



## Carpi & Clay, Inc.

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Kenneth Carpi, Managing Partner



Response to Request for Qualifications No. 2203-553 from

# Contra Costa County

for

Federal Legislative Advocacy Services

April 27, 2022

# ***TABLE OF CONTENTS***

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	Page
Cover Letter	2
Responder's Qualifications and Experience	4
Key Personnel Qualifications and Experience	7
Description of Proposed Services	12
References	15
Relationships	17
Understanding Your Federal Needs	18
Fee Schedule	22
Evidence of Insurance	23

## COVER LETTER

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April 27, 2022

Timothy Ewell  
Chief Assistant County Administrator  
Contra Costa County  
1025 Escobar Street, 4<sup>th</sup> Floor  
Martinez, CA 94553

Dear Mr. Ewell:

This is an exciting time for Contra Costa County (County) to be reviewing your federal advocacy efforts. Carpi & Clay, Inc. is pleased to respond to the County's Request for Qualifications for Federal Legislative Advocacy Services No. 2203-553. This proposal outlines our qualifications, introduces our team, explains our approach, and highlights our past successes on behalf of local governments, including counties.

Carpi & Clay was established as a California corporation in 1986. For 36 years, Carpi & Clay has provided full-service, bipartisan federal government relations services in Washington, D.C. We specialize in the development and implementation of successful federal legislative and government advocacy programs on behalf of public entities. The advocacy community in Washington, D.C. is highly competitive, and we are very proud that our successes on behalf of our clients have resulted in their continual decisions to remain with our firm. Our office is located steps from the Capitol at 601 New Jersey Ave NW, Suite 300, Washington, DC 20001. Our federal tax ID number is 20-0649353.

With more than 100 years of combined federal advocacy experience, the Carpi & Clay team has sat on "both sides of the table" as advocates and as staff for major political leaders of both parties at the local, state, and federal levels. This unique perspective makes us creative and responsive public policy advocates.

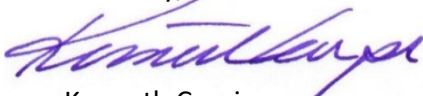
Carpi & Clay is the right team to help the County achieve success at the federal level. We possess direct, relevant experience working on the issues important to the County from the perspective as senior staff and now as professional advocates. Our Contra Costa County federal advocacy team will be led by David Wetmore and Laura Morgan-Kessler, seasoned advocates for public entities, including several counties in California.

Carpi & Clay accepts the conditions and requirements included in the RFP. Carpi & Clay is in good standing and possesses all licenses, permits, certifications, approvals, and authorizations needed to perform the Scope of Work and obligations pursuant to this RFQ. Should the County have any questions regarding the contents of our proposal, please feel free to contact me at the following:

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Thank you for your consideration of our proposal. We welcome the opportunity to discuss our qualifications, as well as how we can help Contra Costa County achieve your federal objectives.

Sincerely,



Kenneth Carpi  
CEO & Managing Partner  
Carpi & Clay, Inc.

## ***RESPONDER'S QUALIFICATIONS AND EXPERIENCE***

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Given the breadth and geographic scope of our client base, we take pride in understanding the dynamic interplay of federal-state-local relations. Our unique backgrounds have exposed us to virtually every issue of direct interest or concern to government agencies for more than 36 years. Having served as staff to major political leaders at the local, state, and federal levels, we have been on “both sides of the table” as advocates and as staff to public officials being lobbied. This unique perspective helps us to be very creative and nimble public policy advocates.

Our team for Contra Costa County is comprised of seasoned advocates for local government entities and counties who have a proven record of success. David and Laura will use all available resources to design and implement legislative, regulatory, and funding solutions that address the County’s policy, regulatory, and project priorities including:

- Crafting strategic plans;
- Building coalitions;
- Educating lawmakers and advocating before Congress;
- Briefing federal agency officials and political appointees;
- Drafting for legislation and amendments;
- Arranging, writing, and coordinating testimony;
- Developing and implementing policy briefings;
- Preparing witnesses for committee hearings;
- Identifying funding opportunities through the legislative and appropriations process;
- Navigating the processes, politics, and regulations governing competitive grants and appropriations; and
- Organizing, facilitating, and supporting “fly-ins” and client advocacy days.

When it comes to making written and oral presentations on the County’s behalf, be it a committee hearing statement, a talking points memo, a legislative briefing paper, or correspondence and communications for key audiences, we possess not only superior communication skills, but also a level of insight that can only come from having been on the receiving end of such materials.

