

ISSUE:

Broward County presently contracts for federal lobbying services with a primary firm, The Ferguson Group (TFG), as well as with several firms which focus on issue-specific, usually regulatory, matters. Because the contract with TFG expires the later of September 30, 2010 or the adjournment of the 111th Congress, the Office of Intergovernmental Affairs and Professional Standards (OIAPS) sought direction from the Board in June as to the process for securing ongoing federal representation.

In an effort to ascertain the best approach to Broward County's federal lobbying efforts, the Board of County Commissioners (Board) voted unanimously to evaluate the entire spectrum of lobbying services currently utilized, including state and federal firms. In addition, the motion requested information about the organization of grants offices in similar counties.

APPROACH:

The evaluation and benchmarking exercise undertaken by OIAPS included:

- Identifying similar local governments nationally, and within the state, for comparative analysis
- Developing a series of questions to pose to local governments about lobbying and grants
- Obtaining copies of comparable Florida counties' lobbying contracts, both for state and federal services, and assessing their scope
- Reviewing internal staffing levels and operational structure of comparable counties within the state, as well as nationwide
- Researching Hillsborough and King counties' lobbying firms and their appropriations successes
- Identifying county membership in state and national associations as these organizations provide advocacy on behalf of their membership
- Identifying online legislative tracking tools utilized by counties

CURRENT SITUATION:

At the federal level, Broward County's primary advocacy firm is The Ferguson Group (TFG). While not required by the Procurement Code, TFG was selected through a competitive RLI process. The Board first entered into contract with TFG in June 1999. The Selection Committee was reconvened in 2004 and recommended the County continue contracting with TFG for federal representation. The Board approved the current agreement, as extended, on August 16, 2004.

The Ferguson Group provides representation of the Board's federal policies and legislative program with the legislative, regulatory and executive branches of government. The firm specializes in representing local governments and their client list does not include any other large urban county in Florida, limiting potential conflicts of interest. A client list is included as Exhibit 1. Additionally, some county agencies,

such as Port Everglades and Fort Lauderdale-Hollywood International Airport, secure services from other firms (see Exhibit 2) for issue-specific advocacy/regulatory activities at the federal level.

Internal staff also supports Broward County's federal legislative agenda and actively participate in the National Association of Counties' advocacy efforts, including serving on NACo Steering Committees and membership and active participation in the National Association of County Intergovernmental Relations Officials (NACIRO). Internal staff monitors and reports on federal priority legislation through the use of online subscription services. The federal lobbying firm is responsible for submitting monthly reports, while internal staff develop and distribute federal updates. Each Fall, OIAPS staff creates a federal legislative program based on input from County Departments, Offices, Divisions, County Administration, the Board, and Advisory Boards. Coordinated by internal staff, the federal lobbying firm attends meetings with stakeholders to finalize the federal program, appropriations project requests, and strategize regarding Congressional sponsorship. Once the Board approves a federal program, usually in late January or early February of each year, the federal firm completes and submits the required Congressional appropriations forms, followed by a Mayoral visit to Washington, DC, each March, to discuss the requests.

At the state level, Broward County contracts with five (5) firms to represent its interests before the legislative and executive branches of government. The five primary firms are not permitted to subcontract with others to represent Broward County's interests. State firms provide weekly updates during the legislative session through direct contact at "Lobbyteam Meetings", as well as through written and verbal communications with staff. Each firm receives specific assignments, on which they report progress both during, and upon conclusion of, a legislative session. When commissioners travel to advocate for Broward County's legislative platform, state lobbying firm representatives assist with scheduling legislative and executive-level meetings. Current state lobbying contracts are for a period of one-year expiring on September 30, 2010. The contracts may be renewed for an additional one-year period upon 30 days' written notice to the lobbying firm of the County's intent to renew.

Staff also supports Broward County's state legislative program, through development of the program, talking points, position statements, testimony, amendments, strategies and reports. Staff members are assigned specific areas and are expected to act as subject matter experts for those topics, requiring meetings with committee members, legislators and their staff, agency representatives, association members, and stakeholders, as appropriate. Staff actively participates in state associations, such as the Florida Association of Counties, the Florida League of Cities, and the Florida Association for Intergovernmental Relations.

FEDERAL LOBBYING COST-BENEFIT ANALYSIS:

Broward County allocates a total of \$395,755 for advocacy of the Board’s policies and legislative program at the federal level, \$280,512 of which is paid to TFG. Of this amount, \$140,256 is paid from the General Fund with the other half split equally between Port Everglades and Fort Lauderdale-Hollywood International Airport. The remaining \$115,243 is distributed among three issue-specific firms – Fowler White Boggs, Steinberg and Associates, and Woodward and Associates – for advocacy/regulatory work relating to the County’s beach nourishment, port dredging and South Runway expansion projects.

Since 2001, and not including the current year, TFG has secured **\$77,119,000** in direct appropriations and/or reimbursements for Board priorities, including, but not limited to: infrastructure and capital projects at the port and airport, beach renourishment reimbursement, public transportation improvements, hybrid buses, and the Downtown Transit Circulator (the Wave). In FY 2009, TFG received payments from Broward County totaling \$280,512 (including Port and Airport payments); the return on that FY 2009 investment alone was \$1.3 million. The highest grossing appropriations year was FY 2006, when TFG successfully secured \$28.97 million in earmarks for a \$280,000 investment.

The total amount of appropriations requested in the 2nd Session of the 111th Congress was \$56,426,307, of which \$11,500,000 was for the Downtown Transit Circulator (the Wave) and another \$8 million was for the Southeast Florida Regional Climate Adaptation Pilot Project (and would have been shared equally amongst the four county partners involved). When evaluating County successes, it is important to note that this year, Florida Republican Members of Congress did not submit appropriations requests, removing two (2) of our delegation members as potential sponsors. As of August 18, 2010, Broward has received almost \$3 million in earmarks, as detailed below, and more may be received before the 111th Congress adjourns:

- \$1 million for public safety emergency communications equipment, requested by the Broward Sheriff’s Office (BSO) and the Emergency Management Department, to be received by the County.
- \$150,000 was placed in the Labor/HHS/Education appropriations House bill, offering the second year’s funding for the Broward Pediatric Mortality project, being received by the Human Services Department.
- The DDA/Downtown Transit Circulator project (“The Wave”) received \$1.75 million in the House Transportation, Housing and Urban Development bill, to be received by the Transportation Department.

