



AGENDA

California Avocado Commission
Board of Directors Meeting

Meeting Information

Date: December 17, 2024

Time: 11:00 a.m.

Location: Hybrid Meeting

Physical Meeting Location:
United Water Conservation District
1701 N. Lombard St., Suite 200
Oxnard, CA 93030

Web/Teleconference URL:

<https://californiaavocado.zoom.us/j/89435150542?pwd=OdfYqov167LzTP4OAIUsw1Tb7gKf.1>

Conference Call Number: (669) 900-6833

Meeting ID: 894 3515 0542

Passcode: 430986

Meeting materials will be posted online at least 24 hours prior to the meeting at:

<https://www.californiaavocadogrowers.com/commission/industry-calendar>

Board Member and Alternate Attendance

As of Friday, December 13, 2024, the following individuals have advised the Commission they will participate in this meeting:

Victor Araiza, *Member*

Jason Cole, *Member*

Maureen Cottingham, *Member*

John Dmytriw, *Member*

Rob Grether, *Member*

Robert Jackson, *Member*

James Johnson, *Member*

Ohannes Karaoghlanian, *Member*

Daryn Miller, *Member*

Peter Shore, *Member*

Al Stehly, *Member*

Tina Wolferd, *Alternate*

Time	Item
11:00 a.m.	<ol style="list-style-type: none"> 1. Call to Order <ol style="list-style-type: none"> a. Roll Call/Quorum 2. Opportunity for Public Comment Any person may address the Board at this time on any subject within the jurisdiction of the California Avocado Commission. 3. Consent Calendar <ol style="list-style-type: none"> a. Consider approval of Board of Director’s meeting minutes of November 14, 2024 b. Consider approval of 2024-25 committee appointments c. Consider approval of revised Moss Adams engagement letter for examination of compliance with USDA guidelines 4. Operations Update 5. Report on Policy Task Force Meeting <ol style="list-style-type: none"> a. Consider Proposal from Foley & Lardner LLP regarding Wildfire Tax Relief b. Consider Proposal to Retain Ballard Partners, Inc. 6. Consider Approval of Incremental Marketing Budget
12:00 p.m.	<ol style="list-style-type: none"> 7. Adjourn Meeting

Disclosures

The times listed for each agenda item are estimated and subject to change. It is possible that some of the agenda items may not be able to be discussed prior to adjournment. Consequently, those items will be rescheduled to appear on a subsequent agenda. All meetings of the California Avocado Commission are open to the public and subject to the Bagley-Keene Open Meeting Act.

All agenda items are subject to discussion and possible action. For more information, or to make a request regarding a disability-related modification or accommodation for the meeting, please contact April Aymami at 949-341-1955, California Avocado Commission, 12 Mauchly, Suite L, Irvine, CA 92618, or via email at aaymami@avocado.org. Requests for disability-related modification or accommodation for the meeting should be made at least 48 hours prior to the meeting time. For individuals with sensory disabilities, this document is available in Braille, large print, audiocassette or computer disk. This meeting schedule notice and agenda is available on the internet at <https://www.californiaavocadogrowers.com/commission/meeting-agendas-minutes> and <http://it.cdfa.ca.gov/igov/postings/detail.aspx?type=Notices>.

If you have questions on the above agenda, please contact April Aymami at aaymami@avocado.org or 949-341-1955.

Summary Definition of Conflict of Interest

It is each member's and alternate's responsibility to determine whether they have a conflict of interest and whether they should excuse themselves from a particular discussion or vote during a meeting. To assist you in this evaluation, the following *Summary Definition of Conflict of Interest* may be helpful.

A Commission *member or employee* has a conflict of interest in a decision of the Commission if it is reasonably foreseeable that the decision will have a material effect, financial or otherwise, on the member or employee or a member of his or her immediate family that is distinguishable from its effect on all persons subject to the Commission's jurisdiction.

No Commission member or employee shall make, or participate in making, any decision in which he or she knows or should know he or she has a conflict of interest.

No Commission member or employee shall, in any way, use his or her position to influence any decision in which he or she knows or should know he or she has a conflict of interest.



BOARD ACTION

ITEM 3.a: Consider approval of Board of Director's meeting minutes of November 14, 2024

SUMMARY:

The minutes of the Board of Directors' regular meeting of November 14, 2024 are attached for the Board's review and approval.

FISCAL ANALYSIS:

- Not applicable

BOARD OPTIONS:

- Approve minutes as presented
- Amend minutes
- Take no action

STAFF RECOMMENDATION:

- Approve minutes as presented

EXHIBITS / ATTACHMENTS:

- Minutes of the Board of Directors' regular meeting of November 14, 2024

**CALIFORNIA AVOCADO COMMISSION
BOARD MEETING MINUTES
November 14, 2024**

A meeting of the California Avocado Commission (CAC) Board was held on Thursday, November 14, 2024 with the following people present:

MEMBERS PRESENT

Victor Araiza
Jason Cole
Maureen Cottingham
John Dmytriw
Rob Grether
Robert Jackson
James Johnson
Ohannes Karaoghlanian
Daryn Miller
Peter Shore
Al Stehly

ALTERNATES PRESENT

John Berns
Maddie Cook
Tina Wolfert

MEMBERS ABSENT

Quinn Cotter
Rachael Laenen

ALTERNATES ABSENT

Hayden McIntyre

OFFICIALLY PRESENT

Victoria Carpenter, *USDA*
Ben Kardokus, *CDFCA*
Marji Morrow, *Rockwell Morrow*
George Soares, *Kahn, Soares & Conway, LLP*
Dr. Tim Spann, *Spann Ag*

STAFF PRESENT

April Aymami
Zac Benedict
Dave Cruz
Stacia Kierulff
Ken Melban
Lori Small
Terry Splane
Cristina Wede

GUESTS PRESENT

David Anderson
Carolyn Becker
Connorr
Jess iPhone
Kathleen Johnson
Danny Klittich
Kim Kurata
John McGuigan
Steven Muro
Laura Paden
Lecia Rdzak
Matt Schraut
Joanne Robles-Swanson
Byron Talley
Marquis 'Mark' Vawter
Gina Widjaja

ITEM #1 CALL TO ORDER

Ben Kardokus, representing the California Department of Food and Agriculture (CDFCA), called the meeting to order at 8:03 a.m.

Announcement of Election Results and Introduction of New Members and Alternates - Item 1.a.

Mr. Kardokus announced that results from the recently concluded 2024 CAC General Election had been tallied and the following individuals had been elected to the CAC Board for two-year terms ending October 31, 2026:

- | | |
|--|-----------------------------------|
| District 1 Member: Al Stehly | District 4 Member: Rachael Laenen |
| District 2 Member: Ohannes Karaoghlanian | District 5 Member: James Johnson |
| District 3 Member: Maureen Cottingham | Handler Member: John Dmytriw |

Mr. Kardokus reported that during the election 296 valid ballots had been received, with 23 ballots disqualified. He noted that the disqualified ballots had no impact on the results of the election.

Roll Call – Item 1.b.

Mr. Kardokus conducted roll call attendance and determined that a quorum was present.

Introductions

April Aymami, CAC director of industry affairs and operations, announced the United States Department of Agriculture (USDA), CDFA, CAC staff, CAC agency personnel and known guests participating in the meeting. She asked for all other guests to announce themselves and recorded all participants in attendance.

ITEM # 2 OPPORTUNITY FOR PUBLIC COMMENT

Mark Vawter, avocado grower in Fallbrook, commented on an idea he wanted to discuss for providing California avocados directly to health care providers to distribute to patients. He would like this to be added to a future board meeting agenda for discussion.

Robert Jackson, CAC Board member, commented on the Mountain Fire and growers that have been effected. He stated that the fire did not look to be a utility started fire, therefore growers may not have the same level of resources available to them. Mr. Jackson would like to have a discussion with the new Board Chair and Ken Melban, vice president of industry affairs and operations, to help ensure growers get back on their feet.

ITEM # 3 ELECTION OF OFFICERS

Instruction on How Nominations and Voting for Board Officers will be Conducted – Item 3.a.

Mr. Kardokus provided a brief overview of Commission law and procedures pertaining to the nomination and election of Board officers.

Nominations and Election of Chairperson – Item 3.b.

Following the instructions on nominations and voting for board officers, Mr. Kardokus called for nominations for the seat of Chairperson. Jason Cole was nominated for the position of Chairperson by Ohannes Karaoghlanian. There were no further nominations for the position of Chairperson.

ACTION:

***Move to elect Jason Cole to the position of Chairperson.
MSC (Unanimous)***

MOTION 24-11-14-1

ITEM #4 CHAIRPERSON TAKES GAVEL AND PRESIDES

Chairperson's Opening Remarks – Item 4.b.

Mr. Cole assumed the position of Chairperson and commented on the Mountain Fire. He thanked Mr. Jackson for bringing that item up during public comment and stated that CAC will be working with the Ventura Farm Bureau on assistance activities for growers that were impacted by the fire.

Mr. Cole continued the election of officers.

Nominations and Election of Vice-Chairperson, Secretary, and Treasurer – Item 4.a.

Vice Chairperson

Mr. Cole noted that Rachael Laenen, former Vice-Chairperson, had served three consecutive terms as Vice-Chairperson and therefore was not eligible to serve another term in this position. He commented that due to Ms. Laenen's participation in the California Ag Leadership Program, she would not have the time available to serve in a role on the executive committee during the coming year. Mr. Cole then requested nominations for the position of Vice-Chairperson. Ohannes Karaoghlanian was nominated for the position of Vice-Chairperson by Robert Jackson. Jason Cole seconded the nomination for Mr. Karaoghlanian. There were no further nominations for the position of Vice-Chairperson.

ACTION:

Move to elect Ohannes Karaoghlanian to the position of Vice-Chairperson.

MSC (Unanimous)

MOTION 24-11-14-2

Treasurer

Mr. Cole requested nominations for the position of Treasurer. Maureen Cottingham was nominated for the position of Treasurer by Robert Grether. There were no further nominations for the position of Treasurer.

ACTION:

Move to elect Maureen Cottingham to the position of Treasurer.

MSC (Unanimous)

MOTION 24-11-14-3

Secretary

Daryn Miller, the former Secretary, commented that he enjoyed his time serving on the executive committee, but preferred to focus his service for CAC in the areas of sustainability and research. Victor Araiza was nominated for the position of Secretary by Daryn Miller. There were no further nominations for the position of Secretary.

ACTION:

Move to elect Victor Araiza to the position of Secretary.

MSC (Unanimous)

MOTION 24-11-14-4

ITEM # 5 CONSENT CALENDAR

Mr. Cole introduced the consent calendar items and asked for questions or comments.

Hearing no comments, the following motion was put forward:

MOTION:

The CAC Board of Directors approves the Consent Calendar, Items 5.a through 5.c as presented.

(Johnson/Araiza) MSC Unanimous

MOTION 24-11-14-5

The Consent Calendar is included in the November 2024 Board Packet and is attached to the permanent copy of these Minutes and identified as EXHIBIT A, Items 5.a through 5.c.

Rob Grether, CAC Board member stated that he is willing to continue serving as the CAC representative to HAC.

*Rob Grether and Maureen Cottingham left the Board Zoom meeting. John Berns, CAC Board Alternate assumed the District 3 Member seat for Maureen Cottingham, as Robert Grether indicated he may join again at a later time.

ITEM #6 BOARD MEMBER ORIENTATION

Mr. Melban informed the Board that while an orientation was conducted last year, at the request of board members and alternates, it would be conducted annually to serve as a refresher for the full Board. Mr. Melban shared that the presentation for the Board of Directors Orientation will be available for reference and will be attached to the minutes.

The Board of Directors Orientation Presentation is attached to the permanent copy of these Minutes and identified as EXHIBIT B.

ITEM #7 CHAIRMAN'S REPORT

Update on USDA import inspections – Item 7.a.

