



Consent Item 6

TO: East Bay Community Energy Board of Directors

FROM: Melissa Brandt, Senior Director of Public Policy and Deputy General Counsel

SUBJECT: Extension of Agreement with the Weideman Group for Legislative Advocacy and Advisory Services

DATE: January 22, 2020

Recommendation

Adopt a Resolution authorizing the CEO to negotiate and execute a first amendment to an agreement with Weideman Group to provide government relations representation services for the term of January 1, 2020 to December 31, 2020, with an additional amount not to exceed \$125,000.

Background and Discussion

On January 17, 2018, the Board approved selection of Weideman Group to provide legislative advocacy and advisory services to East Bay Community Energy (EBCE) throughout 2018. On January 16, 2019, the Board approved extending Weideman Group's services by entering into a new one-year agreement with Weideman Group. Weideman Group has represented EBCE with legislators and their staff in Sacramento, in close coordination with the Public Policy Department and in accordance with the Board's adopted positions on legislative bills.

Weideman Group has over 30 years of experience representing entities seeking to navigate California's complex policymaking landscape. Mark Weideman, Principal and Founder will continue to serve as EBCE's chief lobbyist and strategist. Weideman Group professionals have represented both public and private entities in energy and utility matters before the California Legislature, the Governor's Office, the California Energy Commission, the California Public Utilities Commission, the California Environmental Protection Agency, and the California Air Resources Board, among others. Weideman Group also has strong relationships with elected officials, especially the Bay Area delegation.

In 2019, Weideman Group facilitated countless meetings in Sacramento and in-district, and supported EBCE in developing relationships with legislators and their staffs, as well as administration officials and other key strategic partners. Weideman Group lobbied on behalf of EBCE on key bills such as AB 56 (E.Garcia), SB 49 (Skinner), SB 155 (Bradford), and SB 520 (Hertzberg), among others.

EBCE seeks continued assistance from Weideman Group for legislative advocacy and advisory services in 2020, both to represent EBCE's views on bills in the new legislative cycle as well as to provide legislative advocacy and advice around any bills that EBCE may choose to sponsor.

As EBCE entered into a new Consulting Services Agreement with Weideman Group in 2019, staff recommends authorizing the CEO to extend the previous agreement with Weideman Group with an additional \$125,000 for the duration of 2020.

Fiscal Impact

This contract will result in an additional not to exceed \$125,000 spend in calendar year 2020. Legislative Advocacy and Advisory Services are included in the current fiscal year budget at this level.

Attachments

- A. Resolution Authorizing the CEO to execute a consulting services agreement extension with Weideman Group
- B. First Amendment to the Consulting Services Agreement

RESOLUTION NO. __

A RESOLUTION OF THE BOARD OF DIRECTORS

OF THE EAST BAY COMMUNITY ENERGY AUTHORITY AUTHORIZING THE CEO TO EXECUTE A CONSULTING SERVICES AGREEMENT EXTENTION WITH WEIDEMAN GROUP FOR LEGISLATIVE ADVOCACY AND ADVISORY SERVICES

THE BOARD OF DIRECTORS OF THE EAST BAY COMMUNITY ENERGY AUTHORITY DOES HEREBY FIND, RESOLVE AND ORDER AS FOLLOWS:

WHEREAS, The East Bay Community Energy Authority (“EBCE”) was formed on December 1, 2016, under the Joint Exercise of Power Act, California Government Code sections 6500 *et seq.*, among the County of Alameda, and the Cities of Albany, Berkeley, Dublin, Emeryville, Fremont, Hayward, Livermore, Piedmont, Oakland, San Leandro, and Union City to study, promote, develop, conduct, operate, and manage energy and energy-related climate change programs in all of the member jurisdictions.

WHEREAS, On January 17, 2018, the Board approved selection of Weideman Group to provide legislative advocacy and advisory services to East Bay Community Energy (EBCE) throughout 2018. On January 16, 2019, the Board approved extending Weideman Group’s services by entering into a new one-year agreement with Weideman Group

WHEREAS, Legislative Advocacy and Advisory Services are included in the current fiscal year budget at \$125,000.

WHEREAS, In 2019, Weideman Group facilitated countless meetings in Sacramento and in-district, and supported EBCE in developing relationships with legislators and their staffs, as well as administration officials and other key strategic partners. In 2020, EBCE would benefit from continued assistance from Weideman Group for legislative advocacy and advisory services, both to represent EBCE’s views on bills in the new legislative cycle as well as to provide legislative advocacy and advice around any bills that EBCE may choose to sponsor.

NOW, THEREFORE, THE BOARD OF DIRECTORS OF THE EAST BAY COMMUNITY ENERGY AUTHORITY DOES HEREBY RESOLVE AS FOLLOWS:

Section 1. The CEO or his designee is hereby designated to negotiate and execute an Amendment to the Consulting Services Agreement with Weideman Group in substantially the same form as attached in Exhibit A, which shall add an additional amount of \$125,000 in compensation to the not to exceed amount and extend the term through December 31, 2020.

ADOPTED AND APPROVED this 22nd day of January, 2020.

Dan Kalb, Chair

ATTEST:

Stephanie Cabrera, Clerk of the Board

**First Amendment to the Consulting Services Agreement
for Services by and Between East Bay Community Energy Authority and
Weideman Group, Inc.**

This First Amendment to the Agreement with Weideman Group, Inc. for Consulting Services (“Amendment”) is made this 1st day of January, 2020, by and between the East Bay Community Energy Authority, a Joint Powers Agency formed under the laws of the State of California (“EBCE”) and Weideman Group, Inc. a California corporation, for the purposes of adding additional compensation and extending the term of the Agreement.

Recitals

- A. EBCE and Weideman Group entered into that certain agreement for consulting services dated January 1, 2019, wherein Weideman Group agreed to provide government relations representation services to EBCE.
- B. EBCE desires to continue to use Weideman Group’s expertise and Weideman Group is available to assist EBCE in this area.

Now therefore, for good and valuable consideration, the amount and sufficiency of which is hereby acknowledged, the Parties agree as follows:

- 1. Section 2 of the Agreement is modified to identify a termination date of 12/31/2020.
- 2. Section 6.1 of the Agreement is modified so that the maximum compensation under the Agreement is \$250,000 (adding an additional amount of \$125,000 for additional services).
- 3. All other terms and conditions in the Agreement not otherwise modified by this Amendment will remain in full force and effect.

In witness whereof, the Parties have entered into this Amendment on the date written above.

East Bay Community Energy Authority,
A Joint Powers Authority

Weideman Group
A California corporation

Name:
Title:

Mark Weideman
As Chief Executive Officer and Secretary

Approve as to Form
EBCE General Counsel