $1.2 billion for a variety of new and expanded efforts to fight the opioid crisis, $1 billion of which will be used for State Targeted Response Grants.

- Substance Abuse Prevention and Treatment Block Grant — $1.9 billion ($1.9 billion in FY 2017)

National Institutes of Health (NIH)
The Budget Request seeks $34.8 billion for the National Institutes of Health (NIH). This is $800 million above the FY 2017 level of $34 billion.

- National Institute of Allergy and Infectious Disease: $4.76 billion ($4.9 billion in FY 2017)
- National Institute on Drug Abuse: $1.14 billion ($1.09 billion in FY 2017)
- National Center for Advancing Translational Sciences: $685 million ($706 million in FY 2017)
- National Cancer Institute: $5.63 billion ($5.4 billion in 2017)

Centers for Medicare and Medicaid Services (CMS)
The FY 2019 Budget Request for the Centers for Medicare and Medicaid Services (CMS) contains $1.1 trillion in mandatory and discretionary outlays, a net increase of $94.1 billion from the FY 2017 level. This level finances Medicare, Medicaid, the Children's Health Insurance Program (CHIP), other health insurance programs, program integrity efforts, and operating costs. The CMS legislative package promotes fiscal responsibility, increases state flexibility, builds on the recent repeal of the individual mandate, reforms graduate medical education (GME), and limits the practice of defensive medicine. In total, the Budget Request proposes targeted savings of $632 billion in CMS mandatory programs over the next 10 years.

The FY 2019 Budget Request includes legislative proposals in Medicaid, which produce net savings to the federal budget of $1.438.8 billion over 10 years. The Budget Request makes reforms to Medicaid's structure by moving to a per capita cap or block grant structure. The Budget Request also includes other Medicaid reforms such as giving states greater state flexibility to administer their Medicaid programs, focusing them on traditional Medicaid populations.
The FY 2019 Budget Request includes legislative proposals in Medicare that address: drug pricing and payment; the opioid epidemic; payment and delivery system reforms; waste, fraud, and abuse; Medicare appeals process reforms; and government-imposed provider burdens. These proposals would produce net savings to the federal budget of $493.7 billion over 10 years. Additionally, the Budget Request restructures payments not directly related to Medicare’s health insurance role. These payments are financed outside the Trust Funds.

CMS’ Health Care Fraud and Abuse Control Program is funded at $2.15 billion — $1.3 billion in mandatory funding and $770 million in discretionary funding ($1.3 billion in mandatory funding and $725 million in discretionary funding in FY 2017).

Administration for Children and Families (ACF)

The President’s FY 2019 Budget Request proposes $15.3 billion in discretionary spending for the ACF. This is $4.4 billion below the FY 2017 level of $19.7 billion.

• Low-Income Heating and Energy Assistance Program (LIHEAP): $0 ($3.4 billion in FY 2017)
• Unaccompanied Alien Children: $1.1 billion ($942 million in FY 2017)
• Community Services Block Grant: $0 ($708 million in FY 2017)
• Social Services Block Grant: $1.7 billion ($1.6 billion in FY 2017)

Office of the Secretary

• Office of the National Coordinator for Health Information Technology (ONC): $38 million ($60 million in FY 2017) The Budget proposes to eliminate the Health IT Adoption portfolio and would reduce administrative costs, noting that “the vast majority of physicians and hospitals have adopted electronic health records.”

Proposed Program Eliminations

• Agency for Healthcare Research and Quality
• Community Services Block Grant
• Health Workforce Programs
• Low Income Home Energy Assistance Program
• SAMHSA Screening, Brief Intervention, and Referral to Treatment Program

Policy Highlights

Health Resources and Services Administration (HRSA) Proposals

• The Budget Request shifts mandatory funding to discretionary funding for: Health Centers, National Health Service Corps, Teaching Health Center Graduate Medical Education, Home Visiting, and Family-to-Family Health Information Centers.
• The Budget Request discontinues a number of workforce programs and “continues to prioritize programs that provide scholarships and loan repayments to health care students and professionals willing to meet service requirements in health professional shortage areas.”

• The Budget Request eliminates funding for the Children’s Graduate Medical Education Program (CHGME), and proposes to consolidate graduate medical education spending in Medicare, Medicaid, and CHGME into a new mandatory graduate medical education capped grant program jointly operated by the CMS and HRSA administrators.

• The Budget Request provides $16 million in a new user fee on 340B drug purchases by covered entities. The proposal also includes “broad regulatory authority to HRSA to set enforceable standards of program participation and requires all covered entities to report on use of program savings.”

Centers for Disease Control and Health Prevention (CDC) Proposals

• The Budget Request would move the National Institute for Occupational Health and Safety from the CDC to the NIH and reduce its funding from $335 million to $200 million.

• The Administration proposes a new “elimination initiative” focused on diseases such as HIV, viral hepatitis, sexually-transmitted infections, and tuberculosis. The Budget Request includes $40 million to support the new demonstration project, which will focus efforts on select states/jurisdictions at high-risk for infectious disease, including those with high rates of opioid-related transmission.

• The Budget Request includes an initial allocation of $175 million to address the opioid epidemic through providing additional funding to states to support overdose prevention activities, including safe prescribing practices, enhanced surveillance efforts, and improved timeliness of morbidity and mortality data.

• The Administration proposes a new $500 million funding stream, the America’s Health Block Grant, which was also included in the FY 2018 Budget Request. These awards would be distributed to states, tribes, and territories to encourage flexibility and a focus on the leading chronic disease challenges specific to each state. Suggested interventions include improvements in physical activity and nutrition of children and adolescents.

• The Strategic National Stockpile is transferred from CDC to HHS’ Public Health and Social Services Emergency Fund. This reorganization streamlines the medical countermeasure development enterprise and increases operational efficiencies during emergency responses.

• The Budget Request provides $409 million for CDC’s global health activities, including $109 million for the Global Disease Detection Program.

Office of the National Coordinator (ONC) Proposals

• As directed in the 21st Century Cures Act, ONC will combine its two federal advisory committees into a single “Health Information Technology Advisory Committee.” The Health IT Advisory Committee will provide feedback on the draft Trusted Exchange Framework released by ONC and assist in developing an effective final framework and the associated common agreement called for by Congress.
**Substance Abuse and Mental Health Services Administration Proposals**

- The Budget Request maintains $20 million for the Comprehensive Addiction and Recovery Act authorized programs. These programs expand training for first responders on the use of the opioid-overdose reversing drugs such as Naloxone and equips them with the needed drugs.

- The Budget Request includes $15 million for a new Assertive Community Treatment for Individuals with Serious Mental Illness program, which was authorized by the 21st Century Cures Act.

- The Budget Request proposes $563 million for the Community Mental Health Services Block Grant.

**National Institutes of Health (NIH) Policy Proposals**

- The Budget Request proposes a consolidation of the Agency for Healthcare Research and Quality (AHRQ) into the NIH and merges select research activities within a new National Institute for Research Safety and Quality (NIRSQ).

- The Budget Request would move the National Institute for Occupational Health and Safety from the CDC to the NIH and reduce its funding from $335 million to $200 million.

- Managed by the Foundation for NIH, the Accelerating Medicines Partnership Program aims to transform the current model for developing new diagnostics and treatments by jointly identifying and validating promising biological targets for therapeutics. The Budget Request proposes an investment of $500 million in a public-private partnership to accelerate the development of safe, non-addictive, and effective strategies to prevent and treat pain, opioid misuse, and overdose.

- The Budget Request includes a dedicated fund of $100 million in the Office of the Director Next Generation Researchers Initiative. This initiative began in FY 2017, and the fund would allow institutes and centers to draw from it in addition to efforts undertaken with their own appropriations.

- The Budget Request caps the percentage of an investigator salary that can be paid with grant funds at $187,000 rather than $152,000.

**Office of the Secretary Proposals**

- The Budget Request allocates $10 million within the Office of the Secretary for a new focus on Opioids and Serious Mental Illness.

**Health Reform Proposal**

The FY 2019 Budget Request includes $679.7 billion in net deficit savings over 10 years from the repeal and replacement of the Affordable Care Act (ACA). According to the Budget justification, a repeal and replace approach would:

- Pass legislation modeled after the Graham-Cassidy-Heller-Johnson (GCHJ) Act and support states as they transition to health care programs that provide further choices for their citizens ($306.8 billion in savings to HHS and $679.7 billion in government-wide net deficit reduction over 10 years)

- Reduce the grace period for exchange premiums ($1.3 billion in savings to Treasury over 10 years) (no HHS budget impact)

- Permit federally-facilitated exchange states to conduct qualified health plan certification (no budget impact)

- Provide appropriation to pay cost-sharing reductions (CSRs) (no budget impact)

- Fully fund the risk corridors program ($812 million in FY 2018) (no FY 2017 allocation)

- Prohibit governmental discrimination against health care providers that refuse to cover abortion (no budget impact)

- Reform medical liability ($30.8 billion in savings to HHS programs and $52.1 billion in government-wide net deficit reduction over 10 years)

- Reform GME payments by consolidating federal GME spending from Medicare, Medicaid, and Children's Hospitals GME Program to a single grant program for teaching hospitals ($46.1 billion in savings over 10 years)

**Medicaid Legislative Proposals**

- Increase the limit on Medicaid copayments for non-emergency use of the emergency department ($1.3 billion in savings over 10 years)

- Allow states to apply asset tests to modified adjusted gross income standard populations ($2.1 billion in savings over 10 years)

- Provide a pathway to make permanent established Medicaid managed-care waivers (no budget impact)

- Increase flexibility in duration of Section 1915 (b) managed care waivers (no budget impact)

- Reduce the maximum allowable home equity for Medicaid eligibility (no budget impact)

- Require documentation of satisfactory immigration status before receipt of Medicaid benefits ($2.2 billion in savings over 10 years)

- Define lottery winnings and other lump-sum payments as income for Medicaid eligibility ($50 million in savings over 10 years)

- Test allowing state Medicaid programs to negotiate prices directly with drug manufacturers and set formulary for coverage ($95 million in savings over 10 years)

- Prohibit Medicaid payments to public providers in excess of costs (budget impact not available)

- Continue Medicaid Disproportionate Share Hospital (DISH) allotment reductions ($19.5 billion in savings over 10 years)

- Clarify definitions under the Medicaid Drug Rebate Program to prevent inappropriately low manufacturer rebates ($319 million in savings over 10 years)

- Require coverage of all Medication Assisted Treatments (MAT) in Medicaid ($865 million in savings over 10 years)

- Allow for federal/state coordinated review of dual eligible Special Needs Plan (SNP) marketing materials (no budget impact)
• Improve appeals notifications for dually eligible individuals in integrated health plans (no budget impact)
• Clarify the Part D special enrollment period for dually eligible beneficiaries (no budget impact to Medicaid)

**Medicaid Multi-Agency Proposals**

• Repeal and Replace the ACA ($1.4 trillion in Medicaid savings over 10 years)
• Reform GME ($21.2 billion in Medicaid savings over 10 years)
• Reform medical liability ($57 million in net Medicaid savings over 10 years)
• Change conditions on first generic exclusivity to spur access and competition (budget impact not available)
• Reduce waste, fraud, abuse, and improper payments in Medicaid ($8 billion in Medicaid savings over 10 years)

**Medicaid Administrative Proposals**

• Require minimum standards in Medicaid state drug utilization review programs ($245 million in savings to Medicaid assumed over 10 years)
• Make Medicaid non-emergency medical transportation optional (no budget impact)
• Improve data collection on Medicaid supplemental payments (no budget impact)

**Medicare Legislative Proposals**

• Require Medicare Part D plans to apply a substantial portion of rebates at the point of sale ($42.2 billion in costs over 10 years)
• Establish a beneficiary out-of-pocket maximum in the Medicare Part D catastrophic plans ($7.4 billion in costs over 10 years)
• Exclude manufacturer discounts from the calculation of beneficiary out-of-pocket costs in Medicare Part D coverage gap ($47.0 billion in savings over 10 years)
• Increase Medicare Part D plan formulary and flexibility ($5.5 billion in savings over 10 years)
• Eliminate cost-sharing on generic drugs for low-income beneficiaries ($210 million in savings over 10 years)
• Permanently authorize a successful pilot on retroactive Medicare Part D coverage for low-income beneficiaries ($300 million in savings over 10 years)
• Improve manufacturers’ reporting of average sales prices to set accurate payment rates (no budget impact)
• Address abusive drug pricing by manufacturers by establishing an inflation limit for reimbursement of Part B drugs (budget impact not available)
• Authorize the HHS Secretary to leverage Medicare Part D plans’ negotiating power for certain drugs covered under Part B (budget impact not available)
• Modify payment for drugs hospitals purchased through the 340B Drug Discount Program and require a minimum level of charity care for hospitals to receive a payment adjustment related to uncompensated care (budget impact not available)
• Reduce wholesale acquisition cost based payments (budget impact not available)
• Require plan participation in program to prevent prescription drug abuse in Medicare Part D ($100 million in savings over 10 years)
• Provide comprehensive coverage of substance abuse treatment in Medicare (budget impact not available)
• Give Medicare beneficiaries with high deductible plans the option to make tax deductible contributions to health savings accounts (HSAs) or medical savings accounts (MSAs) ($180 million in Medicare costs over 10 years)
• Modify Medicare payments to hospitals for uncompensated care ($138.4 billion in Medicare savings over 10 years – this proposal would increase spending from general revenues by $86.9 billion over 10 years, ‘or a net savings to the federal government of $69.5 billion over 10 years)
• Address excessive payment for post-acute care providers by establishing a unified payment system based on patients’ clinical needs rather than site of care ($80.2 billion in savings over 10 years)
• Reduce Medicare coverage of bad debts ($37.0 billion in savings over 10 years)
• Pay all hospital-owned physician offices located off-campus at the physician office rate ($34.0 billion in savings over 10 years)
• Reform and expand durable medical equipment (DME) competitive bidding ($6.5 billion in savings over 10 years)
• Address excessive hospital payments by reducing payment when a patient is quickly discharged to hospice ($1.3 billion in savings over 10 years)
• Cancel funding from the Medicare Improvement Fund ($193 million in savings over 10 years)
• Expand basis for beneficiary assignment for accountable care organizations (ACOs) ($140 million in savings over 10 years)
• Allow ACOs to cover the cost of primary care visits to encourage use of ACO providers ($60 million in savings over 10 years)
• Expand the ability of Medicare Advantage (MA) organizations to pay for services delivered via telehealth (no budget impact)
• Reform physician self-referral law to better support and align with alternative payment models (APMs) and to address overutilization (budget impact not available)
• Require prior authorization when physicians order certain services excessively to their peers (budget impact not available)
• Repeal the Independent Payment Advisory Board (IPAB) ($29.5 billion in costs over 10 years)
• Eliminate the reporting burden and arbitrary requirements for the use of electronic health records (EHRs) (no budget impact)
• Eliminate the unnecessary requirement of a face-to-face provider visit for DME (no budget impact)
• Simplify and eliminate reporting burdens associated with the Merit-based Incentive Payment System (MIPS) (no budget impact)
• Eliminate arbitrary thresholds and other burdens to encourage participation in advanced-APMs (budget impact not available)
• Provide additional resources for Medicare appeals ($1.1 billion in net Medicare costs over 10 years)
• Change the Medicare Appeal Council’s standard of review (no budget impact)
• Establish a post-adjudication user fee for Level 3 and Level 4 unfavorable Medicare appeals (no budget impact)
• Increase minimum amount in controversy for administrative law judge adjudication of claims equal amount required for judicial review (no budget impact)
• Establish magistrate adjudication for claims with amount controversy below new administrative law judge amount in controversy threshold (no budget impact)
• Expedite procedures for claims with no material fact in dispute (no budget impact)
• Limit appeals when no documentation is submitted (no budget impact)
• Remand appeals to redetermination level with the introduction of new evidence (no budget impact)
• Require a good-faith attestation on all appeals (no budget impact)
• Reduce waste, fraud, and abuse and improper payments in Medicare ($907 million in Medicare savings over 10 years)
• Implement legislative proposals for Medicare-Medicaid enrollees ($693 million in Medicare savings over 10 years)
• Reform GME payments ($195.0 billion in Medicare savings over 10 years)
• Reform medical liability ($30.7 billion in Medicare savings over 10 years)
• Change conditions on first generic exclusivity to spur access and competition ($1.8 billion in Medicare savings over 10 years)

Medicare Administrative Proposals
• Implement a more accurate payment system for home health ($16.7 billion in savings over 10 years)
• Eliminate excessive payment in MA by using claims data for patient encounters ($11.1 billion in savings over 10 years)
• Eliminate excessive payment to MA employer group waiver plans by basing payment on competitive individual market plan bids ($10.7 billion in savings over 10 years)
• Improve the valuation of physician services to set rates (no budget impact)

Program Integrity Legislative Proposals
• Suspend coverage and payment for questionable Part D prescriptions and incomplete clinical information ($940 million in savings over 10 years)
• Prevent abuse of Medicare coverage when another source has primary responsibility for prescription drug coverage ($410 million in savings over 10 years)
• Prevent fraud by enforcing reporting of enrollment charges through civil monetary penalties for providers and suppliers who fail to update enrollment records ($32 million in collections over 10 years)
• Assess a penalty on physicians and practitioners who order services and supplies without proper documentation (no budget impact)
• Ensure providers who violate Medicare’s safety requirements and have harmed patients cannot quickly re-enter the program (no budget impact)
• Exceed prior authorization to additional Medicare fee-for-service (FFS) items at high risk of waste, fraud, and abuse (budget impact not available)
• Establish the Medicaid terminations process (no budget impact)
• Exceed Medicaid fraud control unit review to additional care settings (budget impact not available)
• Implement prepayment controls to prevent in appropriate personal care services payments (budget impact not available)
• Allow revocation and denial of provider enrollment based on affiliation with sanctioned entity ($53 million in savings over 10 years)
• Alter the open payments reporting and publication cycle (no budget impact)
• Clarify authority for the Healthcare Fraud Prevention Partnership (no budget impact)
• Consolidate provider enrollment screening for Medicare, Medicaid, and the CHIP (no budget impact)
• Publish the National Provider Identifier for covered recipients in the Open Payments Program (no budget impact)
• Prevent abusive prescribing by establishing HHS reciprocity with the Drug Enforcement Agency (DEA) to terminate provider prescribing authority (budget impact not available)
• Track high prescribers and utilizers of prescription drugs in Medicaid (budget impact not available)

Program Integrity Administrative Proposals
• Address excessive billing for DME that requires refills or serial claims (budget impact not available)
• Address overutilization and billing of DME equipment, prosthetics, and orthotics by expanding prior authorization (budget impact not available)
• Establish unique identifiers for personal care service attendants (budget impact not available)

Children's Health Insurance Program (CHIP) Legislative Proposal

• Extend Children's Health Insurance Program (CHIP) through 2019 with reforms ($11.42 billion in FY 2019, $10.25 billion in FY 2017)

Program Management Legislative Proposals

• Rebase National Medicare and You Education Program User Fee ($30 million in additional collections in FY 2019)
• Change Medicare beneficiary education requirements (no budget impact)
• Improve safety and quality of care by requiring accreditation organizations to publicly report Medicare survey and certification reports (no budget impact)
• Tailor the frequency of SNF surveys to more efficiently use resources and alleviate burden for top performing nursing homes (no budget impact)
• Provide CMS program management implementation funding ($200 million in costs over 10 years)

Administration for Children and Families (ACF) Proposals

• National Directory of New Hires and Program Integrity
  – The Budget Request outlines a new initiative known as The National Directory of New Hires, which provides employment and unemployment insurance information that enables state child support agencies to be more effective in locating noncustodial parents, as well as establishing and enforcing child support orders.

• Child Welfare: Performance and Prevention
  – The Budget Request’s proposals for Child Welfare are intended to improve the performance of the child welfare system overall, and to prevent child maltreatment and entry into foster care. For participating states, the flexible funding option for foster care maintenance and administration will lift the burden of carrying out title IV-E eligibility determinations, allowing states to devote resources to strengthening and stabilizing families to keep children living safely at home, to improving outcomes for children in foster care, and to supporting families who adopt or assume legal guardianship of children in foster care who are unable to return home. Similarly, the proposal to expand Regional Partnership Grants extends the reach of this program to serve more children, families, and communities grappling with the impact of substance use disorders, including opioid abuse, on child welfare. A funding increase will allow this program to expand beyond the 19 states it currently serves, especially to reach rural areas reporting high rates of opioid abuse.

• Using Human Services Programs to Encourage Self-Sufficiency
  – The Budget Request cites the Administration’s vision for a “safety net that encourages state and local innovation and promotes the principle that gainful employment is the best pathway to economic self-sufficiency and family well-being.” Specifically, the Administration:
    - Rescinded a policy that encouraged waivers from Temporary Assistance for Needy Families (TANF) work requirements;
    - Continued to work with Congress to enact reforms to the TANF program that will help states improve employment outcomes, including the Budget Request’s proposed requirement that states spend at least 30% of federal TANF and state maintenance-of-effort funds on work, education, and training activities, work supports (including child care), and assessment/service provision for TANF eligible families;
    - Included a Budget Request proposal that would strengthen TANF’s primary performance measure related to work engagement by replacing the caseload reduction credit with an employment credit that rewards states for moving TANF recipients to work, collapsing the two work participation rates into one standard rate, and allowing states to count partial credit towards the work participation rate to incentivize participation among all TANF recipients;
    - Incorporated a Budget Request proposal that supports partnerships between states, localities, and other federal agencies through new Welfare to Work projects, which will allow for the redesign of public assistance programs so that they provide an integrated approach to reducing poverty and government dependency and promoting personal responsibility; and
    - Continued to develop proposals that encourage states to reform how their local child support agencies engage with noncustodial parents.
Department of Homeland Security

Funding

The President’s FY 2019 Budget Request seeks $46 billion for the Department of Homeland Security (DHS), an increase of $3.4 billion over the FY 2017 enacted level. The President also requests an additional $7.2 billion for the Disaster Relief Fund, with $6.7 billion directed to major declared disasters. This is consistent with previous budget requests for disaster aid.

The President’s DHS funding priorities for FY 2019 are similar to those outlined in his FY 2018 Budget Request: border security; enforcement of immigration laws; critical infrastructure security; transportation security; and preparedness and resilience.

As part of his overall request for $18 billion to construct a wall along the US-Mexico border, the President seeks $1.6 billion for 65 miles of border wall construction in the Rio Grande Valley Sector (for FY 2018, the President requested $1.6 billion for 74 miles of border wall construction in San Diego and other Texas areas; the remainder is expected to be part of the Administration’s ongoing negotiations with Congress regarding the extension of the Deferred Action for Childhood Arrivals (DACA) program. The President also requests $223 million for additional border security technology.

The President requests significant increases for the Customs and Border Protection (CBP) and Immigration and Customs Enforcement (ICE) agencies. The Budget Request proposes $14.2 billion for CBP ($12.1 billion in FY 2017) and $8.3 billion for ICE ($8.4 billion in FY 2017). The increases include $211 million for CBP to hire 750 new Border Patrol agents and $571 million for ICE to hire 2,000 new agents. ICE also requests $2.5 billion to increase its capacity to detain immigrants (currently, ICE can detail approximately 39,000 individuals per day; the agency seeks to increase that to 52,000 individuals per day).

The U.S. Citizenship and Immigration Services (USCIS) agency requests $109 million to increase operation of the E-Verify system. Additionally, the Budget Request proposes a 10% surcharge to immigration filing fees and a 35% increase in penalties assessed against employers who violate Immigration and Nationality Act (INA) provisions regarding the unlawful employment of illegal immigrants.

The Budget Request proposes $7.7 billion for the Transportation Security Administration (TSA) ($7.5 billion in FY 2017). Of this, $3.2 billion is requested to hire an additional 687 officers and $74 million is requested to acquire additional computed tomography scanners. As he did in FY 2018, the President proposes to eliminate the Law Enforcement Officer (LEO) Reimbursement Program.

The President proposes to significantly reduce several FEMA State and Local Government Programs, particularly Public Transportation, Railroad, and Port Security Assistance Grants. He also proposes to reduce the State Homeland Security Grant Program and the Urban Area Security Initiative by 25%, while also implementing a 25% non-federal cost share for those programs.