Mr. Cole commented that there was not much to report at this time. There were two meetings with APHIS. One meeting about changing the protocol of the Mexican inspectors and a second meeting about Guatemala being approved for entrance with no direct USDA employee supervision. Mr. Cole stated that CAC has written letters, Members of Congress have written letters, and none of these letters have been responded to in about two months. He noted that it was possible nothing would move until the new U.S. government administration was in place.

The *Situation Brief: USDA Mexico Avocado Inspection Program* is attached to the permanent copy of these Minutes and identified as EXHIBIT C, Item 7.a.

Recommend Member and Alternate to Serve on Hass Avocado Committee – Item 7.b.

Mr. Cole commented that Rob Grether has been in the member role for the last year, and that before Mr. Grether left the meeting, he stated that he was willing to continue serving as the CAC representative member to HAC.

Mr. Cole nominated Rob Grether as the Hass Avocado Committee member. No further nominations were offered for the member seat.

Ohannes Karaoghlanian, CAC Board member, expressed an interest in serving as the Hass Avocado Committee alternate representative.

There was Board discussion regarding Mr. Karaoghlanian serving as the HAC alternate representative.. Victor Araiza, CAC Board member, nominated CAC Board Alternate Member John Berns as the Hass Avocado Committee alternate representative.

Hearing no further nominations, the following motion was put forward:

MOTION:

The CAC Board of Directors recommends Rob Grether HAC member representative and John Berns as HAC alternate representative.

(Araiza/Karaoghlanian) MSC Unanimous

MOTION 24-11-14-6

Recommend Member and Alternate to Serve on Avocado Sustainability Advisory – Item 7.c.

Mr. Cole informed the Board that they need to recommend two members to serve on the Avocado Sustainability Advisory. Ken Melban and Daryn Miller stated that they would be willing to continue to serving on the Advisory..

MOTION:

The CAC Board of Directors recommends Ken Melban and Daryn Miller to serve as CAC members on the HAB Avocado Sustainability Advisory.

(Dmytriw/ Karaoghlanian) MSC Unanimous

MOTION 24-11-14-7

ITEM #8 INDUSTRY AFFAIRS REPORT

Mr. Melban introduced John McGuigan from the Hass Avocado Board to talk about the Avocado Sustainability Advisory (ASA), the governance board for the Avocado Sustainability Center.

Hass Avocado Board Avocado Sustainability Advisory update – Item 8.a.

Mr. McGuigan commented that the initial path of the ASA was to do a lifecycle assessment (LCA) to take a look at a multi-country LCA of more than 600,000 acres in five countries. After further review, the ASA was notified of another pathway that would accomplish the work quicker and less expensive using a third-party company called 'How Good'. 'How Good' is a data

aggregator company that has been in the food sustainability space for seventeen years and works with companies like Kellogg's, Kraft, Heinz, McCormick, etc. globally with food providers throughout the supply chain. The Hass Avocado Board vetted this company for seven months prior to recommending them to the ASA to verify what services this company could provide the avocado industry. The ASA is processing an environmental impact assessment through How Good for \$190,000. The plan is to engage growers in primary research on every geography. How Good has access to over 600 resource touch points all over the globe. Everyone at the ASA voted unanimously on this project. Once data is released, the ASA will update the associations with the findings. The Avocado Sustainability Center will speak globally and generally for the industry without taking a position and the individual countries will speak for themselves. This project will give the industry insights into the avocado industry's environmental footprint, including carbon, water, biodiversity, and land use change.

The Board continued to discuss the project and thoughts on items such as sustainable packing, pesticide use, nutrition, country of origin messaging, etc.

Consider research proposal. "Does artificial pollination improve yield of 'Hass' and 'GEM' avocado?" – Item 8.b

Dr. Tim Spann, CAC research program consultant, commented that John Burr, who has served on the PRC since 2010 would be stepping down from the committee. The PRC has drafted a letter thanking Mr. Burr for his service.

Dr. Spann provided an overview of the proposal for pollination research received from Mary Lu Arpaia and Dr. Inaki Hormaza. The topic of pollination is a highly ranked topic in the recent Production Research Priorities list that was created by the PRC. The project aims to evaluate the artificial pollination systems available to California growers (pollen dusting, BioPollen, and BloomX) applied to Hass and GEM avocados. There is no independent data showing that these options are effective in California, so Mary Lu Arpaia and Dr. Hormaza submitted this proposal to the PRC. The PRC met on October 29th to discuss the proposal, and it was viewed favorably. The project would give valuable information to growers with benefits of cross-pollination and whether pollinizer varieties are truly beneficial to avocados in California. The PRC recommends funding the proposal with the total cost of \$172,825 over three years.

A request was made for the research group to conduct research on a site in the south for this project to see if there are any environmental differences between growing areas. Dr. Spann stated that he would request this be considered.

The Board discussed the project and potential benefits of cross-pollination for California avocados.

MOTION:

The CAC Board of Directors approves the artificial pollination project proposal as presented with the request to include a research site in the south without increasing the overall budget.

(Jackson/Karaoghlanian) MSC Unanimous

MOTION 24-11-14-8

The *Artificial Pollination Project Proposal* is included in the November 2024 Board Packet and is attached to the permanent copy of these Minutes and identified as EXHIBIT A, Items 8.b.

The *CAC Operations and Industry Affairs Activities Report* is attached to the permanent copy of these Minutes and identified as EXHIBIT D.

ITEM #9 MARKETING

Tracking study key takeaways – Item 9.a.

Terry Splane, CAC vice president of marketing, reported that due to the incremental funding approved by the Board in June, the marketing department was able to add the annual tracking study back into the 2024 budget. The information obtained through the tracking study is critical because it allows CAC review changes in consumer preference and awareness and adjust as necessary. Mr. Splane explained that the presentation focused on the key findings of the consumer tracking study research and the marketing plan for an incremental investment to build preference and awareness.

Marji Morrow, Rockwell Morrow, presented the tracking study results and key takeaways. She discussed consumer responses regarding awareness, preference, taste & quality, sustainability, ethically sourced, and value.

The Board discussed California's performance versus other countries of origin and the importance of differentiation and in-store promotions.

Mr. Splane presented various incremental budget scenarios explaining the increased investment in existing programs to broaden impact and drive preference. He also discussed the expansion of new marketing tactics to increase awareness and reach. Mr. Splane commented that the marketing team had conducted a retail planning meeting to discuss the various scenarios and develop plan details to ensure the ability to execute for the 2025 California season.

It was noted that this item was not officially agendaized, therefore no action could be taken to approve additional funding to support the expansion plan. Mr. Cole stated that it could be brought to the Board for approval in February 2025, or if that was too late, a special meeting of the Board could be convened prior to the next regularly scheduled meeting.

The Marketing Tracking Study and Incremental Budget Scenarios presentation is attached to the permanent copy of these Minutes and identified as EXHIBIT E, Item 9.a.

ITEM #10 – CLOSED SESSION REGARDING THE APPOINTMENT, EMPLOYMENT, EVALUATION OF PERFORMANCE, OR DISMISSAL OF AN EMPLOYEE PURSUANT TO CALIFORNIA GOVERNMENT CODE SECTION 11126(a)

The Board may go into closed session to discuss and make recommendations regarding appointment, employment, or dismissal of an employee – Item 10.a

Mr. Cole convened a Closed Session of board members, alternates, legal counsel, and the CDFA representative at 11:45 a.m.

ITEM #11 Return to open session and announce action taken in closed session, if any

Mr. Cole returned to the open session at 12:48 p.m. In closed session, the Board took action to create a task force on trade policy that will report directly to the Executive Committee for any necessary action.

ADJOURN MEETING

Mr. Cole adjourned the meeting at 12:49 p.m. The next regularly scheduled Board meeting will be held on December 17, 2024.

California Avocado Commission
Board Meeting Minutes
November 14, 2024

Respectfully submitted,

Stacia Kierulff, CAC Human Resource Manager

I certify that the above is a true statement of the Minutes of November 14, 2024 approved by the CAC Board of Directors on December 17, 2024.

Victor Araiza, CAC Board Secretary

EXHIBITS ATTACHED TO THE PERMANENT COPY OF THESE MINUTES

EXHIBIT A November 2024 Board Packet
EXHIBIT B November 2024 Board of Directors Orientation Presentation
EXHIBIT C Situation Brief: USDA Mexico Avocado Inspection Program
EXHIBIT D CAC Operations and Industry Affairs Activities
EXHIBIT E Marketing Tracking Study and Incremental Budget Scenarios presentation
EXHIBIT F November 14, 2024 Board Meeting AB 2720 Roll Call Vote Tally Summary



CALIFORNIA AVOCADO COMMISSION
AB 2720 Roll Call Vote Tally Summary
To be attached to the Meeting Minutes

Meeting Name: <i>California Avocado Commission Regular Board Meeting</i>	Meeting Location: <i>Hybrid In-Person – Irvine Online - Zoom</i>	Meeting Date: <i>November 14, 2024</i>
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<i>Attendees Who Voted</i>	<u>MOTION</u> <u>24-11-14-1</u>	<u>MOTION</u> <u>24-11-14-2</u>	<u>MOTION</u> <u>24-11-14-3</u>	<u>MOTION</u> <u>24-11-14-4</u>	<u>MOTION</u> <u>24-11-14-5</u>	<u>MOTION</u> <u>24-11-14-6</u>	<u>MOTION</u> <u>24-11-14-7</u>	<u>MOTION</u> <u>24-11-14-8</u>
Al Stehly	Yea	Yea	Yea	Yea	Yea	Yea	Yea	Yea
Robert Jackson	Yea	Yea	Yea	Yea	Yea	Yea	Yea	Yea
Victor Araiza	Yea	Yea	Yea	Yea	Yea	Yea	Yea	Yea
Ohannes Karaoghlanian	Yea	Yea	Yea	Yea	Yea	Yea	Yea	Yea
Rob Grether	Yea	Yea	Yea	Yea	Yea	Yea	Yea	Yea
Maureen Cottingham	Yea	Yea	Yea	Yea	Yea	Not Present	Not Present	Not Present
John Berns						Yea	Yea	Yea
Jason Cole	Yea	Did Not Vote	Did Not Vote	Did Not Vote	Did Not Vote	Did Not Vote	Did Not Vote	Did Not Vote
Daryn Miller	Yea	Yea	Yea	Yea	Yea	Yea	Yea	Yea
James Johnson	Yea	Yea	Yea	Yea	Yea	Yea	Yea	Yea
Peter Shore	Yea	Yea	Yea	Yea	Yea	Yea	Yea	Yea
John Dmytriw	Yea	Yea	Yea	Yea	Yea	Yea	Yea	Yea
Maddie Cook	Yea	Yea	Yea	Yea	Yea	Yea	Yea	Yea
Outcome	Unanimous	Unanimous	Unanimous	Unanimous	Unanimous	Unanimous	Unanimous	Unanimous



BOARD ACTION

ITEM 3.b: CONSIDER APPROVAL OF 2024-25 COMMITTEE APPOINTMENTS

SUMMARY:

Under Commission law, CAC has the power to appoint committees composed of both members and non-members of the Commission to advise the Commission in carrying out Chapter 5 of Division 22 of the Food and Agricultural Code. (§67058). During the Board Orientation, it was emphasized that the Board delegates assignments to committees, while retaining final authority on all program, projects, activities and policies adopted by any committee of the Commission. CAC Bylaws specify:

The Chairperson of the Commission shall appoint all committee chairpersons and shall appoint all members of each committee after consultation with the committee Chairperson affected. Appointments are subject to approval by the Commission and may be changed from time to time as determined by the Chairperson and concurred in by the Commission. (Article IV, 1.b).

In addition, the Bylaws allow the Chairperson to appoint committee members from among the Board members and alternates, as well as the industry in general. (Article IV, 1.d).