### ***Our Accomplishments***

Our record of accomplishments is strong. We take great care to ensure that client priorities are well orchestrated through every level of an agency and beyond. We leverage our technical expertise and solid relationships within regional and headquarters levels of an agency and the Office of the Secretary, the White House, and the Office of Management and Budget (OMB). Given the long review, study, and construction schedules endemic to the federal process, it is not unusual to see shifts in the way the government does business while a project is winding its way through the authorization-and-appropriation process. Such shifts, no matter how major or minor, can have an impact. Our job includes foreseeing these bumps in the road and doing what is necessary to ensure that projects stay on track.

Taking a team-oriented, full-service approach, we have developed multiyear advocacy campaigns aimed at grassroots opinion leaders and congressional delegations alike to foster both public and political support for client projects as priority candidates for federal funding. Below are a few examples of our efforts that involved our use of a coordinated congressional and agency approach to achieve the desired outcomes on behalf of our clients.

**Coronavirus Relief Fund.** The CARES Act established the \$150 billion Coronavirus Relief Fund (CRF) for states and local governments with populations of about 500,000. The Treasury Department was interpreting the new law in a way that would have prevented 12 counties throughout the country, including Fresno County, with populations above 500,000 from being eligible for funding. We took the initiative to contact the impacted counties and created an informal national coalition to lobby against the Department's interpretation. Through conference calls, development of advocacy tools, and a coordinated campaign targeting Congress, the White House, and the Department of Treasury, we successfully reversed the interpretation. All 12 counties were deemed eligible entities, and each received a direct CRF allocation amounting to millions in fiscal relief from the Treasury Department.

**Veterans Hospital Project.** We worked with San Joaquin County's Congressional delegation to support a \$139 million line-item in President Obama's FY 2016 budget for a new community-based outreach clinic. This project had been delayed within the Department of Veterans Affairs (VA) due to internal miscommunications. Through our work with the VA, we found that the project was far enough along for inclusion in the budget. We provided the necessary impetus for this action. We then secured the full appropriation and congressional construction authorization needed to start construction in 2019.

**Tax-Exempt Municipal Bonds.** At the end of 2017, Congress was working to pass a tax reform package. There were many in Washington, D.C. who wanted to cap or eliminate tax-exempt municipal bonds. This move would have presented local governments throughout the country with significant financial challenges to fund necessary projects. On behalf of our public entity clients, we were actively involved in the efforts to ensure that no changes were made to tax-exempt municipal bonds in the bill.

**Seeking Solutions for the Homeless.** We worked with the U.S. Interagency Council on Homelessness (USICH) to secure technical assistance grant funding and staff assistance for San Joaquin County. We facilitated meetings with the USICH director and staff. As a result, the Department of Housing and Urban Development and the USICH awarded technical assistance grants, traveled to Stockton to provide on-site counsel, and continues to assist the County review its program options, stakeholder collaboration, and communications.

**Federal Approvals for County Health Clinics.** We developed and implemented an advocacy strategy to secure approval of San Joaquin County's application to the Health Resources and Services Administration (HRSA) for a "Federally Qualified Health Center Look-A-Like" designation. The County's initial application was denied without review. Upon our engagement, we set in place a strategy to complement the very strong merits of a revised application. We secured congressional endorsements, inquiries to HRSA, and facilitated meetings with HRSA's leadership that secured approval of the County's application and new federal reimbursements.

**Urban Search and Rescue Funding.** While at a previous firm, Laura Morgan-Kessler represented the Orange County Fire Authority (OCFA), who is a sponsoring agency for one of the nation's 28 Urban Search and Rescue teams. On behalf of OCFA, Laura worked to schedule meetings with Members of Congress, Congressional committees, and the Office of Management and Budget to provide detailed information on the importance of the Urban Search and Rescue program as a national resource during disasters. As a result of these efforts, annual funding for the program was increased.

**Reauthorization of the National Flood Insurance Program.** When Congress was working to reauthorize the National Flood Insurance Program, problematic language was included that would have required homeowners living in the residual risk areas to purchase flood insurance, and placed building restrictions in these areas – an extremely costly mandate on local governments and residents. While at a previous firm, Laura Morgan-Kessler worked with Members of Congress in the House and the Senate to introduce and secure passage of procedural votes that eliminated the provision from both versions of the bill.

**President's Budget.** Our team works closely with and on behalf of our clients to secure line-item provisions in the President's annual budget. For example, we secured \$18 million in the President's budget for the Lake Success Dam Remediation project to address flood risk reduction and irrigation districts in Tulare County.

**Bureau of Reclamation Grants.** For western states, Reclamation's WaterSMART program can be an important financial resource for water resiliency efforts. Through our consistent engagement in the annual congressional appropriations process and our grants support, we have helped to create and monitor opportunities for our clients to secure critical federal funding. For example, we helped deliver six grant awards from Reclamation providing a combined \$6.4M over three years for the Long Beach Water Department.