Funding Highlights

- Disaster Relief Fund: $7.2 billion ($7.3 billion in FY 2017)
- Urban Area Security Initiative: $448.8 million ($580 million in FY 2017)
- Public Transportation Security Assistance and Railroad Security Assistance: $36.4 million ($100 million in FY 2017)
- Port Security Grants: $36.4 million ($100 million in FY 2017)
- Assistance to Firefighters Grants: $344 million ($345 million in FY 2017)
- SAFER Grants: $344 million ($345 million in FY 2017)
- National Predisaster Mitigation Fund: $39 million ($100 million in FY 2017)
- Flood Hazard Mapping and Risk Analysis: $100 million ($177.5 million in FY 2017)
- Science and Technology Directorate: $583 million ($781 million in FY 2017)

Proposed Program Eliminations

- FEMA National Domestic Preparedness Consortium
- FEMA Emergency Food and Shelter Grants
- TSA Law Enforcement Officer Reimbursement Program

Policy Highlights

- Transfer of the Office of Health Affairs to the Countering Weapons of Mass Destruction Office (CWMD) and the Management Directorate’s Office.

Sanctuary Cities

Through the DHS Budget Request, the President again proposes to make changes to 8 U.S.C. 1373 (Section 1373), which covers state and local jurisdiction communications with federal immigration officials. Noncompliance to Section 1373 has been identified as the threshold for designation as a “sanctuary city.” The President’s proposal covers communication with all of DHS (as opposed to just the Immigration and Naturalization Service, under current law) and proposes to clarify that state and local governments may not prohibit or restrict any government entity of official from honoring or complying with a civil immigration detainer and authorize DHS and the Department of Justice (DOJ) to condition certain grants and cooperative agreements on requirements that recipients agree to cooperate with specific federal immigration enforcement activities and requests.
Department of Housing and Urban Development

Funding
The President's FY 2019 Budget Request seeks $39.2 billion for the Department of Housing and Urban Development (HUD), an $8.8 billion or 18.3% percent decrease from the FY 2017 enacted level. As it did last year, the President's Budget Request proposes elimination of major block grant programs viewed by the Administration as duplicative or failing to demonstrate effectiveness, such as the Community Development Block Grant (CDBG) program. These proposals were roundly rejected by Congress in FY 2018. Furthermore, the Budget Request reflects the Administration's priority to shift community and economic development responsibilities to state and local governments and the private sector, which it mentions are "better equipped to respond to local conditions."

Funding Highlights
- Veterans Affairs Supportive Housing (VASH): $4 million (reserved for Native American veterans) ($47 million in FY 2017)
- Homeless Assistance Grants: $2.4 billion ($2.4 billion in FY 2017)
  - Continuum of Care: $2.1 billion ($2 billion in FY 2017)
  - Emergency Solutions Grants (ESG): $256 million ($310 million in FY 2017)
- National Homeless Data Analysis Project: $7 million ($7 million in FY 2017)
- Housing for the Elderly (Section 202): $563 million ($502 million in FY 2017)
- Housing for Persons with Disabilities (Section 811): $132 million ($146 million in FY 2017)
- Public Housing Operating Fund: $3.1 billion ($4.4 billion in FY 2017)
- Project-Based Rental Assistance (PBRA): $10.9 billion ($10.8 billion in FY 2017)
- Office of Lead Hazard Control and Healthy Homes: $145 million ($145 million in FY 2017)
  - Lead Hazard Control Program: $60 million ($58 million in FY 2017)
  - Lead Technical Studies: $5 million ($2 million in FY 2017)
  - Healthy Homes: $25 million ($30 million in FY 2017)
- Housing Counseling Assistance: $45 million ($55 million in FY 2017)
- Tenant-Based Rental Assistance: $20 billion ($20.3 billion in FY 2017)
  - Voucher Renewals: $18.2 billion ($18.3 billion in FY 2017)
  - Tenant Protection Vouchers: $140 million ($110 million in FY 2017)

In addition to the aforementioned funding amounts, the Administration's FY 2019 Budget Request addendum would provide an additional $1 billion to HUD to avoid rent increases on elderly and disabled families receiving rental assistance. Funding would be provided across Public Housing Operating Fund, Tenant-Based Rental Assistance (i.e., Housing Choice Vouchers), Project-Based Rental Assistance, Housing for the Elderly, and Housing for Persons with Disabilities accounts.

The addendum would also provide an additional $700 million for the Tenant-Based Rental Assistance account to restore funding for an estimated 200,000 housing vouchers. This would reverse the Budget Request's policy of not reissuing vouchers to families on the waitlist when households depart the program through normal turnover, and instead maintain the current services level of 2.2 million total vouchers.

Furthermore, the addendum would provide an additional $300 million for the Public Housing Operating Fund account to assist Public Housing Authorities (PHAs) that could potentially face insolvency.

Proposed Program Eliminations
- Choice Neighborhoods
- Community Development Block Grant
- HOME Investment Program
- Public Housing Capital Fund
- Youth Homelessness Demonstration Program (YHDP)
- Interagency Council on Homelessness

Policy Highlights
The Budget Request proposes fundamental reforms across HUD's rental assistance programs. These reforms include increasing tenant rent contributions and minimum rents, reducing the frequency of income recertification, and allowing communities to design programs that address local needs. It would increase the amount of rent paid by tenants from 30% of adjusted income to 35% of gross income for all work-able households, but would mitigate this increase for the elderly and persons with disabilities. For those tenants who, in certain circumstances, are unable to pay their rents, the Budget Request includes a hardship exemption. Additionally, the Budget Request proposes to decrease the Public Housing portfolio through locally determined options, including strategically releasing certain housing assets to local control.

The Budget Request states that HUD will submit a specific rental assistance reform legislative proposal to Congress in March 2018. Key elements of this package will include:
- Establishing or increasing mandatory minimum rents
- Simplifying rent calculations and increasing tenant rent contributions
- Providing a hardship exemption for tenants, who, in certain circumstances, are unable to pay their rents
Limiting income recertification for all households to once every three years, which the Administration believes incentivizes work by deferring increases in tenant rent payments as a result of increased wages.

Giving PHAs and property owners the option to choose alternative rent structures, approved by the Secretary, that work best for their communities, as well as the option to implement minimum work requirements for work-able residents.

The Budget Request proposes funding to evaluate EnVision Centers, as well as to adjust the program design and improve implementation to better align with the Administration’s philosophies. The establishment of EnVision Centers was announced in late 2017 to help HUD-assisted households achieve self-sufficiency. Centers depend on partnerships with non-profits, corporations, and state and local governments. Additionally, they are located in communities that rely on HUD-assisted housing and focus on the Administration’s “four pillars of self-sufficiency,” which include economic empowerment, educational advancement, health and wellness, and character and leadership.

Reflecting the Administration’s emphasis of personal accountability, the Budget Request proposes $75 million for the Family Self-Sufficiency (FSS) program, which provides funds to PHAs to support the salaries of service coordinators who connect participating families to an array of services. Such services are provided by other state, city, and local programs and include job training, financial counseling, and other supportive services. The Budget Request notes that HUD continues to study best practices for evaluating and measuring FSS program success.

The Budget Request preserves access to sustainable homeownership opportunities for creditworthy borrowers through Federal Housing Administration (FHA) and Ginnie Mae credit guarantees. Specifically, the Budget Request proposes an additional $20 million above the FY 2017 enacted level of $130 million for FHA to upgrade its operations by investing in information technology and contract support. This additional funding is fully offset by a modest fee on new FHA lenders.

The Budget Request proposes to eliminate the Housing Trust Fund and the Capital Magnet Fund, as well as the Fannie Mae and Freddie Mac assessments that fund each.
Department of the Interior

Funding

The President’s FY 2019 Budget Request seeks $11.7 billion for the Department of the Interior (DOI), a $1.9 billion decrease from the FY 2017 enacted level. The Budget Request for DOI prioritizes energy development programs, infrastructure improvements on public lands, and DOI-wide reorganization efforts.

Funding Highlights

- Bureau of Reclamation, Water, and Related Resources: $1 billion ($1.3 billion in FY 2017)
  - WaterSMART grants: $10 million ($24 million in FY 2017)
  - Title XVI Water Reclamation & Reuse Program: $3 million ($34.4 million in FY 2017)
  - Drought Response: $2.9 million ($7.5 million in FY 2017)
- National Park Service: $2.7 billion ($2.9 billion in FY 2017)
  - Historic Preservation Fund: $32.7 million ($80.9 million in FY 2017)
  - Payments in Lieu of Taxes (PILT): $465 million ($465 million in FY 2017)

Proposed Program Eliminations

- Abandoned Mine Land Grants
- National Heritage Areas
- National Wildlife Refuge Fund Payments to Local Governments

Policy Highlights

The Budget Request proposes $18 million to help initiate DOI’s internal reform plan, which would move away from the current bureau and state-based regional system of management toward an integrated federal land and water management approach organized around watersheds. This “one-agency model” approach proposes to improve cross-bureau collaboration, reduce duplication, and move resources closer to land management units.

It also proposes the establishment of a new Public Lands Infrastructure Fund to help pay for repairs and improvements in national parks, wildlife refuges, and at Bureau of Indian Education schools. It recommends providing $6.5 billion over 10 years, starting with $152 million in FY 2019 and increasing to $878 million by FY 2028.

The Budget Request would fund 100% of the rolling 10-year average cost for wildfire suppression in the Departments of Agriculture and DOI. The Budget Request also proposes a separate fund that would include an annual cap adjustment appropriation for wildfire suppression operations, in order to ensure that adequate resources are available to fight wildland fires.

The Budget Request does not propose any new starts for the Bureau of Reclamation, but rather focuses resources on operating, maintaining, and rehabilitating existing infrastructure.
Department of Justice

Funding

The President's FY 2019 Budget Request seeks $28 billion for the Department of Justice (DOJ), a $345 million decrease from FY 2017 enacted levels. The President's Budget Request prioritizes funding to reduce violent crime, enforce immigration laws, and address the opioid epidemic. As such, the Budget Request proposes increases for federal law enforcement agencies, including: the Federal Bureau of Investigation (FBI); the Drug Enforcement Administration (DEA); the Bureau of Alcohol, Tobacco, Firearms, and Explosives (ATF); the U.S. Marshals Service; the Organized Crime Drug Enforcement Task Force; and the International Organized Crime Intelligence Operations Center.

The President requests $65.9 million (a 28% increase over FY 2017) for DOJ's Executive Office for Immigration Review (EOIR) to enhance enforcement of immigration laws, including $39.8 million for 75 new Immigration Judge teams and $25 million for modernize Immigration Court technology.

To address the opioid crisis, the Budget Request proposes $66 million to the DEA specifically for opioid efforts (an increase of $41 million over FY 2017), including eight new heroin enforcement groups, and $421 million for DEA's Diversion Control Fee Account. The President also proposes to transfer the High Intensity Drug Trafficking Area program from the Office of National Drug Control Policy (ONDCP) to DOJ. For state and local opioid efforts, the Budget Request includes $103 million for continued implementation of the Comprehensive Addiction and Recovery Act (CARA):

- Comprehensive Opioid Abuse Grant Program: $20 million ($13 million in FY 2017)
- Drug Court Program: $43 million ($43 million in FY 2017)
- Mental Health Collaborations: $10 million ($12 million in FY 2017)
- Veterans Treatment Courts: $6 million ($7 million in FY 2017)
- Residential Substance Abuse Treatment: $12 million ($14 million in FY 2017)
- Prescription Drug Monitoring: $12 million ($14 million in FY 2017)

The Budget Request again proposes the elimination of $210 million for the State Criminal Alien Assistance Program (SCAAP) and decreases COPS Hiring Program funding by nearly half, from $195 million in FY 2017 to $99 million in FY 2019, while also merging the COPS Office into the Office of Justice Programs.

Funding Highlights

- Byrne Memorial Justice Assistance Grants (JAG): $402 million ($403 million in FY 2017), of which $22.5 million is for a competitive matching grant program for state and local body-worn camera acquisition ($22.5 million in FY 2017); $22.5 million is for the Bulletproof Vest Program ($22.5 million in FY 2017), and $15 million is for the VALOR Initiative ($7.5 million in FY 2017)
- Victims of Trafficking: $45 million ($45 million in FY 2017)
- Second Chance/Offender Reentry: $58 million ($68 million in FY 2017), including $10 million for the Bureau of Prisons apprentice program
- Community Teams to Reduce the Sexual Assault Kit Backlog: $45 million ($37 million in FY 2017)
- COPS Hiring: $99 million ($195 million in FY 2017)
- Office of Violence Against Women Prevention and Prosecution Programs: $486 million ($479 million in FY 2017)
- Transitional Housing Assistance: $33 million ($30 million in FY 2017)
- Grants to Encourage Arrest Policies: $51 million ($49 million in FY 2017)
- Sexual Assault Services: $35 million ($35 million in FY 2017)
- Grants to Reduce Violent Crimes Against Women on Campus: $20 million ($20 million in FY 2017)
- Juvenile Justice Programs: $236 million ($238 million in FY 2017)
- Part B Formula Grants: $58 million ($55 million in FY 2017)
- Youth Mentoring: $58 million ($80 million in FY 2017)
- Delinquency Prevention Program: $17 million ($14.5 million in FY 2017)
- Assets Forfeiture Fund: $20.5 million ($20.5 million in FY 2017)

Proposed New Programs and Enhancements

- $140 million for the Violent Gang and Gun Crime Reduction Program/Project Safe Neighborhoods (PSN), designed to create safer neighborhoods through sustained reductions in gang violence and gun crime. The President also proposed this initiative in his FY 2018 Budget Request.

Proposed Program Eliminations

- State Criminal Alien Assistance Program (SCAAP)
- Comprehensive School Safety Initiative
- Justice Reinvestment Initiative

Policy Highlights

Sanctuary Cities

Through the DHS Budget Request, the President again proposes to make changes to 8 U.S.C. 1373 (Section 1373), which covers state and local jurisdiction communications with federal immigration officials. Noncompliance to Section 1373 has been identified as the threshold for designation as a "sanctuary city." The President's proposal covers communication with all of DHS (as opposed to just the Immigration and Naturalization Service, under current law) and proposes to clarify that state and local governments may not prohibit or restrict any government entity of official from honoring or complying with a civil immigration detainer and authorize the DHS and DOJ to condition certain grants and cooperative agreements on requirements that recipients agree to cooperate with specific federal immigration enforcement activities and requests.
Department of Labor

Funding

The President's FY 2019 Budget Request seeks $10.9 billion in discretionary appropriations for the U.S. Department of Labor (DOL), a $1.1 billion or 9% decrease from the Department's FY 2017 enacted level of $12 billion.

The Budget Request prioritizes programs that support the creation of family-sustaining jobs, seeks to address the skills gap through apprenticeships, and prioritizes workplace safety. The Budget Request proposes a $200 million investment in apprenticeships, while prioritizing matching job creators with job seekers. It also includes paid family leave for new parents, with a proposal to provide six weeks of paid family leave to new mothers and fathers, including adoptive parents. Finally, the Budget Request addresses workplace safety through worker safety laws and compliance assistance outreach.

Funding Highlights

- Employment and Training Services: $2.1 billion in discretionary funding ($3.3 billion in FY 2017)
  - Adult Employment and Training: $490 million ($813 million in FY 2017)
  - Youth Activities: $583 million ($873 million in FY 2017). Grants to support activities and services to prepare low-income youth for academic and employment success including summer and year-round jobs
  - Dislocated Workers: $650 million ($1.2 billion in FY 2017)
  - Youthbuild: $58.96 million ($84.5 million in FY 2017). Grants that impart education and occupational skills by providing academic training and occupational skills training
- Veterans Employment and Training: $236.901 million ($279 million in FY 2017)
  - Transition Assistance Program: $17 million ($14.6 million in FY 2017) Provides employment workshops for service members and their spouses to prepare these individuals for reentry into the civilian workforce
  - Homeless Veterans Reintegration Program (HVRP): $45 million ($50 million in FY 2017) Provides grants to operate employment programs to reach out to homeless veterans to assist in reintegrating them
- Job Corps: $1.3 billion ($1.7 billion in FY 2017) The budget proposes to reform Job Corps by closing low-performing centers, refocusing resources on centers that have more success, and piloting new approaches to service delivery while focusing the program on youth most likely to benefit from the intervention. The FY 2019 Budget also proposes to end the U.S. Department of Agriculture's role in the program.

- Reintegration of Ex-Offenders (RExO): $88 million ($88 million in FY 2017). Supports activists through the Second Chance Act to help individuals exiting prison to make a successful transition to community life and long-term employment through mentoring, job training and other services
- Bureau of International Labor Affairs: $19 million ($86 million in FY 2017)
- Office of Disability Employment Policy (ODEP): $27 million ($38 million in FY 2017)

Proposed Program Eliminations

- Migrant and Seasonal Farmworker Training program (also known as the National Farmworker Jobs Program)
- Indian and Native American Program
- OSHA Susan Harwood Training Grant Program
- Senior Community Service Employment Program

Policy Highlights

The FY 2019 Budget Request includes a proposal that would establish a federal-state paid parental leave benefit program within the unemployment insurance (UI) program that would begin in 2021. The program would provide six weeks of benefits for new mothers and fathers, including adoptive parents. The purpose of the benefit is to help families recover from childbirth and to bond with their new children.

The Budget Request seeks to invest $200 million in apprenticeships, prioritizing matching job creators with job seekers. It encourages activities that support and expand apprenticeship programs at the state and local levels through a range of activities, such as state-specific outreach strategies, partnerships, economic development strategies, and expanded access to apprenticeship opportunities for underrepresented populations through pre-apprenticeships and career pathways. The Budget Request also creates an Office of Apprenticeship, to establish a new industry-recognized apprenticeship system to modernize and expand the country's approach to apprenticeships. The Office would also oversee the administration of a federal-state apprenticeship structure that would register apprenticeship-training programs, and would provide outreach to employers and labor organizations to promote and develop high-quality apprenticeship programs.

Finally, the Budget Request calls for a $67 million reduction for the Bureau of International Labor Affairs (ILAB). The cuts come from the elimination of ILAB's grant funding, which is used for, among other things, combating child labor and promoting worker rights internationally.
Department of Transportation

Funding

The President’s FY 2019 Budget Request proposes $76.8 billion for the Department of Transportation (DOT), a $200 million decrease from FY 2017 enacted levels. The Budget Request proposes $60.9 billion to fully fund surface transportation programs authorized by the Fixing America’s Surface Transportation (FAST) Act and $15.9 billion in federal funding for appropriated programs, a $2.6 billion decrease from FY 2017. The President’s Budget Request also proposes spending $200 billion over ten years to support a federal infrastructure proposal.

As he did in his FY 2018 Budget Request, the President again proposes to eliminate the Transportation Investment Generating Economic Recovery (TIGER) grant program, which was funded at $500 million in FY 2017, and to reduce the Capital Investment Grant (New Starts/Small Starts) to $1 billion in FY 2019 from $2.41 billion in FY 2017, providing funding to projects with existing full funding grant agreements (FFGAs).

Funding Highlights

Federal Transit Administration (FTA)

• New Starts/Small Starts: $1 billion ($2.41 billion in FY 2017)
• Washington Metropolitan Area Transit Authority (WMATA): $120 million ($150 million in FY 2017)

Federal Railroad Administration (FRA)

• Amtrak: $737.9 million ($1.5 billion in FY 2017)
• Safety and Operations: $202.3 million ($218.3 million in FY 2017)
• Research and Development: $19.6 million ($40.1 million in FY 2017)

National Highway Traffic Safety Administration (NHTSA)

• Operations and Research: $304.5 million ($326 million in FY 2017)

Office of the Secretary (OST)

• Research and Technology: $7 million ($13 million in FY 2017)
• Cyber Security Initiative: $10 million ($15 million in FY 2017)
• Essential Air Service: $93 million ($150 million in FY 2017)
• TIGER: $0 ($500 million in FY 2017)

Federal Aviation Administration (FAA)

• Grants-in-Aid for Airports: $3.35 billion ($3.35 billion in FY 2017)
• Facilities and Equipment: $2.77 billion ($2.36 billion in FY 2017)
• Operations: $9.93 billion ($10.03 billion in FY 2017)
• Research, Engineering, and Development: $74.4 million ($176.5 million in FY 2017)
• Contract Tower Program: $197 million ($151 million in FY 2017)

Proposed Program Eliminations and Reductions

• Capital Investment Grants (New Starts/Small Starts): The Budget Request proposes to significantly reduce funding for the New Starts/Small Starts program, which is funded from the General Fund, and only provide funding to projects with existing full funding grant agreements (FFGAs). The FY 2019 Budget Request would reduce funding from $2.41 billion in FY 2017 to $1 billion in FY 2019. The Budget Request states that future investments in new transit projects should be funded by the localities that use and benefit from the localized projects.

• Transportation Investment Generating Economic Recovery (TIGER) Grants: The Budget Request proposes to eliminate the TIGER grant program. The FY 2019 Budget Request notes that many of the projects under the TIGER grant program are eligible under existing formula programs and suggests that the Infrastructure For Rebuilding America (INFRA) grant program better funds projects with national or regional benefits.

• Essential Air Service (EAS): The Budget Request proposes reducing EAS discretionary funding to $93 million from $150 million in FY 2017. The FY 2019 Budget Proposal proposes reforming the EAS program by adjusting EAS eligibility based on driving distance to nearby airports, increasing the subsidy caps, and placing limits on the waiver authority for the 10-enplanement requirement.

• Amtrak: The Budget Request proposes to significantly reduce funding for Amtrak to focus on the Northeast Corridor and State-Supported services, while requiring state contributions equal to federal contributions for long-distance routes. The FY 2019 Budget Proposal would reduce grants for Amtrak from $1.5 billion in FY 2017 to $737.9 million in FY 2019.

Policy Highlights

Infrastructure Proposal: The FY 2019 Budget Request also includes the President’s infrastructure plan, which proposes spending $200 billion over ten years for new infrastructure grant programs, increased funding for DOT and United States Department of Agriculture (USDA) loan programs, expanded Private Activity Bonds (PABs), and a federal capital financing fund:

• Infrastructure Incentives Initiative: $100 billion
• Rural Infrastructure Program: $50 billion
• Transformative Projects Program: $20 billion
• DOT and USDA Credit Programs: $14 billion
• PABs: $6 billion

In several fundamental ways, the plan seeks to re-write the rules of how infrastructure projects are advanced and funded at the federal level.
The plan offers a significantly reduced federal share for infrastructure project grants under its Infrastructure Incentives Initiative, shifting greater funding responsibility to states and local governments. At the same time, the plan greatly expands infrastructure finance tools that provide lower-cost loans to both public and private infrastructure project sponsors and makes long-sought improvements to several categories of infrastructure PABs to provide privately-advanced projects with enhanced access to tax-exempt debt. Beyond PABs, the plan includes several tools to increase private sector infrastructure investment, including liberalized tolling provisions, simplified rules for the disposition of federal assets, and support for asset recycling.

With the stated aim of completing federal environmental and other permitting approvals within two years, the proposal would significantly revise a number of federal environmental review and project delivery requirements. Additionally, the proposal would provide state and local governments more control over infrastructure projects through the delegation of permitting authority and relaxed federal requirements for smaller projects. State and local governments would also be permitted to repay the federal portion of completed infrastructure projects to release them from the federal requirements associated with federal infrastructure grants.

Aviation: The President’s FY 2019 Budget Request incorporates a proposal to reform the air traffic control (ATC) system and transfer ATC system responsibilities to a non-governmental, non-profit corporation.

Unmanned Aircraft Systems (UAS): The Budget Request proposes $73 million for the FAA’s efforts to safely integrate UAS into the U.S. National Air Space (NAS).

Automated Vehicles (AVs): The Budget Request includes $10 million for NHTSA to accelerate AV deployment. The funding would be used as an initial investment to enhance NHTSA’s long-term ability to develop system safety performance tests for AVs, evaluate the effects of emerging transportation technologies on crash avoidance and occupant protection, and adapt Federal Motor Vehicle Safety Standards (FMVSS) to accommodate AVs.

