

October 22, 2024

Board of Supervisors
Kern County Administrative Center
1115 Truxtun Avenue
Bakersfield, CA 93301

**PROPOSED FORMATION, STRUCTURE, AND DUTIES OF A
STANDING LEGISLATIVE PROGRAM COMMITTEE**

Fiscal Impact: None

Over the past year, your Board has expressed interest in enhancing lobbying efforts at the state and federal levels. In particular, Board members were seeking the ability to regularly engage in discussions with the County's contract lobbying firms and receive pertinent updates regarding opportunities to directly engage and advocate for the County's legislative priorities at relevant hearings in Sacramento and Washington, D.C. This item proposes the formation of a standing legislative program committee with two members of the Board to facilitate ongoing enhanced engagement and communication with the County's lobbyists.

As part of the programmatic review, your Board directed the County Administrative Office (CAO) to issue a request for proposals (RFP) for contract lobbying services at the state and federal level. As part of that process, the idea of establishing a legislative committee was broached as were appropriate metrics for measuring lobbying success. Subsequent research revealed that several counties have some form of a standing legislative committee. Monterey, Contra Costa, Santa Barbara, and Los Angeles County, for example, have committees that are structured to review their respective county's state and federal legislative programs each year, identify ways to increase awareness and advocacy on matters critical to the county's constituents and, more broadly, enhance the overall representation of the county's interests in Sacramento and Washington, D.C. In counties that have legislative committees, the committee is typically made up solely of Board members and functions as a standing committee of the Board of Supervisors.

As a result, the CAO is presenting your Board with the option of forming a legislative committee here in Kern, which would be referred to moving forward as the Legislative Program Committee (LPC). This would be a standing committee comprised of two (2) voting members, selected from among the sitting members of Board of Supervisors at the start of each year when the Chairman's committee assignments are made. In addition, CAO and County Counsel would provide staff support for the LPC. Representatives from the County's state and federal lobbying firms will be required to attend each meeting (in-person or virtually).

If approved by your Board, the purpose of the LPC would be to:

- Serve as an advisory body to the Board and identify emerging legislative issues.
- Consider strategies to effectively advocate for the County's legislative positions.
- Enhance communication and improve coordination between the Board of Supervisors and contract lobbying firms, County departments, and other pertinent stakeholders on legislative matters.
- Consider recommendations for advocacy presented by committee staff, County departments, Board of Supervisors District Offices, and lobbyists to address challenges and concerns prior to referring legislative positions back to the full Board for final action.

ROLES AND RESPONSIBILITIES

Final decisions on legislative matters are ultimately the responsibility of the Board of Supervisors; the LPC will only function as an advisory body with recommendations adopted at LPC meetings being brought before the full Board for ratification. Similarly, the County's state and federal legislative platforms, updated annually, will initially be vetted by the LPC before being taken to the full Board for adoption.

MEETINGS

It is recommended that the LPC meet at least monthly, with authority to convene additional meetings as circumstances require. All meetings will be subject to the Ralph M. Brown Act. The quorum for a meeting would require both voting members to be present, and decisions would be made by a majority vote. Every meeting of the committee would be open and public, and closed sessions would not be held unless essential. The LPC could, as necessary, request the attendance of representatives such as but not limited to Kern's Legislative and Congressional delegates (or their staff), department heads (or their staff), and other pertinent stakeholders. Requested representatives would not be voting members.

DUTIES

The LPC will provide the Board with assistance and advice on County legislative matters. All significant matters that the committee believes merit the Board of Supervisors' attention would be submitted to the Board with recommendations, if appropriate. Once the Board of Supervisors establishes the LPC, the committee should convene after committee assignments are made in January 2025 to discuss and further define duties and responsibilities. Although not an exhaustive list, the typical functions of a legislative committee are to:

- Identify opportunities for County-sponsored legislation with the assistance of County departments, CAO, and contract lobbyists and make appropriate recommendations to the Board.
- Review the annual legislative platform (state and federal) with the assistance of County departments, CAO, and contract lobbyists and make appropriate recommendations to the Board.
- Consider recommendations presented by County departments, CAO, and contract lobbyists, resolve differences and develop a strategy to effectively advocate County positions on legislation and make appropriate recommendations to the Board.
- Evaluate the performance of the County's legislative program with regular updates from contract lobbyists on 1) the fiscal/budgetary impact and 2) rate of preferred outcomes resulting from enacted legislation that lobbyists actively engaged on for the County and present findings to the Board.
- Ascertain cost-benefit of the legislative program and recommend to the Board whether to continue the program at current service levels, enhance the program, curtail the program, or discontinue the program.
- Review and notify the Board of Supervisors of any other important legislative matters.

Typical staff functions on a legislative committee are to:

CAO

- Distribute bills and amendments to affected departments.
- Maintain files on legislation of interest to the County.
- Review department responses on bills for financial and other impacts.
- Place items of significant impact or interest on the Board of Supervisors or LPC agendas.
- Prepare and distribute agenda and minutes for the LPC.
- Coordinate the legislative testimony of County personnel with contract lobbyists.