Broward County’s federal appropriations successes during TFG’s tenure are detailed below:

**The Ferguson Group
Direct Federal Appropriations over Life of Contract**

Projects FY01	
Water Taxis	\$2,000,000
Bus and Bus Facilities	\$1,000,000
Job Access and Reverse Commute program	\$2,000,000
African American Cultural & Community Ctr.	\$ 200,000
Projects FY02	
Southport Dredging Reimbursement	\$3,000,000
Port Everglades /FLL - Return Loop	\$2,500,000
DPEP - Alternative Fuel Vehicles	\$2,500,000
Shore Protection	\$1,000,000
Mass Transit - Buses	\$4,000,000 for South Florida Regional Buses
Projects FY03	
Port Security Funding	\$6,800,000 Port Security grant
Southport Dredging Reimbursement	\$3,000,000
Shore Protection	\$2,000,000
Airport People Mover	\$ 500,000
Return Loop	\$1,500,000
U.S. 441/7 Study	\$1,000,000
Bus and Bus Facilities	\$ 200,000
Port Security	\$ 500,000
Port Everglades Operations and Maintenance	\$2,350,000
Port Everglades Harbor Study	\$ 100,000

Projects FY04	
Shore Protection	\$1,000,000
Southport Dredging Reimbursement	\$ 600,000
Port Everglades Operations and Maintenance	\$1,255,000
Port Everglades Future Dredging Study	\$ 100,000
Port Security Funding	\$1,800,000 & \$2,500,000 Port Security grants
Projects FY05	
Buses – Alternative Fuel	\$ 750,000
Shore Protection	\$1,250,000
Terminal Roadway	\$ 500,000
Port Everglades Future Dredging	\$ 93,000
Southwest Transit Facility	\$1,200,000
Port Everglades Dredging Reimbursement	\$ 400,000
Projects FY06	
Shore Protection	\$ 750,000
Southport Dredging Reimbursement	\$ 375,000
Buses – Alternative Fuel and Articulated	\$12,690,000
Eller Drive	\$ 800,000
Terminal Roadway	\$ 3,200,000
Southwest Transit Facility	\$ 1,000,000
Urban Area Security Initiative	\$ 9,980,000 (Broward/Ft. Laud. UASI)
Port Everglades Future Dredging Study	\$ 175,000

Projects FY07	
Port Everglades Future Dredging Study	\$490,000
Port Security Funding	\$270,000 Port Security grant
Projects FY08	
Bus Rapid Transit for U.S. 441	\$686,000
Downtown Transit Circulator – Engineering	\$656,000
Bus Procurement	\$196,000
US 441/SR 7 Interchange at 11th Street, Lauderhill	\$735,000
Downtown Transit Circulator Streetscape	\$245,000
Terminal Air Traffic Control Facilities & Replacement	\$960,000
Port Everglades Harbor Study	\$492,000
Southport Dredging Reimbursement	\$703,000
Shore Protection Reimbursement	\$492,000
FEMA Pre-Disaster Mitigation	\$500,000
Southwest Transit Facility	\$500,000
Projects FY09	
Port Everglades Harbor Reimbursement	\$1,435,000
Port Everglades Harbor Study	\$ 526,000
Shore Protection Segment III	\$ 957,000
Downtown Transit Circulator Alternative Analysis	\$ 475,000
Downtown Transit Circulator Streetscape	\$ 712,000
Projects FY10	

Transit Infrastructure Improvements	\$500,000
Port Everglades Future Dredging Program	\$341,000
Pediatric Mortality Outreach Program	\$275,000
Transit Oriented Development Park n' Ride Lots	\$500,000
Downtown Circulator Preliminary Engineering	\$500,000
Port Everglades Dredging Reimbursement	\$727,000

TOTAL Appropriations/Reimbursements Secured \$77,119,000

As a comparison, Hillsborough County requested approximately \$28.7M in projects in 2008-2009 and received \$1.15 million in direct appropriations over that same period. As noted in Exhibit 2, Hillsborough County uses a single lobbying firm for its federal representation, Alcalde and Fay, and pays \$156,000 for a two-year contract (Hillsborough County’s budget cycle is 24 months). The port and airport are separate authorities in Hillsborough County, but also contract with Alcalde and Fay for federal representation. Hillsborough County recently renewed its contract with Alcalde & Fay and has maintained a relationship with them for over nineteen years.

King County, Washington, while not entirely comparable, shares many commonalities with Broward County. The population of King County is 1.9 million with 37 municipalities, while Broward has 1.7 million residents and 31 cities. Like Broward County, King County provides regional services-- courts and related legal services, public health services, the county jail, records and elections, property tax appraisals and regional parks and facilities, including the King County International Airport-- to all residents of the county. With the voter-approved merger of Metro and King County, county government has also assumed the responsibility for public transit and sewage disposal. King County provides sub-regional services in many suburban cities, such as animal control. In unincorporated communities, King County provides the services listed above and many local services, including land-use regulation, building permits, police protection, roads and local parks. Other local services in unincorporated communities are provided by fire, water, library and hospital districts which operate independently of county government.

King County was selected for a review of its lobbying successes not only as a result of its similarity to Broward County, but also because it contracts with TFG. King County has used TFG as its primary federal advocacy firm since 2005. Its appropriations successes have been substantial; however it is important to note that one of Washington State’s two senators serves on the Senate Appropriations Committee and chairs the Transportation, Housing and Urban Development, and Related Agencies Subcommittee which is responsible for transportation appropriations. Exhibit 3 details the exact nature of King County’s appropriations requests and types of projects; however a brief summary is provided below:

- In 2006, King County had a total of thirteen (13) appropriations requests, of which eight (8) were funded, totaling just over \$10 million; approximately one-third of the award total was transportation-related
- In 2008, King County submitted eight (8) projects and all 8 were funded for nearly \$19 million, \$14 million of which was for one bus rapid transit project
- In 2009, King County received just over \$16 million, of which \$11 million was for a single bus project

Success of lobbying firms is frequently measured by the amount of appropriations secured for a client; however, policy and regulatory matters are also of significant concern to Broward County, whose federal legislative platform is replete with policy statements on a wide variety of issues. TFG has negotiated a variety of policy and regulatory issues, coordinated signatures on letters of support for grant applications, assisted with agency-level grant award appeals, communicated with agency and Congressional members with respect to formula grant distribution concerns, and facilitated multiple executive branch meetings with Commissioners and/or staff.