Chairman Jason Cole has acted in accordance with the above and appointed Chairpersons for several functional committees. Chairman Cole and the committee Chairpersons then conferred regarding committee members. The attached list has been prepared for Board approval.

FISCAL ANALYSIS:

- Not applicable

BOARD OPTIONS:

- Approve the committee appointments, as recommended by the Chairman
- Modify the committee appointments
- Take no action

STAFF RECOMMENDATION:

- Staff supports the appointments as proposed

EXHIBITS / ATTACHMENTS:

- 2024-25 Committee Appointments



2024-25 COMMITTEE APPOINTMENTS

EXECUTIVE COMMITTEE

- Jason Cole, Chair
- Victor Araiza, Secretary
- Maureen Cottingham, Treasurer
- Ohannes Karaoghlanian, Vice Chair
- Rachael Laenen, Prior Exec. Committee Rep

FINANCE COMMITTEE

- Maureen Cottingham, Chair
- John Haskett
- Jamie Shafer
- Al Stehly

MARKETING COMMITTEE

- John Dmytriw, Index Fresh, Chair
- Gary Caloroso, Giumarra Companies
- Jessica Hunter, Del Rey Avocado
- Rachael Laenen, Grower
- Peter Shore, Calavo Growers

PRODUCTION RESEARCH COMMITTEE

- Danny Klittich, Chair
- Victor Araiza
- Allisen Carmichael, PTR Manager Rep
- Jim Davis
- Consuelo Fernandez, Brokaw Rep
- Darren Haver, University of CA Rep
- Leo McGuire
- Daryn Miller
- Ryan Rochefort

HASS AVOCADO COMMITTEE REPRESENTATIVES

- Rob Grether, Member
- John Berns, Alternate

HASS AVOCADO BOARD AVOCADO SUSTAINABILITY ADVISORY

- Ken Melban, Member
- Daryn Miller, Member

NOTE: Chairman Cole is an ex-officio member of all CAC committees, task forces and teams



BOARD ACTION

ITEM 3.c: **Consider approval of revised Moss Adams engagement letter for examination of compliance with USDA guidelines**

SUMMARY:

Each year the Commission engages our auditing firm to complete an examination of CAC's compliance with Section V.D. of the Guidelines for Agricultural Marketing Service (AMS) Oversight of Commodity Research and Promotion Programs. The CAC Board approved an engagement letter for these services at their October 10, 2024 meeting, however AMS has requested non-substantive revisions to the engagement letter to correct applicable section numbers of the law referenced within the letter. AMS has requested the revised engagement letter be approved by the CAC Board, therefore it is being submitted here for approval.

FISCAL ANALYSIS:

- Not applicable

BOARD OPTIONS:

- Approve revised engagement letter
- Take no action

STAFF RECOMMENDATION:

- Approve revised engagement letter as presented

EXHIBITS / ATTACHMENTS:

- Revised Moss Adams engagement letter for examination of compliance with USDA guidelines

November 22, 2024
Mr. Ken Melban
Vice President, Industry Affairs and Operations
California Avocado Commission
12 Mauchly, Suite L
Irvine, California 92618

Re: Examination Services

Dear Ken:

Thank you for the opportunity to provide services to the California Avocado Commission. This engagement letter (“Engagement Letter”) and the attached Professional Services Agreement, which is incorporated by this reference, confirm our understanding of the terms and objectives of our engagement, and limitations of the services that Moss Adams LLP (“Moss Adams,” “we,” “us,” and “our”) will provide to California Avocado Commission (“you,” “your,” and “Commission”).

Scope of Services – Examination

We will examine the Commission management’s assertion that the Commission complied with the compliance requirements (“Subject Matter”) of Section V.D. of the *Guidelines for Agricultural Marketing Service (AMS) Oversight of Commodity Research and Promotion Programs* (the “Criteria”), dated January 2020 for the year ended October 31, 2024 (the “Assertion”). The specified compliance requirements are as follows:

1. No funds were used for the purpose of influencing governmental policy or action, per 7 U.S.C. Section 7804(k) of the Hass Avocado Promotion, Research, and Information Act (Act) related to the use of assessments for the purpose of influencing legislation, as the term is defined in Section 4911(d) of the Internal Revenue Code and Title 26 of the United States Code.
2. The Commission’s investment policy is in compliance with the AMS investment policy, as stated in the Guidelines, Appendix 3 – Directive 2210.2 “Investment of Public Funds” dated February 7, 2011.
3. Funds are used only for projects and other expenses authorized in a budget approved by the United States Department of Agriculture (USDA), per Section II of the Guidelines for AMS Oversight of Commodity Research And Promotion Programs (Guidelines).
4. Funds are used only in accordance with the rules, regulations and policies of the Act, the Guidelines, and the Hass Avocado Promotion, Research, and Information Order.
5. No violations of the Act, Order or Guidelines for Research and Development Program.

6. Complied with the allowability provisions of the *Code of Federal Regulations (7 CFR Part 1219) – Hass Avocado Promotion, Research, and Information Order*.
7. Complied with Section 7804 subsection B part (8) of the Hass Avocado Promotion, Research and Information Act and Section 1219.2 subsection (b) of the Hass Avocado Promotion, Research and Information Order.
8. Expended assessment funds for purposes authorized by the Hass Avocado Promotion, Research and Information Act and Order.

Our examination will be conducted in accordance with the attestation standards established by the American Institute of Certified Public Accountants and those contained in *Government Auditing Standards*. Accordingly, it will include tests of your records and other procedures we consider necessary to enable us to express an opinion in a written report about whether the Assertion is fairly stated, in all material respects. If, for any reason, we are unable to complete the examination, we will not issue a report as a result of this engagement.

Because of the inherent limitations of an examination engagement, together with the inherent limitation of internal control, an unavoidable risk exists that some material misstatements may not be detected, even though the examination is properly planned and performed in accordance with attestation standards.

Our report will include a sentence indicating that the purpose of the report is solely to express an opinion on Commission management's assertion that the Commission complied with the Guidelines for the year ended October 31, 2024 and is not suitable for any other purpose.

As a condition of our engagement, Commission management acknowledges and understands that it is responsible for the preparation and fair presentation of the Assertion and the accuracy and completeness of that information. Commission management agrees that as a condition of our engagement Commission management will provide us with:

- Access to all information of which Commission management is aware that is relevant to the measurement, evaluation or disclosure of the Assertion;
- Access to additional information that we may request from Commission management for the purpose of the engagement; and
- Unrestricted access to persons within the appropriate parties from whom we determine it necessary to obtain evidence.

We may advise you about appropriate Criteria or assist in the development of the Assertion, but responsibility for the Assertion remains with you.

At the conclusion of our engagement, we will require a representation letter from management that, among other things, will confirm management's responsibility for the Assertion.

Timing

Matt Parsons is responsible for supervising the engagement and authorizing the signing of our report. We expect to begin fieldwork in December 2024 and issue our report in January 2025. If unforeseen difficulties occur which make meeting the January 31, 2025 date improbable, we will inform you immediately. Our ability to meet these targets will be dependent, in part, on the level of preparation and cooperation by your staff.

Our scheduling is based on your completion of fulfilling our request necessary to complete the examination. Efficient use of our staff benefits both you and Moss Adams, allowing for timely completion of our work. We may experience delays in completing our services due to your staff's unavailability or delays in fulfilling our requests. We will work with you to coordinate completion of our work, realizing that any such delays will also delay completion of our work and the delivery of our work product. You understand our fees are subject to adjustment if we experience delays in completing our services. Our services will be concluded upon delivery to you of our examination report.

Fees

The fees for these procedures have been included in a separate engagement letter.

The fee estimate is based on anticipated cooperation from your personnel, the expectation that the Commission's records will be in good order, and the assumption that unexpected circumstances will not be encountered during the completion of the examination. If we find that significant additional time is likely to be necessary, we will attempt to discuss it with you and arrive at a new fee estimate before we incur significant additional fees or expenses.

We appreciate the opportunity to be of service to you. If you agree with the terms of our engagement as set forth in this Agreement, please sign the enclosed copy of this Engagement Letter and return it to us with the Professional Services Agreement.

Very truly yours,



Matt Parsons, Partner for
Moss Adams LLP

Enclosures



Accepted and Agreed:

This Engagement Letter and the attached Professional Services Agreement set forth the entire understanding of California Avocado Commission with respect to this engagement and the services to be provided by Moss Adams LLP:

Signature: _____

Print Name: _____

Title: _____

Date: _____

Client: #869393
v. 6/13/2024

PROFESSIONAL SERVICES AGREEMENT

Examination Services

This Professional Services Agreement (the "PSA") together with the Engagement Letter, which is hereby incorporated by reference, represents the entire agreement (the "Agreement") relating to services to be provided to the Commission by Moss Adams. Any undefined terms in this PSA shall have the same meaning as set forth in the Engagement Letter.

Objective of the Examination

The objective of our examination is the expression of an opinion as stated in the Engagement Letter. Our examination will be conducted in accordance with the standards described in the Engagement Letter and will include tests of your records and other procedures we consider necessary to enable us to express such an opinion. We cannot provide assurance that an unmodified opinion will be expressed. Circumstances may arise in which it is necessary for us to modify our opinion. If our opinion is other than unmodified, we will discuss the reasons with you in advance. If, for any reason, we are unable to complete the examination or are unable to form or have not formed an opinion, we may decline to express an opinion or may withdraw from this engagement.

Procedures and Limitations

An examination includes examining evidence on a test basis and cannot be relied upon to disclose all material errors, or known or suspected fraud or noncompliance with laws or regulations or internal control deficiencies that may exist. Therefore, our examination will involve judgment about the number of transactions to be examined and the areas to be tested. Also, we will plan and perform the examination to obtain reasonable, but not absolute, assurance about whether the Assertion is fairly stated, in all material respects. A risk exists that we may not detect material misstatements because: (a) an examination is designed to provide reasonable, but not absolute, assurance the Assertion is fairly presented in all material respects, (b) we will not perform a detailed examination of all transactions as such is cost prohibitive, and (c) an examination is not designed to detect immaterial misstatements or violations of laws or governmental regulations that do not have a direct and material effect on the Assertion. However, we will inform you of any material errors, known or suspected fraud and noncompliance with laws or regulations, internal control deficiencies identified during the engagement, and uncorrected misstatements that come to our attention, unless clearly inconsequential. Our responsibility is limited to the period covered by our examination and does not extend to any time period for which we are not engaged as examiners.

Changes in Professional or Accounting Standards

To the extent that future federal, state, or professional rule-making activities require modification of our examination approach, procedures, scope of work, etc., we will advise you of such changes and the impact on our fee estimate. If we are unable to agree on the additional fees, if any, that may be required to implement any new accounting and examination standards that are required to be adopted and applied as part of our engagement, we may terminate this Agreement as provided herein, regardless of the stage of completion.

Representations of Management

During the course of our engagement, we may request information and explanations from management regarding, among other matters, the Commission's operations, internal control, future plans, specific transactions, and accounting systems and procedures. At the conclusion of our engagement, we will require, as a precondition to the issuance of our report, that management provide us with a written representation letter confirming some or all of the representations made during the engagement. The procedures we will perform in our engagement will be heavily influenced by the representations that we receive from management. While we may assist management in the preparation of the representation letter, it is management's responsibility to carefully review and understand the representations made therein.