The Budget also highlights the Federal Highway Administration’s (FHWA) efforts to test vehicle-to-vehicle (V2V) and vehicle-to-infrastructure (V2I) communications, and requests $4.6 million for an AV initiative at the Federal Motor Carrier Safety Administration (FMCSA) designed to enable the safe operation of automated commercial motor vehicles (CMVs) on US highways. The Budget Request also notes that FTA will prioritize public applications of automation technologies as part of its $6 million Mobility Innovation Program in FY 2019.
Department of the Treasury and Financial Services Regulators

Funding

The President's FY 2019 Budget Request or the Department of Treasury (Treasury) requests $12.3 billion in base discretionary resources for domestic programs and $1.4 billion for Treasury's international programs.

Following the most comprehensive tax overhaul in over three decades, the Budget Request also requests $11.1 billion for the Internal Revenue Service (IRS) to help implement the recently enacted tax reform legislation. This funding includes $199 million to further invest in cybersecurity safeguards and modern customer service options. In addition to base discretionary resources, the Budget Request proposes a program integrity initiative to support deficit reduction and narrow the gap between taxes owed and taxes paid; the FY 2019 Budget Request investment is $362 million, with additional resources to be provided in later years. According to Treasury, these investments will generate approximately $43.8 billion in additional revenue and will cost approximately $15 billion, yielding an estimated net savings of $28.8 billion over ten years.

Notably, the Budget Request proposes placing the Financial Stability Oversight Council (FSOC) and the Office of Financial Research (OFR) under the Congressional appropriations process, along with continued cuts to OFR's budget. As for other financial services regulators, the Budget Request proposes to fund the Securities and Exchange Commission (SEC) at $1.7 billion and the Commodity Futures Trading Commission (CFTC) at $250 million.

Proposed Program Eliminations

- Community Development Financial Institutions (CDFI) Fund's discretionary grant and direct loan programs
- SEC's Reserve Fund

Policy Highlights

Overall, the Budget Request includes relatively few tax policy priorities. In fact, for the second year in a row, Treasury again did not and does not have plans to release the Greenbook, which generally accompanies each year’s budget and includes detailed explanations of an administration’s tax proposals and cost estimates. That said, the Treasury Department has indicated that its Office of Tax Policy will release a “more robust version of the tax policies” in next year’s budget, after the tax reform law has been more fully implemented this year.

Beyond tax reform, the Administration is using the Budget Request to reaffirm its commitment to “maintain a strong economy and create economic and job opportunities by promoting conditions that enable economic growth and stability at home and abroad; strengthen national security by combating threats and protecting the integrity of the financial system; and manage the US Government’s finances and resources effectively.”

As for one of those priorities – national security – the Budget Request proposes modest increases to counter-terrorist financing offices within Treasury, requesting $159 million for Treasury’s Office of Terrorism and Financial Intelligence (TFR) and $118 million for the Financial Crimes Enforcement Network (FinCEN) to allow them to “continue their critical work safeguarding the financial system from abuse and combating other national security threats using non-kinetic economic tools.” Further, Treasury plans to deploy these additional resources to “economically isolate North Korea, stand up the Terrorist Financing Targeting Center in Saudi Arabia, implement the Countering America's Adversaries Through Sanctions Act, and counter the financial networks that support terrorists, organized transnational crime, weapons of mass destruction proliferators, and other threats.”

Finally, continuing its focus on financial services regulatory reform, the Budget Request proposes restructuring the Consumer Financial Protection Bureau (CFPB) and limiting its mandatory funding in 2019 to allow for an efficient transition period and bring the “newly streamlined agency” into the appropriations process beginning in 2020.
Environmental Protection Agency

Funding

The President’s FY 2019 Budget Request proposes $6.1 billion for the Environmental Protection Agency (EPA), a $2.8 billion or 34% decrease from the FY 2017 enacted level. The Budget Request reflects the agency’s priorities of “protecting the air, land, and water from pollution while reducing and eliminating lower priority activities and voluntary programs.”

The Budget Request notes that EPA’s priorities for FY 2019 are to improve drinking water and clean water infrastructure, as well as to provide increased support for Brownfields and Superfund projects. Specifically, it says that the Budget Request would allow the agency to increase non-federal dollars leveraged by EPA water infrastructure programs by $16 billion by the end of FY 2019 (through the Clean Water and Drinking Water State Revolving Funds and the Water Infrastructure Finance and Innovation Act). Additionally, it notes that it would allow EPA to accelerate the pace of cleanups and make an additional 102 Superfund sites and 1,368 Brownfields sites ready for anticipated use by the end of FY 2019. Furthermore, it indicates that EPA intends to focus efforts to clean up and propel development at Superfund sites that offer the greatest expected redevelopment and commercial potential.

Funding Highlights

- Water Infrastructure Finance and Innovation Act (WIFIA): $20 million ($30 million in FY 2017)
  - $3 million for administrative expenses
  - $17 million for the subsidy costs of loans and loan guarantees
- Brownfields Project: $62 million ($80 million in FY 2017)
- Clean Water State Revolving Fund: $1.39 billion ($1.39 billion in FY 2017)*
- Drinking Water State Revolving Fund: $863 million ($863 million in FY 2017)*

*The FY 2019 Budget Request addendum would provide an additional $397 million to be divided between the Clean Water and Drinking Water State Revolving Funds

Proposed Program Eliminations

- Beaches Protection
- Gulf of Mexico Restoration
- San Francisco Bay Restoration
- South Florida Restoration/Protection
- US-Mexico Border Water Infrastructure Program
- Lead Risk Reduction Program
- WaterSense

Policy Highlights

The Budget Request provides $27 million for “Multipurpose Grants” within EPA’s Categorical Grant portfolio totaling $597 million. States would be able to spend this funding on any statutorily mandated delegated duty. This proposal would enable each state to set its own environmental priorities and quickly respond to new threats as they arise.

In addition to providing $762 million for the Hazardous Substance Superfund Account, the Budget Request also supports the recommendations made in EPA’s Superfund Task Force Report to identify impediments to expeditious clean up at sites with significant exposure risks and to bring more private funding to the table for redevelopment.

The Budget Request includes a proposal to authorize EPA to administer the ENERGY STAR program through the collection of a “modest” user fee collected from product manufacturers that seek to label their products under the program. It indicates that fee collections would begin after EPA undertakes a rulemaking process to determine which products would be covered by fees and the level of fees, and to ensure that a fee system would not discourage manufacturers from participating in the program.

The Budget Request also includes a new fee proposal in the Oil Spill Prevention, Preparedness, and Response program to better support compliance assistance work for Facility Response Plan (FRP) and Spill Prevention Control and Countermeasure (SPCC) facilities.
US Army Corps of Engineers

Funding

The President’s FY 2019 Budget Request seeks $4.8 billion for the U.S. Army Corps of Engineers (USACE), a more than 20% decrease from the FY 2017 enacted level. The Budget Request proposes reforms to how the nation invests in water resources projects by reducing the reliance on federal funding and control, and instead providing states, local governments, and the private sector more flexibility to make local investments.

**Funding Highlights**

- **USACE**: $4.8 billion ($6.03 billion in FY 2017)
  - Investigations: $82 million ($121 million in FY 2017)
  - Construction: $872 million ($1.88 billion in FY 2017)
  - Operation and Maintenance: $2 billion ($3.15 billion in FY 2017)
  - Harbor Maintenance Trust Fund: $965 million ($1.3 billion in FY 2017)
  - Inland Waterways Trust Fund: $5 million ($75.3 million in FY 2017)

Policy Highlights

The Budget Request proposes prioritizing the completion of ongoing construction projects over funding new starts projects. It also notes that it will prioritize projects that address a significant risk to public safety. The Budget Request says this will enable USACE to focus on completing ongoing priority projects faster for lesser cost.

The Budget Request also proposes to reform the laws governing the Inland Waterways Trust Fund, including an annual per vessel fee for commercial users, to help finance future capital investments on these waterways and a portion of the cost of operating and maintaining them.

Additionally, the Budget Request proposes to reduce the Harbor Maintenance Tax to allow ports to have greater flexibility in determining appropriate fees for services they provide.
Other Agencies

Corporation for National and Community Service

The President's FY 2019 Budget Request proposes to eliminate the Corporation for National and Community Service (CNCS), which administers funding for national service programs, such as AmeriCorps and Senior Corps.

National Aeronautics and Space Administration

Funding

The President's FY 2019 Budget Request proposes a total of $19.6 billion for the National Aeronautics and Space Administration (NASA), $238.9 million above the FY 2017 funding level.

The Budget Request supports the Trump Administration's new space exploration policy by refocusing existing NASA activities toward exploration, redirecting funding to innovative new programs that support the new policy, and providing additional funding to support new public-private initiatives.

Funding Highlights

• Provides $10 billion to support human space exploration and to pursue a campaign that would establish US preeminence to, around, and on the moon.

• Fully funds the Space Launch System (SLS) rocket and Orion crew capsule as key elements of the human space exploration program. The Budget Request provides $3.7 billion for SLS and Orion, which would keep the programs on track for a test launch by 2020 and a first crewed launch around the moon by 2023.

• Provides $2.2 billion to Planetary Science and maintains support for competed science missions and the next Mars Rover, which would launch in 2020.

• Provides $1.8 billion for an Earth Science portfolio that supports the priorities of the science and applications communities.

• Proposes to end direct US government funding for the International Space Station by 2025 and provides $150 million to begin a program that would encourage commercial development of capabilities that NASA can use in its place.

• Refocuses and consolidates NASA's space technology development programs to support space exploration activities.

• Continues strong programs in science and aeronautics, including a $150 million planetary defense program to help protect the Earth from hazardous asteroids, and $50 million to explore possibilities for retrieving pieces of Mars for scientific study on Earth.

• Fully funds the Low-Boom Flight Demonstrator, an experimental supersonic airplane that would make its first flight in 2021.

• Supports the termination of the $100 million Office of Education, redirecting those funds to NASA's core mission of exploration.

Proposed Program Eliminations

• Office of Education

• Plankton, Aerosol, Cloud, Ocean Ecosystems (PACE)

• Radiation Budget Instrument (RBI)

• Orbiting Carbon Observatory (OCO-3)

• Deep Space Climate Observatory (DSCOVR)

• Climate Absolute Radiance and Refractivity Observatory (CLARREO) Pathfinder

NATIONAL SCIENCE FOUNDATION

The President's FY 2019 Budget Request seeks $7.47 billion for the National Science Foundation (NSF), which is the same as the FY 2017 enacted level. The Budget Request proposes $6.15 billion for Research and Related Activities, an increase from the FY 2017 enacted level of $6 billion. It also indicates that NSF is focused on two priorities – The Future of Work at the Human-Technology Frontier and Harnessing the Data Revolution.

The Budget Request proposes a reduction in funding for Major Research Equipment and Facilities Construction from $215 million to $35 million, which is largely due to the support for two new Regional Class Research Vessels.
Federal Communications Commission

Funding

The President’s FY 2019 Budget Request proposes $333 million for the Federal Communications Commission (FCC), a $6 million decrease from FY 2017 enacted levels. The Budget Request proposes $11 million for the Office of the Inspector General and $113 million for FCC’s Spectrum Auctions Program. The Budget Request proposes making additional spectrum available for commercial use and assigning additional spectrum frequencies for wireless broadband subject to use sharing arrangements with federal weather satellites.

In the FY 2019 Budget Request, the Administration proposes providing FCC with new authority to set user fees on unauctioned commercial spectrum licenses as a spectrum management tool. The fees would be determined and implemented as part of ongoing rulemaking processes, beginning in 2019, and are expected to total $4 billion through 2028.

FCC also notes that the agency intends to complete the Wireline Modernization of the National Broadband Map (NBM) focused on fixed broadband in the second quarter of FY 2018.

Policy Highlights

FCC identifies the following as its strategic goals for FY 2019:

- Closing the Digital Divide
- Promoting Innovation
- Protecting Consumers and Public Safety
- Reforming the FCC’s Processes to Reduce Regulatory Burden and Enhance Transparency

To achieve these goals, FCC commits to accomplishing the following in FY 2019:

- Expand broadband deployment across the US by creating a light-touch regulatory environment that maximizes private broadband investment
- Promote broadband deployment by implementing recommendations issued by the Broadband Deployment Advisory Committee (BDAC)
- Accelerate the deployment of 5G networks and services by making it easier and less expensive to access to utility-owned or government-controlled broadband infrastructure (including poles, ducts, conduits, and rights-of-way)
- Take steps to process applications for and potentially authorize support through the Connect America Fund (CAF) Phase II auction
- Consider stakeholder feedback regarding opportunities to streamline or eliminate infrastructure siting requirements
- Work with state and local governments to better align regulations and fees on new wireless infrastructure with the what the FCC considers the costs of protecting local interests in land management and public safety
- Encourage facilities-based competition and free up spectrum for mobile broadband by implementing efficient and effective spectrum allocation and assignment policies
- Work to streamline compliance or eliminate certain National Environmental Policy Act (NEPA) and National Historic Preservation Act (NHPA) requirements governing wireless infrastructure deployments
- Develop and implement policies designed to promote reliable, effective, and resilient 911, Enhanced 911 (E911), and Next Generation 911 (NG911) service
USTR AND OTHER TRADE-RELATED AGENCIES

Funding
The President’s FY 2019 Budget Request seeks $63 million for the Office of the U.S. Trade Representative (USTR), a $1 million increase over FY 2017 enacted levels. It also proposes $90.6 million in funding (a 2.4% increase) for the International Trade Administration’s Enforcement and Compliance program at the Department of Commerce, which is responsible for addressing unfair foreign trade practices and trade barriers.

The President’s FY 2018 Budget Request proposed eliminating the Overseas Private Investment Corporation (OPIC). The FY 2019 Request proposes consolidating the operations of OPIC and the U.S. Agency for International Development’s Development Credit Authority to create a new stand-alone development finance institution that would be allotted $96 million for administrative expenses.

Proposed Program Eliminations
- U.S. Trade and Development Agency
- The Denali Commission
- The Delta Regional Authority
- The Northern Border Regional Commission
Policy Highlights

The President's FY 2019 Budget Request does not request authority for a new round of base closures. David Norquist, Defense Department Comptroller, explained that the Administration will instead work with Congress "to find common areas where we can make reforms and changes that don't create the same types of obstacles." Norquist highlighted the Pentagon's ongoing audit of military property and ways to better collect data on excess infrastructure, suggesting a BRAC request may follow that exercise.
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Introduction

In his first official State of the Union Address last night, President Trump made the case for his first year in office as one of extraordinary legislative and regulatory accomplishments as part of his Administration's efforts to build a "Safe, Strong, and Proud America." In his remarks before a joint session of Congress 11 months ago, the President had called on Congress to "repeal and replace" the Affordable Care Act (Obamacare), to enact a trillion-dollar infrastructure bill, to adopt comprehensive immigration reform legislation and to adopt tax reform legislation that would make American companies more competitive and would provide "massive tax relief for the middle class."

Legislatively speaking, 2017 was not a year of major legislative accomplishments . . . until it was, as the year ended on a particularly high note, when Congress approved and President Trump signed into law the first major overhaul of the tax code since 1986.

A year ago, we suggested that year one of the Trump presidency might end up looking a lot like the Trump presidential campaign: chaotic, disorganized, controversial and divisive, but nonetheless, somewhat effective, in spite of itself. We argued that moving an infrastructure bill would be a way to accomplish something important with bipartisan support. We also previewed a path for tax reform, especially given the decade of preparatory work by Speaker Paul Ryan (R-WI). That Republicans would overcome deep philosophical differences to work together in rare harmony in what was arguably the most discordant legislative year in modern history is not something we saw coming. But the way in which they won that victory will likely have significant ramifications for the year ahead.

As the President emphasized last night, the economic state of the union appears to be quite strong. Unfortunately, as the Democratic response confirmed, the state of affairs on Capitol Hill is anything but.

The second session of the 115th Congress will be no more predictable than the roller-coaster ride that was the first session. With the added dynamic of 2018 being a mid-term election year, the second session could be even more divisive and tumultuous. But we would caution against making the assumption that nothing of consequence will happen. To date, the American experience with Donald Trump in government and politics alike has been that when it comes to results, he tends to end up exceeding conventional wisdom and expectations – often, it would seem, in spite of himself.

The President's Speech and the Democratic Response

Last night, the President talked at length about the broadly distributed benefits of the tax reform bill and the strength of the economy, shared his vision for a trade policy that would be "free, fair and reciprocal," called for increased military spending and warned about continuing threats from North Korea. In a plea for bipartisan support, he specifically called on Congress to adopt a comprehensive immigration reform bill and an infrastructure bill that would generate at least $1.5 trillion in new spending.

In the Democratic response from the auto shop of a technical training school in his blue collar district, Rep. Joseph P. Kennedy III (D-MA), a grandson of Robert F. Kennedy, argued that the President's first year in office had been anything but the one he had described earlier in the evening. He said that the President's policy agenda had presented Americans with "one false choice after another" and was driving people further apart rather than bringing them together. He largely avoided a discussion of legislative or regulatory policy options, but did signal support for infrastructure spending and suggested Democratic alignment with the President on trade policy, calling for "trade pacts that are fair" and roads and bridges that won't rust away . . . " But beyond that there was little in common with what the President offered in his address.

As was evident in the fundamentally different priorities they advanced and the vision they articulated, the President and congressional Democrats appear to have little in common. But they share the need to resolve some major issues, which must be addressed soon for the sake of the country.

In the following pages, we outline what needs to be done in the next month or so, when a host of issues must be resolved, including funding the government beyond February 8 and raising the debt ceiling (or suspending enforcement of it) so that the full faith and credit of the United States is not put at risk. In addition, we take a deeper dive with our assessment of what Congress is likely to do now that the President has called on Congress to join him in producing a bipartisan infrastructure bill. But before turning to those subjects, we think it useful to review how and why the President and Republican leadership were able to come together to accomplish something that had eluded President Barack Obama and every other President since Ronald Reagan was in the White House.

Tax Reform: A One-Off Legislative Victory?

In previewing the potential for fundamental tax reform last year, we noted that, "[w]ith Republicans in control of Congress and the White House, the GOP is poised to move forward alone with comprehensive tax reform (i.e., legislation that restructures both the individual and business income tax provisions of the tax code). The Republican leadership has indicated it is prepared to use a Fiscal Year 2018 budget resolution with reconciliation instructions in order to move a bill through the Senate on a straight party-line vote if necessary. But given the limits of reconciliation, including likely application of the Byrd rule, the Senate may not be able to make permanent changes to the tax code that would increase the deficit beyond the 10-year budget window."

President Trump and the Republican Congress were successful in pursuing this approach because virtually every Republican agreed it had to be done. The effort was propelled in part by the high-profile failures that had preceded it. Prior to the launch of the tax reform process in September, Republicans had been largely unsuccessful in parlaying their majorities in the House and Senate and control of the White House into the passage of major new legislation. They achieved some significant victories: approving the nomination of Judge Neil M. Gorsuch to serve as a Justice on the Supreme Court, using the Congressional Review Act to overturn 15 final rules issued in the waning days of the Obama Administration, and overseeing robust economic growth and a steady increase in the stock market.
But notwithstanding their majorities, Republicans in Washington DC had been unable to achieve consensus about how to repeal and replace Obamacare, burning up months of precious legislative time that might otherwise have been used to advance other major priorities of the President and his party, including infrastructure spending.

Coming out of the August recess, the GOP was confronted with the prospect of going into the 2018 midterm-election year without a signature legislative accomplishment that would motivate its base of voters to show up at the polls and help preserve their current 23-seat House majority in a likely very challenging electoral environment. (According to a recent Bloomberg article, when the President’s popularity is below 50%, his party has lost an average of 33 House seats in mid-term elections since 1970.) Faced with this political imperative – indeed, existential threat – they found a way to come together on a budget resolution that allowed them to use reconciliation to achieve tax reform. As they headed into the fall, Republicans had agreed on two fundamental points: (1) they needed to do something big by the end of the year and (2) tax reform would be that thing. The consensus held firm throughout the fall, allowing Republican leaders to move tax legislation steadily through the legislative process in both chambers and ultimately to craft a final bill that could clear the Senate without any Democratic support and that would be signed into law by President Trump shortly before the end of the year.

The successful tax overhaul effort has given President Trump and congressional Republicans an important legislative achievement as they enter the new year. The win has been bolstered by a steady drumbeat of announcements by US companies that they are giving bonuses to their workers as a result of the changes set in motion by the new law, and given the president and his party the ability to claim they have taken action to allow American families to keep more of what they earn and, importantly, to bring jobs home to the US. Politically, the accomplishment has also helped kill what just months ago had threatened to become an overwhelming narrative about the inability of the GOP-controlled Washington DC to pass important legislation.

But the tax reform victory may have been the high-water mark for the 115th Congress. The political imperative that enabled the GOP to unify around tax reform last fall has given way to a familiar intraparty debate about what the party’s next priority should be. Meanwhile, Congress continues to struggle with the breakdown of the budget process, divisions over immigration and spending, the need to pass a massive disaster relief bill in the wake of last year’s devastating hurricanes, rising deficits and debt, and the need to raise the nation’s debt ceiling in March. These struggles, coupled with uncertainty over where President Trump really stands on these issues, will severely test GOP unity in the coming months, potentially making it difficult for the party to enact significant legislation, such as the infrastructure initiative the President has vowed to make a priority. Moreover, the President could find himself at continuing odds with congressional Republicans on a host of trade issues, including NAFTA, Trade Promotion Authority (which expires July 1 if not renewed by April 1) and multiple ongoing section 232 investigations (steel, aluminum and uranium).

Democratic leaders, for their part, will be under constant pressure from their progressive base to deny President Trump and the GOP votes for anything that might assist them in governing. They may struggle, as they did in the recent government shutdown, to balance this pressure against the desires of Democrats in competitive states and districts who need to be seen as willing to work in a bipartisan fashion. Which brings us to a month of looming deadlines.

**Funding the Government, Dealing With the Debt Ceiling, Providing Hurricane-Recovery Relief, and Addressing DACA and the Wall**

Congress enters the month of February struggling to reach agreement on two matters that have vexed the legislature since last fall: immigration and spending levels for a fiscal year that began four months ago.

On immigration, President Trump is asking Congress to provide billions in new spending for border security, including the construction of a wall on the US-Mexico border, and to adopt other limitations on immigration (including so-called "chain migration"); while Democrats are demanding legislation to extend and authorize the Deferred Action for Childhood Arrivals (DACA) program and to guarantee other rights to undocumented immigrants.

On spending, the two parties have been attempting since last fall to strike an agreement to lift the budget caps imposed by the 2011 Budget Control Act on defense and non-defense spending. Once agreement is reached on these caps, appropriators will be able to write an omnibus spending bill to the newly established spending levels that will fund the federal government for the remainder of the fiscal year.

An additional "must-pass" spending matter from 2017 lingers as well, in the form of a disaster relief package to assist our fellow citizens in the US Virgin Islands and Puerto Rico and individuals in Florida and Texas who lost so much in last year's hurricanes. The House passed an $81 billion supplemental appropriations bill shortly before Christmas, but the Senate has not yet taken the bill up, in large part because congressional Democrats have insisted that hurricane relief be part of a "global" deal that includes solutions on immigration and appropriations.

By early March, yet another major challenge will likely be added to the mix of "must-pass" items when the Trump Administration notifies Congress that the debt ceiling has been reached and must again be raised to prevent a default on the nation's debt payments. In testimony this week, the Secretary of the Treasury indicated that that day is fast approaching, but without specifying precisely when it will arrive.

In order to clear the Senate, bipartisan agreements are needed to address all these matters, which require 60 votes, since Democrats have enough votes to block action on any of them. Hence, the ongoing discussions about a potential global agreement to resolve everything.
POLITICO reports that congressional negotiators are discussing a budget deal that would not just lift the current spending caps on defense and non-defense spending, but obliterate them. “Congress’ caps-busting spending deal could easily cost more than $400 billion over just two years, according to the gurus at the Committee for a Responsible Federal Budget. The biggest piece of that compromise, of course, involves lifting limits for defense and nondefense programs. The GOP’s latest offer to Democrats would exceed $250 billion over two years – far more than the $175 billion estimate of the party’s initial proposal.”

