



### Consent Item 13

<b>To:</b>	Ava Community Energy Authority
<b>From:</b>	Todd Edmister Sr. Director of Public Policy and Deputy General Counsel
<b>Subject:</b>	Approving a Resolution of the Board of Directors of Ava Community Energy Authority Authorizing the CEO to Execute an Amendment to the Consulting Services Agreement with Omni Government Relations, LLC
<b>Date:</b>	February 19, 2025

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#### **Summary/Recommendation**

Adopt a Resolution authorizing Ava Community Energy's (Ava's) Chief Executive Officer to negotiate and execute an amendment to the Consulting Services Agreement (CSA) with Omni Government Relations, LLC (Omni) to provide state legislative advocacy and advisory services to Ava through December 31, 2024, with a not-to-exceed amount of \$120,000.

This Staff Report proposes extending the CSA with Omni for another calendar year because Omni is critical to our representation before state government in Sacramento, and our current CSA expired at the end of the last calendar year.

#### **Financial Impact**

The amendment continues Omni's services through calendar year 2025 on the same financial terms as the expired contract. The amendment would result in a not-to-exceed amount of \$120,000 in calendar year 2025, with a total not to exceed amount of \$235,000 for the Agreement.

## **Analysis and Context**

Ava staff met separately with three highly recommended government relations firms in October 2023 to solicit quotes and discuss the firms' background, qualifications, experience, abilities, and proposed approach: 1) Weideman Group, 2) Strategies 360, and 3) Omni. Staff evaluated the strengths and weaknesses of each proposal along with the proposed quote. Staff selected Omni as the best option and sought approval from Ava's Board for a one-year contract for state legislative services, which was approved at the February 2024 meeting. Omni rose to the top of the selection pool based on the quality of its personnel, demonstrated competence and successes, existing partnerships and relationships, strategic and tactical insights and capabilities, proposed price, and ability to tailor its strategy and approach to the needs, mission, and goals of Ava. These services replaced those previously provided to Ava by Weideman Group between 2018 to 2023.

Omni is a full-service government affairs firm with years of proven experience shaping some of the state's most pressing public policy issues. Omni was founded by one of Sacramento's leading lobbyists, Mandy Lee, who brings her experience from the Capitol, private sector, and nonprofit background to bear for the benefit of her clients. Mandy Lee is a distinguished government and government affairs professional, and she brings over 15 years of government relations, campaign, political strategy, and public service experience to her clients. She serves as a trusted advisor to national and state trade associations, prominent Fortune 10 companies, and large public agencies. Dan Chia of Omni would also represent Ava. Most recently, Dan was the Founder/Principal of Chia Strategies, a clean energy and transportation boutique consulting and lobbying firm. Dan created his own practice after a ten-year government affairs career at Tesla and SolarCity. Dan advocated for Ava's legislative causes in 2022 through our previous government relations firm, and his work was well regarded. Omni also has a strong familiarity with Community Choice Aggregators and Ava. In addition, Omni represents the Clean Power Alliance, where they came highly recommended. Omni has strong relationships with elected officials, especially the Bay Area delegation.

Omni's understanding of Ava's mission and values, its successful experience advocating in the clean energy space, and its strategic insights gave Ava staff strong support in Ava's state legislative advocacy and advisory services in 2024. Consequently, staff recommend amending the contract to extend it for another calendar year on the same terms.

## **Attachments**

- A. Resolution
- B. Draft Amendment

**RESOLUTION NO. R-2025-XX**

**A RESOLUTION OF THE BOARD OF DIRECTORS OF AVA COMMUNITY ENERGY AUTHORITY AUTHORIZING THE CEO TO EXECUTE AN AMENDMENT TO THE CONSULTING SERVICES AGREEMENT WITH OMNI GOVERNMENT RELATIONS, LLC**

**WHEREAS** Ava Community Energy Authority (“Ava”) was formed as a community choice aggregation agency (“CCA”) on December 1, 2016, under the Joint Exercise of Powers 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-related climate change programs in all of the member jurisdictions. The cities of Newark and Pleasanton, located in Alameda County, along with the City of Tracy, located in San Joaquin County, were added as members of Ava and parties to the Joint Powers Agreement (“JPA”) in March of 2020. The city of Stockton was added as a member to Ava in September of 2022. The city of Lathrop was added as a member to Ava in October of 2023. San Joaquin County was added as a member to Ava in July 2024. On October 24, 2023, Ava legally adopted the name Ava Community Energy Authority, where it had previously used the name East Bay Community Energy Authority since its inception.