Fees and Expenses

Billings are due upon presentation and become delinquent if not paid within 30 days of the invoice date. Any past due fee under this Agreement shall bear interest at the highest rate allowed by law on any unpaid balance. In addition to fees, you may be billed for expenses and any applicable sales and gross receipts tax. Direct expenses may be charged based on out-of-pocket expenditures, per diem allotments, and mileage reimbursements, depending on the nature of the expense. Indirect expenses, such as processing time and technology expenses, may be passed through at our estimated cost and may be billed as a flat charge or a percentage of fees. If we elect to suspend our engagement for nonpayment, we may not resume our work until the account is paid in full. If we elect to terminate our services for nonpayment, or as otherwise provided in this Agreement, our engagement will be deemed to have been completed upon written notification of termination, even if we have not completed our work. You will be obligated to compensate us for fees earned for services rendered and to reimburse us for expenses. You acknowledge and agree that in the event we stop work or terminate this Agreement as a result of your failure to pay on a timely basis for services rendered by Moss Adams as provided in this Agreement, or if

we terminate this Agreement for any other reason, we shall not be liable to you for any damages that occur as a result of our ceasing to render services.

Limitation on Liability

IN NO EVENT WILL EITHER PARTY BE LIABLE TO THE OTHER FOR ANY SPECIAL, INDIRECT, INCIDENTAL, OR CONSEQUENTIAL DAMAGES IN CONNECTION WITH OR OTHERWISE ARISING OUT OF THIS AGREEMENT, EVEN IF ADVISED OF THE POSSIBILITY OF SUCH DAMAGES. IN NO EVENT SHALL EITHER PARTY BE LIABLE FOR EXEMPLARY OR PUNITIVE DAMAGES ARISING OUT OF OR RELATED TO THIS AGREEMENT.

Subpoena or Other Release of Documents

As a result of our services to you, we may be required or requested to provide information or documents to you or a third-party in connection with governmental regulations or activities, or a legal, arbitration or administrative proceeding (including a grand jury investigation), in which we are not a party. You may, within the time permitted for our firm to respond to any request, initiate such legal action as you deem appropriate to protect information from discovery. If you take no action within the time permitted for us to respond or if your action does not result in a judicial order protecting us from supplying requested information, we will construe your inaction or failure as consent to comply with the request. Our efforts in complying with such requests or demands will be deemed a part of this engagement and we shall be entitled to additional compensation for our time and reimbursement for our out-of-pocket expenditures (including legal fees) in complying with such request or demand.

Document Retention Policy

At the conclusion of this engagement, we will return to you all original records you supplied to us. Your Commission records are the primary records for your operations and comprise the backup and support for the results of this engagement. Our records and files, including our engagement documentation whether kept on paper or electronic media, are our property and are not a substitute for your own records. Our firm policy calls for us to destroy our engagement files and all pertinent engagement documentation after a retention period of seven years (or longer, if required by law or regulation), after which time these items will no longer be available. We are under no obligation to notify you regarding the destruction of our records. We reserve the right to modify the retention period without notifying you. Catastrophic events or physical deterioration may result in our firm's records being unavailable before the expiration of the above retention period.

Except as set forth above, you agree that Moss Adams may destroy paper originals and copies of any documents, including, without limitation, correspondence, agreements, and representation letters, and retain only digital images thereof.

Use of Electronic Communication

In the interest of facilitating our services to you, we may communicate by facsimile transmission or send electronic mail over the Internet. Such communications may include information that is confidential. We employ measures in the use of electronic communications designed to provide reasonable assurance that data security is maintained. While we will use our best efforts to keep such communications secure in accordance with our obligations under applicable laws and professional standards, you recognize and accept we have no control over the unauthorized interception of these communications once they have been sent. Unless you issue specific instructions to do otherwise, we will assume you consent to our use of electronic communications to your representatives and other use of these electronic devices during the term of this Agreement as we deem appropriate.

Enforceability

In the event that any portion of this Agreement is deemed invalid or unenforceable, said finding shall not operate to invalidate the remainder of this Agreement.

Entire Agreement

This Professional Services Agreement and Engagement Letter constitute the entire agreement and understanding between Moss Adams and the Commission. The Commission agrees that in entering into this Agreement it is not relying and has not relied upon any oral or other representations, promise or statement made by anyone which is not set forth herein.

Use of Moss Adams' Name

The Commission may not use any of Moss Adams' name, trademarks, service marks or logos in connection with the services contemplated by this Agreement or otherwise without the prior written permission of Moss Adams, which permission may be withheld for any or no reason and may be subject to certain conditions.

Dispute Resolution Procedure, Venue and Limitation Period

This Agreement shall be governed by the laws of the state of California (provided the laws of the state of Washington shall apply with regard to the parties' waiver of jury trial), without giving effect to any conflicts of laws principles. If a dispute arises out of or relates to the engagement described herein, and if the dispute cannot be settled through negotiations, the parties agree first to try in good faith to settle the dispute by mediation using an agreed upon mediator. If the parties are unable to agree on a mediator, the parties shall petition the state court that would have jurisdiction over this matter if litigation were to ensue and request the appointment of a mediator, and such appointment shall be binding on the parties. Each party shall be responsible for its own mediation expenses, and shall share equally in the mediator's fees and expenses.

Each party hereby irrevocably (a) consents to the exclusive jurisdiction and venue of the appropriate state or federal court located in Orange County, state of California, in connection with any dispute hereunder or the enforcement of any right or obligation hereunder, and (b) WAIVES ITS RIGHT TO A JURY TRIAL. EACH PARTY FURTHER AGREES THAT ANY SUIT ARISING OUT OF OR RELATED TO THIS AGREEMENT MUST BE FILED WITHIN ONE (1) YEAR AFTER THE CAUSE OF ACTION ARISES.

Termination

This Agreement may be terminated by any party, with or without cause, upon ten (10) days' written notice. In such event, we will stop providing services hereunder except on work, mutually agreed upon in writing, necessary to carry out such termination. In the event of termination: (a) you shall pay us for services provided and expenses incurred through the effective date of termination, (b) we will provide you with all finished reports that we have prepared pursuant to this Agreement, and (c) neither party shall be liable to the other for any damages that occur as a result of our ceasing to render services.

Use of Nonlicensed Personnel

Certain engagement personnel who are not licensed as certified public accountants may provide services during this engagement.

Use of Subcontractor and Affiliate

We may retain subcontractors and/or our affiliate, Moss Adams (India) LLP, to assist us in providing our services to you. These entities may collect, use, transfer, store, or otherwise process information provided by you or on your behalf ("Client information") in the domestic and foreign jurisdictions in which they operate. All of these entities are required to protect the confidentiality of any Client information to which they have access in the course of their work. We will be responsible for their performance in accordance with the terms of this Agreement.

Hiring of Employees

Any offer of employment to members of the engagement team prior to issuance of our report may impair our independence and as a result, may result in our inability to complete the engagement and issue a report.



BOARD ACTION

ITEM 5.a: Consider Proposal from Foley & Lardner LLP regarding Wildfire Tax Relief

SUMMARY:

The attached proposal was submitted by Foley & Lardner LLP in October 2024. Katie Schoettler, Director of Public Affairs, Foley & Lardner LLP, will join the Executive Committee meeting to discuss current developments regarding wildfire tax relief and Foley's revised proposal moving forward. The Foley & Lardner LLP proposal is being provided to the Board in the event the Executive Committee makes a recommendation for funding.

FISCAL ANALYSIS:

- The attached proposal from Foley indicates the firm works on a monthly flat fee retainer of \$8,000 per month for services related to the wildfire tax relief issue.

BOARD OPTIONS:

- Approve Executive Committee recommendation, if applicable
- Take no action

STAFF RECOMMENDATION:

- Management defers to recommendations from the Executive Committee and subsequent Board approval, if warranted

EXHIBITS / ATTACHMENTS:

- Proposal from Foley & Lardner LLP regarding Wildfire Tax Relief



FOLEY & LARDNER LLP

**Federal Affairs &
Government Solutions**

Prepared for:

California Avocado
Commission



Katie Schoettler
Director of Public Affairs

October 2024

October 30, 2024

California Avocado Commission

Via E-mail

Commission Executive Board:

I am pleased to submit this proposal for federal consulting and lobbying services for the California Avocado Commission (“the Commission”). We are confident that we can offer you the expertise needed to achieve your goals.

At Foley, we cover the full spectrum of public policy. Our bipartisan team has a proven track record of success, helping clients achieve their federal, political and communications priorities in all aspects of government. While Foley takes a team approach to our clients, I would be your primary point of contact for this engagement and would lead our government affairs efforts.

Most recently, I served as communications director and senior advisor to Senator Steve Daines (R-MT) where I advised the Senator on day-to-day and long-term communications, policy, and political strategies. In addition to my House and Senate experience and connections, I offer relationships with key offices on Capitol Hill including senior staff on the Agriculture Committees, Senate Finance and House Ways and Means Committees, House and Senate leadership, as well as key California Members of Congress. I also work frequently with various subagencies at USDA.

Foley has long-term experience representing municipal clients and public agencies, including several water authorities in California, and we have successfully secured millions of dollars through grants and appropriations funding for them. Our bipartisan team includes former Members of Congress from both parties and former senior congressional staff. Collectively, we can reach nearly all Members of Congress and key Administration officials.

Objectives for Service:

This proposed public affairs engagement has two main objectives. In the immediate term, our goal would be to ensure that wildfire settlement money received by family farms will not be taxed. We will also work to reverse the USDA’s decision to end USDA import inspections of Mexican avocados.

Scope of Work:

Tax issue: Upon being retained by the Commission, we would continue our outreach and conversations with Members of Congress and staff to educate them on your issue and the need to include family farms in legislation preventing wildfire settlements from being taxed. We will first work with House and Senate offices that already have legislation introduced to try and get a change in the language to include family farms. Our next goal would be to ensure any tax package that passes next Congress (beginning in January 2025) achieves this objective. With the Tax Cuts and Jobs Act or “TCJA” expiring next year, there will be ample time to achieve this objective.

USDA issue: We will meet with the California Delegation, the House and Senate Agriculture Committees, the House and Senate Agriculture Appropriations Committees, as well as House and Senate leadership to educate them on this dire issue ensuring they pressure the USDA to reverse course on their Mexican avocado inspection action. Regardless of who wins the presidential election, we will work with key USDA officials to ensure they change the new status quo. Next Congress, there will be ample opportunities to achieve this objective through the Farm Bill, USMCA negotiations, as well as agriculture appropriations and standalone legislation.

Looking beyond the tax and inspection issues, we would keep the Commission’s needs forefront among Congress and the Administration. Our strategic partnership would allow for you to have a constant voice in Washington, paramount to you having a say in the lawmaking and rulemaking processes moving forward.

Pricing:

Foley’s Public Affairs team works on a monthly flat fee retainer typically starting between \$15,000 – \$20,000/month. However, because you are a friend of the firm, and based on our conversations, we would offer a discounted rate of \$13,000/month for both objectives, or \$8,000/month if you chose to move forward with an engagement focused solely on the tax issue.

This monthly fee would be inclusive of all out-of-pocket costs, administrative, overhead, payroll, and similar charges, secretarial time or secretarial overtime, word processing, photocopying, in-house printing, insurance, and other ordinary business expenses.

We are able to offer hourly rate in lieu of a flat fee retainer, however nearly all of our clients prefer flat fee because it's an overall better value for the cost.

Foley’s Public Affairs Team provides budget certainty for its legislative clients by offering all-inclusive fixed-fee monthly retainers and a 30-day opt-out clause. If you are unhappy with your service, you can cancel your contract with 30 days’ notice. Additionally, we are legally required to publicly register to lobby on behalf of your organization once we begin having conversations with policymakers or their staff.

I have attached an engagement letter for your review and consideration.

The Foley team is well equipped to execute a strategy to achieve the Commission's needs and objectives at the federal level. The attached materials are an insight into our team's experience.

