

<b>County of Sonoma</b>			Clerk of the Board Use Only Meeting Date ____/____/____
<b>Agenda Item</b>			Agenda Item No: _____
<b>Summary Report</b>			
<b>Department: Sonoma County Agricultural Preservation and Open Space District</b>			<b>( ) 4/5 Vote Required</b>
<b>Contact:</b> Bill Keene	<b>Phone:</b> (707) 565-7360	<b>Board Date:</b> 5/12/09	<b>Deadline for Board Action:</b>
<p><b>AGENDA SHORT TITLE:</b></p> <p><b>Agricultural Preservation and Open Space District Legislative Program</b></p> <p><b>REQUESTED BOARD ACTION:</b></p> <p>1) Authorize the President to execute a 17-month Agreement, from April 2009 through August 2010 between the Sonoma County Agricultural Preservation and Open Space District (District) and the Law Offices of John McCaull, for State Public Policy Advocacy Services in the amount of \$85,000.</p> <p>2) Approve Legislative priorities for 2009 Legislative session.</p>			
<b>CURRENT YEAR FINANCIAL IMPACT</b>			
<u><b>EXPENDITURES</b></u>		<u><b>SOURCE OF ADDITIONAL FUNDS REQUESTED</b></u>	
Estimated Cost	\$ 15,000.00	Contingencies (Fund Name: )	\$ 000.00
Amount Budgeted	\$ 15,000.00	Unanticipated Revenue (Sources: )	\$ 000.00
Other Avail. Approp. (Explain below)		Other Transfer(s)	\$ 000.00
Additional Requested:	\$	Total Source of Funds:	\$
Explanation (if required: Funding is available in the District's FY 08-09 and proposed FY 09-10 Services and Supplies budget.			
<b>Prior Board Action(s);</b>			
Alternatives - Results of Non-Approval: Agreement for Public Policy Advocacy Series for Agricultural Preservation and Open Space District will not occur.			

**Background:**

***NOTE: Agreement is on file with the Clerk of the Board.***

**District's State Public Policy Advocates:**

Since November 2008, the Law Offices of John McCaull (Consultant) has assisted the District under a short-term contract to provide Public Policy Advocacy services for the Sonoma County Agricultural Preservation and Open Space District (District) at the state level. Consultant has presented the District with an analysis of legislation relating to the District. The analysis covers items introduced in the legislative session. Consultant has also reviewed state agency funding programs for environmental protection and land conservation, and has provided the District with a number of suggestions for more regular involvement in various administrative and grant funding programs. Consultant has also facilitated District communications on state legislative and policy priorities and needs with legislators, legislative staff and state agency personnel, and elected officials. The current contract has expired and the District proposes to enter into a new 17-month agreement (through the end of the 2010 legislative session) to continue work with the Consultant.

**Procurement, Selection, and Qualifications**

In October 2008, the District issued a Request for Proposal (RFP) to firms with land conservation experience eligible in providing advocacy services for the District at the State level. Four firms received the RFP including Nossaman, LLC, Public Policy Advocates LLC, Isenberg/O'Haren Government Relations, and the Law Offices of John McCaull. Three firms responded to the RFP including Public Policy Advocates LLC, Isenberg/O'Haren Government Relations, and the Law Offices of John McCaull. District management determined the Law Offices of John McCaull to be the most qualified of the three respondents and selected him given his expertise in conservation planning and land transactions, and his experience in public policy advocacy on environmental issues pertinent to the District. The costs associated with providing services were comparable among the three proposals submitted. Since being selected in late 2008, the Consultant has provided the District with public policy advocacy services under an existing contract which recently expired.

The Consultant, an attorney who specializes in land and water conservation, renewable energy policy, political advocacy, and environmental law, has more than 20 years of experience as a legislative advocate in Sacramento, and has worked for a variety of non-profit, private sector and public sector clients. For the past 5 years, the Consultant has co-represented the Sonoma County Water Agency through their legislative advocacy services contract with Geyer Associates. The consultant also has extensive land conservation transactional experience, and has acted as legal counsel in numerous conservation easement and land purchase projects throughout California.