POLICY AND REGULATORY ACTIVITIES:

- Ryan White Reauthorization, including meetings with agency administration (HRSA) and the White House HIV/AIDS Policy Director.
- Organization of American States (OAS) reimbursement, including facilitating stakeholder meetings and multiple contacts with agency.
- EPA Nutrient Load Criteria
- Department of Energy (DOE), Energy Efficiency and Conservation Block Grant (EECBG) formula allocation and discretionary grant applications identifying all counties, nationwide, with a population above 200,000 who did not receive EECBG funding.
- Environmental Protection Agency (EPA) and NOAA Congressional letters of support and meetings with agency administration and congressional delegation for grant applications related to the SE Florida Climate Change Action Group (Monroe, Miami-Dade, Broward, and Palm Beach Counties).
- Identification of Members of Congress with professional or academic ties to the medical and/or health professions; development of comprehensive mailing list; followed by meetings with delegation members from across the country who were members of that group, to discuss the need for legislation encouraging living organ donation and enhanced Family Medical Leave benefits for living donors who are not covered under the FMLA's definition of immediate family.
- Facilitated extensive meetings with Customs and Border Protection (CBP) stakeholders, including local, state and federal representatives, Department of Homeland Security, PEV and

FLL representatives, etc., to address Broward County's needs for additional agents as larger ships access the port and an increased number of international flights land at the airport.

- Recently secured legislative language in the FY 2011 Department of Homeland Security appropriations bill requiring CBP to anticipate increases in passenger volume at international ports and seaports and adjust their operations and staffing as necessary to avoid excessive customs and immigration wait times.
- Contacted counties across the nation to assess activities with respect to Online Travel Companies (OTC) federal preemption efforts and advocated with Congressional members from a variety of states, including Nevada, California, North Carolina, Georgia, Virginia, and Washington.
- Throughout the past year TFG advocated support and opposition to various provisions being negotiated within the pending FAA reauthorization bill.
- Obtained a separate Urban Area Security Initiative (UASI) designation distinct from Miami and Miami-Dade County. This designation allows Broward County to directly address its unique homeland security needs without having to rely on the City of Miami to dictate how federal UASI funding is distributed.
- Obtained a legislative provision in the Water Resources Development Act (WRDA) of 2000 directing the federal government to reimburse the County for \$15,003,000 in funds spent on Port Everglades Southport Channel and Turning Notch. This WRDA authorization was the missing step that had caused the County to be unsuccessful in seeking appropriations for Port Everglades during the years leading up to 2001.
- Worked with Senators to submit questions, on the Congressional Record, to the Department of the Defense regarding the status of the waste tire removal program.
- Utilized the "Maritime Security Act of 2002" to authorize the Port for reimbursement of security costs.
- Obtained language in the Homeland Security Appropriations bill directing the Department of Homeland Security (DHS) to include operations and maintenance as an eligible activity under the Port Security Grant program. Although Congress authorized the use of federal port security funds for operations and maintenance within the port security grant program, DHS excluded operations and maintenance as an eligible activity. After obtaining this language, the County was able to submit port security grant applications to help recover the significant increases in Post-911 security operations and maintenance costs.
- Utilized the 2007 WRDA to access reimbursement of more than \$3 million in shore protection mitigation construction costs.
- In June of 2003 the Army Corps of Engineers (Corps) conveyed to the County that language contained in the 1996 WRDA bill effectively changed the Broward County Shore Protection project from a reimbursable project to a Corps-sponsored project. If Corps Headquarters had supported this opinion, implementation of the shore protection project would have been delayed by at least two to three years. Through a strong advocacy program, TFG successfully overturned this determination.

- Obtained language in the FY 2004 Homeland Security Appropriations bill allowing TSA to hire part-time and seasonal employees on the basis of full-time equivalency. Prior to obtaining this provision, FLL was unable to secure enough TSA screeners to efficiently process passengers through security.

SCOPE OF SERVICES IN FEDERAL LOBBYING CONTRACTS:

Staff reviewed the scopes of services for comparable Florida counties (Miami-Dade, Palm Beach, Orange, Hillsborough, and Pinellas). Of note, is the specificity contained in Hillsborough and Miami-Dade counties' contracts, with respect to policy and appropriations assignments. For instance, Hillsborough County includes the following language in its contract: "Projects and issues on which the County may seek assistance on [sic] but are not limited to the following: Appropriation projects including infrastructure improvements, capital projects, and research funding; Telecommunications and communication taxes; streamlined sales tax; Water resources and environmental concerns; Transportation funding; Medicaid . . .(FMAP)/. . .TANF. . . The BOCC will adopt a Federal Legislative Program which will specify projects for inclusion. . . Additionally, the Contractor shall identify potential funding sources from the executive and legislative branches which may be applicable to County programs." Hillsborough County's contract is 24 months in length and compensates the contractor for 6 primary units for service: (1) \$24,000 for monthly reports; (2) 12.5 hours @ \$400 p/hr, totaling \$5,000 for "Strategy"; (3) 120 hours @ \$250 p/hr for "Materials Review"; (4) 20 hours at \$400 p/hr, totaling \$8,000 for "advocacy Contacts"; 20 hours @ \$250 p/hr for "Meeting Prep and Management", and; (6) \$3500 p/mo for 24 months, totaling \$84,000 for "Issue and legislative monitoring".