Sincerely,

Katie K. Schoettler

Director of Public Affairs, Foley & Lardner LLP

FEDERAL GOVERNMENT RELATIONS & PUBLIC POLICY

About Us

Our bipartisan public affairs team, including former members of Congress, Chiefs of Staff, committee staff, regulators, and grassroots advocacy professionals, has decades of experience advocating on behalf of our clients at the federal level with Congress and the Administration. We have close working relationships with Members of Congress on a bicameral, bipartisan basis, including leadership (House Speaker Mike Johnson; House Minority Leader Hakeem Jeffries; Senate Majority Leader Mitch McConnell; Senate Minority Leader Chuck Schumer). We work frequently with both members and staff on most House and Senate committees, including, among others, the Senate Finance and House Ways and Means Committees, which have jurisdiction over tax policy, along with the Senate and House Committees on Agriculture. We also have relationships in relevant federal agencies, including U.S. Department of Agriculture. Our experience, institutional knowledge, deep experience with the legislative and regulatory processes, and connections throughout the government help us succeed in achieving our clients' needs. Among other things, these include:

- Creating lasting relationships on Capitol Hill and in the Administration.
- Comprehensive legislative and regulatory tracking at the federal level and for all 50 states, with updates provided in real time.
- Securing federal funding through grants and the Congressional Appropriations process.
- Building out congressional caucuses and hosting advocacy fly-ins.
- Creating coalitions with unified lobbying strategies.
- Introducing legislation/inserting language into legislation.
- Garnering support for legislation.
- Reversing course on or updating Administrative actions, proposed rules and guidance.
- Successfully lobbying for hearings on specific issues as well as inserting QFRs during hearings and markups.

Our unique structure allows us to provide the attention and intimacy of a boutique shop while also leveraging the resources of our corporate law firm. Our clients work directly with the principals on each assignment, while also getting regular updates from the team. We are here 24/7 for our clients no matter what the need.

Katie Schoettler

Director, Public Affairs

kkschoettler@foley.com

Washington, D.C.

202.295.4065



Katie K. Schoettler is a Public Affairs Director with the firm and a member of the Government & Public Policy Practice in Washington, D.C. She brings extensive experience in political strategy, the legislative process and policy, crisis management, and strategic communications to Foley through her time on Capitol Hill and in local government.

Katie has over six years of experience on Capitol Hill where she worked in both chambers of Congress. Most recently, Katie served as senior advisor for Montana Senator Steve Daines where she advised him on day-to-day and long-term communications, policy, and political strategy. Working for Daines, Katie helped manage and advance key priorities and worked on policy issues including energy, land management, health care, and finance through Daines' role on the Senate Finance and Senate Energy and Natural Resources Committees. Before serving as senior advisor, Katie served as communications director for Daines. In this role, she worked to translate complex legislative policies into digestible language and served as the lead spokesperson for the Senator answering media inquiries and debunking false narratives. While she was working for Daines, he was named one of the most bipartisan and effective members in his class. Now, he is Chair of the National Republican Senatorial Committee.

Prior to joining Sen. Daines' office, Katie worked for the U.S. House Natural Resources Committee under former Chairman Rep. Rob Bishop. Before moving to Washington, D.C., she worked as an executive council assistant for a member of the Jacksonville, Florida City Council. Katie is an avid Jacksonville Jaguars fan.

Presentations and Publications

- Panelist and Host, "2024 Summit for Water Sustainability," *United Water Conservation District, Oxnard, CA* (October 2024)
- Speaker, "Successful Advocacy on Capitol Hill," *American Orthotic & Prosthetic Association 2024 Policy Forum, Washington, DC* (April 2024)



FOLEY & LARDNER LLP

Sectors

- Automotive
- Carbon Capture
- Energy
- Energy Transition
- Hydrogen
- International Trade & National Security
- Manufacturing
- Oil & Gas
- Renewables
- Smart Manufacturing

Practice Areas

- Federal Public Affairs
- Government Solutions

Education

- Florida State University (B.S.)
 - International Affairs

Jared B. Rifis

Director, Public Affairs

jrifis@foley.com

Washington, D.C.
202.295.4154



Jared Rifis represents clients and their federal policy priorities before Congress and the Administration.

As a member of the firm's Government Solutions Practice Group, Jared provides analysis and advocacy that advance each client's public policy goals. He has experience with a wide range of federal and state policy issues and also advises clients on lobbying and PAC compliance.

Prior to joining Foley, Jared served in various roles in Congress, most recently serving as a judiciary and commerce advisor in Senator Harry Reid's leadership office, where his broad portfolio encompassed matters of technology, telecommunications, gun safety, consumer protection, gaming, patents, and more. During law school, Jared worked in the leadership office of House Speaker Nancy Pelosi, the Judiciary Committee office of Senator Chuck Schumer, the Democratic Congressional Campaign Committee, the think tank Third Way, and the campaign finance reform organization now known as Issue One.

Presentations and Publications

- Speaker, "Introduction to Non-Profits," Jordan's Guardian Angels 2019 Family Conference (March 30, 2019)
- Author, "Water Rights Protection," *Daily Journal* (January 9, 2019)
- Speaker, "Government Relations on the First Anniversary of Trump's Election," 2017 Executive Exchange, Chicago, IL (November 7, 2017)
- Speaker, "Pathways to Government: Climbing Capitol Hill," Georgetown Law (October 4, 2017)
- Speaker, Lunch and Loans panel at Georgetown Law (February 2017)
- Speaker, Lunch and Loans panel at Georgetown Law (February 2016)

Sectors

- [Artificial Intelligence](#)
- [Cannabis](#)

- Cloud Computing Infrastructure & Solutions
- Digital Assets, Web3 & NFTs
- Energy
- Health Tech & Genomics
- Innovative Technology
- Renewables

Practice Areas

- Corporate
- Environmental
- Environmental, Social, and Governance (ESG)
- Federal Public Affairs
- Government Enforcement Defense & Investigations
- Government Solutions
- Public Policy & Government Relations
- State Attorneys General

Education

- Georgetown University Law Center (J.D., 2014)
 - Law Dean Scholar's Award
 - Best Exam Award in Lawmaking
 - Received "Exceptional" honors for completing over 175 hours of pro bono services
- Butler University (B.A., cum laude, 2010)
 - Political science and Spanish
 - Outstanding Senior Political Science Award for graduating with the top scholastic record

Admissions

- District of Columbia
- U.S. Supreme Court

Dennis A. Cardoza

Director, Public Affairs

dcardoza@foley.com

Washington, D.C.
202.295.4015

Sacramento

Tampa



Dennis A. Cardoza is a public affairs director. He serves as co-chair of the Federal Public Affairs Practice and chair of the California Public Affairs Practice. He advises a broad range of clients on legislative, regulatory, and public policy and advocacy matters, and has extensive policy experience with respect to water resource, banking, housing, infrastructure, energy, agriculture, education, foreign affairs, and health care issues.

Prior to joining Foley, Dennis served five terms in the U.S. House of Representatives from California's 18th District. His committee roles included serving four years on the powerful House Rules Committee while he was also a key member of the House Democratic Leadership Team. Dennis also served as chairman of the House Agriculture Committee's Subcommittee on Horticulture and Organic Agriculture, where he played a leading role in the formation of the 2007 Farm Bill; ranking member of the Agriculture Committee's Subcommittee of Livestock, Dairy and Poultry; member of the Committee of Foreign Affairs' Subcommittee on Asia and the Pacific; member of the Subcommittee on the Middle East and South Asia, the Committee on Resources and its Subcommittee on Water, and the Science Committee. As a member of the House leadership, Dennis was also intimately involved in the drafting of the Affordable Care Act.

Throughout his federal service, Dennis took a leading role in advocating for fiscal discipline on the part of the government, serving as co-chair of the Blue Dog Coalition, a group of House Democrats committed to fiscal responsibility and accountability for taxpayer dollars. He was also an advocate for homeowners facing mortgage difficulties following the housing crisis, and his work included authoring a modified version of the Housing Opportunity & Mortgage Equity Act and establishing a new congressional task force on housing stabilization.

Prior to his role in the House, Dennis spent six years in the California State Assembly, where he chaired the Rules Committee and helped found the Moderate Democratic Caucus. Several organizations honored then-Assemblyman Cardoza as Legislator of the Year for his efforts to cut taxes, help family farms, and promote education and children's safety. He has also served as a council member in the cities of Merced and Atwater

in California.

Awards and Recognition

- Awarded as Top Lobbyist by *The Hill*, 2022-2023
- Recipient of the UC Merced Chancellor's Medal, 2009
- Named State Legislator of the Year by the California Sherriff's Association, 2000
- Named State Legislator of the Year by the University of California Alumni Association, 1999

Affiliations

- Former board member, University of Maryland, College of Behavioral and Social Sciences Board of Visitors (2011 – 2018)
- Former member, board of directors for the Thoroughbred Owners of California (2011 – 2014)

Publications and Presentations

- Panelist, "A Post-Pandemic Approach to College Sports Venue Funding," Lead1 National Athletic Directors Association, April 25, 2023
- Speaker at Mid Pacific Water Users Conference, January 2023:
 - 1. The Red Wave that Wasn't: Looking Ahead to the Divided 118th Congress
 - 2. The ESA at Fifty: What Would President Nixon Think?
- Keynote Speaker, Theta Chi Fraternity National Convention, July 2022
- Panelist and Key Note Speaker: State-wide and Western water conferences, including National Water Resources Association; Association of California Water Agencies; Family Farm Alliance; Ventura Regional Water Summit, among others (2018-2021)
- Speaker, "Navigating California Legislative Challenges With Democrats in Control," Personal Care Products Council Spring Legislative and Legal Conference, May 1, 2019
- Author, "Water Rights Protection," *Daily Journal*, January 9, 2019
- Moderator, "Energy and Infrastructure Industry Trends and Perspectives Panel," November 3, 2017
- Keynote Speaker, Sino-American Pharmaceutical Professionals Association Conference, September 23, 2017
- Speaker, "Legislative Oversight of the Executive for the Nigerian Government," International Law Institute, August 1, 2017
- Keynote speaker, 3rd Annual California Water Summit, Sacramento, CA, June 2, 2016
- Contributor, Cardoza's Corner, *The Hill's* Congress blog
- Post-Election Commentary Panelist, U.S. Association of Former Members of Congress, 2014
- Panelist, "Global Capital Markets Advisory Council: Navigating the Year Ahead – Perspectives from Around the Globe," Milken Institute 2012 Global Conference, Los Angeles, CA, April 29, 2012
- Commencement speaker, University of Maryland, 2004 and 2012
- Speaker, Congressional Hispanic Caucus Institute, 2010 and 2011
- Speaker, United Fresh Produce Association's Washington Public Policy Conference, National Harbor, MD, September 14-16, 2010

- Speaker, National Association of Realtors Conference, 2009
- Speaker, American Bankers Association Convention, San Francisco, 2006

Sectors

- Automotive
- Cannabis
- Energy
- Energy Transition
- Health Care & Life Sciences
- Health Tech & Genomics
- Hydrogen
- Innovative Technology
- International Trade & National Security
- Manufacturing
- Oil & Gas
- Payor Provider Convergence
- Pharmaceuticals
- Renewables
- Supply Chain
- Sustainability & Product Stewardship

Practice Areas

- California Government Solutions
- Economic Development & Government Incentives
- Environmental
- Environmental, Social, and Governance (ESG)
- FTC Consumer Protection
- Federal Public Affairs
- Government Solutions
- Public Policy & Government Relations
- State Attorneys General

Education

- University of Maryland (B.A., 1982)
 - Government and Politics

Jennifer F. Walsh

Director, Public Affairs

jwalsh@foley.com

Washington, D.C.
202.295.4762



Jennifer F. Walsh is a public affairs director with the firm and a member of the firm's Government & Public Policy Practice. She has extensive experience in government affairs, including a lengthy career as a senior staffer in the U.S. Congress and the California Legislature, and as a vice president for Federal Government Affairs at a top 20 Fortune 500 health care company. Jennifer has effectively advanced key issues before the United States Senate, U.S. House of Representatives, and the Administration.