**WHEREAS** Ava would be benefited by continued assistance from Omni Government Relations, LCC (Omni) for legislative advocacy and advisory services, both to represent Ava’s views on bills in the new legislative cycle as well as to provide legislative advocacy and advice around any bills that Ava may choose to sponsor. Omni would facilitate meetings in Sacramento, in district and remotely, and support Ava in developing relationships with legislators and their staff, as well as with administration officials and other key strategic partners.

**WHEREAS** in 2023, Ava staff solicited quotes from three advocacy firms, and Omni was selected due to the quality of its personnel, demonstrated competence and successes, existing partnerships and relationships, strategic and tactical insights and capabilities, proposed price, and its ability to tailor its strategy and approach to the needs, mission, and goals of Ava.

**WHEREAS** In 2024, Ava contracted with Omni for these services with a not-to-exceed for the contract of \$115,000.

**WHEREAS** The contract with Omni expired on December 31, 2024, and Ava requires continued legislative advocacy and advisory services during 2025, and as Omni has provided excellent services, Ava wishes to continue working with them through 2025.

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

Section 1. Ava’s Board of Directors hereby authorizes Ava’s Chief Executive Officer in consultation with staff and legal counsel, to negotiate and execute an Amendment to the Consulting Services Agreement with Omni to provide state legislative advocacy and advisory services to Ava through December 31, 2025, and to increase the compensation \$120,000 for 2025, with a total not to exceed amount of \$235,000.

ADOPTED AND APPROVED this 19<sup>th</sup> day of February, 2025.

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Jack Balch, Chair

ATTEST:

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Adrian Bankhead, Clerk of the Board

**First Amendment to Consulting Services Agreement by and Between Ava Community Energy Authority and Omni Government Relations, LLC**

This First Amendment to the Agreement with Omni Government Relations, LLC for Consulting Services (“First Amendment”) is made this 1st day of January 2025, by and between the Ava Community Energy Authority, a Joint Powers Agency formed under the laws of the State of California (“Ava”) and Omni Government Relations, LLC, a California Limited Liability Company (“Omni”), for the purposes extending the termination date, adding additional compensation and updating Ava’s contact information.

**Recitals**

- A. Ava and Omni entered into that certain Consulting Services Agreement dated January 15, 2024 (“Agreement”), wherein Omni agreed to provide state legislative advocacy services to Ava, with compensation not to exceed \$115,000.
- B. Ava and Omni now desire to amend the Agreement to add additional compensation, increasing the not-to-exceed amount by \$120,000, to extend the term, and to update the contact information for Ava.

**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 (“Term”) is amended to extend the term of the Agreement from January 1, 2025, through December 31, 2025.
- 2. Section 6 of the Agreement (“Compensation and Payment”) is amended in part to increase the total compensation of the Agreement by \$120,000 for a total amount not to exceed two hundred thirty-five thousand dollars (\$235,000).
- 3. Section 14.7 of the Agreement (“Notices”) is amended in part to read as follows for Ava:

Attn: Todd Edmister  
Ava Community Energy  
1999 Harrison Street, Suite 2300  
Oakland, CA 94612  
Email: [tedmister@avaenergy.org](mailto:tedmister@avaenergy.org)  
Phone: 510.650.7579  
With a copy to [Legal@avaenergy.org](mailto:Legal@avaenergy.org)

- 4. Exhibit E (“Compensation/Budget”) of the Agreement is replaced in its entirety by Exhibit E, attached hereto.

- 5. All other terms and conditions in the Agreement not otherwise modified by this First Amendment will remain in full force and effect.