**Broadband Infrastructure.** The COVID-19 pandemic heightened awareness for the need for robust investment in broadband infrastructure, particularly in rural areas. Access to broadband is critical to public health, safety, libraries, education and a host of things. We have experience in advocating for an increase in federal funding dedicated to broadband expansion and allowing flexibility for local governments on broadband providers.

**Disaster Reimbursement.** In May 2018, Kern and Tulare Counties alerted us that the U.S. Forest Service owed their fire departments a combined \$3 million for major wildfire suppression operations, dating back to the 2016 Cedar Fire. We immediately engaged the leadership of the Department of Agriculture and the Forest Service and as a result, helped to unravel the audit concerns. Through our efforts, the U.S. Forest Service processed expedited payments in June 2018.

**Community Projects.** After more than a decade, Congress reinstated earmarks (now called community project requests) in the FY 2022 appropriations bills. We worked with our clients to successfully secure funding for several local priorities including economic development and housing projects.

## KEY PERSONNEL—QUALIFICATIONS AND EXPERIENCE

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### *Our Firm*

Carpi & Clay, Inc. is a top-ranked, federal advocacy firm that is recognized for our longstanding record of success. Within Washington, D.C. circles, whether it be on Capitol Hill or before federal agencies and the Executive Branch, we have a stellar reputation for providing exceptional client service and a steadfast commitment to our clients. Our firm motto is “Personal Touch. Impressive Results.” We are proud that year after year we continue to deliver on our clients’ top priorities. Our office is located in Washington, D.C. just steps from the U.S. Capitol and houses all six of our employees.

For more than 36 years, the bipartisan Carpi & Clay team has represented, advanced, and protected the financial, legislative, and regulatory interests of our clients. Our success is a result of our comprehensive approach to federal advocacy. Within the context of an ever-changing legislative and regulatory landscape, we are direct advocates and work closely with our clients to develop a meaningful and realistic assessment of their needs and opportunities for success. When it comes to working for our clients, we leave no stone unturned.

We bring decades of experience representing the interests of cities and counties, water utilities, transportation and transit agencies, airports, ports and harbors, and joint powers authorities before Congress and the federal agencies. We work with a cross-section of Members of Congress and Congressional committees on a bipartisan basis. We are also active in many stakeholder coalitions and enjoy strong working relationships with the National Association of Counties (NACo) and the California State Association of Counties (CSAC).

Day in and day out, it is in our firm’s DNA to go the extra mile for clients. We know that each client is just as unique as are the strategies that we develop and implement for them. We recognize that when it comes to RFP responses, many firms sound the same. Here is what separates us from the pack:

- **We use a “Principals Only” approach.** The same people who prepared this proposal will be the people answering your phone calls, attending meetings, and doing the work on your behalf. We are the ones who will manage and execute the actual hands-on meetings and briefings, not associates or junior staff. We believe that being directly accountable is the best way to serve our clients.
- **We learn the issues and do not leave policy details to others.** Knowing the details of your issues on a variety of policies and topics helps us to establish strong, value-added relationships based on trust. This is the starting point for any successful advocacy strategy.
- **We evolve, adapt, and keep our clients ahead of the curve.** Now more than ever, engaging at the federal level is critical to our clients. Whether that be a request for emergency funding or modifications to the way the Treasury Department is administering the CARES Act, our team has the resources, wherewithal, and connections to ensure that



during unprecedented times our clients' access to Washington, D.C. remains strong and uninterrupted.

- **We give honest assessments of situations and possibilities.** Contra Costa County's resources are not unlimited. You deserve to know where and how resources are being used to achieve results. Through continued communications and information sharing, we will facilitate your advocacy on important budgetary, regulatory, and legislative issues in timely and effective ways.
- **We rely on sustained communications.** Advocacy trips, nowadays virtual meetings, to Washington D.C. to meet with Congress and the Administration are just the starting point. As your "boots on the ground", we nurture relationships and build responsive advocacy strategies. These communications and relationships extend to important stakeholder groups who are information resources and will be like-minded allies. Simply put, we do not just show up in a congressional office only when we have an "ask". We engage on a regular basis with the Members of Congress, congressional committees, and agencies where our client's interests lie. We view our interaction with federal decision makers as being a long-term partnership, not a one-off transaction.