Prior to joining Foley, Jennifer served as vice president for federal government affairs at a leading multinational health care company, where she developed and executed strategies to impact policy objectives and increase the company's visibility among opinion leaders. Jennifer collaborated with colleagues across the health care industry, including third parties and trade associations to ensure the effective execution and success of the company's priorities.

Jennifer served nine years as chief of staff to former Congressman Dennis Cardoza, 18th District of California. She was chief advisor and principal strategist on all legislative and political activity and served as primary liaison with the Bush and Obama Administrations, Members of Congress, the Congressional Hispanic Caucus, and the California Democratic Delegation. She also served as finance director for the Cardoza for Congress campaign, where she developed and managed a US \$2 million fundraising effort.

Previously she served as a chief of staff in the California State Legislature as well as a congressional field representative, deputy campaign manager, and House Democratic Caucus program director to former Congressman Vic Fazio, 3rd Congressional District of California.

Awards and Recognition

- Top Lobbyist by *The Hill* newspaper (2022 and 2023)

Affiliations

- Board Member, Future Forum Foundation
- Trustee, McLean School of Maryland

Presentations and Publications

- Guest, Healthcare IT News' HIMSSCast Podcast (February 2024, May 2024)
- Speaker, 49th ACCC 2023 Annual Meeting & Cancer Center Business Summit – Association of Community Cancer Centers (March 2023)
- Quoted, “[Biden Greenlights \\$1.2 Trillion Bipartisan Infrastructure Framework](#),” *Inc.com* (June 24, 2021)
- Speaker, 46th ACCC 2020 Annual Meeting & Cancer Center Business Summit – Association of Community Cancer Centers (March 2020)
- Speaker, Association for Value-Based Cancer Care Conference (December 2019)

Sectors

- [Carbon Capture](#)
- [Energy](#)
- [Energy Transition](#)
- [Health Care & Life Sciences](#)
- [Health Tech & Genomics](#)
- [Hydrogen](#)
- [Innovative Technology](#)
- [Payor Provider Convergence](#)
- [Pharmaceuticals](#)
- [Racial Justice & Equity](#)

Practice Areas

- [California Government Solutions](#)
- [Federal Public Affairs](#)
- [Government Solutions](#)
- [Public Policy & Government Relations](#)

Education

- University of Maryland (B.A., 1995)
 - Major: government and politics; minor: Spanish

John H. Strom

Special Counsel

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Washington, D.C.

202.295.4171



John Strom is a special counsel in the Public Policy & Government Relations Practice Group and sits in our Washington, D.C. office. John brings a wealth of legal and lobbying experience from key positions across various U.S. legislative and regulatory bodies.

John most recently served as senior counsel on the U.S. House Committee on Energy and Commerce, where he led investigations and counseled Members on issues such as drug shortages, FDA's inspection programs, and drug price negotiations under the Inflation Reduction Act. Prior to this role, he was counsel on the U.S. Senate Committee on Health, Education, Labor, and Pensions, managing investigations into federal agencies and government contractors and advising on public health, pandemic preparedness, and biomedical research.

Before his tenure in the Senate, John served as associate general counsel at the U.S. Department of Health and Human Services (HHS). In this role, he advised on politically sensitive matters, including the Department's response to the COVID-19 pandemic, industrial base expansion projects, and emergency rulemakings. Prior to joining HHS, John was senior counsel on the U.S. House Committee on Natural Resources, where he handled issues related to NEPA, ESA, energy development, and water resource management and oversaw investigations into Puerto Rico's fiscal reforms and recovery from Hurricanes Irma and Maria.

Practice Areas

- [Corporate](#)
- [Government Solutions](#)

Education

- University of South Carolina (J.D.)
- University of South Carolina Honors College (B.A., cum laude)

Kate M. Kros

Senior Public Affairs Advisor

kkros@foley.com

Washington, D.C.

202.295.4063



Kate M. Kros is a Senior Public Affairs Advisor with Foley & Lardner LLP's Government Solutions Practice Group and brings nearly 15 years of experience in grassroots advocacy, federal policy and strategic communications to her work advising clients. In her role, among other things, Kate develops and deploys advocacy strategies, provides legislative and regulatory insights, and ensures clients are in compliance with federal reporting requirements.

Prior to Foley, Kate spent eight years at a consulting firm connecting 80+ non-profit organizations, trade associations, and stakeholders with legislators, training thousands of constituents on how to successfully communicate with their members of Congress and executing large-scale advocacy fly-ins in district offices and on Capitol Hill. She scheduled hundreds of bipartisan, bicameral meetings yearly with every member of Congress.

Awards and Recognition

- 2024 Marquette University Klingler College of Arts and Sciences [Young Alumna of the Year](#)

Affiliations

Kate is a member of the Marquette University Klingler College of Arts & Sciences Leadership Council, an advisory board run by the Dean of the College. She is also a Board member of the Wisconsin State Society. From 2016 through 2021, Kate was the President of the Marquette Alumni Club of Washington, D.C., and Northern Virginia, where she represented over 2,000 alumni in the second largest alumni club operated through Marquette University.

Community Involvement

Kate hosted regular events at the Les Aspin Center for Government and engaged alumni through a networking program she created. From 2017 to 2022, Kate was an inaugural member of Marquette's Young

Alumni Leadership Council, where she advocated the needs of young alumni to the university. Kate continues to volunteer at Catholic Charities regularly and has advocated on their behalf to various stakeholders in the community.

Presentations and Publications

- Panelist, “Policy Perspectives for Foster Care Awareness Month,” National Foster Youth Institute (June 8, 2023)
- Guest Lecturer: Professional Communications, The George Washington University (March 21, 2023)
- Guest Speaker: AP U.S. Government, Skutt Catholic High School (November 22, 2022)
- Guest Lecturer: Honors American Politics, Marquette University College of Arts & Sciences (November 14, 2022)
- Presenter: “Arts & Sciences Influentials,” hosted by Dr. Heidi Bostic, Dean, Marquette University Klingler College of Arts and Sciences (December 8, 2021)
- Presenter, “Beyond MU: CIRCLES – Recent Grads Cohort,” *Marquette University Alumni & Friends* (September 22, 2020)
- Presenter, “Lobbying During Lockdown- Federal Advocacy During COVID-19,” *National Water Resources Association* (May 28, 2020)

Sectors

- [Health Care & Life Sciences](#)
- [Innovative Technology](#)
- [Manufacturing](#)
- [Payor Provider Convergence](#)
- [Pharmaceuticals](#)
- [Racial Justice & Equity](#)

Practice Areas

- [Environmental](#)
- [Federal Public Affairs](#)
- [Government Solutions](#)

Education

- Marquette University (B.A., 2011)
 - Political Science
 - French
- Georgetown University (Graduate Certificate, 2015)

Ian Hopkins

Public Affairs Advisor

ian.hopkins@foley.com

Washington, D.C.

202.295.4023



Ian Hopkins supports Foley's Government Solutions Practice Group in the firm's Washington, D.C. office as a Public Affairs Advisor.

Prior to joining Foley, he was a legislative intern for the Office of Representative Gabe Amo, where he developed comprehensive research memos on foreign affairs, climate change, health care, and more. His previous experience also includes working as a legislative intern for the Office of Senator Jack Reed and as a junior fellow at the Middle East Policy Council.

Practice Areas

- [Government Solutions](#)

Education

- The Catholic University of America (B.A., 2024)
 - Politics
 - Minors: Peace and World Order Studies, Islamic World Studies

Walking Through the Federal Lobbying Compliance Questionnaire with Foley's Federal Public Affairs Team

Federal
Lobbying
Compliance

THE LOBBYING DISCLOSURE QUESTIONNAIRE

1. Company name: _____
2. Company address: _____
3. Principal place of business address (if different than above): _____
4. The primary business in which the Company is engaged: _____
5. List any entity other than the Company (including any subsidiary, affiliate, or parent of the Company) that contributes more than \$5,000 in a quarterly period to the lobbying activities to be performed by Foley & Lardner LLP, and either actively participates in and/or in whole or in major part supervises, plans, or controls the registrant's lobbying activities. You may also attach a list.

Entity Name	Address/Principal Place of Business
<input type="text"/>	<input type="text"/>
<input type="text"/>	<input type="text"/>
<input type="text"/>	<input type="text"/>

6. List any foreign entity that has a direct interest in the outcome of the Matter who contributes more than \$5,000 to the lobbying activities of the Company,* and either (i) holds at least 20% equitable ownership of the Company; (ii) is an affiliate of the Company that has direct interest in the outcome of the lobbying activity; or (iii) directly or indirectly, in whole or in major part, plans, supervises, controls, directs, finances, or subsidizes activities of the client or any organization identified in question 5 above. You may also attach a list.

Foreign Entity Name	Address/Principal Place of Business	Percentage Ownership of the Company	Description of Entity's Interest in the Matter and Amount of Contribution to Lobbying Activities
<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>
<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>
<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>

**The requirement to disclose a foreign interest is not contingent upon the entity making a contribution of \$5,000 or more to the Company during that particular reporting period*

Name: _____ Signature: _____ Date: _____

ADDITIONAL NOTES

- ✓ Return the questionnaire to the lobbyist, if returning it attached to the engagement letter, or to Kate Kros.
- ✓ This questionnaire is due with the engagement letter.
- ✓ For questions about the letter, the questionnaire, or about federal compliance in general, contact Kate Kros:



Kate M. Kros
Sr. Public Affairs Advisor
202.295.4063
kkros@foley.com



BOARD ACTION

ITEM 5.b: Consider Proposal to Retain Ballard Partners, Inc.

SUMMARY:

The CAC Policy Task Force met on December 3, 2024, which included a discussion with Ballard Partners, Inc. and their proposal for the following services:

- Working to delay the finalization of the Operational Work Plan between the USDA and NPPO of Guatemala. Said workplan will include details of the NPPO's responsibilities regarding monitoring and auditing groves.
- Work to have the inspections in Mexico return to previous levels of USDA oversight.

The CAC Policy Task Force moved this proposal to the Executive Committee for consideration at the December 17, 2024 meeting, at which point a recommendation may be brought to the Board for their consideration. The Ballard Partners, Inc. proposal and supporting documentation is being provided to the Board in the event the Executive Committee makes a recommendation for funding.

FISCAL ANALYSIS:

- If the Board accepts the Ballard Partners, Inc. proposal, it would be a \$300,000 commitment, and result in a \$275,000 increase in the 2024-25 budget for 11 months of service in the current fiscal year.

BOARD OPTIONS:

- Approve Executive Committee recommendation, if applicable
- Take no action

STAFF RECOMMENDATION:

- Management defers to recommendations from the Executive Committee and subsequent Board approval, if warranted

EXHIBITS / ATTACHMENTS:

- Ballard Partners, Inc. proposal and supporting documentation

From: [Ken Melban](#)
To: [Robert Jackson](#); varaiza.mfm@gmail.com; [Robert Grether](#); rachael@kimballavocados.com; Jamie@simpatica.ag
Cc: jcolecado@gmail.com; [April Aymami](#); [George Soares](#); [Terry Splane](#)
Subject: Policy Task Force
Date: Monday, December 2, 2024 12:17:32 PM
Attachments: [California Avocado Commission \(2\)final.pdf](#)
[Inside the Lobbying Career of Susie Wiles, Trump's New Chief of Staff - The New York Times.pdf](#)
[Pam Bondi, Trump's Attorney General Pick, Lobbied for Amazon, Uber, and Qatar.pdf](#)
[The Most Powerful Lobbyist in Trump's Washington - POLITICO Magazine.pdf](#)
[image001.png](#)

Good afternoon,

In preparation for tomorrow's Policy Task Force call attached for your review is a proposal from Ballard Partners. I've also attached two recent articles on Ballard Partners and one from 2018. In terms of process, if the Task Force has any recommendations they will be considered for action at the Board's 12/17 meeting. Please let me know if you have any questions.