If a budget caps deal is reached soon, Congress will then need three to four weeks to produce an omnibus spending bill written to the newly set spending levels dictated by the agreement. This omnibus legislation would likely go to the floor in mid- to late-March, and could carry the debt limit increase, as well as the final version of the disaster relief bill, if not taken up sooner as a stand-alone measure or moved along with the continuing resolution (CR) that will be needed to keep the federal government operating past February 8, when appropriations are next set to lapse.

The DACA program, established by executive order by President Obama, will expire in March. With the program now being litigated in the courts, the program’s fate may not need to be determined by then. But with the President continuing to press Congress for a solution, as well as funding for his border wall and other border security measures, immigration will remain critical to the ongoing negotiations over government spending.

Resolving this tangle of thorny, vital issues will undoubtedly require tough choices and deft navigation by GOP leaders. It was not long ago that conservative legislators in Congress were threatening to mutiny against the Republican congressional leadership out of fear that the leadership might agree to a bipartisan immigration deal that included a path to citizenship for undocumented immigrants, or an increase in the debt ceiling without massive spending cuts, or large increases in deficit spending. Congress is about to be asked by President Trump to deliver on all these things.

To date, conservatives in the House Freedom Caucus and elsewhere have been willing to give President Trump much more running room on issues such as the deficit, the debt ceiling and immigration than they gave President Obama or GOP leaders in the 113th or 114th Congresses. But the weeks ahead will likely force them to choose between their allegiance to President Trump and their previously stated principles like never before. Our expectation is that congressional conservatives will balk at any deals that emerge on these issues, forcing Republican leaders to depend on Democrats to help pass in both chambers of Congress. A key question, for House Speaker Paul Ryan, in particular, will be whether these agreements can muster enough support to pass the House with a “majority of the majority” voting in favor (the so-called “Hastert Rule”) or whether we will see the emergence of the “Trump Rule” (if the President wants something, enough Republicans will be rallied to support it).

As in the successful effort to move tax reform, we expect Speaker Ryan and Senate Majority Leader Mitch McConnell (R-KY) to find a way to get things done. But they are going to need President Trump’s help and they are going to need to craft a bill or bills that Senate Minority Leader Chuck Schumer (D-NY) will support.

The Year an Infrastructure Spending Bill Finally Gets Signed Into Law?

Last year, we noted that the $1 trillion infrastructure proposal the President touted during the campaign could provide significant and long-awaited opportunities for private investment in major, high-cost, revenue-supported projects. But the White House never addressed how to fund the routine capital improvements needed to maintain and upgrade our transportation and infrastructure systems, nor did it advance a sustainable, long-term source of funding to augment or replace declining Highway Trust Fund revenues. Will this be the year of action?

In the run up to the President’s address last night, Senate Minority Leader Chuck Schumer made the case again for Democrats to work with the President and congressional Republicans, but in doing so, emphasized the need for direct federal spending rather than relying on “capital from private companies or states and localities in lieu of real investment.” As he put it, “Democrats want to work with President Trump to rebuild America’s infrastructure. But we shouldn’t ask the middle class to pay $1 trillion in new tolls and local tax increases to get there.”

Now that the President has spoken, the challenge of revitalizing and updating the nation’s transportation and infrastructure will be a focus for the Trump Administration and Congress in the coming months. In his State of the Union address last night, President Trump called on Congress to produce a bill “that generates at least $1.5 trillion for the new infrastructure investment our country so desperately needs.” It is important to note that the President did not pledge $1.5 trillion in federal funding, but instead called for legislation that generates a $1.5 trillion investment. The President said every federal dollar “should be leveraged by partnering with states and local governments and, where appropriate, tapping into private sector investment.”

The White House is expected to release additional details about its infrastructure proposal in the coming weeks, which will provide a starting point for Congress to begin developing infrastructure legislation. Last week, a six-page memorandum outlining the Trump Administration’s infrastructure proposal was obtained by the press. The White House has not confirmed the authenticity of the document, but it reflects the broad policy positions and main program proposals that the Administration has been publicly discussing for months.

Recently, a senior White House advisor on infrastructure, DJ Gribbin, said the President’s infrastructure proposal will not include new funding, but instead will provide $200 billion derived from redirecting funds away from existing programs, in line with the President’s FY 2018 budget proposal. Mr. Gribbin also noted that transportation formula programs would remain unchanged. In his budget, the President proposed significant reductions to the transit Capital Investment Grant program, Amtrak, and the multi-modal Transportation Infrastructure Generating Economic Recovery (TIGER) grant program, among other cuts. Many transportation stakeholders have stated that this approach would create a situation in which stakeholders would be fighting over existing limited transportation funds and would not directly address the nation’s need for increased infrastructure investment. Democrats have opposed this approach,
and Senate Minority Leader Chuck Schumer (D-NY) recently said that only direct federal investment “can properly address the scale of the challenge we face.” The spending cuts proposed in President Trump’s budget were rejected by congressional appropriators in their FY 2018 Transportation, Housing and Urban Development (THUD) appropriations bills.

The memorandum outlines three new federal infrastructure funding programs: (1) Infrastructure Incentives Initiative; (2) Transformative Projects Program; and (3) Rural Infrastructure Program. A wide variety of infrastructure projects would be eligible for funding under the proposal, including projects relating to surface transportation, airports, passenger rail, commercial space, maritime and inland waterway ports, flood control, water supply, hydropower, water resources, drinking water facilities, storm water facilities, Brownfield or Superfund sites, and telecommunications and broadband infrastructure.

To incentivize state and local governments to raise their own revenues – or attract private revenues – the Infrastructure Incentives Initiative would provide federal discretionary grants for projects with significant contributions of non-federal funds from public and private project sources. Where federal highway and transit formula programs now fund up to 80% of project costs, federal grants under this new incentive initiative would be limited to 20% of project costs. However, states and local governments would earn some credit for non-federal revenues raised in the previous three years. A White House fact sheet released last night indicates that half of the new federal infrastructure funds would go toward this initiative.

To fund higher-risk projects that may be unable to secure financing through the private sector, the Transformative Projects Program would provide discretionary grants focused on innovative and transformative infrastructure projects that have more risk but also offer larger potential benefits. Understanding that many rural infrastructure projects are not able to attract private financing, the Rural Infrastructure Program would provide federal funding directly to states through block grants. Notably, these grants would not be subject to federal infrastructure requirements. According to the White House fact sheet, a quarter of the federal funds would be dedicated to the rural program.

Additionally, the proposal would significantly increase funding for several existing federal credit assistance programs, including the Transportation Infrastructure Finance and Innovation Act (TIFIA), Railroad Rehabilitation and Improvement Financing (RRIF) and Water Infrastructure Finance and Innovation Act (WIFIA) programs. The proposal would also broaden TIFIA eligibility to include airports and ports.

To enable greater non-federal infrastructure funding, the proposal would allow states greater flexibility to toll interstates and require value-capture financing for large transit projects under the Capital Investment Grant program. Value-capture financing, such as a local property tax, enables transit project sponsors to more directly share in the benefits they bring to the communities they serve. The proposal would remove the application of federal requirements for projects with a de minimis federal share and raise the cost threshold for major project requirements to $1 billion.

President Trump’s infrastructure proposal also seeks to advance infrastructure projects more quickly and lower project costs by streamlining federal project delivery requirements. During his speech, the President said any infrastructure legislation “must also streamline the permitting and approval process, getting it down to no more than two years, and perhaps even one.” The White House fact sheet cites a 2014 Government Accountability Office report noting that the median time to complete an environmental review process for complex highway projects is at least seven years.

The key question that remains unanswered is how to pay for an infrastructure package. Late last year, President Trump’s chief economic advisor, Gary Cohn, told a bipartisan group of House lawmakers that they would have an opportunity to consider increasing the federal fuel tax to pay for an infrastructure package. At the time, House Transportation and Infrastructure (T&I) Committee Chairman Bill Shuster (R-PA) said there were not enough votes in the House to support a fuel tax increase. However, this month, Chairman Shuster indicated support for raising the gas tax, while Senate Environment and Public Works (EPW) Committee Chairman John Barrasso (R-WY) voiced his opposition. Senate Commerce, Science and Transportation (CST&I) Committee Chairman John Thune (R-SD) said he is open to raising the gas tax, but that it would take leadership from the White House.

Recently, stakeholder groups such as the Chamber of Commerce have advocated for a significant increase in the federal gas tax, potentially providing political cover for Congress to raise the gas tax to fund infrastructure investment.

Infrastructure investment may provide an opportunity for bipartisan legislation in an increasingly divided Congress; however, Republicans and Democrats appear to be far from consensus on what infrastructure legislation should include. Several Democrats have called for increased direct federal investment, stating that simply leveraging private sector funding or incentivizing increased state and local spending will not be enough to solve our infrastructure needs. Additionally, Democrats will likely oppose rolling back environmental protections in the name of project streamlining.

The main congressional committees with jurisdiction over infrastructure have held hearings over the past year examining the nation’s infrastructure needs in anticipation of considering infrastructure legislation. This year, Congress is expected consider a Water Resources Development Act (WRDA) reauthorization. Additionally, while the FAST Act does not need to be reauthorized until 2020, infrastructure legislation would provide an opportunity for an early FAST Act reauthorization. Perhaps Congress will combine these reauthorizations with a broad infrastructure package this year.

The House Rules Committee has also recently held hearings to examine whether the House should eliminate its ban on earmarks. In particular, Members of both parties in Congress have called for allowing earmarks in infrastructure legislation. The President also recently suggested that Congress should consider eliminating the ban on earmarks with “better controls” to increase support for bipartisan legislation. Reestablishing earmarks would likely facilitate building broad bipartisan support for infrastructure legislation; however, additional revenue would be needed to fund those earmarks.
The current short-term extension of FAA programs expires March 31, 2018, and Congress will have to pass either a long-term reauthorization or another extension. Congress could also include FAA reauthorization in any infrastructure legislation. The current Senate and House proposals are vastly different, with the Senate’s FAA Reauthorization Act of 2017 (S. 1405) generally maintaining the status quo with various policy changes and the House’s 21st Century Aviation Innovation, Reform, and Reauthorization Act (21st Century AIRR Act) (H.R. 2997) providing comprehensive reform to the air traffic control (ATC) system.

The 21st Century AIRR Act would substantially reform FAA, removing the ATC system from FAA and creating an independent, not-for-profit corporation, while FAA would retain responsibility for safety regulation. The ATC reform proposal has faced significant opposition from Democrats and House and Senate appropriators. The House T&l Committee approved the 21st Century AIRR Act in June 2017 on a largely party-line vote. However, the House has not considered the bill on the floor, as Chairman Shuster continues to build support for the legislation.

The Senate FAA Reauthorization Act is less controversial, but includes a provision to relax co-pilot training hour requirements that Senate Commerce Committee Ranking Member Bill Nelson (D-FL) has said that Democrats will not support. Recently, Chairman Thune has indicated that he is open to removing the provision so the bill can be considered on the Floor before the current extension expires in March.

While there is significant bipartisan support for infrastructure investment, it is unclear whether Republicans and Democrats can agree on how to pay for an infrastructure package. Without additional funding, it will be difficult to gain the support of Democrats or use earmarks to increase bipartisan support.

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From: Squire Patton Boggs LLP  
Date: December 29, 2017  
Subject: Federal Legislative and Regulatory Action Relevant to General Local Government Interests: 2017 Wrap-Up and 2018 Forecast

This report provides a comprehensive update for local governments and their partners highlighting actions on notable federal legislation, administration, and regulatory issues in 2017, as well as a look ahead into what we expect in the second year of the Trump Administration and Republican-led Congress. It is important to note that the memorandum provides only a high-level perspective, as detailed reports were provided as events unfolded in Congress and the administration.

In terms of legislation enacted into law, the first year of the Trump Administration and the 115th Congress proved to be the least productive in four decades, with less than 100 laws enacted in 2017. Moreover, the President failed to achieve many of the goals he set forth for his first 100 days in office, including: the ban of all federal funding to “sanctuary cities”; removal of two million criminal illegal immigrants; investment of $1 trillion in U.S. infrastructure; and the suspension of immigration from terror-prone regions. Despite the President’s efforts to take administrative action via Executive Orders and Memoranda on a number of these issues, many were halted by federal judges or are being held up by pending lawsuits. Perhaps most dramatic was the failure of Congress’ attempt to repeal the Affordable Care Act.

However, this inaction is somewhat overshadowed by the significance of the appointment of Supreme Court Justice Neil Gorsuch and the end-of-year overhaul of the nation’s tax code. Looking to build on this momentum, the President will announce his 2018 legislative agenda in early January. Congressional leaders, having pushed most of its year-end work into January, will face a daunting number of must-pass deadlines when the Senate returns on January 3 and the House reconvenes on January 8. Most pressing will be the January 19 deadline to approve an FY 2018 budget or face a government shutdown. With only a limited number of legislative days before the deadline, resolution of the budget will most certainly be complicated by the anticipated standoff between the President and Democrats over his insistence that any agreement on continuation of the Deferred Action for Childhood Arrivals (DACA) program include funding for his proposed wall along the U.S.-Mexico border.
Among the issues we expect to see at the forefront of the 2018 federal agenda:

**FY 2018 Budget and Other Fiscal Issues:** Congress avoided the year-end fiscal “cliffmas” by approving a relatively straightforward Continuing Resolution (CR) that will provide funding for the federal government through January 19. However, without agreement on topline FY 2018 spending and a number of other contentious policy items, another fiscal cliff is looming in January. As detailed below, a bipartisan budget agreement is necessary to establish topline spending for FY 2018. Lacking topline numbers, appropriators cannot move forward with an omnibus package. Also playing into the fiscal standoff is another disaster supplemental and the upcoming debt ceiling lapse (currently estimated for March). The President is reportedly on schedule to submit his FY 2019 budget request to Congress in early February, creating a scenario in which the FY 2019 budget request precedes resolution of the FY 2018 appropriations process.

**Infrastructure:** Now that tax reform has been completed, we anticipate Congress and the administration will turn attention to an infrastructure package. President Trump included an infrastructure outline in his FY 2018 budget; additional details on his proposal are expected in January. Congress is also expected to act on the reauthorization of the Federal Aviation Administration (FAA) before the current extension of FAA programs lapses on March 18.

**Immigration:** The most pressing immigration issue is what Congress will do concerning the Deferred Action for Childhood Arrivals (DACA) program, which will terminate, per President Trump’s directive, on March 5. As part of tax reform negotiations, it is reported that a Senate vote on DACA and border security was promised for January. Strong divisions remain over how to address citizenship and the limitations of coverage.

**Intelligence Reform:** As noted below, the year-end Continuing Resolution included a short-term extension of Section 702 of the Foreign Intelligence Surveillance Act, which allows the National Security Agency to monitor communications sent by certain foreign entities without a warrant. A longer-term extension of the program will be contentious.

**Healthcare:** Senator Susan Collins’ (R-ME) vote on the tax reform package—which removed the individual mandate penalty of the Affordable Care Act—was dependent on an agreement with Senate Majority Leader Mitch McConnell (R-KY) and the President that two market stabilization measures would be brought up for a vote in January.

**Entitlement Reform:** House Speaker Paul Ryan (R-WI) has long sought to advance entitlement reform—including Medicare, Medicaid, Social Security, and welfare programs—and indicated that this would be a priority in 2018. However, Senate Majority Leader McConnell expressed reluctance to the strategy. Facing certain Democratic opposition, entitlement reform would need to be done through the reconciliation process, requiring Republican unity, and many moderate Republicans are wary of addressing entitlements in that manner.

**Tax:** In addition to a likely technical corrections bill on the recent tax reform package, Congress will also consider a tax extender package introduced by Senate Finance Chairman Orrin Hatch (R-UT) in late December.
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PRESIDENTIAL EXECUTIVE ORDERS

Since September, President Trump signed nine executive orders:

- Restoring State, Tribal, and Local Law Enforcement’s Access to Life-Saving Equipment and Resources (this order rescinds President Obama’s 2015 executive order banning the acquisition of certain military-style equipment by local law enforcement);
- Order Regarding the Proposed Acquisition of Lattice Semiconductor Corporation by China Venture Capital Fund Corporation Limited;
- Imposing Additional Sanctions with Respect to North Korea;
- Order on the Revocation of Executive Order Creating Labor-Management Forums;
- Order on the Continuance of Certain Federal Advisory Committees;
- Promoting Healthcare Choice and Competition Across the United States;
- Resuming the United States Refugee Admissions Program with Enhanced Vetting Capabilities;
- Order Amending Executive Order 13223 (Ordering the Ready Reserve of the Armed Forces to Active Duty and Delegating Certain Authorities to the Secretary of Defense and Secretary of Transportation); and
- Revising the Seal for the National Credit Union Administration.

BUDGET/APPROPRIATIONS

FY 2018 APPROPRIATIONS

Despite giving themselves an extra two weeks and extending the FY 2018 Continuing Resolution (CR) from December 8 through December 22, Congressional leaders and the administration were still unable to come to an agreement on topline spending for FY 2018; hence, before recessing for the year, Congress approved another CR (H.R. 1370) that will fund the government through January 19.

As has become typical in budget negotiations, a number of policy and funding items were discussed in the weeks leading up to the CR; however, in the end, the CR was relatively “clean,” with Congress leaving the most contentious items for action in early 2018. The CR maintained spending at FY 2017 levels and included:

- A waiver of the PAYGO Act of 2010, which would have forced mandatory spending cuts, including $25 billion to Medicare, to offset the deficit increases resulting from the tax reform bill;
- $2.85 billion for the Children’s Health Insurance Program (CHIP), funding the program from October 1, 2017 through March 31, 2018;
- An extension of the controversial Section 702 of the Foreign Intelligence Surveillance Act (FISA), which allows warrantless monitoring of communication, through the term of the CR (January 19);
- Funding to maintain the National Flood Insurance Program through January 19;
- $2.1 billion for the Veterans Choice Program, which is expected to maintain the program through fall 2018; and
- $4.6 billion for missile defense programs and repair of two Navy destroyers.
Among the items awaiting resolution in early 2018 that will likely wrap into spending negotiations:

- The Deferred Action for Childhood Arrivals (DACA) program;
- Funding for the border wall;
- Additional funding to address the national opioid crisis;
- Funding for pension shortfalls;
- Additional disaster aid; and
- Affordable Care Act cost-sharing subsidies.

Without a bipartisan budget agreement on topline spending, sequestration-level spending caps mandated by the Budget Control Act of 2011 (BCA/P.L. 112-25) will be implemented in 2018: $549 billion for defense and $516 billion for nondefense spending (for comparison, FY 2017 levels are $551 billion for defense and $518.5 billion for nondefense). The most recent proposal by the GOP — which Democrats rejected — would have raised defense spending by $54 billion and nondefense spending by $37 billion in each of FY 2018 and FY 2019. Democrats have insisted on parity in prior budget agreements, with resulted in equal above-sequestration increases to defense and nondefense spending. However, a policy “win,” such as DACA or healthcare, may sway Democrats to support an uneven increase, as they did in FY 2017 when they supported an additional $15 billion for defense and $3 billion for nondefense programs, but were successful in rejecting proposed offsets and border wall construction.

The House passed an FY 2018 omnibus bill (H.R. 3354) in September and the Senate Appropriations Committee approved its final FY 2018 spending bill in November, both of which ignore the BCA spending caps. Once an agreement is reached on topline numbers, appropriators will need at least three weeks to reconcile the pending bills and draft an omnibus package. With the House return now pushed to January 8, the CR expiring on January 19, no budget agreement in sight, and a number of policy items that will require attention in January, resolution of the FY 2018 budget process remains very much “to be determined.”

**DISASTER FUNDING**

In addition to the year-end Continuing Resolution (CR), the House also approved an $81 billion disaster supplemental (H.R. 4667). The Senate did not take up the measure, instead leaving it for consideration in January.

The $81 billion package is nearly double the $44 billion requested by the administration. It would provide funds to Texas, Florida, Puerto Rico, the U.S. Virgin Islands, Louisiana, and California, to address continued recovery from Hurricanes Harvey, Irma, and Maria, as well as recent wildfires. If approved, it would bring the total of recent disaster aid to nearly $133 billion.

**FY 2019 TRUMP BUDGET**

The administration reports it is on track to deliver the President’s FY 2019 Budget Proposal to Congress in early February.
DEFERRED ACTION FOR CHILDHOOD ARRIVALS (DACA)

Since President Trump's September announcement terminating the Deferred Action for Childhood Arrivals (DACA) program by March 5, 2018, Congress renewed its efforts and introduced additional legislative measures designed to codify DACA protections under federal statute or provide similar relief to eligible DREAMers residing in the U.S.

Reflecting the bipartisan support for a solution, House and Senate Democrats urged congressional leadership to include a legislative DACA fix in FY 2018 appropriations legislation, and at least 34 House Republicans urged Speaker Paul Ryan (R-WI) to address DACA by the end of the year. Speaker Ryan created a Republican working group in the House focused on developing a legislative fix codifying DACA protections under law, including:

- House Speaker Paul Ryan (R-WI)
- House Majority Leader Kevin McCarthy (R-CA)
- House Homeland Security Committee Chairman Mike McCaul (R-TX)
- House Judiciary Committee Chairman Bob Goodlatte (R-VA)
- Representative Raul Labrador (R-ID)
- Representative Mario Diaz-Balart (R-FL)
- Representative John Carter (R-TX)
- Representative Will Hurd (R-TX)
- Representative Martha McSally (R-AZ)
- Representative Jim Sensenbrenner (R-WI)

Senate Judiciary Committee Chairman Chuck Grassley (R-IA) introduced legislation, the Security, Enforcement, and Compassion United in Reform Efforts (SECURE) Act (S. 2192), designed to combine a DACA fix with broader immigration enforcement legislation in an effort to address DACA with stand-alone legislation, rather than in year-end appropriations legislation. The SECURE Act contains the Senate GOP's border security and immigration enforcement legislation, the Building America's Trust Act (S. 1757), which was introduced earlier this year by Senator John Cornyn (R-TX).

The SECURE Act would authorize approximately $15 billion over four years for a long-term border security and interior enforcement strategy. Alongside authorizing and requiring the deployment of a wall system, fencing, levees, technology, and other physical barriers along the southern border wall, the bill would:

- Increase the number of Border Patrol agents, Immigration and Customs Enforcement (ICE) officers, immigration judges, and federal prosecutors;
- Authorize partnerships between the Department of Homeland Security (DHS) and state and local law enforcement to help identify and remove criminal illegal immigrants; and
- Impose tough penalties on federal funds for jurisdictions considered to be non-compliant with federal immigration enforcement requests.

The SECURE Act includes provisions identical to those in Kate's Law (H.R. 3004), which would sharply increase mandatory minimums for undocumented immigrants who repeatedly re-enter the United States following deportation.
The bill also contains the *Bar Removal of Individuals who Dream and Grow our Economy* (BRIDGE) Act (S. 128), originally introduced by Senators Dick Durbin (D-IL) and Lindsey Graham (R-SC). The provision directs DHS to grant provisional protected status and employment authorization to undocumented immigrants meeting certain eligibility criteria. Eligible individuals are undocumented immigrants who: (1) arrived in the United States before the age of 16; (2) have continuously resided in the United States since June 15, 2007; (3) have enrolled in school or have obtained a high-school diploma; (4) have not been convicted of a felony or serious misdemeanor; and (5) do not pose a threat to national security or public safety. The *SECURE Act* does not provide an eventual path to citizenship for DREAMers who qualify for provisional protected status.

The legislation would also permanently authorize the E-Verify program and provide incentives for small businesses to participate. Additionally, the bill enhances the number of diplomatic security personnel focused exclusively or primarily on preventing and detecting visa fraud.

In October, the White House sent a letter to House and Senate leadership outlining the administration’s priorities for immigration policy. The President emphasizes the importance of providing funding for a U.S. southern border wall, addressing the backlog of pending asylum cases, discouraging illegal re-entry, and amending current law to ensure Unaccompanied Alien Children (UACs) can be expeditiously removed from the U.S.