## *Our Team*

Our team has significant work experience with local governments and fully understands the fundamental issues facing counties. We understand the considerable financial, operational, and political challenges that public agencies balance daily. We have worked—inside and outside of government—to help counties like Contra Costa overcome those challenges. Throughout our individual careers and as a firm, we have worked for and with Democratic and Republican Administrations, Congress, mayors, governors, county supervisors, and other elected and appointed officials. Each member of our team is highly respected within the federal advocacy community, and we have the expertise and political understanding to achieve the County's federal priorities. Displayed below in alphabetical order is the biographical information regarding each member of our team. As mentioned earlier, David Wetmore and Laura Morgan-Kessler will serve as the leads for the County's federal advocacy efforts.



### **Ken Carpi**

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Ken Carpi manages Carpi & Clay and the firm's legislative and advocacy activities. With more than 30 years of experience in the public sector, including more than 20 years at the federal level, he plays a major role in developing and implementing effective federal legislative and regulatory strategies. He directs a team that works to craft approaches and develop partnerships that will meet, and often exceed, client expectations.

As Legislative Director for a U.S. Senator, Ken spearheaded and directed all legislative efforts on behalf of the nation's largest state. He implemented a legislative program on issues of key importance including natural resources, transportation funding, housing, and public works projects.

Ken also served as a Senior Policy Assistant to the Mayor of San Diego. Ken has a degree in Public Administration from San Diego State University and has completed graduate work in Urban Studies. He holds the rank of Commander in the U.S. Naval Reserve.

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## David Wetmore

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David Wetmore joined Carpi & Clay in 2007 and brings 30 years of hands-on government and congressional relations experience to our clients, as well as a record of providing strategic guidance to elected officials on a bipartisan basis. Throughout his career, he has stood at the intersection of federal, state, and local relations and has participated in major federal legislative decisions impacting states and local governments.

His experience and expertise include the legislative process, public policy, issue development, strategic planning, and communications. He has been a direct liaison for clients with the Executive Branch, Congress, governors and their senior staff, trade associations, and corporate officers. David served as the Chief Washington, D.C. representative for two California governors, where he was the frontline resource and liaison to Congress, the White House, federal agencies, and stakeholders. He has coordinated all aspects of state and local government federal policy agendas and directed specific strategies that secured changes in federal law to achieve federal funding victories and secure enactment of policy objectives. He worked very closely with other state governors' offices to promote federal priorities, including fiscal relief, environmental policies and resource management, tourism promotion, funding equity, criminal justice reforms, and regional mobility. In addition, for six years, David directed government relations for the National Association of Insurance Commissioners, participating in the national health care debate, financial services reform, and natural catastrophe legislation. He began his career in the United States Senate with a legislative portfolio that emphasized intergovernmental relations and direct interaction with state and local elected officials.

David graduated with a double major in Political Science and French from San Diego State University. In addition, he is a graduate of the Institute d'Etudes Politiques, France.

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Partner  
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## Laura Morgan-Kessler

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Laura Morgan-Kessler, a native Californian, joined Carpi & Clay in 2018, brings almost 20 years of experience advocating for public agency clients on a wide range of issues including water quality and infrastructure, economic development, homeland security, public safety, natural resources, transportation, and the environment. She provides them with timely and strategic intelligence on congressional and federal agency actions and helps develop and implement federal advocacy strategies.

Laura is known for developing partnerships with clients, and her dedication to – and passion for – their issues has proven to be an effective combination for success. She maintains strong working relationships with Members of Congress and their staff, congressional committees, and federal agencies including the Bureau of Reclamation, the Environmental Protection Agency, the Department of the Interior, the Department of Housing and Urban Development, and the Federal Emergency Management Agency. She also works closely with regional and national organizations such as the U.S. Conference of Mayors and the National League of Cities.

One of Laura’s proudest professional accomplishments is the work she did on behalf of several of her local government clients to lead the successful effort to remove the residual risk provision from the National Flood Insurance Program Reauthorization bill. The residual risk mandate would have been costly to residents and businesses, thwarted economic development, and discouraged local investment in flood control measures. With the absence of specific policy at the National Association of Counties, the National Leagues of Cities, and the U.S. Conference of Mayors, Laura worked to combat this provision and won a floor amendment in the House and a procedural victory in the Senate to strike the provision from the final bill.

Previously, Laura worked on Capitol Hill as a legislative staff member for Senator Dianne Feinstein. During her tenure with the Senator, she focused her efforts on issues of importance to Californians such as transportation, water, energy, and the environment. She also supported the Senator’s Energy and Natural Resources Committee portfolio.

Laura is currently a member of Women in Government Relations, where she currently serves as the Chair of the Congressional Outreach Committee, as well as a member of the Transportation & Infrastructure Task Force and the Diversity, Equity, and Inclusion Committee.

Laura graduated from Wake Forest University with a Bachelor of Arts in political science with a minor in sociology.

