

Monte Lewis, Mayor (District 2)
Elizabeth Bruny, Mayor Pro Tem (District 5)
Richard T. Hale, Jr., Council Member (District 1)
Richard Barakat, Council Member (District 3)
Bruce Lathrop, Council Member (District 4)

City of Bradbury Agenda Memo

TO: Honorable Mayor and Members of the City Council

FROM: Kevin Kearney, City Manager

DATE: February 16, 2021

SUBJECT: **AGREEMENT FOR CONTINUED GOVERNMENT RELATIONS
ADVOCACY SERVICES WITH BEST BEST & KRIEGER**

ATTACHMENTS: 1) Agreement for Continued Services

SUMMARY

During the December 2019 meeting, the City Council approved an agreement with Best Best & Krieger, LLP ('BB&K') for Professional Lobbying and Consulting Services for water and stormwater related projects for the year 2020. This was done in conjunction with the other member agencies of the Rio Hondo/San Gabriel River Water Quality Group. Bradbury's share of the yearly amount approved was for \$11,323.08.

Given the recent successes by BB&K, it is recommended that the City Council authorize the City Manager to enter into an Agreement (Attachment #1) with BB&K for lobbying services for the 2021 calendar year, and appropriate \$11,323.08 to account 101-15-7075 to cover such costs.

BACKGROUND

In 2007, the Cities of Arcadia and Sierra Madre were awarded a joint authorization of \$20 million dollars for local water and wastewater related infrastructure projects, but the grants were never fully funded by Congress. In July 2017, the City of Arcadia awarded a Professional Services Agreement to Best Best & Krieger, LLP ("BB&K") for professional lobbying and consulting services to secure grant funding for water and stormwater related projects. Subsequently, the Arcadia City Council approved an extension to this contract in July 2018.

FOR CITY COUNCIL AGENDA 2-16

AGENDA ITEM # 5

As part of the Cities' contract, BB&K has provided a high level of expertise and strategic guidance to the Cities of Arcadia and Sierra Madre for two WMP's proposed projects at the federal level. Arcadia and Sierra Madre split the cost for lobbying services equally for an annual cost of \$36,000. The firm has worked to increase the visibility and attractiveness of the projects, including facilitating a lobbying trip to Washington, D.C. for City Council members and the Cities' staff to meet with congressional representatives, the Bureau of Reclamation, Army Corps of Engineers, and the Environmental Protection Agency. The proposed projects were well presented and well received by all parties, including local stakeholders such as the Los Angeles Army Corps of Engineers office, Los Angeles County, and Arboretum staff.

In July 2019, the City of Arcadia proposed to the Oversight Committee of the Rio Hondo/San Gabriel River Water Quality Group that a regional approach to Arcadia's and Sierra Madre's lobbying efforts was necessary to better engage the various federal agencies and other stakeholders. Arcadia proposed to expand the scope of BB&K's efforts to include the other regional projects identified in the Watershed Management Plan, and to leverage BB&K's expertise and relationships established during the previous two years. BB&K has offered to extend lobbying services to the Group for \$84,000 a year or \$7,000 per month.

Contracting with BB&K was the logical next step as the firm has assisted the Cities of Arcadia and Sierra Madre with its on-going efforts. The City of Arcadia acted as the lead agency and as the primary liaison between the Group and BB&K. Although the County of Los Angeles and the Los Angeles County Flood Control District were in support of a regional approach to the lobbying efforts, both agencies have internal staff that serve the same function, and therefore, the County and the Flood Control District worked in tandem with BB&K in lieu of contributing directly to the cost sharing arrangement. While Arcadia was the lead agency, BB&K invoiced the member agencies separately based on the Cities' monthly share.

The cost share formula was based 50% on participation and 50% on land area. The City of Bradbury's annual contribution was \$11,323.08 or \$943.59 per month, with the calculation shown in the chart below.