Similarly, Miami-Dade's contract offers substantial detail regarding the issues to be lobbied. The list is far more extensive and detailed than any other comparable Florida county provides. Unlike Hillsborough, Orange, Palm Beach, and Broward, which all utilize one primary federal advocacy firm, Miami-Dade uses three (3) federal firms—Alcalde and Fay, Cardenas Partners, and Greenberg Traurig. Each firm is paid \$200,000 per year, with the option of utilizing Work Orders to effectuate additional tasks. With respect to work exceeding the \$200,000 annual rate, the contract states as follows: ". . .[t]he County reserves the right to request through the use of Work Orders that the Contractor provide related services for the purpose of carrying out the intent of this Agreement, for an additional amount as specified in the Work Order based on certain optional services, which have been approved by the County. . .The aggregate amount paid for work requested via Work Orders issued to the Contractor by the County and any additional services shall not exceed one hundred thousand dollars (\$100,000) per year." Miami-Dade's contract also includes an additional \$75,000 annual authorization to reimburse each firm for optional services provided to the County. Optional Services may include office space and ancillary services provided to County staff, travel for special projects and reception services directly related to the County's lobbying efforts. The amounts authorized for additional work orders and optional services are an aggregate for the all contracted firms.

TERMS FOR LOBBYING CONTRACTS:

The County's present contract with The Ferguson Group provided for an initial term of two (2) years with the option to renew for two additional two-year periods. The County exercised both renewal options, one in 2006 and the other in 2008 the term of which expires the later of September 30th or upon adjournment of the 110th Congress. A review of comparable Florida counties' contract terms reflects the following:

- Hillsborough County – an initial contract period of two years starting from the date the County gives notice to proceed. Following this initial period the county may, in its sole discretion, renew the contract for up to three additional one-year periods.
- Miami-Dade County – an initial contract period of one (1) year following contract approval. The county may extend the agreement for up to three additional one-year periods and the County has reserved the right to exercise its option to extend for up to 180 days beyond the end of a contract period, or after the 180 days by mutual consent of the County and contractor, subject to Commission approval.
- Orange County – an initial one-year term with the option to renew for four additional one-year periods; a cumulative total of five years.
- Palm Beach County – one year contract term with annual renewals subject to Commission approval. On November 1, 2009, the county approved a Seventh Amendment to its 2002 agreement with its federal lobbyist extending the contract term through September 30, 2010.
- Pinellas County – an initial term of 23 months with the option to renew for two additional 24-month periods. The county has exercised both renewal periods, the last of which will expire on September 30, 2010.

BENCHMARKING:

In addition to an in-state analysis, staff contacted several counties in other states for comparative purposes. Large urban counties with similar population, demographics, and regional responsibilities were asked a series of questions regarding their total county budget, internal staffing, federal and state lobbying efforts/associated contractual costs, membership in national and/or state associations, and Board make-up. Exhibit 2 provides a visual summary of the national benchmarking exercise.

Findings of note, made in the course of this national benchmarking exercise, are as follows:

- Miami-Dade County used Los Angeles County as a model when restructuring their governmental affairs program several years ago. Of the counties benchmarked, only Miami-Dade and LA have full-time county staff located in Washington, DC. Cook County, Illinois (Chicago), New York

City/County, NY and Suffolk County, MA (Boston) also have full-time staff located in Washington, DC, but were not considered “comparable.”

- King County, Washington, an extremely successful federal grant recipient, noted for its social services, reentry/diversion and sustainability/livability programs, is also represented by The Ferguson Group.
- Broward County’s spending on lobbying services appears commensurate with its population and budget, based on national benchmarking.

STATE LOBBYING ASSESSMENT:

Broward County contracts with five (5) firms (no sub-firms) to provide representation of Board priorities before the legislative and executive branches of the state government. Firms are assigned issues based on the State Program that is annually adopted by the Board, and contains both general policy positions as well as specific legislative action directives.

Since 2009, when the Florida Legislature ceased its appropriations process referred to as Community Budget Issue Requests (CBIRs), Broward County has not received earmarks other than those encapsulated in state agency budgets. Lobbying efforts in the last three years have focused on assuring that unfunded mandates and public policies adverse to the Board’s stated positions were not successfully passed or signed into law. State lobbying activities occur primarily during committee weeks and the 60-day regular session, with veto requests and reporting activity occurring directly thereafter. As such, the vast majority of state lobbying efforts transpire between January and June of each year. Special Sessions are occasionally called in summer or fall, and generally last 5-10 days.

Broward County allocated \$223,000 in FY 2010 on state advocacy activities. Although paid from the General Fund, Port Everglades and the Fort Lauderdale-Hollywood International Airport enterprise funds’ each make revenue contributions equal to five percent of the allocated amount to reimburse the General Fund. A cost-benefit analysis of state-level lobbying “successes” using the same approach as was done for the federal level is invalid given the unavailability of state-level appropriations.

As part of its proposed budget for FY 2011, OIAPS is recommending the reduction of one firm bringing the number of state lobbying firms to four. The Board’s direction as to how best to effectuate that reduction, based on current contracts, is sought as part of the overall discussion of lobbying activities.

COMPARABLE COUNTIES’ STATE LOBBYING EFFORTS:

As detailed in Exhibit 4, wide variances exist with respect to how similar Florida counties approach their state lobbying efforts. Miami-Dade County spends \$277,000 more than Broward, and contracts with only two firms which are then responsible for sub-contracting with other firms based on specific

advocacy requirements of issues. Pinellas County contracts with one firm which then sub-contracts with two other state lobbyists. Hillsborough County spends \$75,000 and contracts with only one firm which also represents the Florida Association of Counties (FAC). Palm Beach County spends \$230,000 and contracts with six (6) firms, while Orange County spends \$111,000 and contracts with two (2) firms.

COSTS OF ASSOCIATION MEMBERSHIP:

Broward County is a member of the following associations which also provide advocacy:

- Florida Association of Counties – \$107,130 per year.
- National Association of Counties – \$30,925 per year.
- Climate Communities – \$9,000 in FY 2010.

GRANTS:

Many comparable Florida counties have varying approaches to pursuing and managing grants. Broward has historically operated under a decentralized grant-related system with respect to writing and managing federal and state funding awards. The Grants Team within the Human Services Department has been in existence for ten years and remains very successful in pursuing and receiving federal grants for both county and community social services projects. Other county departments have internal staff that focuses on grant identification, writing, reporting and management.