Contact Information: Laura Morgan-Kessler  
Principal  
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## ***DESCRIPTION OF THE PROPOSED SERVICES***

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As your federal advocates, we view ourselves as an extension of your team. Navigating the concourses of the federal government can be like building a sandcastle during high tide. As such, our advocacy plan for the County would incorporate the necessary flexibility to accommodate issues that will emerge in Washington, D.C., but also locally. Success requires a nimble approach, capable of coordinating multiple federal agencies and a congressional process that can often operate in silos. We propose the following strategic path to help the County achieve its federal priorities:

### **Strategic Planning and Consultation**

Upon selection, we would schedule an intensive strategic planning session with the County. This is the starting point for any successful advocacy strategy. Knowing your issues in detail establishes strong, trust-based relationships on your behalf and helps us evaluate your goals and objectives on a variety of policies, projects, and topics. We would use this opportunity to review the County's current federal legislative agenda, as well as discuss project and regulatory priorities with the County's leadership. We would present the County with an assessment of opportunities and challenges in Washington, D.C., the legislative climate, political dynamics, and direction on leveraging local resources to advance your federal goals. We would also evaluate the County's current federal presence with a view toward maximizing advocacy potential and increasing the County's federal profile and footprint. We have direct, hands-on experience planning and preparing legislative agendas for county government clients. We will work to synchronize your federal agenda with the goals and actions of Congress and the federal agencies, including unanticipated issues that need attention but are not specifically delineated in the agenda. Once finalized, we would ensure priority issues are communicated to Congress and the federal agencies.

### **Maintain Relationships with Congress and Federal Agencies**

As your federal advocates, we will ensure the County's federal projects and priorities are front and center with Congress, the Administration, and relevant federal agencies. Federal decision-makers will view us as an extension of the County in Washington, D.C. and as an available resource for them at any time to discuss funding, legislative, and regulatory priorities. We will use our extensive network of congressional and federal agency relationships to extend the County's reach well beyond your congressional delegation. We will work to help raise your profile with the federal government and be viewed as a thought leader on important issues. We work regularly with authorizing and appropriating committee staff in both the House and the Senate. We are also in frequent communication with the Administration, numerous federal agencies, and the Office of Management and Budget. We will serve as a liaison between you and your congressional delegation, making you aware of any communication we may have with the delegation.

### **Legislative and Regulatory Advocacy**

We closely track all federal activity on issues of health and human services, land use, water and natural resources, infrastructure, economic development, environment, criminal justice, climate

change, and equity. We will keep the County abreast of any legislation or potential legislation that could affect your operations and General Fund. We will provide legislative text, detailed bill analysis, and status updates on identified legislation. We also monitor the *Federal Register* daily for federal agency regulatory actions that may be of interest to the County. We will ensure that you are aware of all pending federal regulatory actions that could have either a positive or negative impact on your operations. We will work to prepare detailed and thoughtful comments in response to proposed federal agency regulations, sharing these comments with your congressional delegation.

### **Federal Funding, Advocacy, and Grant Support**

We will closely monitor the President's budget and the annual congressional appropriations process, providing the County with a detailed summary and funding levels of programs of importance. We will work to ensure your congressional delegation is aware of the County's annual appropriations priorities as well as community project requests, assist the County in submitting all appropriations request forms, and work with your congressional delegation to sign onto appropriations "Dear Colleague" letters for federal programs of importance. Additionally, we understand the dynamics of the federal grant process and have secured numerous grants for local communities. For our clients, we identify appropriate grants, assist with the preparation and submittal of grants, and engage with the federal agencies as advocates on your behalf. We will work with your grant writers to tailor a grants management strategy that looks to specific programs and expected grant offerings. We will provide timely notice of federal grant announcements and share all relevant materials. We will also organize meetings for you with federal agency decision-makers to help you position your grant, understand an agency's priority focus for funding, and develop relationships with federal decision makers.

### **In-Person and Virtual Visits**

You are your own best advocates, which is why we prefer supervisors and staff be personally involved in federal advocacy. To this end, we will support all facets of your advocacy visits to ensure the most advantageous use of your time. Whether you choose an in-person or virtual visit, we will accommodate your needs. Working with the County, we will prepare a list of potential dates and targeted meetings in Washington, D.C. We will schedule meetings with your congressional delegation, key committee staff, and relevant federal agency officials and provide updates on our progress. In addition, we will assist in the preparation of associated white papers, letters, and talking points. Even in a virtual world, we will accompany the County to all meetings and ensure proper follow-up.