Jurisdiction	Monthly	Annual
Arcadia	\$2,110.26	\$25,323.08
Bradbury	\$943.59	\$11,323.08
Duarte	\$1,161.54	\$13,938.46
Monrovia	\$1,725.64	\$20,707.69
Sierra Madre	\$1,058.97	\$12,707.69

Under the modified scope of work, BB&K worked with the Group to lobby for new grant funding authorizations and assisted in identifying grant funding opportunities with federal agencies, as well as facilitating meetings with key decision makers and building coalitions

to secure support for federal grant applications. In addition, BB&K assisted in educating key stakeholders on the Rio Hondo/San Gabriel River Water Quality Group's five regional projects and their benefits at the federal level.

In 2020, BB&K successfully lobbied California state federal legislators to include a provision in the Water Resources Development Act (WRDA) to include authorization to plan with the Army Corps of Engineers to restore creeks and wetlands in the Rio Hondo and San Gabriel Watersheds, which are apart of the Group's required stormwater regional projects. Securing such funding source was hailed as a success by all the cities in the Group.

DISCUSSION

The agreement for continued services with BB&K is up for renewal this calendar year, and the following is a list of projects that they will continue to work on behalf of the Group:

- Arcadia Wash Ecosystem Restoration Project at the Arboretum
- Rio Hondo Ecosystem Restoration Project
- Arcadia Wash Water Conservation Diversion Project
- Encanto Park Stormwater Capture Project
- Basin 3E Enhancements at Santa Fe Spreading Groups.

Attachment #1 further details BB&K's workplan for the 2021 calendar year.

FISCAL IMPACT

The annual cost for services for BB&K is again \$84,000, with the City of Bradbury's annual contribution share in the amount of \$11,323.08 or \$943.59 per month.

The agreement is to be proportionally divided on a formula based on participation (50%) and land area (50%) between the Cities of Arcadia, Bradbury, Duarte, Monrovia, and Sierra Madre. The rate is all inclusive and covers other direct expenses including telephone, postage, shipping, photocopying, and other administrative costs. Funds to cover the BB&K costs would come from the City's Utility Users Tax Fund, which has a balance of \$598,729.97 (as of January 31, 2021).

RECOMMENDATION

Given the recent successes by BB&K, it is recommended that the City Council authorize the City Manager to enter into an Agreement (Attachment #1) with BB&K for lobbying services for the 2021 calendar year, and appropriate \$11,323.08 to account 101-15-7075 to cover such costs.

ATTACHMENT # 1

Indian Wells
(760) 568-2611
Irvine
(949) 263-2600
Los Angeles
(213) 617-8100
Manhattan Beach
(310) 643-8448
Ontario
(909) 989-8584



BEST BEST & KRIEGER
ATTORNEYS AT LAW

1800 K Street NW, Suite 725, Washington, D.C. 20006
Phone: (202) 785-0600 | Fax: (202) 785-1234 | www.bbklaw.com

Riverside
(951) 686-1450
Sacramento
(916) 325-4000
San Diego
(619) 525-1300
Walnut Creek
(925) 977-3300
Washington, DC
(202) 785-0600

John D. Freshman
(202) 370-5301
john.freshman@bbklaw.com

February 4, 2021

VIA E-MAIL

Rio Hondo-San Gabriel River Water Quality Group
c/o Dominic Lazzaretto
240 W. Huntington Drive
Arcadia, CA 91106

Re: Agreement for Continued Government Relations Advocacy Services

Dear Rio Hondo-San Gabriel River Water Quality Group:

We are pleased to continue advocacy work for the cities of the Rio Hondo-San Gabriel River Water Quality Group – comprised of the Cities of Arcadia, Bradbury, Duarte, Monrovia, and Sierra Madre (“Group”).

BB&K will work on behalf of the Group to identify and help secure federal grants for the Group’s regional water projects listed below. Attached for your review is the Scope of Work provided by BB&K for the Rio Hondo-San Gabriel River Water Quality Group.

