

South Bay Cities Council of Governments

June 23, 2022

TO: SBCCOG Board of Directors

FROM: John Cruikshank, Chair, JB&A Contract Renewal Subcommittee

SUBJECT: Contract Renewal for Jacki Bacharach and Associates

Adherence to Strategic Plan

Goal D: Organizational Stability. Be a high performing organization with a clear path to long-term financial health, staffing continuity and sustained board commitment.

BACKGROUND

The Professional Services contract with Jacki Bacharach and Associates is ending as of June 30, 2022 after a term of three years. The contract was completely rewritten and approved by the Board in 2019.

A subcommittee was formed with the following members:

John Cruikshank (Chair), Olivia Valentine, Bernadette Suarez, Drew Boyles, and Cedric Hicks. The subcommittee met with Mike Jenkins, the SBCCOG legal counsel, and determined that the existing contract should be extended for an additional three years to June 30, 2025, with a 3% increase in compensation (subject to annual review following a performance evaluation), with minor edits to the Scope of Work attached as Exhibit A.

RECOMMENDATION

The subcommittee recommends that the Steering Committee recommend to the Board of Directors that the contract with Jacki Bacharach and Associates be renewed for an additional three years.

AMENDMENT TO EXECUTIVE DIRECTOR SERVICES AGREEMENT

THIS AMENDMENT TO EXECUTIVE DIRECTOR SERVICES AGREEMENT ("Amendment") is made and entered into this 1st day of July 2022, by and between the SOUTH BAY CITIES COUNCIL OF GOVERNMENTS ("SBCCOG"), a California Joint Powers Authority, and Jacki Bacharach & Associates ("JB&A"), a sole proprietorship ("Contractor").

RECITALS

The following recitals are a substantive part of this Agreement:

A. SBCCOG and Contractor are parties to an Executive Director Services Agreement ("Agreement") dated July 1, 2019 whereby SBCCOG obtained independent contractor services from Contractor necessary to professionally manage the activities and programs of the organization and the South Bay Environmental Services Center, a programmatic element of the SBCCOG;

B. The Agreement is scheduled to expire on June 30, 2022 and the parties desire to extend the Agreement for an additional three year term based on SBCCOG's historic relationship with Contractor and Contractor's satisfactory performance of the services; and

C. The parties further desire to increase the compensation under the Agreement by three percent (3%) to reflect an increase in the cost of living since commencement of the Agreement and to modify the Scope of Work.

NOW, THEREFORE, in consideration of the foregoing and the mutual covenants contained herein, the parties mutually agree as follows:

1. Section 1 of the Agreement is amended solely to extend the expiration date for three years from June 30, 2022 to June 30, 2025.

2. Section 2 of the Agreement is amended to substitute Exhibit A-1, Scope of Services, attached hereto and incorporated herein by this reference, for the Exhibit A attached to the Agreement.

3. The annual not-to-exceed compensation set forth in Section 3 of the Agreement shall be increased by three percent (3%) to \$432,600 for the first year of the Term with an annual review by the Board of Directors during the budget deliberations. Compensation in the subsequent two years may be adjusted following an annual performance evaluation to be completed every year before April 15th.

Except as expressly modified above, the Agreement and each and every term and provision thereof, as amended, remains in full force and effect.

IN WITNESS THEREOF, the parties hereto have executed this Amendment on

the day and year first shown above.

Jacki Bacharach & Associates

By _____
Jacki Bacharach

**SOUTH BAY CITIES
COUNCIL OF
GOVERNMENTS**

By: _____
Drew Boyles, Chair

ATTEST:

Secretary

APPROVED AS TO FORM:

Michael Jenkins
Best Best & Krieger
SBCCOG Attorney

Exhibit “A” - Scope of Work

ADVOCACY

1. Provide focus and facilitate communication on issues of mutual benefit to member cities of the SBCCOG;

- A. **Legislative Interaction** - In coordination with the L.A. Division of the League of California Cities, monitor legislation that would impact the South Bay and work closely with Legislative staff representatives at the State and County levels to assure communication of the COG’s position on issues affecting the South Bay. Coordinate periodic meetings with Legislators or their staff member representatives to maintain positive relations and open communications. Provide monthly updates on the status of identified legislation.
- B. **Tracking Regional issues** – Review and comment on SCAG Regional Transportation Plan and Regional Housing Needs Assessment, AQMD’s Air Quality Management Plan, Metro’s Long Range Transportation Plan, and other documents that have significance to the South Bay sub-region. On behalf of the SBCCOG, coordinate sub regional input on regional documents.

