



WASHOE COUNTY

Integrity Communication Service

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STAFF REPORT

BOARD MEETING DATE: *December 12, 2023*

DATE: Wednesday, November 1, 2023

TO: Board of County Commissioners

FROM: Cadence Matijevich, Government Affairs Liaison, Office of the County Manager
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THROUGH: Eric P. Brown, County Manager

SUBJECT: Discussion and approval of Washoe County's Federal Legislative Principles and Lobbying Practices, including an update and direction to staff regarding the 118th Congress. The principles and practices are meant to serve as guidance to staff, lobbyists, and elected officials in representing the County before the United States Congress and Federal Agencies and to provide a means to advance and protect the County's interests on issues at the federal level, including health and human services, land use management, capital projects, emergency preparedness, and election administration. Among other things, the principles address legislative, regulatory, administrative, and fiscal impact issues that may arise during the remainder of the 118th Congress and the County's practices as it conducts lobbying activities to advance the County's interests. Approval of these principles and practices may include but is not necessarily limited to the following overarching categories: fiscal sustainability, economic impacts, vulnerable populations, and innovative services. Manager's Office. (All Commission Districts) FOR POSSIBLE ACTION

SUMMARY

The Board is asked to review and provide direction to staff regarding the Washoe County Federal Legislative Principles and Lobbying Practices. These principles and practices are to be used by County staff, lobbyists, and elected officials to guide their activities and actions while representing Washoe County before the United States Congress, the Executive Branch, and Federal Agencies.

Washoe County Strategic Objective supported by this item: Fiscal Sustainability, Economic Impacts, Vulnerable Populations, and Innovative Services

PREVIOUS ACTION

None

AGENDA ITEM # _____

BACKGROUND

The 118th United States Congress convened in Washington, D.C., on January 3, 2023, and will end on January 3, 2025.

The Washoe County Federal Legislative Principles and Lobbying Practices are established to provide guidance to staff, lobbyists, and elected officials in representing the County before the United States Congress and the Federal Government and to provide a means to advance and protect the County's interests on issues at the federal level. These principles are intended to support Washoe County's vision of being the social, economic and policy leaders in Nevada and the western United States.

The guiding principles and lobbying practices establish the framework of the County's federal legislative program to address policy, regulatory, administrative, fiscal impact issues and funding opportunities that may arise during the 118th United States Congress. The lobbying practices are also designed to provide flexibility so that the Office of the County Manager, elected officials and contracted legislative representatives may be proactive and respond quickly within the uncertain environment of the current United States Congress.

Washoe County's principal federal legislative interests for the period of the 118th United States Congress include, but are not limited to the following:

- Federal funding and regulations regarding health and human services including child welfare, senior services, behavioral health, and adult indigent services;
- Federal funding for priority capital projects as identified by the Washoe County Board of County Commissioners;
- Public land use and management issues, including federal lands bills;
- Emergency preparedness and resiliency issues; and
- Administration of elections.

Washoe County's Federal Legislative Principles are defined as:

- **Advocate for passage of federal legislation which aligns with Washoe County Strategic Plan objectives of Fiscal Sustainability, Economic Impacts, Vulnerable Populations and Innovative Services.**
- **Seek appropriation of federal funds to support programs and projects that will result in attainment of Washoe County's Strategic Plan goals.**
- **Support long-term, predictable full funding for the Payments in Lieu of Taxes (PILT) program.**
- **Oppose efforts to eliminate or limit the tax-exempt status of municipal bonds.**
- **Support Counties in improving health services for justice-involved individuals, particularly legislation that would allow individuals in custody to continue receiving Medicaid and other federal health benefits.**