### **Communications**

Communication is key to the successful implementation of your federal advocacy goals. We maintain regular contact with our clients, both through email and phone calls. This accessibility and communication will be critical to the success of the County's legislative agenda. We recognize both short- and long-term trends in funding opportunities before they become apparent and will work with you to connect your priorities with those federal opportunities. We will monitor key legislation, congressional hearings, grant opportunities, and regulations that affect the County and your priorities. We are committed to providing regular written reports that outline the monitoring of key legislative initiatives related to the County's legislative agenda. These reports will detail any actions that we

have taken on your behalf with Congress or the Administration. We will closely monitor legislative and regulatory developments in Washington, D.C. including tracking discussions, drafts, emerging issues, research reports and other activities that may ultimately affect legislation, regulations, or other client interests. Once we identify a development important to you, we will promptly convey necessary intel through email, conference calls, or reports. As with our other clients, we will use all available technology to bridge the geographic and temporal divide separating California and Washington, D.C.

## REFERENCES

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We are proud of our long history representing public agencies at the federal level. Below are three current and former client references.

### CURRENT CLIENT REFERENCES

**Paul Nerland**

County Administrative Officer

**County of Fresno**

2281 Tulare St., Suite 304

Fresno, CA 93721

(559) 600-1221

[PNerland@fresnocountyca.gov](mailto:PNerland@fresnocountyca.gov)

Dates of service: December 2018 – present

**Ryan Alsop**

Chief Administrative Officer

**Kern County**

1115 Truxtun Avenue, Fifth Floor

Bakersfield, CA 93301

(661) 868-3140

[alsopr@kerncounty.com](mailto:alsopr@kerncounty.com)

Dates of service: December 2011 to present

**Connie Juarez-Diroll**

Chief Legislative Officer

**County of San Mateo**

County Government Center

400 County Center, 1<sup>st</sup> Floor

Redwood City, CA 94063

(650) 599-1341

[cjuarez-diroll@smcgov.org](mailto:cjuarez-diroll@smcgov.org)

Dates of service: January 2022 to present

### FORMER CLIENT REFERENCES

**Glenn Farrel**

**San Diego County Water Authority** (now with GF Advocacy)

(916) 216-1747

[glenn@afadvocacy.com](mailto:glenn@afadvocacy.com)

Dates of service: 1999-2021



**Rachel Gregg**

Director of Government and Community Relations

**San Diego State University**

5500 Campanile Dr.

San Diego, CA 92182

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[rgregg@sdsu.edu](mailto:rgregg@sdsu.edu)

Dates of service: 2008-2020

**Honorable Timothy Silva**

City Council Member

**City of Barstow**

220 East Mountain View Street, Suite A

Barstow, CA 92311-2839

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[tsilva@barstowca.org](mailto:tsilva@barstowca.org)

Dates of Service: July 2008 – March 2022

## RELATIONSHIPS

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We offer the County our long-standing relationships with decision makers in Congress and at the federal agencies to help break down barriers, find common ground, and bring about positive change. We work closely with congressional leadership, appropriations, and authorizing committees including the following:

- **Contra Costa County Delegation:** Our team enjoys productive, working relationships with each of the County's Members of Congress. On behalf of all our public agency clients, we work closely with Senators Feinstein and Padilla and their respective staff on both statewide matters impacting all counties and targeted, local policy issues. The same is true for the current House Delegation: Reps. Thompson, DeSaulnier, Swalwell and McNerney. Looking ahead, the post-redistricting Delegation will be reduced to just two Members, DeSaulnier and Garamendi (with whom we also work on a variety of local government issues), yet we are well positioned to bridge this transition and forge coalitions to include all of these legislators, and others.
- **House of Representatives:** Appropriations Committee; Education and the Workforce Committee; Energy and Commerce Committee; Financial Services Committee; Homeland Security Committee; Natural Resources Committee; Transportation and Infrastructure Committee; and Ways and Means Committee.
- **Senate:** Agriculture, Nutrition and Forestry Committee; Appropriations Committee; Banking, Housing and Urban Affairs Committee; Commerce, Science and Transportation Committee; Energy and Natural Resources Committee; Environment and Public Works Committee; Finance Committee; Health, Education, Labor and Pensions Committee; Homeland Security and Governmental Affairs Committee; and Indian Affairs Committee.

We are also in frequent communication with the Administration, the Office of Management and Budget, and numerous federal agencies, including the following:

- Army Corps of Engineers; Bureau of Indian Affairs; Council on Environmental Quality; Department of Agriculture; U.S. Forest Service; Department of Defense; Department of Housing and Urban Development; Department of Health and Human Services; Department of Homeland Security; Federal Emergency Management Agency; Department of the Interior; Bureau of Reclamation; Fish and Wildlife Service; Department of Justice; Department of Transportation; Federal Aviation Administration; Federal Transit Administration; Department of Veterans Affairs; and Environmental Protection Agency.