2. Organize and provide lobbying assistance to SBCCOG;

- A. **Legislative Advocacy** – For specific issues identified by the Steering Committee as important to elected officials and City Managers, work closely with the League of California Cities, the L.A. Division of the League and other organizations deemed appropriate by the Steering Committee to take positions and advocate on legislation that affects South Bay cities.
- B. **SBCCOG Sponsored Legislation** - Coordinate a coalition effort to secure passage of any legislation the Board may wish to sponsor.
- C. **Calls to Action** - Be prepared to communicate to the Steering Committee and City Managers as new issues arise.

3. Act as principal Liaison to other regional, state, and federal agencies as necessary to effectively provide input on SBCCOG’s behalf;

- A. **Agency Liaison** – Promote partnerships with other agencies including Metro, SCAG, Caltrans, AQMD, South Bay Association of Chambers of Commerce, other COGs, League of California Cities, individual Chambers of Commerce, etc., on subject matters, projects and issues agreed upon by the Steering Committee. In addition, work with elected officials and City Managers to coordinate the sub region’s input to regional agencies helping to reduce the need for city staff attendance at agency meetings and resulting in employee timesaving.
- B. **Coordination** – Provide information from other agencies to SBCCOG members in a timely, accurate and understandable manner.
- C. **Attendance** - Participate and/or serve on committees as needed to communicate the position of the SBCCOG.
- D. **Agency candidate recommendation** - following existing policy, conduct a process for evaluation of candidates and recommendation to those agencies seeking representation by the SBCCOG.

PROGRAMS AND PROJECTS

4. Develop and provide ideas for funded programs;

- A. **Work Program** - Develop and bring forward ideas to the City Managers, Steering Committee and Board to propose for funding. Once projects are funded, oversee the consultant selection process if required, develop agreements and recommendations for approval by the Board and then manage consultant/SBCCOG employee work.
- B. **Coordination** - Provide for attendance at SCAG meetings when necessary to give input on policy issues and for sub-regional coordination. Participate in meetings of regional agencies as needed to ensure that their requirements are not onerous to South Bay cities.

5. *Ensure distribution of information to member cities and facilitate program development;*

- A. *Program development*** - On an annual basis, work with the Board, Steering Committee and City Manager's group to identify and recommend to the Board, annual goals and collective areas of need for member cities. Recommend as appropriate, projects for the sub-region. An assessment of the projects status shall be presented to the Board and City Manager's group for comment and modification if necessary.
- B. *Project Implementation*** – Coordinate through each respective City Manager or their designee, all of the programs and projects including: expenditure of \$906 million of Measure R Highway funds and Measure M Multi-Year Subregional Programs, leveraging transportation funding sources, climate action planning and responses to state requirements. Additionally, oversee the funding from the county and progress for Homeless Services as well as special grants that are obtained from time to time such as the Regional Early Action Program projects funded through SCAG. Report project progress monthly or as determined to the Steering Committee.
- C. *Communication*** – Use a range of communication media including e-mails, web site , quarterly and special newsletters, General Assembly, and regular committee and staff working group meetings. Maintain and update the information on the SBCCOG & SBESC web sites. Work to improve productivity of social networking media and interactive displays for the identified communication channels. Evaluate effectiveness and recommend any improvements annually.
- D. *General Assembly*** – Plan and produce an annual event with the objective of identifying relevant issues affecting the South Bay and of interest to the member cities and creating a program with knowledgeable speakers addressing these issues.
- E. *Meetings*** – Prepare and distribute/post: agendas, staff reports, public notices, announcements and maintain minutes for meetings as requested by the Steering Committee and required by the Brown Act and Records Retention Schedule.