The White House proposes the withholding of certain federal funds administered by DOJ and DHS to recipients considered to be sanctuary jurisdictions, and also emphasizes the need to enhance cooperation between the federal government and states and localities relating to the enforcement of immigration law. Additionally, the White House proposes establishing a merit-based immigration system that: (1) limits family-based green cards for spouses and minors; (2) implements a points-based system for awarding green cards; (3) eliminates the “Diversity Visa Lottery”; and (4) limits the number of accepted refugees.

Reportedly, Senate Majority Leader Mitch McConnell promised a vote on a DACA/border security bill in January.

**BORDER WALL/IMMIGRATION**

The President’s FY 2018 budget request proposed a $2.9 billion funding increase for U.S. Customs and Border Protection (CBP), which included $1.6 billion for 32 miles of wall construction along the U.S.-Mexico border. Both House and Senate versions of pending FY 2018 Homeland Security appropriations legislation contain $1.6 billion to begin the construction of a physical barrier along the southern border.

On December 5, CBP released a year-end report on border security efforts, providing an overview of the state of border crossings in FY 2017. CBP reports that FY 2017 marked the lowest level of illegal border crossings on record, a 23.7 percent decrease from FY 2016 levels. Following the release of the report, senior CBP officials emphasized the importance of building a southern border wall despite the FY 2017 decline in border crossings.

In late November, CBP began testing eight border wall prototypes constructed in the San Diego area over the summer. According to CBP, the prototypes will undergo a series of evaluations in the coming months to test each prototype’s anti-breaching, anti-climbing, and anti-digging capabilities.
SANCTUARY CITIES

On November 15, the Department of Justice (DOJ) sent letters to 29 jurisdictions informing them that they may have laws, policies, or practices in place that potentially violate 8 U.S.C. 1373 (Section 1373), a federal statute which restricts local law enforcement agencies from prohibiting the sharing of an individual’s immigration or citizenship information with the federal government.

The letters reminded each recipient that they certified Section 1373 compliance as a condition to receive FY 2016 Edward Byrne Memorial Justice Assistance Grant (Byrne JAG) funding. The letters requested that each recipient submit a response to DOJ addressing whether that jurisdiction would comply with Section 1373 throughout the entirety of an FY 2017 Byrne JAG award, should it be selected for funding (at the time of this memorandum, DOJ has yet to award FY 2017 Byrne JAG funding). The letters note that DOJ has not made a final determination regarding the selected jurisdictions’ compliance with Section 1373.

The following jurisdictions received letters from DOJ:

- Albany, New York;
- Berkeley, California;
- Bernalillo County, New Mexico;
- Burlington, Vermont;
- Contra Costa County, California;
- City and County of Denver, Colorado;
- Fremont, California;
- Jackson, Mississippi;
- King County, Washington;
- Lawrence, Massachusetts;
- Los Angeles, California;
- Louisville Metro, Kentucky;
- Middlesex, New Jersey;
- Monterey County, California;
- Multnomah County, Oregon;
- Newark, New Jersey;
- Riverside County, California;
- Sacramento County, California;
- City and County of San Francisco, California;
- Santa Ana, California;
- Santa Clara County, California;
- Seattle, Washington;
- Sonoma County, California;
- Washington, District of Columbia;
- Watsonville, California;
- West Palm Beach, Florida;
- State of Illinois;
- State of Oregon; and
- State of Vermont.
On November 20, a U.S. District Judge issued a permanent order ruling President Trump's sanctuary city executive order (EO) titled "Enhancing Public Safety in the Interior of the United States" unconstitutional. Judge William Orrick of the U.S. District Court for the Northern District of California permanently nullified the EO, which directed DOJ to withhold certain federal grant funding from jurisdictions considered to be non-compliant with 8 U.S.C. 1373.

In April 2017, Judge Orrick issued a temporary injunction against the EO in favor of litigation filed by the County of Santa Clara and the City and County of San Francisco. In issuing the temporary injunction, Judge Orrick stated that the President's EO would cause municipalities to experience constitutional injury through the violation of the separation of powers doctrine and by depriving jurisdictions of their Fifth and Tenth Amendment rights.

Judge Orrick upheld his initial temporary injunction, arguing that the "Tenth Amendment requires that conditions on federal funds be unambiguous and timely made; that they bear some relation to the funds at issue; and that they not be unduly coercive. Federal funding that bears no meaningful relationship to immigration enforcement cannot be threatened merely because a jurisdiction chooses an immigration enforcement strategy of which the President disapproves."

Following Judge Orrick's original temporary injunction, Attorney General Jeff Sessions vowed to continue to litigate the case. After the November decision to uphold the ruling, DOJ stated that the District Court exceeded its authority "when it barred the President from instructing his cabinet members to enforce existing law. It is expected that the Justice Department will vindicate the President's lawful authority to direct the executive branch." Judge Orrick's permanent injunction can be found here.

Following the recent acquittal of Jose Ines Garcia Zarate, an undocumented immigrant charged with involuntary manslaughter and assault with a deadly weapon relating to the death of San Francisco resident Kate Steinle, President Trump and Attorney General Sessions have repeatedly emphasized their intent to continue fighting sanctuary policies.

MARIJUANA

Department of Justice (DOJ) officials met in November to discuss potential changes to federal marijuana enforcement policy. Following the meeting, Attorney General Jeff Sessions said, "It's my view that the use of marijuana is detrimental and we should not give encouragement in any way to it. And it represents a federal violation which is in the law and is subject to being enforced." These comments by AG Sessions follow his statements just two weeks prior at a House Committee on the Judiciary hearing where he testified that the Trump Administration is continuing, at least for now, the Obama-era policy of generally respecting the right of states to set their own marijuana laws without federal interference, as outlined by the Cole Amendment. During the November hearing, AG Sessions also conceded that cannabis is not as dangerous as heroin, despite both substances currently being classified under Schedule I of the Controlled Substances Act -- a category reserved for drugs with a high potential for abuse and no medical value.

During the November hearing, AG Sessions acknowledged that DOJ is bound by a federal budget rider that bars the federal government from spending money to interfere with state medical cannabis laws and asked that similar language not be included in FY 2018 spending legislation.

The Senate Committee on Appropriations included two marijuana-related amendments in its FY 2018 Commerce-Justice-Science (CJS) Appropriations legislation. The first is Senator Pat Leahy's (D-VT)
amendment, which would prohibit the federal government from intervening in state operations of medical marijuana, and the second is Senator Jeff Merkley's (D-OR) amendment, which would prohibit the federal government from interfering with any activity under a state law that authorizes the use, distribution, possession, or cultivation of industrial hemp. The House CJS Appropriations bill does not include any language offering states medical marijuana protections. The decision of whether to include this language in a final FY 2018 spending package will likely cause a contentious debate between the two chambers as they conference the bills next year.

HEALTHCARE

AFFORDABLE CARE ACT (OBAMACARE) REPEAL AND REPLACE

Over the course of the year, Republicans were unsuccessful in their efforts to repeal and replace the Patient Protection and Affordable Care Act (ACA/H.R. 3590), also known as Obamacare. Following House passage of the American Health Care Act (AHCA/H.R. 1628) in May, the Senate considered – and failed to pass – a variety of repeal measures. Most notably, the Better Care Reconciliation Act of 2017 (BCRA/Amendment to H.R. 1628) met its fate in late July following somewhat unexpected dissension from Republican Senators Susan Collins (R-ME), Lisa Murkowski (R-AK), and John McCain (R-AZ).

After the collapse of BCRA, Senate Republicans attempted to use the healthcare reconciliation instructions included in the FY 2017 budget resolution, which were set to expire on September 30, as a vehicle to pass a last-ditch repeal proposal. The measure, simply referred to as the “Graham-Cassidy” bill, would have morphed Obamacare funding into block grants for the states, permit deep cuts to Medicaid, and encourage states to substantially loosen ACA-based insurance regulations and patient protections. A number of Senate Republicans ultimately expressed concern with the rushed process surrounding the legislation’s development, prompting leadership to decline to bring the bill to the floor for a vote.

In October, questions surrounding continuation of federal Cost-Sharing Reduction (CSR) payments to insurers shifted to the forefront of healthcare reform debate in Washington. Citing the lack of past congressional appropriations for CSR payments, which insurers relied on to lessen out-of-pocket costs for their poorest Obamacare customers, the Trump Administration declared that it would immediately cease the federal expenditures. Insurers have hiked rates for 2018 to compensate for the funding shortfall, and several Senators turned to crafting market stabilization packages that would reverse cessation of the Obamacare subsidies.

Current stabilization bills include a draft by Senators Lamar Alexander (R-TN) and Patty Murray (D-WA), known as the Bipartisan Health Care Stabilization Act of 2017, which generally would:

- Appropriate CSR payments for 2017, 2018, and 2019;
- Allow states to utilize existing Obamacare waivers to approve insurance plans with “comparable affordability” to ACA plans and streamline Section 1332 waiver application processes;
- Require states to still meet the ACA’s minimum requirements for what a health insurance plan must cover;
- Allow plans to be sold across state lines in the individual or small group market;
- Permit consumers over age 30 to purchase lower-premium, catastrophic health insurance plans; and
- Provide $106 million in funding to support Obamacare enrollment.
Additionally, Senators Susan Collins (R-ME) and Bill Nelson (D-FL) introduced the Lower Premiums Through Reinsurance Act of 2017 (S. 1835), which would provide a total of $4.5 billion ($2.25 billion in 2018 and $2.25 billion in 2019) to states that establish reinsurance programs to compensate insurers for the cost of extraordinarily costly claims.

Senator Collins voted for the Senate tax bill in early December, but noted that her vote on a final conference bill was dependent on passage of the two stabilization measures. Additionally, Senator Collins announced that she had secured support from Senate Majority Leader Mitch McConnell (R-KY) and President Trump to provide $5 billion annually to states over two years, up from the $2.25 billion per year as articulated in the current version of S. 1835.

Neither package was included in the Continuing Resolution (CR) set to expire on December 22, but Senators Collins and Alexander have expressed optimism that both pieces of legislation will be considered in January. In the House, Freedom Caucus Chairman Mark Meadows (R-NC) suggested that the two policies would likely reach the floor in January as part of an FY 2018 omnibus spending measure. Additionally, Representative Meadows noted that most members in the House Freedom Caucus would vote against both stabilization measures.

A lack of Freedom Caucus support would likely not prove perilous to either market stabilization proposal, as some Democratic support is anticipated. Moreover, some House Republicans have stated that they would oppose the Alexander-Murray legislation unless the abortion restriction, known as the Hyde Amendment, is included in bill language.

On December 18, Majority Leader McConnell expressed his support for the bills on the Senate floor, stating, “Faced with the continued failure of Obamacare to keep health insurance affordable for working Americans, we must take this opportunity to pass bipartisan solutions that will help stabilize collapsing health insurance markets and lower premiums for individuals and families across the country.”

The tax reform package, the Tax Cuts and Jobs Act (H.R. 1), permanently reduces Obamacare’s individual mandate penalty to $0 in 2019, effectively repealing it. The nonpartisan Congressional Budget Office (CBO) estimated that eliminating the requirement would raise the number of uninsured Americans by four million in 2019, and by 13 million a decade from now. The CBO also predicted that while the federal government may save around $338 billion over the course of a decade due to the repeal, individual premiums would rise by nearly 10 percent.

Meanwhile, the Trump Administration continues to reduce the ACA’s scope through administrative and regulatory actions. In August, the administration slashed Obamacare’s advertising, outreach, and education budgets by $90 million, or 90 percent. Additionally, President Trump signed an executive order (EO) in October that directs:

- The Secretary of Labor to consider expanding access to Association Health Plans (AHPs), which could potentially allow American employers to form insurance-purchasing groups across state lines by broadening the interpretation of the Employee Retirement Income Security Act (ERISA).
- The Departments of the Treasury, Labor, and Health and Human Services (HHS) to consider expanding coverage through low-cost, short-term limited duration insurance (STLDI), which is largely exempt from ACA mandates and rules.
• The Departments of the Treasury, Labor, and HHS to consider changes to and expand the use of employer-funded Health Reimbursement Arrangements (HRAs) accounts, which reimburse employees for healthcare expenses, including deductibles and copayments. The tenants of the EO, especially in regard to providing more flexibility, align with past GOP healthcare reform efforts.

It should be noted that on December 14, House Speaker Paul Ryan (R-WI) suggested that Republicans will revisit problems with the ACA in 2018, but did not provide details on what this process would entail. Furthermore, Speaker Ryan committed to passing entitlement reform through next year’s reconciliation process, specifically highlighting welfare while not mentioning Medicare, Medicaid, or Social Security.

**CHILDREN’S HEALTH INSURANCE PROGRAM (CHIP)**

Federal funding for the Children’s Health Insurance Program (CHIP), which insures nearly nine million lower and middle-income children nationwide, lapsed on September 30. Reauthorization for the largely bipartisan program was overlooked due to lawmakers’ focus on the Graham-Cassidy proposal and other legislative priorities. Although current authorization for spending has expired, some states have been able to utilize unspent federal funding to continue their programs. However, many are expected to run out of money in early 2018. Some states (including Colorado, Utah, Connecticut, and Virginia) have notified enrollees that their coverage may be terminated at the end of January or February. Alabama stated that it will freeze enrollment on January 1 – followed by a complete shutdown of their program in February if federal lawmakers fail to act.

Passed on November 3, the Championing Healthy Kids Act (H.R. 3922) provided for a five-year extension of federal funding for CHIP. While Republicans and Democrats agree on financially backing CHIP, negotiations over offsets continue. The year-end FY 2018 Continuing Resolution provided $2.85 billion for CHIP, funding the program from October 1, 2017 through March 31, 2018.

**OPIOID CRISIS**

Since President Trump’s declaration of the opioid crisis as a Public Health Emergency (PHE) under the Public Health Service Act (H.R. 4624) in October, bipartisan interest to provide necessary federal funding to combat the epidemic has emerged in the House and Senate.

On December 12, 44 Senate Democrats voiced opposition to the House Continuing Resolution’s (CR) failure to provide full sequestration relief for various domestic programs, including those related to opioid addiction treatment. The Senate Labor, Health and Human Services, and Related Agencies (LHHS) Appropriations bill developed earlier in the year would have committed $816 million for combating the epidemic, including $500 million as authorized by the 21st Century Cures Act (H.R. 34). The related House LHHS Appropriations bill would have offered a slightly less $747 million for crisis response.

Alongside President Trump’s October PHE declaration, the President’s Commission on Combating Drug Addiction and the Opioid Crisis recommended that the administration adopt 56 policy initiatives to effectively curb the epidemic. However, the lack of funding for either action lessened their potential impacts. In another move, Senior White House Advisor Kellyanne Conway was recently asked to lead the White House opioid cabinet, which is a group of federal officials that meets weekly to oversee the implementation of White House opioid commission recommendations.
Despite the lack of a specific plan, lawmakers from both parties in the House and Senate, particularly those representing the hardest-hit states, have expressed interest in increasing funding to fight the opioid crisis. Specifically, Senator Angus King (I-ME) suggested that he and Senators Joe Manchin (D-WV), Shelley Moore Capito (R-WV), Rob Portman (R-OH), Lisa Murkowski (R-AK), Susan Collins (R-ME), Jeanne Shaheen (D-NH), and Maggie Hassan (D-NH) requested increased opioid spending in FY 2018. Additionally, during a December 13 Senate Health, Education, Labor, and Pensions (HELP) Committee hearing on implementation of the 21st Century Cures Act (H.R. 34), which authorized $1 billion for states to combat the crisis, Chairman Lamar Alexander (R-TN) said that Congress will eventually appropriate more money but did not specify a timeframe.

ZIKA

As debate over the opioid crisis intensified in Washington, lawmakers signaled less urgency in their efforts to address the Zika virus. Zika infection rates have fallen substantially in the United States since reporting of incidents became mandatory, however, the Centers for Disease Control and Prevention (CDC) suggested that the virus still poses a significant threat to the nation.

In response to heightened concern regarding Zika’s devastating impact on pregnant women and infants, CDC mobilized its Emergency Operations Center (EOC) in January 2016. In September, CDC announced that it had formally deactivated its emergency response for Zika and transitioned virus combatting efforts to normal program procedures. Additionally, the agency committed to deploying the Zika Coordination and Operations Transition Team (ZCOTT), which consists of experts from across the agency that will lead the transition from EOC deactivation to routine, long-term prevention activities.

Despite termination of these emergency protocols, the CDC restructured its guidance on the surveillance and management of Zika in December. Utilizing new data collected over the past year, the agency rescinded some prior recommendations and updated pediatric provider guidelines related to the diagnosis, evaluation, and management of possibly infected infants.

TAX

The first sweeping overhaul of the nation’s tax code since 1986 was signed by President Trump on December 22. The legislation, The Tax Cuts and Jobs Act (H.R. 1), moved at rare lightning speed since its introduction in early November. Republicans argue that cuts contained in the bill will spark business investment, hiring, and wage growth. Democrats have called the plan a giveaway to corporations and the rich, and are concerned about the over $1.5 trillion that it is projected to add to the deficit over the next decade.

The state and local government community fought hard to preserve a number of tax provisions over the course of the past several months, many of which had been eliminated or severely curtailed in the original House version of the bill. These included: the deductibility of state and local taxes; advanced refunding of bonds; the Historic Preservation Tax Credit; New Market Tax Credits; Private Activity Bonds (PABs); and the Low Income Housing Tax Credit (LIHTC).
Overall, major provisions in the final bill include:

- Maintaining seven individual income tax brackets, and lowering the top rate from 39.6 percent to 37 percent. The personal exemption is scrapped, but the standard deduction is increased to $12,000 for an individual and $24,000 for a couple;
- Dropping the corporate tax rate from 35 percent to 21 percent;
- Setting a 20 percent business income deduction for the first $315,000 in income earned by pass-through businesses;
- Eliminating the Affordable Care Act provision that requires most Americans to buy health insurance or pay a penalty, beginning in 2019;
- Keeping the mortgage interest deduction for existing homeowners, but for new homes, taxpayers can deduct only interest up to $750,000, down from the current $1 million; and
- Maintaining tax breaks for charitable deductions.

Among the provisions that most affect local governments, the following were included in the final conference report:

- **Deductibility of State and Local Taxes (SALT):** The deduction is capped at $10,000, applied to property and income or sales taxes. The provision is effective beginning December 31, 2017 and expires December 31, 2025. An individual may not claim an itemized deduction in 2017 on a prepayment of tax for a future taxable year in order to avoid the dollar limitation applicable for taxable years beginning after 2017. Businesses can continue to take the full deduction.
- **New Market Tax Credit:** Preserved.
- **Historic Tax Credit:** The 10 percent tax credit is repealed, but it maintains the 20 percent credit in five annual installments rather in full on the date of placement of service. The transition rule is the same as the Senate version of the bill.
- **Advanced Refunding Bonds:** These were eliminated (after December 31, 2017) in both the House and Senate versions of the bill, and thus in the final conference version. No transition rule.
- **Sports Stadium Bonds:** Preserved.
- **Tax Credit Bonds:** Eliminated after December 31, 2017.
- **Private Activity Bonds (PABs):** Preserved.
- **Low Income Housing Tax Credit:** The nine percent credit is preserved, and, because the bill maintains PABs, which are used to finance the construction and rehabilitation of multifamily housing for low-income renters under the four percent Housing Credit, maintains the four percent credit. The bill does not include reforms to improve the Housing Credit and does not adjust the credit to address the (likely) reduced ability to generate equity investments due to the lowering of the corporate rate. Additionally, the general public use exception for artist housing is preserved; the statutory exception from general public use for veterans housing is not included.
- **Commuter Tax Benefit:** The bill preserves current law, which treats both transit commuter benefits and parking benefits of up to $255 a month as a non-taxable fringe benefit for employees, but eliminates the ability of employers to deduct the cost of providing the benefit as a business expense.
- **Pension Plans:** Strikes language that would have subjected certain investments by state and local government pension plans to the unrelated business income tax (UBIT).
- **Electric Vehicle Tax Credit:** Preserved.
- **Bike Commuter Benefit:** Eliminated.
Due to the speed in which the legislation was drafted, a technical corrections bill is likely to move through Congress in the first six months of 2018. Additionally, in the last days of the session, Senate Finance Committee Chairman Orrin Hatch (R-UT) released a “tax extender” bill, The Tax Extender Act of 2017 (S. 2256), that would continue a long list of tax breaks, many of which expired at the end of 2016, but which were not addressed in the larger tax package. Items in the Hatch bill include the non-taxability of forgiven mortgage debt, faster depreciation for motorsports tracks, and a variety of renewable energy provisions. Republicans do not agree on what to do about these provisions and House members have been willing to let them expire. Congress last addressed “extenders” at the end of 2015. It is likely that the beginning of 2018 will be spent continuing to handle a number of tax issues.

TRANSPORTATION/INFRASTRUCTURE

INFRASTRUCTURE PROPOSAL

Earlier this year, the administration released a six-page fact sheet on its $1 trillion infrastructure package, which is expected to include $200 billion in direct federal funding intended to leverage $1 trillion in total infrastructure investment. The administration has repeatedly said that an infrastructure package will be addressed after tax reform efforts have been completed, and additional details about its proposed infrastructure package are expected in January.

The proposal will likely focus on incentivizing greater state and local investment in infrastructure and leveraging federal funding through the use of public-private partnerships (P3s) and finance tools, such as the Transportation Infrastructure Finance and Innovation Act (TIFIA) program. However, the administration has recognized that P3s are not a solution for all projects, particularly those located in rural areas. Additionally, we expect the infrastructure package will include environmental streamlining provisions that build off of the President’s August executive order (EO) titled “Establishing Discipline and Accountability in the Environmental Review and Permitting Process for Infrastructure Projects” (EO 13807) and recent actions by the Council on Environmental Quality (CEQ) to implement the EO.

Broadly speaking, the infrastructure proposal is expected to divide the $200 billion in direct federal funding into four categories: (1) funding to reward or incentivize increased local investment in infrastructure; (2) grants for rural infrastructure projects; (3) increased investment in established Department of Transportation (DOT) loan programs such as the TIFIA and Railroad Rehabilitation and Improvement Financing (RRIF) programs; and (4) federal funding to support large transformational infrastructure projects.

Congress is expected to use the administration’s infrastructure principles when drafting infrastructure legislation. Recently, House Transportation and Infrastructure Committee Chairman Bill Shuster (R-PA) called on the administration to release its infrastructure principles so Congress could begin drafting legislation. Additionally, Chairman Shuster met with the President to discuss the administration’s priorities for an infrastructure package. Reportedly, the Senate Environment and Public Works Committee is also working on its own infrastructure legislation.

It is still unclear how the administration or Congress intends to pay for a large infrastructure package. President Trump’s chief economic advisor, Gary Cohn, recently told a group of House lawmakers that they would have an opportunity to vote on an increase to the federal fuel tax to pay for infrastructure, and it has been widely reported that the administration is considering proposing a seven cent/gallon increase as a way to pay for infrastructure. However, Chairman Shuster has said that there are currently not
enough votes in the House to support a fuel tax increase. Recently, the administration suggested that an infrastructure package could be paid for through spending cuts to other areas of the federal budget. It is unclear what programs the administration could be considering for these potential spending cuts.

**FY 2018 Transportation Appropriations**

The President’s FY 2018 budget proposed the same obligation levels for highway and transit formula programs financed from the Highway Trust Fund (HTF) as in the Fixing America’s Surface Transportation (FAST) Act. Most of the highway and transit programs in the FAST Act, which authorized $305 billion over fiscal years 2016 to 2020, are contract authority funded from the HTF and therefore not subject to appropriations. However, the administration proposed significantly reducing the Capital Investment Grant (New Starts/Small Starts) program and eliminating the Transportation Investment Generating Economic Recovery (TIGER) grant program.

The House and Senate Appropriations Committees Transportation, Housing and Urban Development (THUD) Subcommittees, passed their respective FY 2018 THUD appropriations bills in July. The House included its THUD bill in a package of eight appropriations bills it passed in September, while the full Senate has not considered its THUD appropriations bill.