We also regularly coordinate with regional and national associations exploring every available avenue toward advancing our clients' priorities.

## **UNDERSTANDING CONTRA COSTA COUNTY'S FEDERAL NEEDS**

For your federal lobbyist to be successful on your behalf, they need to have an in-depth understanding of the “You”, your needs, goals, and priorities. Our backgrounds and decades of experience working on behalf of California county governments will prove to yield significant results for the County at the federal level. In addition, we enjoy a close working relationship with Governor Newsom’s Washington, D.C. staff. In this regard, we capably bridge the gap between federal, state, and local government programs. Moreover, we have used this relationship to complement advocacy strategies for our local government clients.

**COVID-19 and the American Rescue Plan Act (ARPA).** Our firm continues to be heavily involved in helping our local government clients navigate the COVID-19 pandemic landscape and the ARPA state and local fiscal relief funds, related legislative initiatives, and the related, now final Treasury implementation rules and reporting deadlines. We are participating in the National Association of Counties’ (NACo) and administration-led COVID-19 conference calls that focus on the vast needs of state and local governments during this time. Early on during the pandemic, at NACo’s invitation we secured opportunities for county clients to brief national calls for county officials. We are actively supporting the Padilla/Cornyn legislation (S. 3011) and the House companion measure (HR 5735) to give local governments greater flexibility with the funds they have received. Of note, the pending supplemental COVID-19 supplemental appropriations bill includes many of the Cornyn/Padilla provisions.

Additionally, we have maintained open lines of communication between our clients and their Congressional delegations, ensuring the exchange of vital information, commenting on legislative proposals, promoting expanded relief, and educating Congress on the pandemic’s impact on local government operations and the delivery of services to residents. These advocacy efforts coupled with our existing relationships have resulted in our clients receiving direct allocations of federal funding and administrative clarifications that were not initially provided.

**Appropriations.** Carpi & Clay has decades of experience with the appropriations process and will assist Contra Costa County in ensuring that both the House and Senate Appropriations Committees are aware of priorities that are important, including robust programmatic funding levels for those programs essential to the delivery of local services and care.

For FY22, Congress reinstated the practice of appropriations “earmarks” under rigid transparency rules and under a new name, Community Project Funding (CPF). We were pleased to assist several public agency clients secure CPF funding awards and are now actively partnering with our public agency and non-profit clients regarding the FY23 CPF process. These are discussions that began early-on to help identify projects, research funding accounts and provide technical assistance on the congressional request “forms” to make sure deadlines were met. Most recently, we have facilitated virtual briefings on these requests with the Congressional offices.

While earmarks are an avenue for County project priorities, we would continue to explore opportunities in the general appropriations process to include amendments and language of intent to recognize County needs and prioritize funding. We have an intimate knowledge of the

appropriations process and have used this vast experience and connections to achieve many successes for our clients.

**Transportation and Infrastructure.** In 2021, Congress passed the Infrastructure Investment and Jobs Act, also known as the Bipartisan Infrastructure Law (BIL) which provides almost \$1 trillion over five years for all modes of transportation, water, power and energy, environmental remediation, broadband, and resilience. BIL also includes a five-year reauthorization of all surface transportation programs with increased formula allocations to MPOs like the Contra Costa Transportation Authority which should immediately benefit the County. In addition, BIL establishes additional new competitive grant programs for transportation infrastructure projects—most notably a new Bridge Investment Program— and creates new eligibilities under existing programs of interest to local governments. We will utilize our decades of experience with transportation and infrastructure programs under the Department of Transportation (DOT) to provide advice and counsel to the County on project submissions, funding, and grant processes. We will explain the policy decisions and processes from the agency position and help the County develop a strategy to improve its submissions to better navigate the federal system.

Finally, the Federal Aviation Administration (FAA) reauthorization expires in FY 2023. The reauthorization process may present an opportunity for the County to advocate for the needs of Buchanan Field and Byron Airport. We will work to ensure that your entire delegation and key Members of Congress are aware of and push for the priorities of your general aviation airport. We have worked successfully with another County to secure FAA discretionary grant funding and would want to explore similar opportunity for the County.

**Health Care.** Congress will continue to debate health care policy issues the challenges placed on health systems, providers, payors and workers due to COVID, shortcomings in the ACA, and the growing spending in federal entitlement programs - discussions important to all public hospitals and certainly County Health Services and the Regional Medical Center. Counties have a unique set of challenges around access to care in the Medicaid program. We closely monitor proposals like Medicaid block grants. During the ACA “repeal and replace” debates, we identified and documented for legislators the baseline facts regarding county healthcare delivery systems to use as a measuring stick to evaluate new proposals and communicate the corresponding impacts, good and bad, of any proposed changes. The County’s Congressional delegation will need to be educated on the role federal programs and funds play in the County’s health care delivery system.