GRANT WORK

6. *Present potential new beneficial activity and seek grant funding for additional projects that support SBCCOG goals/member cities' needs;*

- A. *Grants***–The CONTRACTOR will work with SBCCOG on the need for core funding to monitor regional and statewide organizations to enable us to provide input to their policies and identify funding opportunities for programs that aid our cities. The CONTRACTOR will communicate and coordinate with elected officials and City Managers of cities that may be eligible to reach out beyond their borders to tap into funding opportunities. Work to research grant opportunities and pursue them when they can add value to the services and programs of the South Bay cities without adding unnecessary time and cost. An example is the proposed formation and implementation of a South Bay Regional Housing Trust. Inform the Board periodically on the status and benefits of the selected pursuits. Prepare timely letters of support for cities with projects of regional benefit.
- B. *New Project Scopes of Work*** – With the concurrence of the Steering Committee, prepare each project description for grant funding that addresses issues of importance to the South Bay sub-region. Input will be solicited from members. An example is the potential transition of the administration of Alert South Bay to the SBCCOG.
- C. *Studies*** - Conduct studies as funding becomes available or seek funding for studies to support further understanding of issues of concern to the South Bay.
- D. *Energy Efficiency*** – Consistent with the annual goals development, seek funding to expand the South Bay Environmental Services Center and programs that will provide efficiencies to South Bay cities and other public agencies.

7. *Supervise SBCCOG employees who will be working on grants from the Regional Energy Network, West Basin Municipal Water District, Torrance Water, L.A. County Sanitation District, Metro, California Energy Commission for the South Bay Environmental Services Center and prepare and administer all future grants obtained for the SBCCOG such as those from SCAG and LA County;*

- A. *Administration*** – Oversee and manage the staff hired by SBCCOG to operate the South Bay Environmental Service Center (SBESC) office. Assure full time, on-site supervision of employees and management of the

- SBESC operations.
- B. *Outreach and Education*** – Facilitate and promote highly informative training programs for residents and public agencies on a quarterly basis. The programs can include specialized courses for businesses.
 - C. *Water Partnership*** – Work with the Water District in the South Bay to expand water saving services and programs. Assure that SBESC staff will continue to work with utility partners on new programs and rebate opportunities.
 - D. *Coordination*** – Coordinate action on issues of concern to the sub-region with the utilities such as reliability. Facilitate tours.
 - E. *EE+*** - Propose and recommend “out of the box” programs to the Board that will benefit our cities, school districts and other public agencies that will enable them to jointly procure energy efficient equipment at reduced prices and reduced staff time.
 - F. *Assist Cities in Providing Energy Savings Programs for their cities with city grants provided to the SBCCOG***
 - G. *Additional Programs & Projects*** - With the concurrence of the Steering Committee, research and apply, when appropriate, for funding to enhance the programs of the SBESC.

ADMINISTRATION

8. Encourage/enhance outreach efforts to member cities as well as South Bay Community regarding activities, efforts of SBCCOG and issues impacting sub region;

- A. *New Member Orientation*** – As a regional organization, it is vital that each newly elected official and City Manager be informed of the benefits, capabilities and resources of the SBCCOG. A “New Member Welcome Packet” of materials describing the benefits, capabilities and resources will be prepared and distributed through the city with an SBCCOG orientation session to include the new member, Executive Director and City Manager as desired. Schedule as needed a periodic orientation for all Council Members on regional governance.
- B. *Media*** – Ensure prompt response to media information requests that are in the SBCCOG purview including referring them to the appropriate city. Ensure that the Chair and Steering Committee are informed when media contacts are received.

Current Communication Channels:

SBCCOG Web Site – Maintain the web site to ensure that the information is current and accessible in a user-friendly manner and resources added and updated.

South Bay Watch - Ensure that the SBCCOG *Bay Watch* is a professional looking easy to read newsletter that shares city stories and keeps the cities and community up to date on SBCCOG and SBESC programs.