The House THUD bill would provide $1.75 billion for the New Starts program, $521 million more than the President’s request but $650 million less than the FY 2017 funding level. The Senate THUD bill would provide $2.133 billion for New Starts. Both the House and Senate bills include sufficient funding for all current transit projects with full funding grant agreements (FFGAs) and include additional funding for new projects.

The House bill, like the President’s budget, would eliminate funding for the TIGER grant program. However, the Senate bill would provide $550 million for the program, an increase of $50 million over the FY 2017 level.

**Federal Aviation Administration (FAA) Reauthorization**

The current extension of Federal Aviation Administration (FAA) programs expires on March 18, 2018, after Congress passed a short-term extension on September 28 to provide additional time to consider long-term FAA reauthorization legislation. Both the House Committee on Transportation and Infrastructure and the Senate Committee on Commerce, Science, and Transportation marked up their FAA reauthorization bills, the 21st Century Aviation Innovation, Reform, and Reauthorization Act (H.R. 2997) and the Federal Aviation Administration Reauthorization Act of 2017 (S. 1405), respectively.

There have not been significant developments on FAA reauthorization since our last report. It is still unclear if House Transportation and Infrastructure Committee Chairman Bill Shuster has enough support to pass the air traffic control (ATC) reform proposal included in the 21st Century AIRR Act.

The Senate FAA Reauthorization Act is less controversial, but includes a provision to relax co-pilot training hour requirements that Senate Commerce Committee Ranking Member Bill Nelson (D-FL) has said Democrats will not support. Recently, Senate Commerce Committee Chairman John Thune (R-SD) indicated he is open to removing the provision so the bill can be considered on the floor early in 2018.

FAA reauthorization is considered a must-pass bill, and Congress is likely to address FAA reauthorization through either a short-term extension or a long-term reauthorization early in 2018.
AUTOMATED VEHICLES (AVs)

As we reported in our October update, the House passed automated vehicle (AV) legislation, the *Safety Ensuring Lives Future Deployment and Research in Vehicle Evolution* (SELF DRIVE) Act (H.R. 3388), in September by voice vote.

The Senate Committee on Commerce, Science, and Transportation advanced its own legislation, the *American Vision for Safer Transportation through Advance of Revolutionary Technologies* (AV START) Act (S. 1885), which has not been brought to the floor for a vote by the full Senate.

In early December, Senate Commerce Committee Chairman John Thune (R-SD) began to “hotline” the AV START Act, a process by which Senators are notified that a bill is likely to be brought up for consideration on the Senate floor under unanimous consent and provide them a final opportunity to object to the legislation or provide further input. If Senators do not voice significant opposition to a bill during the hotline process, it will likely be brought to the floor swiftly and unanimously approved by the Senate.

Senate Committee on Commerce, Science, and Transportation leadership is currently working to address concerns expressed during the hotline process. Most notably, Senator Dianne Feinstein (D-CA) reportedly stated that she is “strongly opposed” to the AV START Act, citing safety concerns, which may make the legislation difficult to pass by unanimous consent. Chairman Thune originally intended for the full Senate to consider the legislation in December 2017.

Additionally, on November 6, the National Highway Traffic Safety Administration (NHTSA) held a public listening session on the recently released revision of the agency’s federal AV policy, titled “Automated Driving Systems 2.0: A Vision for Safety” (ADS 2.0). As we reported in our last update, ADS 2.0 is the result of NHTSA’s consideration of public input following the release of the original AV policy in September 2016, which was intended to serve as a flexible, voluntary regulatory framework outlining best practices for manufacturers and other AV stakeholders as they design, test, and deploy AVs. ADS 2.0 replaces the original iteration of NHTSA’s guidance.

During a November listening session, NHTSA received oral public comment from a variety of stakeholders including AV manufacturers, motorcyclists, disability and consumer advocates, and the insurance industry. Department of Transportation (DOT) Secretary Elaine Chao stated that DOT will be considering and incorporating public comment before issuing a third iteration of the agency’s AV guidance in 2018.

UNMANNED AIRCRAFT SYSTEMS (UAS)

The *National Defense Authorization Act for Fiscal Year 2018* (NDAA/H.R. 2810), which was signed into law on December 12, 2017, authorized the Federal Aviation Administration (FAA) to restore regulations requiring small unmanned aircraft system (UAS) pilots to register their aircraft. In 2015, the Obama Administration issued a rule requiring recreational UAS operators to register UAS with FAA and display a unique registration number issued by FAA on the side of small UAS. In May of 2015, the U.S. Court of Appeals for the District of Columbia struck down the rule, arguing that the FAA did not have adequate statutory authority to issue a rule requiring the registration of UAS for recreational operators.

The FY 2018 NDAA established FAA authority over small UAS registration for recreational users, and the FAA has restored its requirement that UAS weighing between 0.55 and 55 pounds register with the agency. FAA’s UAS registry can be found [here](#).
As previously reported, on October 25, President Trump directed the Department of Transportation to implement an Unmanned Aircraft Systems Integration Pilot, designed to test UAS in partnership with certain state and local governments and accelerate the integration of UAS into the U.S. national airspace system (NAS). Potential applicants were required to submit letters of intent to the FAA by November 28, and final applications must be submitted by January 4, 2018.

Reportedly, FAA received letters of intent from hundreds of interested state and local governments, along with over 1,500 non-governmental entities. FAA will finalize agreements with at least five selected applicants by May 7, 2018.

ENERGY AND ENVIRONMENT

CLEAN POWER PLAN

Environmental Protection Agency (EPA) Administrator Scott Pruitt recently announced that EPA will write a replacement for the Obama Administration’s Clean Power Plan (CPP) (under Section 111 of the Clean Air Act), which was published in the Federal Register on December 28. EPA will take comments until February 26 here.

The goal of the previous administration’s CPP was to reduce nationwide carbon emissions by 32 percent, as compared to 2005 levels, by 2030. Administrator Pruitt’s rewrite is expected to be a limited regulation that would target only power plants themselves, as opposed to regulating state emissions. It is also expected that Administrator Pruitt will recommend a rule would allow states to set their own emissions standards for coal plants.

Recently, EPA announced it will hold additional hearings on the proposal to withdraw CPP. The three additional hearings will be located in San Francisco, CA, Gillette, WY, and Kansas City, MO. These hearings were added after EPA received pressure for originally holding hearings “only in coal country.” While no dates have been set yet for these additional hearings, EPA is accepting public comments on the proposal to withdraw CPP until January 16, 2018, and those can be submitted here.

OZONE

In December, several lawsuits were filed by members of Congress, as well as environmental and public health organizations, over Environmental Protection Agency (EPA) Administrator Scott Pruitt’s failure to provide decisions concerning 2015 ground-level ozone non-attainment designations for counties. While Administrator Pruitt has issued decisions for most of the U.S., approximately 15 percent of U.S. counties remain without a decision. Areas that are deemed “nonattainment” are required to compose a plan to address ozone-related emissions. Without a determination from the agency, there is no requirement for those areas to act. States that filed suit include California, Connecticut, Illinois, Iowa, Maine, Maryland, Massachusetts, Minnesota, New York, Oregon, Pennsylvania, Rhode Island, Vermont, Washington, and the District of Columbia.

We expect the courts to set deadlines for which EPA must provide designations. Click here for the list of counties that EPA has already pronounced having achieved “attainment/unclassifiable” status.
ENERGY MEASURES IN THE TAX REFORM BILL

The recently passed tax reform legislation, the Tax Cuts and Jobs Act (H.R. 1), also contains important energy and environment-related measures, including:

- Arctic National Wildlife Refuge (ANWR): The title will:
  - Open federal acres within the 1002 Area of ANWR for oil and gas development;
  - Allow 2,000 acres of federal land on the Coastal Plain “to be covered by production and support facilities” (including airstrips and piers);
  - Require at least two lease sales within four and seven years respectively;
  - Require leases sales to be at least 400,000 acres each;
  - Require the royalty rate for leases issued to be 16.67 percent; and
  - Direct 50 percent of the proceeds (from adjusted bonus, rental, and royalty receipts derived from the oil and gas program on federal land) to the State of Alaska, and deposit the balance to the U.S. Treasury.

- Offshore Revenue Sharing: This will temporarily increase the annual limitation on offshore revenue sharing under section 105(f)(1) of the Gulf of Mexico Energy Security Act of 2006 (Public Law 109-432) from $500 million annually for FY 2020 and FY 2021, to $650 million annually for those two fiscal years. The proceeds would be provided to the states of Alabama, Louisiana, Mississippi, and Texas for restoration and rehabilitation activities.

- Energy Tax Credits: This section allows tax credits for electric vehicles and wind production to be preserved. Similarly, the solar Investment Tax Credit (ITC) would also remain intact as in current law (both the commercial and homeowner ITC rate at 30 percent for 2017-2019, 26 percent for 2020, and 22 percent for 2021, with the commercial ITC maintained at 10 percent for 2022 and beyond).

- Base Erosion Anti-Abuse Tax (BEAT): This addresses the piece of the Base Erosion Anti-Abuse Tax that was previously projected to harm renewable energy investments (including solar, wind developers and low-income housing developers). The deal cut will allow bankers and financial institutions that support renewable projects to take 80 percent of the credits of the solar Investment Tax Credit (ITC) and wind production tax credit (PTC).

ENERGY & ENVIRONMENT LEGISLATION

Several relevant energy and environment-related bills have begun moving recently in Congress. The bills detailed below have passed the House since our last update and currently await Senate consideration:

- Promoting Closed-Loop Pumped Storage Hydropower Act (H.R. 2880)
  - H.R. 2880 would promote closed-loop pumped storage development by establishing an expedited licensing process of two years or less. The legislation also would require the Federal Energy Regulatory Commission (FERC) to hold a workshop to explore potential opportunities for development of closed-loop pumped storage projects at abandoned mine sites.

- Promoting Hydropower Development at Existing Nonpowered Dams Act (H.R. 2872)
  - H.R. 2872 would promote hydropower development at existing non-powered dams by an expedited licensing process of two years or less. The bill also would require FERC, U.S. Army Corps of Engineers, and Department of the Interior to develop a list of existing non-powered federal dams that have the greatest potential for non-federal hydropower development.
• **The Hydropower Policy Modernization Act (H.R. 3043)**
  o H.R. 3403 would address current licensing and permitting process delays for hydropower facilities by:
    ▪ Adding administrative efficiency, accountability, and transparency;
    ▪ Requiring timely decision making; and
    ▪ Reducing duplicative oversight from multiple federal agencies that review hydro applications by designating FERC as the lead agency.

• **Promoting Cross-Border Energy Infrastructure Act (H.R. 2883)**
  o H.R. 2883 would replace the Presidential permitting approval needed before constructing an oil and gas pipeline or electric transmission line that crosses a border with Canada or Mexico with a new review process.

• **Brownfields Enhancement, Economic Redevelopment, and Reauthorization Act of 2017 (H.R. 3017)**
  o H.R. 3017 would reauthorize the Environmental Protection Agency’s (EPA) Brownfields Program and make changes to existing law. Specifically, the legislation would:
    ▪ Clarify the liability of states and local units of government that take title to property voluntarily;
    ▪ Clarify when a site contaminated by petroleum may be considered a brownfield site and when a leaseholder qualifies for liability protection;
    ▪ Expand eligibility for nonprofit organizations and for eligible entities that took title to a brownfield site before January 11, 2001;
    ▪ Increase the limit for remediation grants under the Brownfields Program, establish multipurpose grants, and allow recovery of limited administrative costs;
    ▪ Add facilitation of the production of renewable energy to the list of criteria for the grant program;
    ▪ Allow the EPA to provide additional funds for small, rural, and disadvantaged communities; and
    ▪ Authorize $250 million annually over the 2018-2022 period.

**WATER**

**WATER INFRASTRUCTURE FINANCE AND INNOVATION ACT (WIFIA)**

The Environmental Protection Agency (EPA) is preparing for the future solicitation of letters of interest from prospective borrowers for its FY 2018 Water Infrastructure and Innovation Act (WIFIA) financing program by holding a series of webinars and information sessions through January 2018. The next information session will take place at EPA headquarters in Washington, D.C. on January 17.

As Congress has yet to pass a final FY 2018 spending package, it is unclear how much funding the program will be allocated in the upcoming fiscal year. The WIFIA program received support from the Trump Administration in its FY 2018 budget request, which requested the program be funded at $20 million. In their FY 2018 Interior-Environment Appropriations legislation, both the Senate and the House propose WIFIA be funded at $30 million for the upcoming fiscal year.

As previously reported, in July EPA announced it received 43 letters of interest from both public and private entities in response to its FY 2017 WIFIA Notice of Funding Availability (NOFA). After a robust, statutorily-required review process, the WIFIA Selection Committee chose 12 prospective borrowers’ projects to submit applications for loans for FY 2017.
**Waters of the U.S. (WOTUS) Rule**

The Trump Administration recently announced that the Environmental Protection Agency (EPA) and the U.S. Army Corps of Engineers (USACE) are expected to complete the repeal of the Obama Administration’s 2015 “Waters of the United States” (WOTUS) rule in April 2018. Subsequently, the agencies intend to propose a replacement rule in May 2018, which is expected to be finalized in June 2019.

In November, the agencies proposed moving the effective date of the Obama Administration’s 2015 WOTUS rule to 2020 to prevent the rule from taking effect in the event that the current court stay is lifted before they finalize a new rule. This does not change current interpretation of WOTUS under the Clean Water Act. The rule was originally scheduled to take effect in August 2015, but was stayed by the 6th Circuit Court of Appeals. That stay, however, could be dissolved soon by the Supreme Court, which is expected to rule in the coming months on whether WOTUS-related legal challenges must first go through district courts or should jump straight to the appellate level.

This follows EPA and USACE’s proposed rule from July which initiated the first step in a comprehensive, two-step process intended to repeal and revise the definition of WOTUS consistent with President Trump’s February 28 executive order (EO) directing the agencies to revise the rule. As directed in President Trump’s EO, the agencies plan to propose a new definition by taking into consideration the principles that Justice Scalia outlined in the *Rapanos plurality opinion*.

EPA and USACE have actively sought input from states and local governments on this issue. In May, the agencies sent a letter to state governors soliciting comments as to how the agencies should rewrite the rule. National organizations, such as the U.S. Conference of Mayors, also had informal discussions with EPA on WOTUS earlier this year.

This fall, EPA held ten teleconferences to hear from stakeholders on their recommendations to revise the definition of WOTUS. Nine of the teleconferences were tailored to a specific sector: agriculture; conservation; small entities; construction and transportation; environment and public advocacy; mining; industry (energy, chemical, oil/gas); scientific organizations and academia; and stormwater, wastewater management, and drinking water agencies.

**Water Resources Development Act (WRDA)**

The House Transportation and Infrastructure Committee, Subcommittee on Water Resources and Environment, held its first field hearing in Miami, Florida in October for the next Water Resources Development Act (WRDA). During the hearing, Full Committee Chairman Bill Shuster (R-PA) and Subcommittee Chairman Garret Graves (R-LA) both emphasized their intent to continue the two-year cycle of passing WRDA and thus pass it before the end of 2018. The Senate has yet to hold hearings on WRDA so far in the 115th Congress.

It is unclear whether a WRDA bill would move alone or be tied to a larger infrastructure package; however, both Chairmen Shuster and Graves appear committed to passing a new WRDA in 2018 with or without a broader legislative vehicle, such as a comprehensive infrastructure package.
LEAD AND COPPER RULE

In December, the Environmental Protection Agency (EPA) sent a letter to groups representing states and municipalities inviting them to meet in January to discuss potential revisions to the Lead and Copper Rule. The rule requires water utilities to implement a treatment technique that is designed to reduce lead and copper in tap water and sets a goal of zero lead in drinking water. Revisions to the Lead and Copper Rule would impact owners and operators of public water systems that must comply with the rule and primacy agencies that enforce drinking water regulations in their jurisdiction. According to the letter, EPA is evaluating potential regulatory changes to the existing rule in the areas of tap sampling, corrosion control treatment, transparency and public education, and full lead service line replacement.

The Lead and Copper Rule was last revised in 1991. In October 2016, EPA, under the Obama Administration, released a white paper laying out options for revising the rule.

NUTRITION

FARM BILL

The House and Senate Agriculture Committees are working to reauthorize current Farm Bill programs, which expire on September 30, 2018. The Farm Bill authorizes a broad assortment of federal programs, including nutrition, commodity support, conservation, trade, research, and crop insurance, intended to support the agriculture sector. The Farm Bill provides nutrition assistance for low-income households through the Supplemental Nutrition Assistance Program (SNAP), which provides food-purchasing assistance to eligible, low-income individuals, and the Emergency Food Assistance Program (TEFAP), which provides food products and federal support to emergency feeding organizations, such as food banks and food pantries. The Farm Bill also supports the distribution of foods in schools.

SNAP accounts for approximately 80 percent of total Farm Bill costs. As it is the main component of the bill, and, as we have seen in previous discussions, there will likely be attempts during the reauthorization of the Farm Bill to reform the program in order to seek greater efficiencies, reduce costs, promote work among able-bodied adults without dependents, and eliminate potential fraud. Additionally, there have been recent reports that the United States Department of Agriculture is considering ways to drastically reform SNAP, including allowing states “greater flexibility” in administering the program; however, it is unclear what SNAP reform proposals the Trump Administration may pursue.

HOUSING AND COMMUNITY DEVELOPMENT

HUD’s 2017 ANNUAL HOMELESS ASSESSMENT REPORT TO CONGRESS

In December, the U.S. Department of Housing and Urban Development (HUD) released its 2017 Annual Homeless Assessment Report to Congress. Findings indicate that homelessness crept up across the country, especially among individuals with long-term disabilities and those living in high-cost areas. According to HUD, key findings of the report include:

- 553,742 people were homeless this year, representing an overall .7 percent increase from 2016 and a 13.1 percent decrease since 2010;
• Most homeless individuals (360,867) were located in emergency shelters or transitional housing programs, while 192,875 persons were unsheltered;
• The number of families with children experiencing homelessness declined 5.4 percent since 2016 and 27 percent since 2010;
• Veteran homelessness increased 1.5 percent (or by 585 persons) since January 2016, primarily in California cities;
• Since 2010, veteran homelessness declined nationally by 46 percent;
• Chronic or long-term homelessness among individuals increased 12.2 percent over 2016 levels though declined by 18 percent (or by 19,100 persons) since 2010; and
• 40,799 unaccompanied youth and children were homeless in 2017, a number which will serve as a baseline for purposes of future youth homelessness tracking.

**HUD Disaster Assistance**

Over the course of the past several months, Department of Housing and Urban Development (HUD) announced federal assistance for those affected by storms and disasters in the U.S. Virgin Islands, Puerto Rico, Florida, Texas, Georgia, and California. In addition to various grants awarded through the Community Development Block Grant – Disaster Recovery (CDBG-DR) Program, HUD generally offered the following forms of relief:

• Granting a 90-day moratorium on foreclosures and forbearance of foreclosures of Federal Housing Administration (FHA)-insured mortgages;
• Making mortgage insurance available to borrowers from FHA-approved lenders for the purposes of rebuilding or rebuying another home, as well as rehabilitating damaged houses;
• Assisting states and local governments with the re-allocation of existing federal resources toward disaster relief; and
• Offering Section 108 loan guarantee assistance, which provides loans for housing rehabilitation, economic development, and repair of public infrastructure.

**Reversal of HUD-VASH Funding Re-Allocation Proposal**

During a joint event in November, U.S. Department of Veterans Affairs (VA) Secretary David Shulkin and Housing and Urban Development (HUD) Secretary Ben Carson suggested that the VA would re-allocate funding from the HUD-Veterans Affairs Supportive Housing (HUD-VASH) program. The initiative, which combines Housing Choice Voucher rental assistance with VA services for homeless veterans, provides roughly $460 million in federal funding to combat veteran homelessness.

Under the proposal, HUD-VASH funding would have been transferred to the VA’s General Purpose Fund and distributed to local VA hospitals for a variety of services, as long as these receiving entities could demonstrate adequate efforts to address veteran homelessness.

The announcement prompted several Senate appropriators to send a letter to Secretary Shulkin expressing their concern with the potential consequences for localities. Additionally, it was met with swift backlash from a number of stakeholders, including the National League of Cities (NLC) and Secretary Shulkin’s Advisory Committee on Homeless Veterans.

In early December, Secretary Shulkin reversed his decision, stating, “There will be absolutely no change in the funding to support our homeless programs ... The President has increased VA homeless program
funding by $66 million in his FY 2018 budget. Over the next six months, I will solicit input from our local VA leaders and external stakeholders on how best to target our funding to the geographical areas that need it most.”

Additionally, Secretary Shulkin committed to furthering homeless veteran funding initiatives in FY 2019.

**WORKFORCE AND JOB TRAINING**

**DEPARTMENT OF LABOR OVERTIME RULE**

On May 23, 2016, the Department of Labor (DOL) published a final rule updating the overtime exemption rule, which raises the minimum salary threshold required to qualify for the Fair Labor Standards Act's (FLSA) “white collar” exemption to $47,476 per year. The final rule would also raise the overtime eligibility threshold for highly compensated workers from $100,000 to about $134,000. It was originally set to take effect on December 1, 2016, but a preliminary injunction was granted on November 22, 2016 by U.S. District Court Judge Amos Mazzant in the Eastern District of Texas.

On August 31, 2017, Judge Mazzant granted summary judgment against DOL in consolidated cases challenging the final rule. The court held that the final rule’s salary level exceeded the Department’s authority, and concluded that the Final Rule is invalid. On October 30, the Department of Justice (DOJ), on behalf of DOL, filed a notice to appeal this decision to the U.S. Court of Appeals for the Fifth Circuit. Once this appeal is docketed, DOJ will file a motion with the Fifth Circuit to hold the appeal in abeyance while DOL undertakes further rulemaking to determine what the salary level should be. Secretary of Labor Alexander Acosta is in the process of crafting a new regulation that updates the salary level below which workers qualify for overtime pay, and has indicated that the new overtime regulations will set the new salary level somewhere between the existing threshold and the threshold set by the 2016 proposed rule.

Additionally, on July 26, DOL published a Request for Information, titled *Defining and Delimiting the Exemptions for Executive, Administrative, Professional, Outside Sales and Computer Employees*. The comment period ended on September 25.

**TELECOMMUNICATIONS**

**NET NEUTRALITY**

The Federal Communications Commission (FCC) voted to repeal the Obama era net neutrality rules on December 14. The rules, implemented in 2015, restricted the power of Internet service providers to influence loading speeds for specific websites or apps. Despite the vote to repeal the net neutrality rules, the FCC asserted Internet providers must still disclose to their users what exactly they do to web traffic, essentially shifting all enforcement to FCC. The FCC order also seeks to restrict states from imposing their own net neutrality requirements.

Apart from legal challenges, Senate Minority Leader Charles Schumer (D-NY) said he would seek to force a congressional vote on repealing the FCC decision under the *Congressional Review Act*. A reversal of the FCC order would need the approval of both chambers of Congress and President Trump. Senate Majority Leader Mitch McConnell (R-KY) and President Trump support the FCC decision.
5G Broadband Deployment – Small Cell Siting and Local Authority

In our last update, we reported that Federal Communications Commission (FCC) had issued two Notices of Proposed Rulemaking/Notices of Inquiry (NPRM/NOI) titled “Accelerating Wireline/Wireless Broadband Deployment by Removing Barriers to Infrastructure Investment” (17-79/17-83). The NPRM/NOI is intended to streamline regulatory barriers and enhance broadband deployment, but, if finalized, could preempt local authority, offer deemed granted rights to city infrastructure, and limit time periods for municipalities to consider deployment applications. The NPRM/NOI has implications for municipal permitting processes, use agreements, rights of way fees, and local governments’ ability to prevent redlining.

Additionally, we noted the FCC’s Broadband Deployment Advisory Committee (BDAC), which is charged with issuing recommendations to accelerate broadband deployment and reducing regulatory barriers to infrastructure investment, was largely composed of telecommunications providers and lacked adequate municipal representation.