**Need for the District's State Public Policy Advocacy Program**

Despite the proliferation of land trusts in California, there are still relatively few County-level special districts that have funding streams dedicated to open space, habitat, and agricultural land protection. The District has a unique story to tell. The District's recently adopted Strategic Plan for 2009-2013 and acquisition plan, *Correcting Communities and the Land*, set forth initiatives, objectives, and policies to promote livable communities through conservation of land and natural resources.

The District believes that this is a critical time to take a more visible and active role at the state and national level. Current state policy and law affects many of the District's operations, and the District will work with Consultant to identify policy obstacles and opportunities to further the District's mission. The District's proposed State Public Policy Advocacy Program is also a necessary component to implement the District's Strategic Plan initiatives and acquisition plan, and leverage the District's existing funding. Whether it be a land transfer opportunity with a state agency, a climate change response project, public access issue, a grant opportunity for an acquisition priority, environmental permitting issue, agricultural land policies or fishery and watershed conservation policy, it is imperative that the District expand its advocacy capacity and expertise at the State level.

There is another overarching issue that makes the establishment of this new Program a priority at this time. The financial and budgetary situation facing the state of California in 2009 has created tremendous and unanticipated upheaval in the otherwise relatively stable and healthy state-level environmental funding programs of the last decade. For instance, in December of 2008, the state "froze" \$2.8 billion in environmental programs funded by state general obligation bonds, including \$1million in District projects. While the state has indicated that existing projects are now able to move forward due to recent state bond sales, the District remains extremely concerned about the long-term

state financial situation. The District used the existing contract to develop a comprehensive local and regional response to the bond funding freeze. The outcome of this crisis is that the state and non-profit sectors are partnering with County government in entirely new ways, while simultaneously looking for new models to fund our land and water conservation and resource stewardship priorities.

**The District’s California Public Policy Priorities for 2009-2010**

The new Agreement with Consultant directs the firm to continue to serve as the District’s legislative and administrative agency advocate in Sacramento and to perform various tasks, including the following:

1. Monitor legislation relevant to the District and notify the District of bills or amendments to bills that may impact District operations. Initiate appropriate actions to advocate the interests of the District regarding state legislative or administrative issues.
2. Serve as a principal contact between the District and the District’s Sonoma County legislative delegation, providing members of the delegation with information on topics affecting the District and District’s point of view on legislative issues.
3. Coordinate implementation of the District’s legislative and administrative strategies with representatives of other agencies or organizations on issues of common interest.
4. Work with District staff to write, secure sponsors for, support and achieve enactment of new legislation that addresses District needs or increases District effectiveness in carrying out its mission.
5. Facilitate formal and informal communication with state legislators and staff members, state agency officials and staff, and maintain regular contact in order to better anticipate state actions that may affect the District.
6. Specifically monitor the actions and programs of the California Air Resources Board related to implementation of California’s climate protection programs, and the California Natural Resources Agency and associated departments for their policies and programs related to land and water conservation and stewardship, as they affect the District’s work.

The new Agreement provides a monthly retainer of \$5,000 per month for the 17-month term of the Agreement, effective from April 2009 through August 2010. The total amount for the 17-month period is not to exceed \$85,000. The current fiscal year cost is \$15,000. The balance of funding for the second fiscal year of the Agreement is included in the District’s proposed FY 09-10 budget.

The District has coordinated on this item with the County’s Community and Government Affairs Manager, and will continue to coordinate activities under this contract with him and the County’s state lobbyist to ensure alignment between District and County Priorities. In addition, the District is also investigating a potential Federal legislative advocacy program. Any contract associated with a Federal legislative advocacy program would be brought to the Board for consideration.

**Requested Board Actions**

- 1) Authorize the President to execute a 17-month Agreement, from April 2009 through August 2010, between the Sonoma County Agricultural Preservation and Open Space District (District) and the Law Offices of John McCaull for Public Policy Advocacy Services in the amount of \$85,000.
- 2) Approve Legislative priorities for 2009 Legislation session

**Attachments:** 2009-2010 California Public Policy Advocacy Program Proposed Policy Priorities

**On File With Clerk:** Agreement

**CLERK OF THE BOARD USE ONLY**

**Board Action (If other than "Requested")**

**Vote:**

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