SBESC e-newsletter & Green Business Assist e-newsletter

Social Networking – Ensure that the SBCCOG and SBESC are using latest communication strategies effectively and productively

9. Oversee/coordinate activities of all SBCCOG committees/working groups;

- A. *Committees & Working Groups*** – Provide administrative staff support and advice to Committee, Task Force and Working Group chairs to create agendas that are meaningful to participants, publicize meetings and activities, coordinate speakers, obtain meeting locations, prepare handouts, and draft minutes. Offer regional agency representatives the opportunity at these forums to inform city representatives of their programs where pertinent.
- B. *City Managers’ Association*** –Prepare a written monthly report for City Managers of SBCCOG programs and projects for distribution prior to the monthly meeting. Attend meetings, and take minutes. Be prepared to discuss major items of importance and report on outstanding actions.

10. Develop an up-to-date comprehensive organized tracking system for all work projects and income and expenditures of SBCCOG;

- A. *Finance*** –Following existing policies for the handling of SBCCOG revenue and expenses, working with the bookkeeper, prepare a report for monthly review and approval by the Steering Committee. Subsequent to

each annual audit, review existing policies as well as any potential improvements or recommendations resulting from the audit for approval by the Steering Committee. Ensure that all invoices are reviewed by the Steering Committee before payment. If an invoice must be paid in advance of the Steering Committee meeting and under the Executive Director's authority, ensure that it is reported to the Steering Committee. Oversee the preparation of the mid-year and annual budgets. Ensure that bills are promptly paid and an audit is done annually.

- B. Annual Budget** - Prepare a budget of revenue and expenditures that aligns with the fiscal year. Involve all stakeholders in the development of the budget. Present the budget to the Steering Committee for initial review and to the Board for approval. Obtain approval for any adjustments from the Board.
- C. Budget Updates** - Provide budget adjustments of modifications to the Steering Committee for review. Present the revised budget to the Board for approval.
- D. Record Keeping** - Maintain all records in accordance with the SBCCOG records retention ordinance.
- E. FPPC Reporting** – Collect and file annual Form 700 FPPC forms for all Board members and alternates as well as keeping current required filings throughout the year.
- F. Correspondence** - Prepare letters that are timely and express the SBCCOG position on issues, legislation, regional plans, thank you notes for speakers and sponsors and for newly elected officials or re-elected board members in the South Bay as well as certificates of appreciation and other documents as required.
- G. Project Tracking** – Provide timely, professional and thorough tracking of SBCCOG projects and funding. Updates shall be provided to the Steering Committee to include status, schedule and cost variance to planned expenditure. Ensure that all grant fund reporting is completed in a timely and accurate manner.

11. Supervise/manage all administrative/clerical support functions in support of COG projects/goals and objectives;

- A. Meetings** – Prepare agendas for all Board meetings and distribute them one week in advance of the meetings with proper legal notice, as required. A master calendar will be maintained and posted on the SBCCOG web site.
- B. Mailing lists and membership/contact lists** – Maintain current Board rosters. After each election, update City Council composition and legislative representatives as well as the Council officers.
- C. Training** – Bring informative training programs to both elected officials and staff that enhance their ability to perform in their position.

12. Strategic Planning;;

- A. Growth and evolving responsibilities** - The SBCCOG continues to grow with unique roles in regional transportation, environmental outreach and education, and sustainability and engaging legislative representatives and their staff members on issues that affect the South Bay. The SBCCOG also serves as a representative for numerous organizations affecting quality of life in the South Bay to include SCAG, the Santa Monica Bay Restoration Commission, League of California Cities and the MTA Service Council.
- B. Strategic Plan** - In recognition of this growth and the importance of serving the South Bay in the future, present to the Board semi-annual updates of the work plan with the mid-year budget.
- C. Succession Planning** – Maintain complete and current descriptions of the work scope for each employee and contractor. Identify and develop individuals who can work alongside the Executive Director and be knowledgeable of the policies, procedures and practices necessary to accomplish the goals and objectives of the organization.