Following a letter from the U.S. Conference of Mayors (USCM), National League of Cities (NLC), and National Association of Counties (NACo) to FCC Chairman Ajit Pai urging him to “fully consider” local perspectives in finalizing the pending broadband proceedings, Chairman Pai delayed the deadline by which the BDAC must issue final recommendations. The BDAC will now vote on its final recommendations in January 2018, and FCC has provided an opportunity for outside stakeholders to comment on initial BDAC working documents, which are posted here. Public comment on the BDAC’s working documents can be submitted to FCC GN Docket No. 17-83.

Additionally, Senate Commerce, Science, and Transportation Committee Chairman John Thune (R-SD) is drafting legislation with Senator Brian Schatz (D-HI) designed to accelerate broadband deployment by reducing regulatory barriers and reforming small cell siting and permitting processes. According to media reports, Chairman Thune began developing the legislation following the release of a Government Accountability Office (GAO) report (GAO-17-742), which identified provider costs for deploying antennas, installing wires or cables, and obtaining permits to access infrastructure as impediments to broadband infrastructure deployment.

As noted above, the Trump Administration has also announced its intent to publish details on a potential infrastructure package in 2018. Reportedly, the proposal is likely to include provisions emphasizing the importance of preempting state and local authority to accelerate the deployment of 5G broadband infrastructure.

Cybersecurity

This year, President Trump faced continuous challenges presented by the Russian election meddling probes, including investigations lead by Special Counsel Robert Mueller and Congress. Congress continued to press ahead with its investigations into Russian meddling in the 2016 elections, as well as pursue new cyber-related legislation and hold hearings on data breaches in the last few months of 2017.

Congressional momentum increased in December on legislation that would help to safeguard the upcoming 2018 elections against foreign intrusions, with a new bipartisan bill introduced in the last week of the first session of the 115th Congress that, if passed, would facilitate information sharing ahead of the
2018 election cycle. The Department of Homeland Security also announced an agreement had been reached with election infrastructure manufacturers ahead of next year’s elections.

In one of the last cyber-related legislative acts before the holiday recess, Congress temporarily extended the expiring warrantless surveillance programs of the Foreign Intelligence Surveillance Act (FISA) on December 21. Outstanding cyber legislation may lose some momentum in 2018, particularly as it competes for space on a legislative agenda in an election year.

**SAFEGUARDING U.S. ELECTIONS**

An agreement reached on December 13 between election infrastructure manufacturers and federal, state, and local officials will establish a framework for sharing cyber threat information ahead of the 2018 elections. “The integrity of our electoral process is a vital national interest, and we are facing an environment in which threats to this process are continuously evolving,” said David Wulf, Acting Deputy Assistant Secretary of Homeland Security for the Office of Infrastructure Protection. He added, “No one entity — whether private or public — can manage the risk to our critical election infrastructure on its own.”

A bipartisan group of Senators introduced a bill to help safeguard elections, titled Secure Elections Act, on December 21. The proposed bill — backed by Republicans Senators Lindsey Graham (SC) and James Lankford (OK) and Democratic Senators Kamala Harris (CA) and Amy Klobuchar (MN) — would help facilitate information-sharing channels between the Department of Homeland Security, the intelligence community, and state election offices. Election officials have said that an inability to effectively share data on hacker threats during the 2016 election left many in the dark about those probing the country’s election networks. Among other things, the measure would also dedicate additional resources for states to bolster their digital defenses, as well as reaffirm individual state leadership in administering federal elections. There is momentum to get the bill passed before the 2018 midterm primaries.

Senators Lankford and Klobuchar also wrote a letter to Secretary of Homeland Security Kirstjen Nielsen saying: “We must improve information sharing between the federal government and states regarding threats and ensure that security clearances for appropriate state election officials are expedited so that they can receive relevant information.” In urging her to support states with resources to counter intrusions, the Senators also encouraged her to back the Obama Administration’s decision to classify election systems as “critical infrastructure,” a Department of Homeland Security designation that provides states priority access to federal resources.

**NATIONAL SECURITY STRATEGY RELEASED**

On Monday, December 19, President Trump released his National Security Strategy (NSS), reiterating “American First” under four national security pillars. The strategy confirms a priority of protecting “critical infrastructure” from “malicious cyber actors,” as well as strengthening American capabilities in the cyberspace domain. To improve the resilience of critical infrastructure, the risk assessment will be conducted across six key areas: (1) national security; (2) energy and power; (3) banking and finance; (4) health and safety; (5) communications; and (6) transportation. The federal government will work to “ensure that those charged with securing critical infrastructure have the necessary authorities, information, and capabilities to prevent attacks before they affect or hold at risk U.S. critical infrastructure.” Improving information-sharing is also a priority of the Trump Administration.
The NSS also warns the administration “will impose swift and costly consequences on foreign governments, criminals, and other actors who undertake significant malicious cyber activities.” Later on Monday, the administration identified North Korea as orchestrating the WannaCry malware attack that impacted the globe in May. The digital assault locked up computer systems at hospitals, universities and businesses, demanding ransom payments to return the data.

**NDAA Signed into Law**

On December 12, President Trump signed into law the National Defense Authorization Act for Fiscal Year 2018 (NDAA/P.L. 115-91). The annual defense policy bill contained a number of cyber provisions, including one that will create a government-wide Technology Modernization Fund to help agencies shore up their aging computer systems and bolster their digital defenses. The NDAA also codifies a government-wide ban on the use of products made by the Russian cybersecurity firm Kaspersky Lab, which the intelligence community believe may have helped Russian spies steal classified material. Section 1633 directs the President to “develop a national policy for the United States relating to cyberspace, cybersecurity, and cyber warfare,” which would then be submitted to Congress.

**Warrantless Surveillance Programs – Reauthorization Debated**

House Intelligence Committee held a rare public markup of its bill the FISA Amendments Reauthorization Act of 2017 (H.R. 4478) on December 1 to reauthorize the overseas-focused spying tools for another four years. The chamber decided against attaching the measure to the Continuing Resolution (CR) that advanced ahead of the expiring federal government authority on December 8 to avoid a government shutdown. The warrantless surveillance programs expire on December 31, 2017.

A bipartisan group of 10 Senators urged Senate Majority Leader McConnell not to attach its renewal measure (S. 2010) to the year-end CR. The Senators instead suggested that a reauthorization of the programs be limited to a few months to allow further congressional debate on the issue in early 2018. Senate Majority Whip John Cornyn (R-TX) said on December 19, “My suspicion is, probably what we’re going to be looking at is a short-term extension.” On December 21, Congress provided a short-term extension of the surveillance programs, attaching the temporary reauthorization to the CR that funds the federal government until January 19. Congress will resume debate of the programs in January.

**Internet of Things – Another Bill Introduced**

Congress also remains focused on addressing a deficit of regulations related to the Internet of Things (IoT). On December 15, Senators Roger Wicker (R-MS) and Maggie Hassan (D-NH) introduced legislation that would address helping consumers to better secure Internet-connected devices. The bipartisan bill – the IoT Consumer Tips Act (S. 2234) — would order the Federal Trade Commission to establish an online repository of information on the security of IoT products, such as thermostats, Wi-Fi routers, and digital cameras.

**Administration Changes**

Kirstjen Nielsen was sworn in as the new Secretary of Homeland Security in early December. In remarks at the ceremony, President Trump did not mention cybersecurity but instead focused on border security. In a Senate Homeland Security Committee questionnaire submitted ahead of her November confirmation
hearing, Ms. Nielsen pledged that cyberattacks and cybercrime would be prioritized at the Department of Homeland Security.

Former telecom lawyer David Redl was sworn in on November 21 as the new Administrator of the National Telecommunications and Information Administration (NTIA), a Commerce Department agency that has a key role in public-private cybersecurity research partnerships. NTIA is also playing a lead role in an Executive Order-mandated report to President Trump that will focus on botnets and other threats to Internet resilience.

There is also wide speculation that Rex Tillerson, Secretary of State, may soon be replaced. The State Department has the primary role in addressing overseas cyber intrusions with their foreign counterparts. Former Representative Michael Pompeo — who currently serves as Director of the Central Intelligence Agency — is the leading contender for replacing Secretary Tillerson. In his January confirmation hearing for his current position, Representative Pompeo acknowledged, “We have an awful lot of work to do [in terms of cybersecurity].” He added, “There is no reason to expect this threat is going to diminish. And that will take a whole of government effort to do that, shared by the executive branch and legislative branch.”

TRADE

This has been an active year for trade policy in the United States. As one of President Trump's first official actions after taking office in January 2017, he withdrew the United States from the Trans-Pacific Partnership (TPP), a regional trading bloc that included 11 other countries and opened five new markets to U.S. goods under a Free Trade Agreement (FTA). By the end of the year, the remaining 11 TPP countries had announced they would proceed with the agreement without the United States.

The Trump Administration continues to advocate in favor of bilateral FTAs, eschewing multilateral agreements more generally. U.S. officials continue discussions to renegotiate the North American Free Trade Agreement (NAFTA) and discussions with South Korea on the Korea-U.S. Free Trade Agreement (KORUS). Throughout the talks, the administration has continued its focus on ways these and other trade relationships can be amended to lower the United States’ trade deficit in goods with major trading partners.

The year also brought increased use of long-overlooked trade enforcement tools aimed at addressing allegedly unfair trade practices. Specifically, the Trump Administration: (1) launched two separate Section 201 investigations, also known as safeguard investigations, into imports of solar panels and large residential washers; (2) initiated two parallel Section 232 investigations into the national security impacts of steel and aluminum imports; and (3) through the Office of the U.S. Trade Representative, began a Section 301 investigation examining whether certain Chinese policies related to technology transfer, intellectual property, and innovation are unreasonable or discriminatory and burden or restrict U.S. commerce. While all of these investigations have been brought in defense of U.S. domestic manufacturers and other stakeholders, experts caution that the final decisions could have wider-spread – and potentially unintended – consequences for the U.S. economy. Decisions on all four matters are expected in 2018.
Congress is expected to act on two trade measures early in 2018:

- **Miscellaneous Tariff Bill (MTB) legislation**, implementing duty suspensions and reductions approved by the International Trade Commission over the last year and finalized in recommendations provided to Congress in early August; and
- **Reauthorization of the Generalized System of Preferences (GSP) trade preference program**, which allows for the duty-free importation of select goods from eligible developing countries.

Both measures enjoy strong bipartisan support among lawmakers, but have been delayed by Congress' continued focus on tax reform and on NAFTA.

**NORTH AMERICAN FREE TRADE AGREEMENT (NAFTA)**

On August 16, the United States, Mexico, and Canada formally launched the first round of North American Free Trade Agreement (NAFTA) renegotiation talks in Washington, DC. Since then, the parties have met for five formal rounds of talks. Despite progress modernizing the agreement in several key areas—including to address the digital economy and to reflect the advent of the internet and e-commerce—negotiations have faltered over several more controversial proposals advanced by the United States. Among them, the United States has reportedly called for: (1) stricter rules of origin applying to autos and auto parts (and for the first time ever requiring a percentage of the auto/auto part content originate in the United States); (2) making participation in NAFTA’s Investor State Dispute Settlement (ISDS) mechanism voluntary, a prospect major international businesses have warned could impact investment in large projects in North America; and (3) a new sunset provision requiring examination of the deal, potentially linked to trade balances, every five years.

The threat of U.S. withdrawal from the deal continues to loom large, especially as U.S. officials express concern that their Canadian and Mexican counterparts have not accepted some of these new proposals. Notably, the NAFTA agreement itself requires parties provide six months' notice to the others before withdrawing from the deal. Thus, President Trump could provide withdrawal notice as a point of leverage in talks, but decline to act further on actually withdrawing the United States from the trilateral FTA. However, many stakeholders—including senior members of Congress—continue to express concerns that the threat of withdrawal would undermine and create uncertainty in trade relations with Canada and Mexico. Withdrawal from a trade agreement is unprecedented in U.S. legal history, and many experts question whether the President could even act unilaterally, without Congress, to withdraw the United States from an FTA.

The sixth round of NAFTA renegotiation talks is scheduled for late January 2018 in Montreal, Canada.

**KOREA-U.S. FREE TRADE AGREEMENT (KORUS)**

On July 12, the Trump Administration requested the first ever special session of the Korea-U.S. Free Trade Agreement's (KORUS) Joint Committee under Article 22.2.4 of the deal. In a letter to his Korean counterpart, U.S. Trade Representative Robert Lighthizer stated the session “and the follow-on negotiations will provide an opportunity to review progress on the implementation of [KORUS], resolve several problems regarding market access in Korea for U.S. exports, and, most importantly, address our significant trade imbalance.”
The decision to call for a Joint Committee meeting followed calls from the President and senior White House officials to reexamine the trade deal. Unlike NAFTA, which entered into force in the mid-1990s, KORUS came into effect in 2012, barely five years ago, suggesting there may be little room for modernizing the KORUS deal, apart from increased enforcement of existing terms.

The U.S. and South Korea have held two special meetings of the Joint Committee since the summer. After the second meeting, the two sides agreed to examine KORUS implementation issues and potential amendments, though they have not yet formally launched any talks to renegotiate the deal. However, according to Korean officials, the U.S. has not clearly narrowed its list of proposed amendments or suggested ways to improve implementation of the KORUS deal, which has limited Korea’s ability to prepare a response.

While South Korea has engaged outside stakeholders in a public process to examine potential changes to the deal and implementation thereof, the Trump Administration has not launched any similar proceedings under the United States’ own engagement procedures set out under Trade Promotion Authority (TPA). In remarks on December 12, U.S. Commerce Secretary Wilbur Ross reiterated the need to address the United States’ trade deficit with South Korea, calling for “permanent solutions, not temporary forbearance,” as part of the Trump Administration’s continued focus on trade deficits. Like NAFTA, President Trump has threatened to withdraw the United States from the KORUS deal.

BASE REALIGNMENT AND CLOSURES (BRAC)

Congressional debate over a new Base and Realignment and Closures (BRAC) round has been building in recent years. Lawmakers from both parties increasingly acknowledge that, in the words of House Appropriations Mil Con-VA Subcommittee Chairman Charlie Dent (R-PA), “at some point, there will need to be a BRAC.”

During the Senate’s debate of the National Defense Authorization Act for Fiscal Year 2018 (H.R. 2810), Senate Armed Services Committee Chairman John McCain (R-AZ) and Ranking Member Jack Reed (D-RI) filed an amendment containing the text of their joint BRAC proposal, titled the Defense Force and Infrastructure Review Act of 2017. Developed over several months, the McCain-Reed proposal would have eliminated the BRAC commission, directing the Pentagon to prepare a list of potential closures and realignment for review by the Government Accountability Office. The President would certify the list, with or without revisions, before submission to Congress, or could opt to end the process. Lawmakers would then vote to approve the full list — thus, rather than acting to disapprove a list, Congress would have to proactively vote to approve the list, or the realignments and closures would not be enacted.

The Pentagon voiced support for the McCain-Reed proposal during the Senate’s debate of H.R. 2810. Lucian Niemeyer, Assistant Secretary of Defense for Energy, Installations, and Environment, stated, “[i]t’s not just a matter of finding efficiencies, it’s a matter of improving the military value and the effectiveness and lethality of our military forces.” A coalition of defense-related think tanks and interest groups also urged support for the proposal in a letter organized by Defense Priorities and signed by groups like Heritage Action for America, FreedomWorks, and the Atlantic Council.

In the end, the Senate failed to advance any but the most noncontroversial amendments to H.R. 2810, preventing debate on the McCain-Reed proposal, and Congress ultimately adopted language confirming that the bill does not authorize a new BRAC round. Chairman McCain and Ranking Member Reed have
yet to file their proposal as a stand-alone measure; however, pressure continues to mount, suggesting a BRAC round may be on the horizon.

**EXPORT-IMPORT BANK**

In December 2015, President Obama signed a long-term reauthorization of the U.S. Export-Import (Ex-Im) Bank through September 30, 2019. However, the Bank requires a quorum of three out of a five-member Senate-confirmed Board of Directors to approve deals of more than $10 million. Currently, the Board of Directors has four vacancies, restricting the Bank’s ability to approve such deals.

So far this year, President Trump has nominated four individuals to serve on the Ex-Im Bank’s board:

- Former Representative Scott Garrett (R-NJ), to serve as President;
- Former Representative Spencer Bachus (R-AL), to serve as a Member of the Board;
- Claudia Slacik, to serve as a Member of the Board; and
- Judith Pryor, to serve as a Member of the Board.

All four nominations require Senate confirmation. However, only two are necessary to satisfy the quorum requirement for the approval of deals over $10 million.

As a member of Congress, Representative Garrett supported efforts to eliminate the Ex-Im Bank. He stated in 2015 that the agency “embodies the corruption of the free enterprise system.” His nomination in particular has therefore been met with significant opposition from Ex-Im Bank supporters on Capitol Hill and in the U.S. business community.

On December 19, 2017, the Senate Banking Committee considered the four Ex-Im Board nominations. Representative Garrett’s nomination failed to advance because two Republicans – Senators Mike Rounds (R-SD) and Tim Scott (R-SC) – joined all Democrats in voting against it (10-13). The remaining three board nominees advanced out of committee.

The future of the Ex-Im Bank remains uncertain. Representative Garrett’s supporters have pledged to fight the remaining nominations on the Senate floor, preventing a board quorum, unless he is confirmed. Banks supporters on and off Capitol Hill argue that billions in financing is being held up by a lack of board quorum and are urging the three remaining nominees be confirmed by the full Senate as soon as possible.
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47 Offices in 20 Countries

squirepattonboggs.com
Item 4
A verbal presentation will be provided by Andrew Antwih with Shaw/Yoder/Antwih Inc. on the attached memo.

After discussion of Assembly Bill 1912 (Rodriguez) Public Employees' Retirement: Joint Powers Agreements: Liability may recommend the following actions:

1) Support Assembly Bill, 1912;

2) Oppose Assembly Bill, 1912;

3) Remain neutral; or

4) Provide other direction to City staff.
Attachment 1
May 3, 2018

To: Cindy Owens, City of Beverly Hills

From: Andrew K. Antwih, Partner, Shaw / Yoder / Antwih, Inc.
Melissa Immel, Legislative Advocate, Shaw / Yoder / Antwih, Inc.
Tim Sullivan, Legislative Aide, Shaw / Yoder / Antwih, Inc.


Introduction and Background
AB 1912 (Rodriguez) would require member agencies of a Joint Powers Authority (JPA) to be jointly and severally liable for the JPA’s retirement obligations if it contracts with the California Public Employees’ Retirement System (CalPERS). This would apply to all new and existing JPA contracts with CalPERS or any other public employee retirement system.

Specifically, this bill:

- Would specify that if an agency of a JPA participates in a public retirement system that, all parties, both current and former, would be jointly and severally liable for all obligations to the system.
- Would prohibit the CalPERS Board of Administration from contracting with any agency under a JPA unless all parties are jointly and severally liable for all obligations to the system.
- Would require CalPERS to bring civil action to the member agencies of a terminated JPA for the purposes of recovering retirement obligations.
- Would extend liability and liens to all parties of a terminating agency of a JPA.

The author cites a situation that arose last year with the East San Gabriel Valley Human Service Consortium as the reason for the bill. The Consortium, a JPA, terminated all of its employees and was unable to pay its retirement obligations to CalPERS and became insolvent. CalPERS attempted to collect payment from the JPA’s member agencies who cited existing JPA, contract, and case law as the basis for their argument that they were not liable for the JPA’s retirement obligations.

Status of Legislation
AB 1912 (Rodriguez) passed out of the Assembly Judiciary committee on April 24th by a vote of 7-2-1. The bill has been referred to the Assembly Appropriations committee.

Support and Opposition

Support
Association of California State Supervisors
California Association of Professional Scientists
California State Retirees
LIUNA Local 792
Orange County Professional Firefighters Association, IAFF Local 3631
Professional Engineers in California Government
Retired Public Employees Association

**Opposition**
California Association of Joint Powers Authority
California Contract Cities Association
California Special Districts Association
California State Association of Counties
City of Glendora
City of La Canada Flintridge
Country of Riverside
League of California Cities
Urban Counties of California
Item 5
CITY OF BEVERLY HILLS
POLICY AND MANAGEMENT
MEMORANDUM

TO: City Council Liaison/Legislative/Lobby Committee
FROM: Cindy Owens, Senior Management Analyst
DATE: April 23, 2018
SUBJECT: Review Three Assembly Bills Regarding Rentals:
A. AB 2219 (Ting) Landlord-Tenant: 3rd-Party Payments
B. AB 2343 (Chiu) Real Property: Possession: Unlawful Detainer
C. AB 2364 (Bloom) Rental Control: Withdraw From Accommodation

ATTACHMENT:
1. Summary Memo – AB 2219
2. Summary Memo – AB 2343
3. Summary Memo – AB 2364

At the City Council Study Session on April 10, 2018, Mark Eliot requested the City look at supporting three assembly bills (Attachments 1-3). The Mayor directed that these three pieces of legislation be brought before the Legislative/Lobby Liaison Committee for review and direction.

The City’s state lobbyist, Shaw/Yoder/Antwih Inc., provided a summary of each bill to the City and will provide a brief verbal presentation to the Liaisons.

After discussion of AB 2219 (Ting), AB 2343 (Chiu), and AB 2364 (Bloom), the Liaisons may recommend the following actions:

1) Support AB 2219 (Ting), AB 2343 (Chiu), AB 2364 (Bloom);
2) Oppose AB 2219 (Ting), AB 2343 (Chiu), AB 2364 (Bloom);
3) Remain neutral; or
4) Provide other direction to City staff.
Attachment 1
May 3, 2018

To: Cindy Owens, City of Beverly Hills

From: Andrew K. Antwih, Partner, Shaw / Yoder / Antwih, Inc.
Melissa Immel, Legislative Advocate, Shaw / Yoder / Antwih, Inc.
Tim Sullivan, Legislative Aide, Shaw / Yoder / Antwih, Inc.

Re: AB 2219 (Ting) Landlord-Tenant: 3rd-Party Payments.

Introduction and Background
AB 2219 was introduced by Assembly Member Phil Ting and would require a landlord to allow a tenant to pay rent through a third party, with specified limitations. The third party must provide the landlord with a written acknowledgement that they are not currently a tenant on the premises and that the acceptance of the rent payment does not establish a landlord-tenant relationship. A landlord may require that this signed acknowledgement be included with each rent payment. Failure to provide such a written acknowledgement will void the landlord’s obligation to accept rent tendered by a third party.

Status of Legislation
AB 2219 (Ting) is scheduled to be heard in the Assembly Judiciary committee on May 8, 2018.

Support and Opposition
The bill has no formally registered support or opposition.
Attachment 2
May 3, 2018

To: Cindy Owens, City of Beverly Hills

From: Andrew K. Antwih, Partner, Shaw / Yoder / Antwih, Inc.
Melissa Immel, Legislative Advocate, Shaw / Yoder / Antwih, Inc.
Tim Sullivan, Legislative Aide, Shaw / Yoder / Antwih, Inc.


Introduction and Background
AB 2343 was introduced by Assembly Member David Chiu and Co-Sponsored by the Western Center on Law and Poverty and the California Rural Legal Assistance Foundation. The bill would make several extensions to the amount of time that tenants have to respond to notices and eviction papers.

Specifically, this bill would:
- Extend the notice for unlawful detainer from three to ten days for a tenant to address breaches of a lease or rental agreement including nonpayment of rent and failure to perform certain duties under the lease.
- Require any unlawful detainer to describe the unperformed duties and the manner in which they may be performed to remedy the situation.
- Extends the unlawful detainer for non-curable breaches of a lease or rental agreement from three to five days.
- Provides a defendant with fourteen rather than five days to file their response to a notice of summons in an unlawful detainer case.
- Waives the existing requirement that a party reimburse a public agency $275/day for a public employee’s time if they have been required to appear as a witness in a civil matter per a subpoena, given the following conditions are met;
  - The party requesting the subpoena qualifies for a waiver of court fees due to their financial status.
  - The action for which the subpoena is issued is an unlawful detainer related to obtaining possession of real property.
  - The individual whose testimony is requested is a code enforcement officer, building inspector, or government official with similar responsibilities.