On the post-award, or management side, Broward County has recently made strides to improve the tracking, management accountability of funding awards by creating a two-person Grants Coordination Section within the Office of Intergovernmental Affairs and Professional Standards. Grants Coordination ensures that all funding awards received by the county are tracked in a single system, allowing for a single-point-of-contact with federal and state grants management agencies. In addition, grants coordination reduces internal and external competition, improves quality, assures appropriate utilization of funds, and effectuates continuity and consistency in grants pursuits.

Stimulus grants require extensive oversight and accountability, including internal controls and monitoring for waste, fraud and potential misuse of funds. The Broward County Grants Coordination Office (GCO) is presently tasked with managing the enhanced reporting, transparency and monitoring requirements of American Recovery and Reinvestment Act (ARRA) funds. However, the final round of stimulus dollars is currently being distributed; it is anticipated that by December 2012, all stimulus-related projects will be closed-out and final reports will have been submitted.

To better situate Broward County to be competitive in the acquisition of federal funding, the two-person GCO is identifying and disseminating information to Broward County Departments, Divisions and Offices about available grant funding. The GCO, upon completion of their responsibilities for ARRA grants, will have additional opportunities to assist with development of grant proposals, especially in areas identified as Board priorities.

OIAPS staff is also working with the Office of Management and Budget (OMB) and Accounting to ensure that the county’s cost allocation plan accounts for county-wide grant-related support, both on the pre- and post-award side, and assuring that grant dollars are used to pay for GCO staff. The GCO is supported using indirect cost recoupment in accordance with federal OMB accounting principles and allowable grant management offsets. As demonstrated in the analysis to follow, comprehensive grant structure appears correlated with success obtaining funding—and the investment in grant-related pursuits appears to pay for itself many times over. Most large organizations that manage millions of dollars in grants, like universities, have pre-award (grant identification and writing), as well as post-award (tracking, management and auditing) organizational structures that work closely with one another, usually in a combined office called “Sponsored Research” (most universities), “Procurement and Grants Office” (Centers for Disease Control), “Grants and Administration” (City of Miami), etc. County Administration is committed to expanding the GCO with a long-term vision of incorporating both pre- and post-award responsibilities to ensure Broward County is receiving its fair share of federal and state dollars.

While somewhat out-of-date, the only comprehensive analysis of Florida’s local government grant activity was completed by the Legislative Committee on Intergovernmental Relations (LCIR), in 2008-2009, using 2002-2006 data. Unfortunately, as a result of budget reductions, the LCIR was eliminated by the Legislature as of June 1, 2010, and a planned, larger qualitative and quantitative analysis of local government grants was never completed. In staff conversations with Mr. Zuehlke of the LCIR in January 2010, the following tables and information was provided. Additional LCIR data and reports are available for review.

Table 1 identifies the total amount of federally-originating funding *expended* (not received) and controls for what has been known as the “FEMA effect”, resulting from reimbursements related to the hurricane seasons in 2004 and 2005. Table 1 funds include cumulative expenditures over a four-year span of time. Dollars being calculated for the purposes of this Table include educational dollars, formula grants (funds received by a local government based on a set distribution methodology, often correlated to need, population, unincorporated area, poverty rates, etc.), discretionary grants, earmarks, and/or federal funds passed through state agencies, but exclude FEMA grants. Table 2 also covers a four-year period and ranks counties by per capita cumulative expenses.

TABLE 1-Total Grant Expenditures p/county 2002-2006

	2006	2002-2006
County	Population Rank	Cumulative Expenditures
Miami-Dade	1	\$808,601,414
Palm Beach	3	\$282,063,223
Broward	2	\$280,485,213

Hillsborough	4	\$211,989,540
Orange	5	\$175,851,985
Lee	8	\$113,903,044
Pinellas	6	\$102,777,545
Volusia	11	\$95,593,321
Polk	9	\$60,959,903
Brevard	10	\$46,368,448

TABLE 2-Per capita Grant Expenditures 2002-2006

County	2006 Population Rank	2002-2006 Cumulative Expenditures
Monroe	37	\$527.02
Calhoun	63	\$473.45
Miami-Dade	1	\$341.28
DeSoto	48	\$287.42
Palm Beach	3	\$227.78
Lee	8	\$217.84
Volusia	11	\$198.68
Hillsborough	4	\$191.56
Liberty	67	\$182.07
Okaloosa	24	\$181.85

Unfortunately, as evidenced above, Broward did not rank in the top-ten Florida counties for grant expenditures per capita. After reviewing this data in January of 2010, County Administration and OIAPS developed a plan to evaluate grant expenditure rates within Broward County and assure that federal and state funds are properly utilized. The Grants Coordination Office, with the assistance of Accounting and OMB, identified a number of grant programs with issues of grant funding underutilization and has begun a process of providing risk-assessments and technical assistance to grant program managers with under-expended grants.

Table 3 offers the most recent snapshot of grant expenditures available for a one-year period, FY 2008, but remains consistent with data collected over the previous five years.

TABLE 3

County	2008 Population Rank	2008 Cumulative Expenditures
Miami-Dade	1	\$350,067,207
Broward	2	\$95,009,902
Hillsborough	4	\$91,051,232
Palm Beach	3	\$72,724,879
Orange	5	\$52,980,047
Pinellas	6	\$48,743,164
Collier	15	\$34,739,540
Escambia	18	\$27,451,508
Volusia	11	\$26,022,597
Lee	8	\$25,979,862

Clearly, Miami-Dade County is the state’s leader with respect to grant-related funding and expenditures. LCIR staff indicated that much of the grant success associated with Miami-Dade resulted from formula

grants driven by 2000 Census numbers, poverty levels, numbers of immigrants and refugees in the county, agricultural enterprises, and large-scale infrastructure projects in the form of federal earmarks.

Miami-Dade County's Office of Grants Coordination (OGC) was created on October 1, 2008 by merging resources from the following areas:

- Office of Strategic Business Management (Revenue Maximization and Grants Coordination Division and the Ryan White Program);
- Department of Human Services;
- Office of Community and Economic Development; and
- Park and Recreation Department.