Thank you,
Ken

Ken Melban
Vice President Industry Affairs & Operations

kmelban@avocado.org

559.859.6811 cell



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X @ballardfirm



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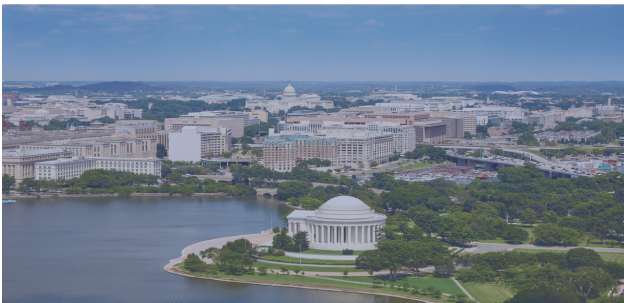
TEAM MEMBERS

About Us



The Beginning

In 1998, Brian Ballard founded the Firm with one office located in Tallahassee, Florida. Since the firm's founding, Ballard Partners has grown exponentially, with offices in Washington D.C., Boston, Los Angeles, Sacramento, Istanbul, Abuja, Lagos, Tel-Aviv, The Kingdom of Saudi Arabia, and multiple locations throughout Florida.



Today

As recognized by *Politico*, *The Washington Post*, *CNN*, *the Wall Street Journal*, *The New York Times*, *The Miami Herald*, *Florida Trend*, and more - Ballard Partners is a "lobbying powerhouse" and "growing force" in the lobbying world.



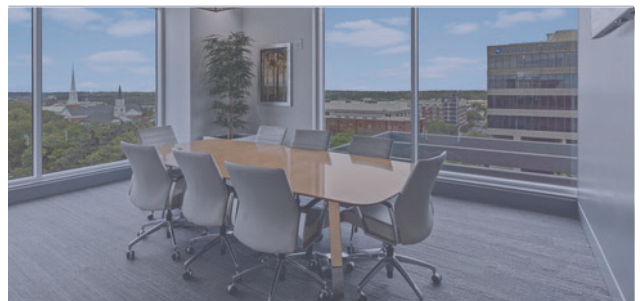
Our Team

Ballard Partners is comprised of 45 full-time, bi-partisan professionals with substantial backgrounds in all levels of government. This includes former members of Congress, Ambassadors, and former top staff members from across government.



Why Ballard Partners?

Ballard Partners is dedicated to achieving results for our clients. To do that requires a relentless work ethic, unparalleled experience, and deep relationships with decision makers. These are the qualities that make up the Firm's DNA and are why we have earned the trust of our clients for over two decades.



Representative Clients

The Firm represents over 500 diverse clients – from global innovators and disruptive technologies to major league sports dynasties and Fortune 500 companies. Our clients are our family, many of which we have represented for decades. We pride ourselves on client satisfaction and retention. At Ballard Partners we believe maintaining the highest degree of quality representation is central to our successful and continued relationship with our clients. Our experience, resources and dedication effectively prepare us to undertake the most complex issues facing our clients.

Meet a few of the outstanding clients we have represented.



In The News

The
New York
Times

Go-to for major
corporations.
(11/07/24)

The Korea Herald

Leading Washington
lobbying firm.
(09/02/24)

POLITICO

Powerful.
(05/19/23)

THE WALL STREET JOURNAL
WSJ

Most desired envoys.
(11/30/24)

TIME

Powerhouse lobbyist in
Tallahassee and D.C.
(05/19/23)

The
Washington
Post

Powerhouse.
(11/22/24)

THE
NEW YORKER

Prominent.
(02/19/2024)

The Miami Herald

Considered one of the
all-time greats of
lobbying.
(12/05/23)

NBC NEWS

Top Lobbyist.
(08/30/22)

BUSINESS
INSIDER

Powerhouse lobbying
firm.
(08/21/23)

In The News



THE WALL STREET JOURNAL
WSJ

Ballard has years of experience navigating the complicated tightly regulated world of advocacy, having run one of Florida's best-known lobbying shops for more than two decades.
(10/21/20)



**The
New York
Times**

Influential.
(04/29/23)



**Orlando
Sentinel**

Influential.
(01/06/23)



**USA
TODAY**

Influential.
(06/25/22)



**The
Washington
Post**

Major Republican lobbyist.
(07/11/22)



NBC NEWS

Top Lobbyist.
(08/30/22)



**THE
INVESTOR**

One of the top lobbyists in Washington.
(09/07/24)



The Miami Herald

Considered one of the all-time greats of lobbying.
(12/05/23)



The Miami Herald

A top lobbying firm with connections across the US government.
(03/07/22)

Scope of Services and Proposed Rate

SCOPE

- Ballard Partners proposes the following scope of work to be performed by Congressman Jeff Miller ret., Partner, Dan McFaul, Managing Partner and Hunter Morgan, Partner.
- Ballard Partners is uniquely qualified to support the California Avocado Commission (CAC) in this federal engagement. We will seek to advance before all levels of the federal government the objectives of CAC. The objectives include:
 - Working to delay the finalization of the Operational Work Plan between the USDA and NPPO of Guatemala. Said workplan will include details of the NPPO's responsibilities regarding monitoring and auditing groves.
 - Work to have the inspections in Mexico return to previous levels of USDA oversight.
- Initial onboarding of Jeff Miller and his designee to identify specific areas of policy focus relevant to CAC and its products and services.
- Ballard will organize initial meetings with Members of the US Senate and House and appropriate federal departments or agencies to ascertain situational awareness and support levels for the stated objectives.
- Bi-weekly check in calls (more often if desired) to discuss federal policy development impacting the CAC.
- Potential reforms to Agricultural policy under the 119th Congress and the Trump Administration.

RATE

- The proposed rate for this scope of services is to be paid in monthly installments of \$25,000 for 12 months.

Team Members



Brian Ballard

- President -

Brian has earned a reputation as a tireless, persistent and effective advocate for his clients' interests. He has been recognized in *The Hill: Top Lobbyists / Hired Guns* and *Florida Trend's Most Influential Business Leaders* every year since 2020. He was also named a member of *Vanity Fair's "New Establishment for 2019"*, and listed among the 18 to watch in 2018 by *Politico Playbook Power List*. His accomplishments have spanned over 25 years and includes legislative successes on hundreds of policy and funding initiatives in Florida and Washington, DC.

Brian has taken his passion for politics and policy to the national scene, opening up Ballard Partners' Washington, DC office in February 2017. He is spearheading the firm's successful efforts with a first-class bi-partisan government relations team that represents clients across the federal landscape and impacting a myriad of domestic and foreign affairs issues.

As one of the top political insiders in Florida and Washington, Brian's political portfolio includes meaningful roles in several presidential and gubernatorial campaigns. He chaired the Florida Finance Committee of Republican presidential nominees John McCain in 2008, Mitt Romney in 2012 and Donald J. Trump in 2016. Additionally, Brian has served as vice chairman of the Presidential Inaugural Committee and was appointed as a member of the Presidential Transition Finance Committee. Recognizing his formidable fundraising and political skills, the Republican National Committee tapped Brian to serve as the Finance Vice Chairman to help build resources for key national races.

Brian and his wife Kathryn were honored to be selected by three Florida Governors to plan and execute their inaugural ceremony and events, serving as Co-Chairs of the inauguration for Governor Ron DeSantis, Governor Rick Scott and Governor Charlie Crist.

Among his important public service experience, Brian currently serves on the Board of Trustees for the John F. Kennedy Center for the Performing Arts. He previously served on the U.S. and Foreign Commercial Service Advisory Council, after appointment by the U.S. Secretary of Commerce. He also directed the transition and assisted in the U.S. Senate confirmation of Governor Bob Martinez as the Director of the Office of National Drug Control Policy (Drug Czar) in the Executive Office of the President.

Brian Ballard

As chief of staff in the Executive Office of the Governor, Brian developed a special interest in environmental issues. Among his accomplishments, he served as chief architect of Preservation 2000, the largest public acquisition program for environmentally sensitive lands in the nation. He also served as Florida's chief negotiator with the U.S. Department of the Interior to end offshore drilling along the state's southeast coastline and the Florida Keys. The American Lawyer magazine rated Brian as one of America's top rated lawyers in the field of Energy, Environmental and Natural Resources law.

Committed to community service, Brian has been a member of the Council of 100, the Collins Center for Public Policy, Florida Governor's Mansion Foundation, and the City of Tallahassee Architectural Review Board. He has received Florida's highest award for historic preservation recognizing his efforts involving preservation of historic buildings. In 2016, Brian and Kathryn were inducted into Florida State University's Francis Eppes Society for their philanthropic support to the University.

Before establishing Ballard Partners, Brian served as managing shareholder for Bryant Miller Olive P.A. He currently serves as counsel to Panza, Maurer & Maynard, P.A. He received both his Bachelor of Science degree in Business Administration and his Juris Doctorate from the University of Florida, where he was later inducted into the University's Hall of Fame.

Team Members



Jeff Miller - Partner -

Congressman Jeff Miller represented Florida's 1st Congressional District from October 16, 2001, to January 3, 2017, in the U.S. House of Representatives. He chaired the House Veterans Affairs Committee for three consecutive terms, spearheading critical reforms and expanding healthcare options for veterans nationwide.

During his 15 years in Congress, Jeff became a steadfast advocate for veterans and national security. His legislative legacy includes the landmark \$10 billion Veterans Access, Choice and Accountability Act, which was negotiated with Senator Bernie Sanders and the Obama Administration. This Act expanded access to healthcare for veterans by funding community partnerships with private-sector providers, ensuring that veterans receive prompt and quality care through a broader network of healthcare options.

Jeff also served as a senior member of the House Armed Services Committee and the House Permanent Select Committee on Intelligence, where he played a key role in national defense and intelligence oversight.

A recognized leader in veterans' issues, Jeff served as a 2016 Trump campaign's veterans affairs surrogate and was the principal author of Trump's 10-point veterans policy paper, which laid the foundation for transforming veterans' healthcare and benefits.

As an active member of the NATO Parliamentary Assembly, Jeff traveled to over 60 countries, gaining valuable insight into global affairs, U.S. alliances, and international defense partnerships. Known for his principled leadership, he upheld a voting record focused on fiscal responsibility, national security, and tax relief for American citizens, while maintaining a collaborative, bipartisan approach to achieving results.

Before his time in Congress, Jeff served in the Florida House of Representatives, where he chaired the Utilities & Telecommunications Committee. Earlier in his career, he worked in public service as a deputy sheriff, reinforcing his lifelong commitment to serving the public. Jeff earned a bachelor's degree in Broadcast News from the University of Florida in 1984.

Jeff and his wife, Vicki, are the proud parents of two children, grandparents to four, and great-grandparents to three, cherishing a family legacy built on service and dedication.

Team Members



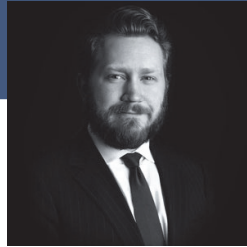
Dan McFaul - Managing Partner -

Dan McFaul has been involved with more than 30 federal, state, and local campaigns in the last two decades, including races for Congress, U.S. Senate, and Governor, as well as Presidential campaigns. He served as campaign manager to Congressman Joe Scarborough in 1996 and 2000. In 1998, he worked as a Senior Field Analyst for the National Republican Congressional Committee (NRCC) and consulted on eight Congressional campaigns in the Southeast and Ohio River Valley.

Dan served on the staff of U.S. Rep. Joe Scarborough of Florida from 1997-2001, rising to the position of Legislative Director. He became the Chief of Staff and Communications Director for Congressman Jeff Miller on Oct. 16th 2001, when Miller was sworn into office. Prior to Miller's election, Dan was Miller's campaign manager during the 2001 special election cycle. Dan was a member of the Presidential Transition Team for then President-elect Donald J. Trump. In this capacity, Dan worked on the Appointments Team responsible for recruiting and vetting potential appointees to the incoming Administration, specifically for the Department of Defense, the Department of Veterans Affairs, the Armed Services, and the Intelligence community.