Status of Legislation
AB 2343 (Chiu) has been referred to the Assembly Appropriations Committee’s Suspense File. The bill was previously heard in the Assembly Judiciary committee where it passed on a 7-3 vote.

Support and Opposition
Proponents of the bill argue that these additional tenant protections will help lead to fewer renters in the state from being displaced. Supporters state that the current notice periods are insufficient for most renters to address the issues raised which results in unnecessary and avoidable evictions.
Opponents of the bill argue that the unlawful detainer process is already a lengthy legal process when looked at in its totality. They also assert that there is no need to extend the timeframe a tenant has to pay their rent and that the extension from three to ten days is far too long.

**Support**

Western Center on Law & Poverty (co-sponsor)
California Rural Legal Assistance Foundation (co-sponsor)
AIDS Healthcare Foundation
California Renters Legal Advocacy and Education Fund
City of Berkeley Rent Stabilization Program
City of Santa Monica
Disability Rights California
Legal Aid Association of California
Legal Aid Foundation of Los Angeles
Legal Aid Society of San Diego
Tenants Together
YIMBY Action

**Opposition**

Apartment Association, California Southern Cities
Apartment Association of Greater Los Angeles
Apartment Association of Orange County
California Apartment Association
California Association of Realtors
California Building Industry Association
California Chamber of Commerce
Civil Justice Association of California
East Bay Rental Housing Association
North Valley Property Owners Association
San Diego County Apartment Association
Santa Barbara Rental Property Association
Attachment 3
May 3, 2018

To: Cindy Owens, City of Beverly Hills

From: Andrew K. Antwih, Partner, Shaw / Yoder / Antwih, Inc.  
Melissa Immel, Legislative Advocate, Shaw / Yoder / Antwih, Inc.  
Tim Sullivan, Legislative Aide, Shaw / Yoder / Antwih, Inc.

Re: AB 2364 (Bloom) Rental Control: Withdraw From Accommodation.

Introduction and Background
AB 2364 was introduced by Assembly Member Richard Bloom and would make several changes to the Ellis Act. Under the Act a public entity is prohibited by statute, ordinance, or regulation from compelling a residential real property owner to continue to offer rental units for housing. The Act also only applies when an owner seeks to remove all units of a property from the rental market and provides the public entity the authority to regulate the subsequent use of the property and mitigate any negative impacts on those displaced by the withdrawal of the property from the market. Furthermore, the Act authorizes a public entity with a system of rent controls in place to require several things from the owner of a rental property subject to rent control that has exercised their Ellis Act Rights AB 2364 would make several changes to those requirements.

Specifically, this bill would:
- Increase from five to ten years the amount of time after the filing of the notice of intent to withdraw or after the property’s withdrawal that a property, if it is returned to the market, must offer the rental unit at the lawful rent at the time the notice to withdraw was filed, plus annual adjustments available under the system of rent control.
- Provide that if a property is returned to the market within five years of being withdrawn, currently two years, that the following shall apply:
  - The owner is liable to any tenant for actual and exemplary damages
  - The public entity may sue the owner for damages for the displacement of the tenants and lessees
  - The property owner must offer former evicted tenants the right of first refusal and to reinstitute the lease or agreement at the same terms at the same rent at the time of the tenant’s displacement.

Status of Legislation
AB 2364 (Bloom) is scheduled to be heard in the Assembly Judiciary Committee May 8, 2018. The bill was previously heard in the Assembly Housing and Community Development committee where it passed by a 5-2 vote.

Support and Opposition
Proponents of the bill argue that the under the Act owners are easily able to return withdrawn rental properties to the market. This, they argue, creates an incentive for rental property owners to leave the
rental market temporarily to evade eviction protections and terminate long term below-market tenancies.

Opponents argue that current Ellis Act protections are sufficient and that the bill will make it more difficult to return rental units to the market.

**Support**
California Rural Legal Assistance Foundation
City of West Hollywood
Western Center on Law and Poverty

**Opposition**
Apartment Association of Greater Los Angeles
Apartment Association of Orange County
Apartment Association, California Southern Cities
California Apartment Association (unless amended)
California Association of Realtors
California Building Industry Association (unless amended)
California Business Properties Association (unless amended)
California Chamber of Commerce (unless amended)
Civil Justice Association of California (unless amended)
East Bay Rental Housing Association
North Valley Property Owners Association
San Diego County Apartment Association
Santa Barbara Rental Property Association
Item 6
INTRODUCTION

Each year, the City establishes a Legislative Platform ("Platform") which embodies key legislative themes and priorities for the upcoming year. The Platform provides direction for our legislative advocates and City staff as they work to secure clear and strategic initiatives locally as well as in Sacramento and Washington, D.C.

At the April 10, 2018 City Council Study Session, Councilmember Wunderlich requested that the City revise the state constitutional amendment language in the Platform. The 2018 Legislative Platform was referred back to the Liaisons to clarify the language.

This report provides draft language for the revision of the state constitutional amendment language in the Platform and requests the Liaisons to review and to provide direction on the requested modification.

DISCUSSION

The 2018 Legislative Platform was presented on April 10, 2018 at a Study Session to the City Council. The Platform contained the following statement:

Support a state constitutional amendment to protect local discretionary authority and to prevent the state legislature from adopting legislation that usurps local control.

Councilmember Wunderlich expressed concerns that the language was too expansive. He indicated that in the Platform the City supports regional initiatives and there are some topics, such as water management and autonomous vehicles, that require a more regional approach. Councilmember Wunderlich did agree that a constitutional amendment for local control over zoning ordinances is appropriate; however, the statement in the Platform was too broad.

In response to this direction, staff drafted the following statement for the Liaisons to consider for inclusion in the Platform:

Support a state constitutional amendment to protect local discretionary authority whereby legislative oversight remains at the lowest level of the appropriate governing body. For example, zoning authority would remain with a city whereas air quality, water management, etc. would remain at the regional or state level.
RECOMMENDATION

Staff recommends that the Legislative/Lobby Liaison Committee review the proposed language and provide direction to staff.
Attachment 1
CITY OF BEVERLY HILLS
LEGISLATIVE ADVOCACY PLATFORM
2018 LEGISLATIVE SESSION
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City of Beverly Hills

STATE AND FEDERAL LEGISLATIVE PLATFORM

Platform Overview
The purpose of the legislative platform is to provide a means for summarizing the City’s core legislative principles for the purpose of advocacy efforts at the regional, state and federal level. The Legislative Platform contains broad policy statements pertaining to a variety of issues that impact the City of Beverly Hills.

The legislative platform sets forth the City’s legislative objectives for the 2018 legislative session and provides direction for our legislative advocates as they work to secure clear and strategic initiatives in Sacramento and Washington, D.C. Approval of the legislative platform also streamlines the City’s process and allows the City’s Executive team to effectively respond and take immediate action on pressing legislation under City Council direction.

The policies established within the platform do not preclude City Council consideration of additional legislative matters arising throughout the year that may be brought forward for City Council action as presented to the City Council Legislative/Lobby Liaison Committee.

The City’s primary legislative focus includes protecting local government control, maintaining local government revenue, pursuing homeland security funding, obtaining funding for environmental sustainability, transportation, recreational, technology and infrastructure improvements.

Local Control
- Support legislation that preserves local control.
- Support legislation that protects local control over urban planning.
- Oppose state legislation that supersedes a jurisdiction’s adopted zoning ordinances.
  - Support a state constitutional amendment to protect local discretionary authority whereby legislative oversight remains at the lowest level of the appropriate governing body. For example, zoning authority would remain with a city whereas air quality, water management, etc. would remain at the regional or state level.
  - Support a state constitutional amendment to protect local discretionary authority and to prevent the state legislature from adopting legislation that usurps local control.
- Support legislation that enhances local control of resources and that allows the City of Beverly Hills to address the needs of local constituents within a framework of regional cooperation.
- Support legislation that encourages the use of federal and state incentives for local government action rather than mandates.

2017 Legislative Platform
• Oppose preemption of the City of Beverly Hills' local authority whether by state or federal legislation or ballot propositions.
• In general, oppose any county, state or federal mandates without the direct or indirect reimbursement for the costs associated with complying with new and/or modified laws, regulations, policies, procedures, permits and/or programs.
• Support measures increasing local autonomy, protecting privacy and maintaining local authority over public records. This includes measures that provide for the recovery of costs with regard to public records requests.
• Support transparent government and the purpose of the California Public Records Act while simultaneously observing and protecting the current Rule of Law in California including better legislation in regards to protecting the privacy of public records and enhancing laws related to digital records.
• Support legislation that preserves local control of short term rentals and online hotel intermediaries such as Airbnb.

Pension Reform
• Monitor, encourage, and lobby for legislative initiatives designed to achieve public employee pension reform.
• Inform the City Council of future legislative bills, statewide initiatives or other options as they emerge in regards to pension reform.
• Continue to support, where necessary and applicable, any future efforts that may impact the City of Beverly Hills ability to achieve and/or maintain sustainable pensions.
• Support the California League of Cities ("League") efforts on pension reform based on the report provided at the League's City Manager's Department Meeting February 2018 meeting.

Fiscal and Administrative Initiatives
• Support fiscal sustainability and "best practices" administrative initiatives to ensure the delivery of superlative city services.
• Monitor initiatives which seek changes in fiscal relationships at the local, state and federal level.
• Support legislation that guarantees ongoing revenue sources for local government.
• Pursue funding opportunities for public facilities and services including capital improvement projects, public works projects, homeland security, library, parks and social service facilities.
• Oppose any legislation that would undermine voter-approved initiatives to guarantee ongoing revenue sources for the City of Beverly Hills.
• Oppose legislation that would preempt the City's authority over local taxes and fees.
• Protect the City's right to levy and collect Transient Occupancy Taxes from hotels, including online hotel intermediaries.
Oppose any federal or state legislation that would provide immunity to online hotel intermediaries and/or prohibit the City from collecting (retroactively or otherwise) Transient Occupancy Taxes.

Support continued or expanded funding for the Community Development Block Grant (CDBG) program.

Oppose the reduction to Department of Homeland Security, Federal Emergency Grants.

Oppose any attempt to eliminate or limit the traditional tax exemption for municipal bonds.

Engage in and advocate for legislation or ballot measures to prevent the state from borrowing, raiding or otherwise redirecting local government funds (local taxes, property taxes, etc.).

Continue to promote increased flexibility for the utilization of municipally generated revenues.

Support California League of Cities legislative efforts for pension reform and other post-employment benefits (OPEB) unfunded liability.

Electoral Process

Monitor legislative or other initiatives which may address the integrity of the electoral process.

Encourage safeguards ensuring that all eligible voters are provided with the mechanisms to exercise the right to vote.

Support initiatives which promote government transparency regarding the election process.

Support legislation that provides a mechanism to ensure non-eligible voters are unable to vote in an election.

Public Safety

Oppose legislation or other administrative actions that seek to limit the Beverly Hills Police Department’s ability to collect and utilize asset forfeiture funds for a wide variety of police services.

Support legislation that provides frontline funding to the Beverly Hills Police Department for costs associated with the early release of state prisoners as a result of state-mandated criminal justice realignment provisions.

Support the development and use of new firefighting technology in order to produce higher levels of health and safety for the Beverly Hills Fire Department.

Advocate for legislation/funding that would take advantage of current technology to prevent crime in Beverly Hills (i.e. - the ability to use surveillance cameras and automatic license plate recognition technology).

Support the deployment and research of new and emerging technologies that will provide the Beverly Hills Police Department with tools to provide the highest level of service including:

- Next Generation 911
- Mobile and Body Worn Cameras
- New Generation Investigative Technology - including unmanned aircraft
- Digital Evidence - support funding for local jurisdictions to collect, store and retain digital evidence.

- Support legislation and seek funding that will assist in preventing and reducing crimes in Beverly Hills, primarily related to property crimes, cyber-crime, drugs, gang violence, mental illness, and pedestrian safety.
- Oppose legislation to expand "early release" for low-risk, serious and violent offenders.
- Support legislation to increase funding to ensure responsible supervision by parole agents and for local agencies that provide post-release community supervision.
- Support efforts to reverse all legislation, including AB 109, that created "early release" for low-risk, serious and violent offenders.
- Oppose any efforts to further decriminalize existing crimes in California or lessen the sentences of any offenses that would result in the release of serious criminals who would further harm the safety of the public and law enforcement personnel and support rehabilitation, housing and employment programs for local and state prisoners.
- Oppose legislation that would expand the definition of early release, non-serious crimes, and non-violent crimes.
- Oppose legislation that re-categorizes serious crimes as non-serious crimes.
- Support interoperable communication solutions that meet radio spectrum needs of first responders.
- Support efforts to eradicate human trafficking.
- Support legislation that aids paramedics and other emergency medical service practitioners in their ability to be responsive to community needs.
- Seek grants and pilot project/demonstration project funding for public safety and emergency management programs and priorities.
- Support funding initiatives for Peace Officers Standards and Training (POST) and other law enforcement support organizations.
- Support and encourage legislation and budget negotiations that retain funding the Beverly Hills Police Department that includes behavioral health treatment, drug and trafficking taskforces; crisis intervention teams; and adequate patrol staffing.
- Identify opportunities for reimbursements to Beverly Hills for increased custodial and supervision costs resulting from prison realignment.
- Support funding for the increased demand being placed on Beverly Hills to respond to societal issues including homelessness; substance abuse and dependency; and unpredictable and potentially harmful behavior towards the public and peace officers.
- Support a more effective and relevant reporting of local agency data, and ensure that any disclosed data be fair and equitable.
- Support legislation that amends the Centers for Medicare & Medicaid Services (CMS) regulation 42 CFR 410.40 Coverage of Ambulance Services (e) to allow
Medicare reimbursement for beneficiaries not transported to the emergency department by the Beverly Hills Fire Department. This would include:
- Allowing CMS to provide a benefit to local jurisdictions for 'dry runs'
- Allowing CMS to provide a benefit for treatment in the field apart from transport, including reimbursement for mid-level practitioners, such as nurse practitioners, as many jurisdictions are moving towards a model of staffing Emergency Medical Services with a higher level of medical care.

Emergency Management and Homeland Security

- Support strategies, legislation and funding that promotes emergency preparedness, resiliency and recovery efforts.
- Advocate for I.C.I. System (Interagency Communications Interoperability System) participation among jurisdictions and funding for equipment and operations.
- Support funding opportunities for local homeland security, public safety and emergency management programs including new technology and equipment (e.g., closed circuit television) that does not supplant other City funding, services or operations.
- Seek grants and pilot project/demonstration project funding for City homeland security, public safety and emergency management priorities.
- Support federal funding for the deployment and long-term sustainment of the Biowatch and other monitoring programs in Beverly Hills.
- Support funding for a cost effective public seismic early warning system and other emergency notification systems.
- Support legislation that ensures funding for disaster relief for all types of natural and manmade disasters.

Housing and Land Use

- Pursue incentive-based housing legislation to encourage expanding the housing supply in our area including more flexibility for local jurisdictions to work together to provide housing that counts toward Regional Housing Needs Assessment (RHNA) requirements.
- Support federal and state funding for affordable senior housing opportunities and projects.
- Monitor land use issues and support legislative and administrative efforts to maintain the integrity of local government's control over land use, planning and zoning matters.
- Emphasize local control related to land use planning.
- Support and pursue the repeal of state laws that affect local control on housing and land use.

Transportation

- Support state and federal legislation that enhances the safety of the City's streets for automobile and pedestrian traffic, including issues related to photo speed radar
enforcement, traffic congestion reduction programs and regional transportation improvements.

- Promote funding, policy goals and visibility for the development of autonomous vehicles.
- Support regional, state and federal efforts for the development of compatible autonomous vehicle infrastructure.
- Support measures and discretionary grant programs that provide funding for critical transportation infrastructure projects that improve mobility for residents and visitors in and around Beverly Hills.
- Support legislation that expands transportation planning, funding, and voluntary incentives to include an increasingly multi-modal perspective focusing on transit, alternative fuel vehicles and fleets, pedestrian ways, bikeways, multi-use trails and parking.
- Support measures which provide the City’s fair share of funding from the State’s cap and trade funding sources.
- Support legislation that would discourage the misuse of disabled placards.
- Work with other agencies in the region to support current state and federal funding levels and encourage increased funding and flexibility in both operating and capital funding for mass transit.
- In conjunction with the Westside Cities Council of Governments (WSCOG) and other agencies, support legislation that provides incentives for the development of local transportation corridors.
- Support local, regional, state and federal legislative, administrative, and regulatory efforts that will expand and/or supplement funding for maintaining and upgrading major thoroughfares in Beverly Hills, allowing for better traffic flow and pedestrian safety.
- Support increased state and federal resources to mitigate traffic congestion on the City of Beverly Hills’ streets and rebuild and maintain roads.

Environmental Sustainability

- Advocate for cost-effective, sustainable, and responsible environmental policy and programs in the areas of energy efficiency, greenhouse gases, climate change, potable water, wastewater, solid waste removal and storm water, among others.
- Support state funding opportunities to assist agencies in meeting sustainability objectives including energy and water efficiencies, active transportation enhancements, connectivity and mobility improvements and carbon sequestration through natural landscape management and protection.
- Support legislation protecting, preserving and restoring the natural environment where it does not conflict with local control and land use designations.
- Support efforts to create partnerships among the City, Beverly Hills Unified School District, businesses, residents, and all other community stakeholders as necessary to achieve a sustainable community.
- Support legislation to combat climate change and improve air quality.
Support funding to foster an environmentally sustainable city, walk-able community that provides ample goods, services and benefits to all residents while respecting the local environment.

Support legislation and funding for the Metropolitan Transportation Agency (MTA) and other regional transit authorities to continue to create multi-modal transportation systems that minimizes pollution and reduces motor vehicle congestion while ensuring access and mobility for all.

Oppose legislation that will expand or create new opportunities for off shore oil drilling.

Community Services

- Support legislation related to the Internet and filtering in public facilities.
- Support funding for literacy and English-as-a-second language programs.
- Support protection against censorship and oppose restriction of free speech.
- Support funding for ADA facility and park upgrades.
- Promote legislation that provides for increased services to or funding for at-risk populations such as the frail elderly, homeless, disabled and other challenged populations.
- Support legislation that provides opportunities for healthy “aging in place” (aging in one’s own home) options.
- Support funding and policy initiatives that support mental health care (e.g., access to psychiatric facilities, behavioral health care treatment, and street-based services).
- Support legislation that addresses the need for housing and supportive services, (e.g. health, mental health and social services) for the City’s homeless population.
- Where reasonable, support public investment in parks, open space and recreation.
- In general, support efforts to provide funding for the rehabilitation, development and capital improvements for local park improvements.

Public Health

- Continue to promote legislation that enhances the health and safety of the general population, with an emphasis on programs that focus on youth, the elderly and at-risk populations.
- Monitor opportunities to expand the City’s ordinances to regulate smoking to other communities or through state legislation.
- Support legislation that will increase funding for mental health at the local level in order to address mental health issues and the impact those with mental health issues have on Beverly Hills.
- Support legislation that provides funding to expand the treatment of, and response to, mentally ill persons and the growing issues associated with the mentally ill.
- Support legislation that would provide direct funding and alternative avenues of healthcare to local first response agencies to adequately address behavioral and mental health issues.
• Support legislation to maintain or increase funding for the provision of mental health services and to establish programs to assist jurisdictions with helping those individuals who may have mental health issues.
• Support legislative efforts to regulate the smoking of any substance at multi-family complexes.
• Oppose legislation that would reduce or eliminate funding allocations for the Prevention and Public Health Fund.
• Support the Personal Health Investment Today Act (PHIT) introduced in March 2017 in Congress.
• Support access opportunities for all Californians for physical activity, proper nutrition and healthy lifestyle options through the promotion of active transportation, complete street implementation, healthy foods, youth programming and maximizing the usage of green space.
• Support legislation that will actively support and provide funding for vaccinations.

General Government
• Support legislation that reinstates net neutrality.
• Support legislation that preserves the ability of local governments to provide broadband capability and services to its residents.
• Support legislation that would prohibit the flying of helicopters, unmanned aircraft or other aircraft at low altitudes over residential neighbors excluding police, fire or other public safety aircraft.
• Support efforts to increase state resources for local arts, cultural events and library programs, including performing and visual arts programs.
• Support legislation that encourages policies and programming that promote healthy lifestyles; e.g. physical activity, preventative screenings, healthful eating and core wellness for people of all ages and abilities.
• Support legislation that would establish state wide regulations prohibiting the use of unmanned aircraft to record or transmit any visual audio recording of any person or private real property in which the subject person or owner of property has a reasonable expectation of privacy.

Public Works – Solid Waste
• Support funding for new infrastructure related to the passage of AB 1826 – Mandatory Commercial Organics Recycling and SB 1383 – Short-Lived Climate Pollutants: Methane Emissions.
• Support legislation that incentivizes corporations to recycle in the United States rather than sending recyclables overseas.
• Support legislation that incentivizes manufacturers to produce recyclable products.
• Support legislation that requires manufactures to be responsible for the end of life of non-recyclable products.
Public Works - Stormwater
- Support state and county efforts to develop avenues for agencies to collect revenue to support stormwater retention efforts.
- Support legislation that would classify stormwater as a utility similar to water, wastewater and solid waste services.
- Support legislation for funding stormwater infrastructure improvements, including building facilities to capture stormwater runoff and integrate with local, regional and statewide water resources.
- Support legislation that would provide pragmatic compliance goals in statewide and regional National Pollutant Discharge Elimination System (NPDES) permits.
- Ensure the state continues to fund the California Department of Transportation (Cal Trans) capital construction budget for offsetting their requirements to limit their total maximum daily load (TMDL) for pollutant discharge. Encourage Cal Trans to continue to enter into Cooperative Implementation Agreements with local jurisdictions to fund stormwater capture and retention projects.
- Ensure that the State (State Water Resources Control Board) continues to provide Cal Trans Stormwater a Compliance Based Credit System that includes compliance based on using funds to support stormwater projects that would meet statewide TMDLs.

Public Works – Water & Utilities
- Support California Water Fix as it will assist with protecting the water supply for Beverly Hills.
- Support projects and legislation that protect the City’s ability to receive water from the Bay Delta and the State Water Project.
- Support measures that uphold the ability of the City of Beverly Hills City Council to regulate and manage their publicly owned water utility so that local authority is not eroded by state or federal agencies, authorities, or other regulatory bodies.
- Oppose legislation that adds requirements to provide services that customers do not value, want, or need.
- Support legislation that ensures local ratemaking authority is preserved and remains meaningful.
- Support policies that recognize, support, and credit the role of water conservation and water use efficiency in reducing greenhouse gas emissions.
- Support local control of groundwater uses and groundwater rights unless otherwise contraindicated.
- Support local control for planning management and use of water supplies to address local needs and contribute to long-term sustainability, unless otherwise contraindicated.
- Support efforts that seek to bring federal sources of funding to California for water infrastructure development and renewable energy development through water management.
- Support cost effective water conservation programs and incentives that are funded by the state or federal government.
- Support flexible funding options that will help Beverly Hills upgrade and replace water and wastewater infrastructure.
- Support legislation for state funding for the development of local water supply and water conservation efforts.
- Support legislation that provides the City of Beverly Hills the flexibility to implement a community choice aggregation program for the purchase of renewable electricity and oppose legislation that would place overly strict requirements on the establishment of, and activities by, community choice aggregators.
- Oppose legislation that makes it more difficult for community-choice aggregators to begin operation.
- Support legislation that ensures equitable cost-sharing between investor-owned utilities and community choice aggregation for stranded costs.
- Support funding and legislation for water recycling projects.
Item 7
TO: Legislative/Lobby Committee
FROM: Cindy Owens, Senior Management Analyst
DATE: May 8, 2018
SUBJECT: Update on Federal Legislation
ATTACHMENT: None

Verbal presentation to be given by Jamie Jones with David Turch & Associates
Item 8
TO: Legislative/Lobby Committee
FROM: Cindy Owens, Senior Management Analyst
DATE: May 8, 2018
SUBJECT: Update on State Legislation
ATTACHMENT: None

Verbal presentation to be given by Andrew Antwih of Shaw/Yoder/Antwih, Inc.