The projects BB&K will continue to work on for the Rio Hondo-San Gabriel River Water Quality Group include the:

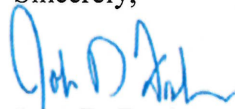
- Arcadia Wash Ecosystem Restoration Project at the Arboretum
- Rio Hondo Ecosystem Restoration Project
- Arcadia Wash Water Conservation Diversion Project
- Encanto Park Stormwater Capture Project
- Basin 3E Enhancements at Santa Fe Spreading Grounds

This agreement began January 1, 2021 for \$7,000 a month for one year. On behalf of BB&K, we are pleased to continue the work on behalf of the Rio Hondo-San Gabriel River Water Quality Group.

BBK
BEST BEST & KRIEGER
ATTORNEYS AT LAW

February 4, 2021
Page 2

Sincerely,



John D. Freshman
for BEST BEST & KRIEGER LLP

JDF: DAG



BEST BEST & KRIEGER LLP
ATTORNEYS AT LAW

February 4, 2021

Page 3

Signed: _____
Dominic Lazzaretto
City of Arcadia

Date: _____

Signed: _____
Kevin Kearney
City of Bradbury

Date: _____

Signed: _____
Daniel Jordan
City of Duarte

Date: _____

Signed: _____
Dylan Feik
City of Monrovia

Date: _____

Signed: _____
Gabriel Engeland
City of Sierra Madre

Date: _____

BBK
BEST BEST & KRIEGER
ATTORNEYS AT LAW

February 4, 2021

Page 4

To: Rio Hondo San Gabriel River Water Quality Group

From: Best Best & Krieger LLP

Date: January 28, 2021

Overview of Work to Date

The Rio Hondo San Gabriel River Water Quality Group (“Rio Hondo”) has partnered with Best Best & Krieger (“BBK”) in order to secure federal partnerships and funding for the Rio Hondo Projects:

1. Arcadia Wash Ecosystem Restoration Project at the Arboretum
2. Rio Hondo Ecosystem Restoration Project
3. Arcadia Wash Water Conservation Diversion Project
4. Encanto Park Stormwater Capture Project
5. Basin 3E Enhancements at Santa Fe Spreading Grounds

On behalf of Rio Hondo, BBK advocated before Congress and the Congressional agencies regarding the projects listed above. The goal of this was to educate stakeholders and to garner support for federal partnerships. In identifying funding, and at the direction of the group, BBK worked to obtain authorization and open avenues for opportunities with the most federal monetary support.

One of the avenues pursued was to obtain a congressional authorization in the bi-annual Water Resources Development Act (WRDA). A congressional authorization in WRDA is required for the Army Corps of Engineers to partner and provide monetary funding for projects. With the support of the entire congressional delegation – Rep. Napolitano, Rep. Chu, Senator Feinstein, and now-Vice President Harris – a WRDA authorization was secured for Rio Hondo. Obtaining a WRDA authorization is a great accomplishment – as not all projects submitted by members are included in the final bill. With this Authorization there is a clear avenue to work with the Army Corps of Engineers.

Next Steps

With a WRDA authorization:

1. Reach out to and work with the local Los Angeles District of the Army Corps of Engineers office to have the Rio Hondo projects on their project list and where possible begin a working relationship on these projects.
2. Work with the local Army Corps of Engineers office, Army Corps of Engineers headquarters, congressional delegation, and Office of Management and Budget to obtain



BEST BEST & KRIEGER
ATTORNEYS AT LAW

February 4, 2021

Page 5

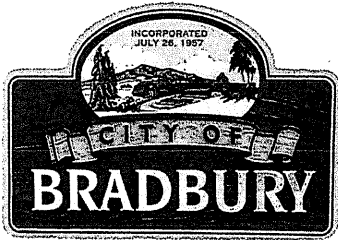
a New Start. A New Start is required for the Army Corps of Engineers to spend funds on a feasibility study for a project that costs more than \$10 million.

3. Explore with the Army Corps Los Angeles District whether a smaller project that costs under \$10 million could move forward immediately under their Continuing Authorities Program.
4. Explore whether there is feasibility work that could begin immediately and be used to reduce the cost and timeframe for an Army Corps feasibility study that receives a New State and funding.