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

Ava Community Energy Authority,  
A Joint Powers Authority

Omni Government Relations, LLC  
A California Limited Liability Company

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Howard Chang  
Chief Executive Officer

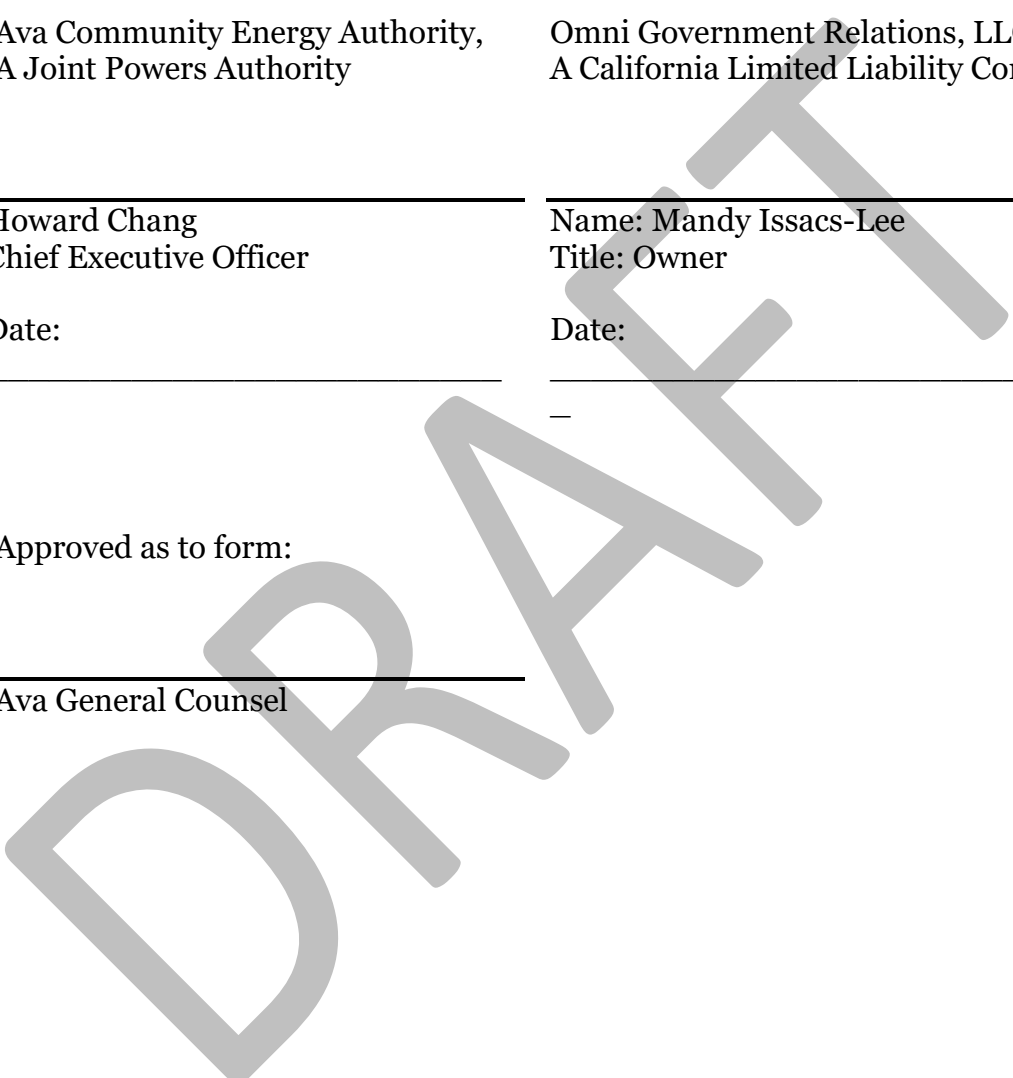
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Name: Mandy Issacs-Lee  
Title: Owner

Date:

Date:

Approved as to form:

\_\_\_\_\_  
Ava General Counsel



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**Exhibit E**

**Compensation/Budget**

Compensation under this Agreement will be a fixed rate of \$10,000 per month.

The maximum compensation under this Agreement is \$235,000, of which \$120,000 will be for the calendar year of 2025, and \$115,000 will be for calendar year 2024.

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