Current responsibilities include:

- Identifying and promoting grant and revenue generating opportunities, and provide grant-related assistance, training, and support to County departments and community based organizations (CBOs);
- Monitoring various CBOs that receive County funding and internal recipients of external funding;
- Providing direct administrative support to five advisory boards (Miami-Dade HIV/AIDS Partnership, Youth Crime Task Force, CBO Advisory Board, Dade-Miami Criminal Justice Council, and the Addiction Services Board), and;
- Managing the federal Ryan White HIV/AIDS Treatment Extension Act and other federal grants (e.g., Edward Byrne Memorial Justice Assistance Grant (JAG) Program).

The Miami-Dade County Grants Office includes both grant-funded and general-revenue-funded positions and consists of forty-six (46) FTE positions in four divisions in FY 2009/10, including staff of their Executive Office (6); Contracts and Grants Management (24); Ryan White (11), and; Revenue Maximization (5). The Office maintains a public website (<http://www.miamidade.gov/grants>) that posts all grants-related press releases, lists ARRA grant opportunities, allows the public to sign up to receive grant updates (something Broward County does through the Human Services Department's Grants Team), and provides links to additional resources.

As previously discussed, Broward County does employ contract and grant managers, contract grants administrators, and grant writers. Some are general-funded, like the Human Services Department's Grants Team, while others are grant-funded, like the Ryan White staff. While not co-located or organized to reflect Miami-Dade's centralized structure, Broward County has approximately thirty-six (36) grant-related positions and pursues revenue maximization strategies. See Exhibit 5 for a comparison of Broward County and Miami-Dade County's FTEs.

[NEXT PAGE]

SUMMARY AND STRATEGIC OPTIONS:

The Office of Intergovernmental Affairs and Professional Standards hopes that the analysis conducted and attendant documents offered as Exhibits, will assist the Board in directing staff with respect to state and federal lobbying for Broward County.

Aligned with the Board's discussion regarding the value of federal lobbying, OIAPS' budget reduction recommendation for FY 2011 is approximately \$47,475 from our contracted services line item, which includes state and federal lobbying expenditures. A 5% reduction in the federal contract would be a savings of \$14,025, with another \$33,450 (or 15%) being eliminated from state lobbyist contracts. Also on the Board's Agenda for consideration is a contract amendment TFG lobbying agreement, allowing the County to enter into month-to-month extension until such time as a formal decision has been made with respect to the direction of the procurement process for federal lobbying services over the next several months, including how much to allocate to federal lobbying, contract scope, and number of firms to use. In addition, there will be a separate agenda item for the Board to discuss which firms should be retained at the state level. Consideration of these items is vital to the Board's decision on how best to allocate financial resources with respect to future state and federal advocacy, especially in the wake of proposed budget reductions in contractual services.

At the federal level, return on Broward's lobbying contract investment is significant and easily ascertainable. State lobbying activities have been more policy-oriented since the Legislature eliminated the availability of CBIRs. Limiting the number of state firms and allowing those firms to identify and contract with individuals or entities specializing in particular issue areas may change the way in which potential conflicts are handled and broaden advocacy coverage for Broward County.

The following offers a menu of options and factors for your consideration regarding federal and state lobbying services.

GENERAL:

- Maintain or increase allocation for lobbying services using reserves to effectuate funding level.
- Decrease contract lobbying allocations as proposed in FY 2011 budget process and detailed below.

FEDERAL:

- Identify the number of firms to be hired and amount to be spent at the federal level, considering OIAPS proposed budget for FY 2011 (5% reduction in federal primary firm contract).
- Maintain The Ferguson Group as the County's federal lobbyist for an additional two-year Congressional cycle at the existing annual compensation rate of \$280,512.
- Maintain The Ferguson Group as the County's federal lobbyist for an additional two-year Congressional cycle at the 5% rate reduction level (\$266,487 annually).
- Direct staff to advertise and conduct a competitive RLI process to obtain representation at an amount not to exceed the proposed budget allocation for federal lobbying in FY 2011.

STATE:

- Maintain all contract firms at existing compensation rates, exercise the available one-year renewal option in present agreements for FY 2011, and use reserves to effectuate maintaining existing funding levels.
- Reduce the number of lobbying firms providing state representation by one (1), considering OIAPS proposed budget reduction for FY 2011 (a savings of at least \$33,450); provide direction to staff as to which lobbying firm will not be renewed, or establish a selection committee to recommend which firm will not be renewed.
- Select one or two “lead firm(s)” (similar to Miami-Dade and Pinellas Counties) and allow for sub-contracting; provide staff direction with respect to which firm(s) would act as lead(s) and how compensation package(s) would be structured or establish a selection committee to recommend the lead firm(s) and compensation package(s).

[END OF DOCUMENT]

**The Ferguson Group currently represents
more than 230 public and private entities in 38 states**

*Items in italics are subcontracts *Indicates representation through Climate Communities
** Indicates representation through the Mayors & Municipalities Automotive Coalition*