County Departments

- Propose to the LPC sponsorship of new legislation on matters that will streamline/enhance departmental operations, champion efficiency, and allow services to be rendered in the most cost-effective manner possible.
- Participate in professional associations and keep the LPC and CAO apprised of their positions on legislation.
- Evaluate bills and amendments distributed by CAO for departmental impacts and report back in a timely manner. A non-response from a department will be presumed to indicate the bill will have no significant impact to the County.
- Designate a departmental liaison to the LPC to review bills, forward bills to appropriate departmental staff, assure review is completed in a timely manner, obtain authorization for proposed positions on bills from the department head, and return reviews and proposed positions to the CAO for consideration before the LPC.

County Counsel

- Review legal implications of proposed legislative positions as requested by the LPC.
- Review legal implications of pending or enacted legislation as requested by the LPC.

Contract Lobbyists

- In coordination with the LPC, assist in the development of the County's legislative program at the start of each state/federal legislative session by identifying legislative objectives and political strategies for Kern based on the County's adopted legislative platform and likely legislative issues that could arise in the upcoming year.
- Coordinate with CAO and County departments to meet (in person or virtually) at the beginning of each calendar year to maintain knowledge of issues concerning County business areas and operations and provide advice on legislative and regulatory matters as they apply to respective operations.
- Develop and maintain working relationships with all legislators and appropriate staff so they are familiar with Kern County's needs and priorities, with emphasis on delegation members who represent the County.
- Coordinate with delegation members who represent the County to present their legislative priorities to the LPC at the beginning of each calendar year in an effort to find synergies that may result in sponsorship of bills that advance the County's legislative priorities.
- Proactively identify, review, and analyze any and all state/federal legislation, regulations, resolutions, ballot issues, and budget proposals of interest to Kern County. Provide reports to CAO in a timely manner and provide necessary analysis and recommended County action so items can be agendized for monthly LPC meetings.
- Conduct research and provide information on state/federal policy issues to LPC, CAO, and County departments. Provide copies of bills, committee reports, agency rules or other information reasonably available that are pertinent to subject areas included in, but not limited to, issues identified in the County's most recently adopted legislative platform.
- Draft letters and talking points on legislative, budgetary and regulatory issues as necessary.
- Submit County position statements prepared by County staff or by lobbyist to appropriate legislators, committees, agencies, and other key stakeholders.
- Create a presence in Sacramento and Washington, D.C. for the County of Kern.
- Coordinate the legislative testimony of County personnel with CAO.
- Participate in monthly LPC meetings and provide updates on legislation of interest/monitored legislation identified by the LPC, CAO, and County departments.
- Track/measure/report on at least an annual basis, Kern's fiscal/budgetary impact resulting from state and/or federal legislation enacted in the prior year that lobbyist actively engaged on for the County.

- Track/measure/report on at least an annual basis, the rate of preferred state and/or federal legislative and regulatory outcomes enacted in the prior year that lobbyist actively engaged on for the County.
- Track/measure/report on at least an annual basis, the number of meetings with relevant stakeholders, hearings attended, testimony provided, etc. by lobbyist (or facilitated by lobbyist) on legislative and regulatory matters critical to the County's programmatic success and fiscal health.

PROGRAM EVALUATION

The goal of the program evaluation will be to determine the costs, benefits, and effectiveness of the legislative program. The program will be evaluated at the conclusion of each legislative session and a determination will be made to continue the program at current service levels, enhance the program, curtail the program, or discontinue the program.

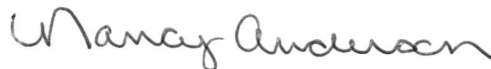
The evaluation standards utilized shall include:

- Identifying and quantifying the fiscal/budgetary impact resulting from state/federal legislation enacted in the prior year that lobbyist actively engaged on for the County. Dollars obtained for the County as well as dollars deleted from County programs and mandates that impact program activities shall be considered in the analysis.
- Identifying and quantifying the rate of preferred state/federal legislative and regulatory outcomes enacted in the prior year that lobbyist actively engaged on for the County.
- Identifying and quantifying the number of meetings with relevant stakeholders, hearings attended, testimony provided, etc. by lobbyist (or facilitated by lobbyist) on legislative and regulatory matters critical to the County's programmatic success and fiscal health. The relationships established and/or enhanced as a result of the legislative program which are determined to be of significant long-term value to the County shall be included in the analysis.
- Identifying the development and maintenance of the internal legislative policies and procedures which promote efficient, effective, and coordinated intervention in the legislative process.

A written report on results achieved from the legislative program will be submitted to the LPC for review by committee staff. The Committee will submit recommendations to the CAO who will in turn report to the Board of Supervisors with findings and recommendations.

Therefore, IT IS RECOMMENDED that your Board approve the formation of a legislative program committee, select the committee members and convene as proposed.

Sincerely,



Nancy Anderson
Chief Administrative Officer

NA/TB:LEGGEN Proposed Legislative Program Committee (BOS)

cc: County Counsel