Contra Costa County residents enrolled in Medi-Cal face major barriers to care, and California’s low reimbursement rates make it difficult. We would want to understand the County’s experiences and recommendations in this regard. Moreover, it is anticipated (hoped) Congress will enact new and expanded telehealth modernization legislation at the end of the current Public Health Emergency. Rep. Mike Thompson continues to be a leader in this regard which could also help the County address remote care issues, access to sub-specialty physicians and facilitate Medicare reimbursements for care not otherwise available in the County. Along these same lines, we will be looking very closely at proposals to reform the 340B drug discount program and funding for disproportionate share hospitals which are key to a safety-net system of health care delivery in counties – and routinely targeted for cutbacks.

Many human services programs lack long-term reauthorizations which creates budget and program uncertainty for the County. The Temporary Assistance for Needy Families (TANF) is one example. While Congress has currently extended TANF authority through the end of September 2021, additional action will need to be taken before then to prevent the program from lapsing. Additionally, we anticipate the County would support long-term program authority along with policy changes to make the program more flexible to County needs and responsive to budget concerns.

**Water Infrastructure/Natural Resources.** We have helped secure federal funds for water infrastructure projects including septic to sewer conversion, flood control, water recycling and reuse, desalination, and wastewater through the Army Corps of Engineers, the Bureau of Reclamation, and the Environmental Protection Agency. We also advocate regularly for federal funding of programs of importance to water utilities such as the Clean Water and Drinking Water State Revolving Funds and the Water Infrastructure Finance and Innovation Act. Specifically related to COVID-19, we are currently advocating in Congress on behalf of our water agency clients to direct future federal COVID-19 relief funding towards utilities, for which utilities can use for revenue replacement.

Now that BIL is being implemented, the Environmental Protection Agency (EPA) and the Bureau of Reclamation (Reclamation) is focused on getting their first round of funding out the door. Both agencies saw historic funding levels for water infrastructure programs. EPA and Reclamation are currently rolling out funding opportunities for existing programs. Later this year, both agencies will put out proposed guidance for the new programs established in the bill, with an anticipated timeline of the end of the calendar year for the first funding notices for these programs.

Outside federal funding opportunities, federal agencies will continue to work on several regulatory changes and updates over the coming months. The Biden Administration has been reviewing many of the environmental regulations put into effect during the previous administration. We anticipate that new proposed rules addressing lead and copper, as well as the Waters of the United States (WOTUS) could be released later this year. It will be critical for local governments like Torrance to weigh in with agencies about the real-life implications of these proposed rules.

**Public Safety.** Public safety is an issue of the utmost importance to the County and its residents. Through our extensive work on behalf of local governments, we have advocated for continued federal funding for public safety programs such as the COPS Hiring Program, State and Local Law Enforcement Assistance Programs, School Safety Initiative, Violence Against Women grants, SCAAP, homeland security grants, Drug Courts and programs aimed at prosecuting human trafficking. We will ensure that the County is aware of all public safety funding opportunities. We will also work with the County to make its public safety needs known to decision makers at the federal level. Additionally, we closely monitor all federal agency actions and court decisions that could impact the County resources and public safety efforts.

The issue of individuals losing their health care benefits when they enter county jail facilities is impacting counties across the country. When an individual is arrested and unable to make bail, he or she loses federal healthcare benefits. The National Association of Counties and the National Sheriff's Association have created a task force to address this issue, and we have consulted with the staff at NACo to discuss policy strategies. Because of this, we are well placed to keep the County updated on

the latest developments on this issue and help position the County to be a part of these efforts. In this regard, the Medicaid Reentry Act was included in the House-passed *Build Back Better* proposal to allow states to restart benefits for Medicaid-eligible incarcerated individuals 30 days pre-release, an identified gap in the smooth transition to community care and reducing risk of inmate overdose deaths post-release.

**Housing and Homelessness.** The issues of affordable housing and homelessness continue to be priorities for the County. Federal programs such as the Community Development Block Grant program, the HOME Investment Partnership Program, Tenant-Based Rental Assistance, the Continuum of Care Program, and the VA Supportive Housing programs are extremely important to local governments throughout the Country. We have been heavily involved in the federal efforts to advocate for continued funding for these programs. We will ensure that the County’s Congressional delegation, as well as the relevant regional and national associations, are aware of the importance of these programs to the County and continue to advocate for a robust top-line funding level for these programs.