3M	City of Huntington Beach, CA
AbTech Industries, Inc., AZ	City of Inglewood, CA
Alabama A&M University, AL	City of Irvine, CA
<i>Allegheny County Sanitary Authority, PA</i>	City of Jackson, TN
Alliance of National Heritage Areas, DC	City of Janesville, WI **
Alpine County Sheriff's Department	City of Keene, NH *
Bryant & Associates	City of Lansing, MI
Buena Vista Charter Township, MI	City of Marion, IN *
Butte County Association of Governments, CA	City of Memphis, TN
Cal State Fullerton, CA	City of Monroe, NC
Calaveras County Sheriff's Department, CA	City of North Little Rock, AR *
CDM (formerly Camp Dresser & McKee)	City of Novato, CA
Center for Creative Land Recycling	City of Oak Ridge, TN
Central Piedmont Community College, NC	City of Oceanside, CA
City of Anderson, IN	City of Raleigh, NC *
City of Arcadia, CA	City of Palm Bay, FL
City of Auburn Hills, MI**	City of Rochester, NY
City of Bay City, MI**	City of Rock Island, IL
City of Bedford, IN **	City of Roseville, CA
City of Beverly Hills, CA	City of Saint Joseph, MO
City of Boynton Beach, FL*	City of Santa Ana, CA
City of Burlington, VT *	City of Santa Fe, NM *
City of Chattanooga, TN *	City of Santa Monica, CA
City of Cincinnati, OH	City of Savannah, GA *
City of College Park, GA	City of Shreveport, LA**
City of Concord, NC	City of Sierra Madre, CA
City of Dubuque, IA*	City of Stamford, CT
City of East Palo Alto, CA	City of Sterling Heights, MI**
City of East Point, GA	City of St. Petersburg, FL*
City of El Paso, TX *	City of Tacoma, WA *
City of Elk Grove, CA*	City of Tamarac, FL
City of Fairfield, CA	City of Toledo, OH**
City of Fayetteville, NC	City of Trenton, NJ
City of Fenton, MI **	City of Twinsburg, OH**
City of Folsom, CA	City of Waukegan, IL
City of Fort Wayne, IN *	City of Wayne, MI**
City of Gainesville, FL*	City of Wentzville, MO**
City of Glen Cove, NY	City of West Valley City, UT
City of Glendale, CA	City of Wilson, NC
City of Grand Forks, ND *	City of Winston-Salem, NC
City of Greenville, NC	City of Wixom, MI**
<i>City of Gridley, CA</i>	City of Wyoming, MI**
City of Hagerstown, MD	City of Yuma, AZ
City of Hamtramck, MI**	Climate Communities Coalition
City of High Point, NC	Colusa Basin Drainage District, CA

County of Alachua, FL*
 County of Arlington, VA *
 County of Blue Earth, MN *
 County of Broward, FL
 County of Buchanan, MO
 County of Butte, CA
 County of Charlotte, FL
 County of Collier, FL
 County of Cumberland, NC
 County of Dane, WI *
 County of El Paso, TX *
 County Forsyth, NC
 County of Gaston, NC
 County of Hamilton, OH
 County of James City, VA *
 County of Kauai, HI
 County of King, WA
 County of Lake, IL
 County of Leon, FL*
 County of Loudon, VA *
 County of Mecklenburg, NC
 County of McHenry, IL
 County of Miami-Dade, FL*
 County of Montgomery, MD *
 County of New Kent, VA *
County of Orange, CA
 County of Peoria, IL
 County of Queen Anne's, VA *
*County of Sacramento, CA**
 County of San Joaquin, CA
 County of San Luis Obispo, CA
 County of Santa Clara, CA*
 County of Shelby, TN
 County of Snohomish, WA *
 County of Sonoma, CA*
 County of Story, IA*
 County of Sutter, CA
 County of Umatilla, OR
 County of Walton, FL
 County of Washington, NC
 County of Whatcom, WA *
 Crescent Resources, LLC
 DMB Associates, Inc.
 District of Columbia*
 eCivis®
 Family Farm Alliance, OR
 Fayetteville-Cumberland County Chamber of
 Commerce, NC
Freeport Water Authority, CA
 Friant Water Users Authority, CA
 GATX Rail, IL
 Glenn-Colusa Irrigation District, CA
 Grand Haven Board of Water and Light, MI
 Greenville Utilities Commission, NC
 ICF Incorporated, LLC / Mothballed
 Brownfields
 Idaho Water Users Association
 Imperial Irrigation District, CA
 Institute for Community Peace, DC
 Kaweah Delta Water Conservation District, CA
 Kings River Resource Conservation District
 Kings River Water Association, CA
 Klamath Water Users Association, OR
 Knights Landing Ridge Drainage District
 Lake Nona Land Company, FL
 Lansing Community College, MI
 Lennar Communities
 Long Beach Transit, CA
 Lower Providence Township, PA
 Loudoun County, VA*
 Mayors & Municipalities Automotive
 Coalition
 Methodist University, Fayetteville, NC
 Metropolitan Development and Housing Agency
 of Nashville, TN
 Metropolitan Washington Council of Governments*
 Michigan Municipal Electric Association
 Michigan South Central Power Agency
 Microcell Corporation
 Midpeninsula Regional Open Space District, CA
 Missouri Western State University
 Modesto/Turlock Irrigation Districts, CA
 Municipal Transit Operators Coalition, CA
 Nassau Health Care Corporation, NY
 National Alliance to End Sexual Violence
 National Association of Towns and Townships
 National Recreation and Park Association
North Bay Reuse Authority, CA
 North Carolina Association of Electric Cooperatives
 North Carolina Rural Economic
 Development Center
 Northeast-Midwest Institute
 Northern California Power Agency
 Northern California Water Association
 Novant Health, NC
 Orange County Great Park
 PAX: Real Solutions to Gun Violence
 Pike Place Market Foundation, OR
 Provident/Princeton-Codora-Glenn Irrigation
 District
 R3 Water, CA
 Sacramento Area Council of Governments, CA

San Joaquin Groundwater Banking Authority
San Juan Water District, CA
Shotspotter, CA
Somach, Simmons, & Dunn, CA
Soos Creek Water and Sewer District, WA
Southeast Water Coalition, CA
Southington Water Department, CT
Spatial Integrated Systems
Stop It Now!, MA
Tehama-Colusa Canal Authority, CA
Tierra Verde Industries
TMT Group, Inc., AL
Town of Cary, NC
Town of Harpers Ferry, WV

Town of Matthews, NC
Town of Mooresville, NC
Town of North Hempstead, NY
Township of Orion, MI **
Tule River Improvement Joint Powers Agencies, CA
United Water Conservation District, CA
University of California-Riverside
Village of Lordstown, OH**
Village of Walton Hills, OH**
Washington State Water Resources Association
Washington, DC *
Western Municipal Water District, CA
Wyandotte Municipal Services, MI