- **Advocate for legislation that provides funding for mental health services and/or facilities for local law enforcement agencies, including full funding for the Justice and Mental Health Collaboration Program.**
- **Support enactment of a long-term, substantive reauthorization of the Temporary Assistance for Needy Families program.**
- **Encourage federal approval of amendments to Nevada’s Medicaid State Plan and Nevada Check Up State Plan to increase provider reimbursement rates, with particular focus on increasing rates for providers of behavioral health services and services to seniors.**
- **Oppose any measure that would further shift federal and state Medicaid costs to counties, including cuts, caps, and new limits on counties’ ability to raise the non-federal match or receive supplemental payments.**
- **Support funding for Older Americans Act programs at or above the level authorized in the Supporting Older Americans Act of 2020.**
- **Promote increased funding of the U.S. Department of Housing and Urban Development Community Development Block Grant program.**
- **Support continued funding of the U.S. Department of Labor Workforce Innovation and Opportunity Act (WIOA) and the U.S. Department of Agriculture (USDA) Rural Development programs.**
- **Advocate for increased funding for the U.S. Department of Housing and Urban Development’s Home Investment Partnerships (HOME) program.**
- **Encourage the passage of authorizing legislation that will support and strengthen county crisis response infrastructure.**

Washoe County’s Federal Lobbying Practices in support of the County’s Values of Integrity, Effective Communication and Quality Public Service are established as follows:

- **Effective Representation**
Washoe County is committed to working with the United States Congress, the Executive Branch, Federal Agencies, community stakeholders and business partners to provide effective representation of Washoe County’s federal legislative objectives. The Washoe County Legislative Team is readily available to assist Congressional committees, individual Members of Congress, Congressional staff, and the Executive Branch to provide timely and accurate responses to requests for information that will assist in the formation and deliberation of proposed legislation and/or funding requests.
- **Federal Legislative Updates**

The County Manager will provide quarterly written updates to the Board summarizing the County's federal legislative activities in the preceding quarter. Such reports shall be included on the meeting agenda of the Board for acknowledgement of receipt of the report and so that the reports are readily available to the public.

- **Board Direction**

Direction will be sought from the Board regarding the objectives and intent of proposed legislation and/or appropriations requests, as opposed to direction on specific bill language and/or identification of specific federal budgets from which appropriations and grants should be sought. This is necessary because of the fluidity of the legislative process. It also allows meaningful input by County lobbyists in the drafting of proposed bill language, including amendments to proposed legislation and identifying as many viable funding sources for County projects and programs as possible.

- **Adopting Board Legislative Position**

As the need arises, specific legislative matters may be brought before the Board for consideration and possible adoption of an official policy position and/or approval of a Resolution of Support or Opposition on specific legislation or policy matters. Resolutions of Support or Opposition are generally reserved for legislation or policy matters which have a direct impact on Washoe County. Preference for consideration of Resolutions of Support or Opposition shall be given to legislation which has been introduced in Congress or for which draft language has been prepared and released to the public.

When a legislative issue comes before the Board for direction or action, the majority vote will be the official position of Washoe County. The Board and the Washoe County Legislative Team (including the County's contract lobbyist) agree not to communicate minority or single Commissioner positions to members of Congress, the Executive Branch or Federal Agencies. The Washoe County Legislative Team (including the County's contract lobbyists) may indicate, when asked, the identity of a dissenting Commissioner(s). When communicating personal opinions on proposed legislation Commissioners will be clear that they are communicating in a personal capacity and not on behalf of Washoe County.

When the Board adopts an official position on a federal legislative issue, such position shall be considered as being incorporated into Washoe County's Federal Legislative Principles.

The Board's appointees to the Board of Directors of the Nevada Association of Counties shall not advocate for the Nevada Association of Counties to take a position that would be contrary to Washoe County's Legislative Principles.

- **Lobbyist Authority**

The Washoe County Legislative Team (including the County's contract lobbyist) is empowered to make decisions on matters known to be in the best interest of the

policy making/management position of the County. Lobbying staff shall look to the Washoe County Strategic Plan for guidance when determining policy positions. Direction on issues shall be sought from and/or approved by the County Manager, or at his direction, from an Assistant County Manager, or department head or division manager. If there is a question regarding the impact of an issue, the County Manager shall, if there is time to do so, direct that the issue be brought to the next Commission meeting for discussion and possible direction from the Board. However, when it is not possible to follow the above stated procedure due to the need for immediate decision-making, it is understood that the Washoe County Legislative Team (including the County's contract lobbyists) shall confer and collectively decide the appropriate position on behalf of the County. In certain circumstances it may be determined that it is in the best interest of the County to abstain from taking a position on proposed legislation.