In addition to pursuing a New Start with the Army Corps of Engineers, BBK will continue to look out for and advocate for programs that will also provide monetary support for the Rio Hondo projects. In addition to pursuing funding opportunities with the Bureau of Reclamation and Environmental Protection Agency, two other avenues to be aware of and pursue when available include:

1. Infrastructure Package: President Biden has indicated that an infrastructure package is a top priority for his administration to accomplish in the first year, and he plans to provide more details on his proposal during his February 23rd address to a joint session of Congress. As the vehicle takes shape, BBK will advocate to include the Rio Hondo projects for federal partnership and monetary support.
2. Earmarks: House Democratic leadership has indicated that they would like to bring Earmarks back in the 117th Congress. The process would have more transparency and guardrails than pre-2010. As of now, it seems that should the Earmarks come back, the project will have to be supported by a member and their name will be attached to the ask. There will likely be other parameters on the revival of Earmarks. As this takes shape, BBK will continue to follow its development and as soon as possible will ensure that Rio Hondo can be considered for an Earmark in the new program.

As additional opportunities come available, BBK will advocate for Rio Hondo. We will also advise you on the best time to hold a series of follow-up meetings this year, likely by video for the time being, with our delegation and appropriate officials at the Army Corps, Department of the Interior/Bureau of Reclamation, and EPA.



Monte Lewis, Mayor (District 2)
Elizabeth Bruny, Mayor Pro Tem (District 5)
Richard Hale, Council Member (District 1)
Richard Barakat, Council Member (District 3)
Bruce Lathrop, Council Member (District 4)

City of Bradbury Agenda Memo

TO: Honorable Mayor and Members of the City Council

FROM: Sophia Musa, Management Analyst

DATE: February 16, 2021

SUBJECT: **Appointment of Applicant to Public Safety Committee Primary Seat for District 3 and Removal of Inactive Public Safety Committee Members**

ATTACHMENTS: 1. Public Safety Committee Agenda

SUMMARY

The purpose of this item is to review current Public Safety Committee membership and remove inactive members. Janet Barakat expressed interest in joining the Public Safety Committee. Currently, the Primary seat for District 3 is vacant. Additionally, Public Safety Committee members Aaron Dunst, Karen Flaherty and Priscilla Hervey have been absent from committee meetings for more than 6 months.

Staff recommends that the City Council confirm the appointment of Ms. Janet Barakat as the Primary member for District 3 for the term ending in February 2023. The District 3 Councilmember has approved the appointment of the applicant. Staff also recommends that the City Council approve the decision to remove the following inactive Public Safety Committee members: Aaron Dunst, Karen Flaherty and Priscilla Hervey.

ANALYSIS

Ordinance No. 361 specifies that the Public Safety Committee (PSC) shall consist of five (5) primary and five (5) alternate members: two (2) members from each district, appointed by the member of the City Council representing the district.

FOR CITY COUNCIL AGENDA 2-16

AGENDA ITEM # 6

The current PSC members are as follows:

Name	District	End of Term
Frank Hernandez	1	June 2021
Serena Burnett (Primary)	2	June 2021
Jan Brink (Alternative)	2	June 2021
Nancy McGrain	5	June 2021

Ms. Barakat has been an active participant for the last few months and has assisted in various projects. Given her recent involvement, the recommendation is to appoint Ms. Barakat to fill the Primary member seat for District 3. This appointment has been endorsed by the District 3 Councilmember.

Ordinance No. 361 also specifies that a member shall be removed from the Public Safety Committee upon three (3) unexcused absences or absence from more than 50% of the meetings during the calendar year.

Public Safety Committee members Aaron Dunst, Karen Flaherty and Priscilla Hervey have been absent for more than 6 months, which calls for membership removal. Staff recommends the removal of Mr. Dunst, Ms. Flaherty and Ms. Hervey from the Public Safety Committee.

FINANCIAL REVIEW

The appointments and removals of PSC members in this report have no significant financial impact on the City.

STAFF RECOMMENDATION

Staff recommends that the City Council a) confirm the appointment of Ms. Janet Barakat as the Primary member for District 3 for the term ending in February 2023; b) approve the decision to remove inactive Public Safety Committee members: Aaron Dunst, Karen Flaherty and Priscilla Hervey.