EXHIBIT 2: Comparable County Benchmarking - FEDERAL

<u>2009 - 2010</u>	<u>BROWARD</u>	<u>Miami-Dade</u>	<u>Palm Beach</u>	<u>Hillsborough</u>	<u>Pinellas</u>	<u>Orange</u>	<u>Maricopa AZ</u>	<u>King WA</u>	<u>Alameda CA</u>	<u>Hennepin MN</u>	<u>LA, CA</u>
PROFILE											
Population	1.7 M	2.5 M	1.3 M	1.2 M	909,000	1.1 M	4 M	1.9 M	1.4 M	1.2 M	9.8 M
Cities	31	33	37	3	24	13	27	37	14	45	88
Board	9	13	7	7	7	7	5	9	5	7	5
Budget	\$3.3 billion	\$7.3 billion	\$4.1 billion	\$3.5 billion	\$1.2 billion	\$2.9 billion	\$2.3 billion	\$4.8 billion	\$2.4 billion	\$1.6 billion	\$23.2 billion
Lobby Contracts	1 *	3	1	1	1	1	1	1	1	1	6
* Additional issue based lobby firms for Broward County include: Fowler White Boggs (Port Dredging) \$4,975 paid for by PEV; Fowler White Boggs (Beach Nourishment) \$1,100 paid for by BNCF; Steinberg (Port Dredging) \$21,773 paid for by PEV; Woodward (Aviation Expansion Program) \$58,024 paid for by FLL; Steinberg (Beach Nourishment) \$29,371 paid for by BNCF											
Expenses	\$395,755 / year	\$775,000 / year *	\$96,000 / year	\$156,000 / 2 yr contract	\$79,200 / year	\$120,000 / year	\$84,000 / year	\$240,000 / year	\$186,000 / year	\$90,000 / year	Over \$1 Million / year
Primary Firms	The Ferguson Group \$140,256 GR; \$70,128 FLL; \$70,128 PEV	Alcade & Fay, Greenberg Traurig, Cardenas Partners * \$175,000 for work order & optional services	US Strategies	Alcade & Fay	Patton Boggs	Alcade & Fay	Nelson, Mullins, Riley & Scarborough	The Ferguson Group	CJ Strategies	Lockridge, Grindal & Nauen	Dutko Worldwide, Carpri & Clay, Margolin Group, Suntz, Davis, & Staffier, Susan White, Holland & Knight

EXHIBIT 3

**KING COUNTY, WASHINGTON
The Ferguson Group Results FY 2005-2010***

Project Name	FY 2006	FY 2008	FY 2009	FY2010
Bellevue-Redmond RapidRide			\$10,950,000	\$9,368,193
Biogas		\$500,000		
Bus Radio Replacement	\$2,000,000			
Cedar Green Partnership	\$2,000,000			
Hybrid Buses		\$294,000	\$237,500	\$600,000
County-wide Signal Program				
Court Technology		\$305,500		
Duwamish/Green	\$1,875,000	\$1,626,000	\$1,914,000	\$2,456,000
Influenza Pandemic Preparedness				
Issaquah Highlands Zero Energy				\$500,000
Lake Washington Ship Canal	\$235,000			
Maury Island Conservation Initiative				
Molten Fuel Cell Demonstration				\$750,000
North Bend Flood Mitigation				
Pacific Highway Bus Rapid Transit		\$13,794,480	\$281,520	\$6,815
Passage Point		\$490,000		
Puget Sound and Adjacent Waters	\$1,500,000			
Puget Sound Nearshore	\$750,000	\$1,279,000	\$1,434,000	\$341,000
Puyallup/White River				
Sheriff's Office Gang Intervention				\$400,000
Sheriff's Office School Officers				\$300,000
Sheriff's Office Digital Information			\$300,000	
Tolt Bridge Replacement	\$250,000			
Vashon Island Passenger Only Ferry	\$1,400,000	\$588,000	\$950,000	
Total	\$13,675,000	\$10,010,000	\$18,876,500	\$16,067,020

***NOTE: there were no domestic earmarks funded by Congress in FY 2007.**

Gray shading denotes projects that were not on the agenda in that fiscal year.

EXHIBIT 4: Comparable County Benchmarking - STATE

<u>2009 - 2010</u>	<u>BROWARD</u>	<u>Miami-Dade</u>	<u>Palm Beach</u>	<u>Hillsborough</u>	<u>Pinellas</u>	<u>Orange</u>
Lobby Contracts	5	2	6	1	1	2
Expenses	\$223,000	\$500,000	\$230,000	\$75,000	\$100,000	\$111,000
Primary Firms	Book, Capitol Hill Group, Ericks, Pittman, Scott	Book, Rutledge Ecenia & Purnell	Ackerman Senterfitt, Ericks, Corcoran & Johnston, Pittman, Foley & Lardner, Moya Group	Smith, Bryan & Myers	Pennington Law Firm	Johnson & Blanton, Capitol Hill Group
Sub Firms		Pittman, McKinley, Gomez, Poliakoff			Book, Timmins Consulting	
<u>OTHER INFORMATION</u>						
Internal Staff	3.33	8.5	3	1.5	0.5	2
NACo Membership	\$30,925	Yes	Yes	Yes	Yes	No
State Association Membership	\$107,130	Yes	Yes	Yes	Yes	Yes
Lobbytools	\$4,100	Yes	No	Yes	Yes	Yes
Cong. Quarterly	\$6,000	No	No	No	No	No

EXHIBIT 5

Miami-Dade vs. Broward Grant-Related FTEs

Miami-Dade (Centralized)		Broward (De-Centralized) ¹	
Division	FTE	Division	FTE
Executive	6	GCO	3
Revenue Maximization	5	Human Services Planning	3
Ryan White	11	Ryan White	12
Contract Grants Management	24	Contract Grants Management	18
		<i>Human Services (HIP, FS, EVSD)</i>	7
		<i>Libraries</i>	1
		<i>Cultural</i>	1
		<i>Transportation</i>	1
		<i>Port Everglades</i>	1
		<i>Aviation</i>	2
		<i>Housing</i>	2
		<i>Emergency Management</i>	1
		<i>Natural Resources</i>	1
		<i>Other</i>	1
TOTAL	46	TOTAL	36

1 Although some of Broward County staff work 100% on grants-related activities, many of the numbers shown actually represent pieces of several people