- **Communication with County contract lobbyists**
Direction to the County's contract lobbyists on lobbying activities should be provided through the County Manager or his designee. Requests from Commissioners for information from the County's contract lobbyists on federal policy or funding matters should be routed through the County Manager or his designee. The County Manager or his designee shall be responsible for ensuring that information provided in response to any such inquiries is provided to all Commissioners.
- **Commission Participation in Federal Lobbying Activities**
Commissioners may be called upon to appear before Congressional committees and/or meet with individual Members of Congress and/or the Executive Branch when major policy issues of interest to Washoe County are developing. To provide a cohesive and well-organized lobbying effort, Commissioners are to notify the County Manager or his designee of all contacts with Members of Congress and/or the Executive Branch regarding County issues.

When County funds are used to pay the expense of Commissioner travel for the purpose of lobbying on federal issues, Commissioners must represent only those positions which are consistent with Washoe County's Federal Legislative Principles and the Washoe County Strategic Plan. Minority opinions or the opinion of a single Commissioner are not to be advocated for when Commissioners are traveling at the expense of the County.

Individual Commissioners may communicate their individual positions to others, including submitting letters or statement of support on behalf of other entities or organizations. However, when doing so on matters that are not expressly contained within the Washoe County Legislative Principles or for which the Board has not adopted a formal policy position, Commissioners must indicate that they are doing so in their personal capacity and not on behalf of the County.

The County's contract lobbyists will, upon request of the County Manager or his designee, facilitate meetings and communication between Commissioners and members of Congress, the Executive Branch and Federal Agencies. The subject of

such meetings and communications shall be consistent with Washoe County's Legislative Principles. The County's contract lobbyist shall not be requested to facilitate Commissioner meetings and communications to express individual Commissioner opinions or positions.

- **Appointed Boards: Authorization to Represent Washoe County**
Members of a board, commission or task force appointed by the Commission or by the County Manager may appear before the United States Congress, Federal Regulatory Bodies, and/or meet with individual Members of Congress or individual representatives of Federal Agencies to represent the interests of Washoe County only if specifically authorized to do so by the Commission or the Washoe County Manager.
- **Cooperative Legislative Relations**
Washoe County recognizes that local governments and other public entities in our region have numerous areas of mutual interest, and that a cooperative and integrated approach to legislative relations best serves the interest of the residents of Washoe County. We will act with integrity when engaging with other governmental entities on legislative matters.

Unless Washoe County holds a different position on federal matters of statewide interest than that of the Nevada Association of Counties, advocacy on such matters is best led by the Nevada Association of Counties.

When considering legislation that is of specific importance to the rural communities of the County, the Washoe County Legislative Team should seek out policy analysis resources that may be available from the Western Interstate Region of the National Association of Counties.

Requests for letters or statements of support from Washoe County on behalf of other public entities seeking federal assistance or federal action for programs, projects or policy initiatives of the requesting public entity will be considered and approved on a case-by-case basis. All such requests are to be submitted to the County Manager or his designee for review of compatibility with Washoe County's Federal Legislative Principles. The County Manager may confer with the Board Chair on matters of general interest and/or with Commissioner(s) appointed to the Board of the requesting entity to determine if it is in the best interest of Washoe County to provide such letter or statement of support and to determine if the letter should be signed by the Board Chair or by the County Manager. Whenever Washoe County approves such a request and issues a letter or statement of support, a copy of the letter or statement shall be provided to the Board and a list of such letters and/or statements shall be included in the quarterly federal legislative activity report submitted to the Board.

FISCAL IMPACT

No direct fiscal impact as a result of this action.

RECOMMENDATION

It is recommended that the Board of County Commissioners approve the Washoe County Federal Legislative Principles and Lobbying Practices and direct staff to operate in accordance therewith.

POSSIBLE MOTION

Should the Board agree with staff's recommendation, a possible motion would be: "Move to approve the Washoe County Federal Legislative Principles and Lobbying Practices and direct staff to operate in accordance therewith".