A native of Pensacola, Dan graduated from the University of Florida with a bachelor's degree in Political Science and Public Relations. He later completed a Master's Degree in Public Administration at the University of West Florida. Dan lives in Washington, D.C. with his wife, Jessica, and their three children.

Team Members



Hunter Morgen - Partner -

Hunter Morgen is a Partner at Ballard Partners, having joined the firm after serving more than three years in the Trump Administration as a Special Assistant to the President and Senior Advisor for Policy and Strategy in the Trump White House. Hunter provides firm clients with strategic consulting on policy matters.

During his tenure in the Trump Administration, Hunter worked in the White House as a principal deputy to Peter Navarro and Stephen Miller, specializing in trade and immigration matters. Among his many responsibilities, Hunter drafted executive orders, legislation, policy guidance and regulations. He also directed the Administration's efforts on Buy American/Hire American policy and the unprecedented reform of the oldest UN international organization, the Universal Postal Union.

Prior to his White House position, Hunter was a Policy Advisor at the State Department in the Office of Policy and Planning. Before that he worked in Trump 2016 campaign headquarters and on the Presidential transition team focusing on speechwriting and policy.

In 2020, Hunter was appointed by President Trump to be a member of the Presidential Council on Improving Federal Civic Architecture. He also serves as a Distinguished Fellow to the American Cornerstone Institute.

Inside the Lobbying Career of Trump's New Chief of Staff

Before managing the campaign of President-elect Donald J. Trump, Susie Wiles represented a tobacco company and a mining project, among others.

 Listen to this article · 8:29 min [Learn more](#)



By Kate Kelly and Kenneth P. Vogel

Reporting from Washington

Published Nov. 21, 2024 Updated Nov. 22, 2024

Donald J. Trump's first presidential transition was marked by chaos and vows to drain the swamp. 

His second transition is moving more quickly, in part because of the leadership of a veteran operative who until earlier this year represented special interests of the sort he had once pledged to curb.

The appointment of that operative, Susie Wiles, to be Mr. Trump's chief of staff in the White House signals that his second term, like his first, may not be as hostile to special interests as his campaign rhetoric suggested. It also underscores the utility of having advisers who understand the intersection of politics, business and government.

A longtime strategist and lobbyist for business interests and political campaigns, Ms. Wiles ran Mr. Trump's campaign, and her trusted role in the new administration is already evident. She has been deeply involved in assembling Mr. Trump's new executive office. Last week, she addressed an influential group of donors in Las Vegas, saying, among other things, that Mr. Trump planned to reinstate some of his prior executive orders that President Biden had revoked.

Ms. Wiles, 67, was registered as a lobbyist until early this year. She did not sever ties with Mercury Public Affairs, where she began working in 2022, until after she was named chief of staff on Nov. 7, said two people familiar with the timing who spoke on the condition of anonymity to discuss private matters.

Her appointment continues a tradition of onetime lobbyists being tapped for high-level government posts by presidents from both parties. They include Ron Klain, who was Mr. Biden's first chief of staff, though his last disclosed lobbying activity was more than 15 years before he took the White House role.

This so-called revolving door has drawn criticism from government ethics groups.

One consumer advocacy group, Public Citizen, has warned about Ms. Wiles's lobbying background and demanded that she recuse herself from policy matters that might affect her former clients.

"By putting a corporate lobbyist in charge of his administration with his first act as president-elect, Trump is hanging a 'for sale' sign on the front door of the White House," Jon Golinger, who investigates corporate influence on elections and government at the organization, said in a statement.

Other ethics experts are more willing to withhold judgment. They stress the importance of Ms. Wiles's adherence to ethics guidelines — under which most presidential administrations require that employees recuse themselves from matters related to their past employment within the past two years. Mr. Trump's team has indicated that it plans to release such guidelines.

John Delaney, the former mayor of Jacksonville, Fla., who hired Ms. Wiles three decades ago as his communications director and later appointed her as his chief of staff, said he did not think of her as a "backslapping, fund-raising, delivering-envelopes-of-campaign-checks kind of lobbyist." Mr. Trump calls her the "ice maiden," an affectionate nod to her reserved nature.

Ms. Wiles spent most of her political career working on Republican campaigns or in local and federal government offices. Doug Mills/The New York Times

Brian Hughes, a spokesman for the transition, said in a statement that Ms. Wiles “has an undeniable reputation of the highest integrity and steadfast commitment to service both inside and outside government” and “will bring this same integrity and commitment as she serves President Trump in the White House.”

During his recent campaign, Mr. Trump continued to voice skepticism about lobbyists.

“You have to stop listening to lobbyists,” Mr. Trump said in an interview with the podcaster Theo Von in August. “You know, I was not a big person for lobbyists, and if they have even a little access to a president or a senator or a congressman or woman,” he added, “they get a lot of money, and in some cases they just take the money, they don’t do anything.”

Yet Mr. Trump’s nominee to lead the Transportation Department in his second term, Sean Duffy, was a registered lobbyist for a coalition of airlines in 2020 and for a group of investors holding Venezuelan government debt as recently as last year.

On Thursday, Mr. Trump tapped Pam Bondi as his pick for attorney general. Ms. Bondi is a former Florida attorney general and lobbyist with **Ballard Partners**, a lobbying firm run by the prominent Florida Republican fund-raiser Brian Ballard.

And during his campaign, lobbyists were among Mr. Trump’s top fund-raisers and advisers. Demand for their services jumped after the election, as corporate and foreign interests jockeyed to curry favor with the new administration.

Ms. Wiles, the daughter of the sportscaster and onetime N.F.L. kicker Pat Summerall, spent most of her political career working on Republican campaigns or in local and federal government offices. In recent decades, she has run campaigns for Senator Rick Scott and Gov. Ron DeSantis of Florida, with whom she fell out before he challenged Mr. Trump in this year’s primaries.

In 2011, Ms. Wiles joined **Ballard Partners**. After Mr. Trump’s victory in 2016 — a campaign that Ms. Wiles ran in Florida and for which Mr. Ballard was a top financial backer — she helped **Ballard Partners** open an office in Washington, where there was in high demand for the firm’s services because of its ties to Mr. Trump.

She was registered to lobby for about 40 clients during her years at **Ballard Partners**, ranging from the city of Jacksonville to major companies and foreign interests, including a Nigerian political party and a media company owned by a Venezuelan billionaire who would later be indicted on charges related to money laundering.

Mr. Ballard said that Ms. Wiles did no work for the Nigerian party or the media company, and that most of her work for other clients focused on strategy and messaging, rather than lobbying.

Brian Ballard, a prominent Florida Republican fund-raiser, in Washington in 2018. Ms. Wiles joined his lobbying firm in 2011. Andrew Harrer/Bloomberg

He said the firm registered her as a lobbyist for many clients “out of an abundance of caution,” at a time when it was just beginning its federal lobbying.

“We were new to town, and we basically registered in many cases everybody in the firm for all clients,” he said. “If she was ever in a meeting with a senator or a congressman where an issue came up, we wanted to make sure that she was covered.”

She helped the Suzanne Wright Foundation try to persuade the government to prioritize researching pancreatic cancer. She coached the Motion Picture Association to emphasize its industry’s ability to create well-paying domestic jobs in seeking beneficial tax measures and copyright protections from the Trump administration, which it won, according to the association’s executive vice president for government affairs, Patrick Kilcur.

Ms. Wiles also helped land another Ballard Partners lobbying client, the Pebble Partnership, Mr. Ballard said. The Pebble Partnership had been tussling with environmental regulators for more than a decade when it hired Mr. Ballard’s firm in 2019 to help it secure regulatory permits for an open-pit copper and gold ore mine in southwestern Alaska that was opposed by environmental and Native groups as a threat to salmon breeding grounds in the nearby Bristol Bay.

Mr. Trump had initially signaled support for the Pebble Partnership’s planned mine. But in 2020, Mr. Trump’s eldest son, Donald Trump Jr., went public with his opposition and the Army Corps of Engineers ultimately denied the permit.

The client with which Ms. Wiles is most closely associated, the tobacco company Swisher International, is based in Jacksonville, near her home. She worked for the company when it was a client of Ballard Partners, then took the account with her to Mercury, where it was the only client she registered to lobby for, according to federal filings. Her work for Swisher, said people familiar with it, focused mainly on advising on regulatory policy issues.

Swisher has in recent years been battling the Food and Drug Administration over whether flavored cigars should be banned in an effort to curb consumption of tobacco by minors and young adults. Mr. Trump was opposed to flavored tobacco in the past, but recently vowed on social media to “save Vaping again!”

Ms. Wiles helped Swisher by organizing interest groups and others to oppose a potential ban, according to someone familiar with the matter. She has denied influencing the president-elect on the topic.

Kitty Bennett contributed research, and Aishvarya Kavi contributed reporting.

Kate Kelly covers money, policy and influence for The Times. [More about Kate Kelly](#)

Kenneth P. Vogel is based in Washington and investigates the intersection of money, politics and influence. [More about Kenneth P. Vogel](#)

A version of this article appears in print on , Section A, Page 23 of the New York edition with the headline: Inside Trump Chief of Staff's Lobbying Career



Former Florida Attorney General Pam Bondi address the Republican National Convention on Aug. 25, 2020 in Washington, DC. (Chip Somodevilla/Getty Images)

Summary

Bondi is a partner at the lobbying firm of Trump bundler Brian Ballard, where she lobbied alongside incoming White House chief of staff Susie Wiles.

[On this page](#)

Pam Bondi, a former Florida attorney general and lobbyist whose clients have included Amazon and Uber, is President-elect Trump's new nominee to serve as U.S. attorney general, announced in a post on Trump's social media platform.

A Trump ally, Bondi is a partner in the D.C. office of **Ballard Partners**, a lobbying and government affairs firm founded by Brian Ballard, who was [called](#) the “most powerful lobbyist in Trump's Washington.” The attorney general of Florida from 2011 until 2019, Bondi was a member of Trump's Opioid and Drug Abuse Commission during his first term. She was named hours after just-resigned Florida Rep. Matt Gaetz gave up his nomination for A.G.



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At Ballard, Bondi chairs the Corporate Regulatory Compliance practice, which is [described](#) as rolling out initiatives to help clients “elevate their corporate responsibility reputation,” among other things. Some of the firm's top-spending federal lobbying clients this year include British American Tobacco and US Sugar. Another firm client is [Nippon Steel](#), which has been working to acquire United States Steel and in April hired the firm's president Brian Ballard and others. Ballard was one of the top Trump fundraisers in 2016 and a Trump campaign [bundler](#) again this cycle—according to a New York Times [source](#), to the tune of \$50 million.

In July 2019, Bondi was [registered](#) through Ballard to lobby for the government of Qatar on human trafficking issues, along with the firm's James Rubin, for a fee of \$115,000 per month. She [severed](#) her position at Ballard in November 2019 to help defend President Trump during his first impeachment trial—in lobbying [filings](#), Bondi listed her former position as “special adviser to the president, office of White House Counsel, special government employee (2019-2020)”—then restarted her lobbying contracts.

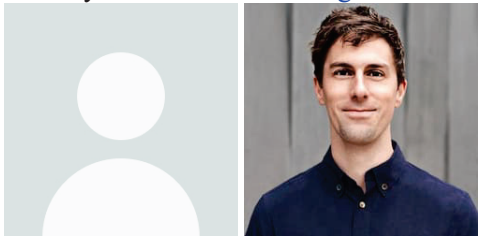
Bondi also holds two chair roles with the right-wing think tank America First Policy institute, a pro-Trump nonprofit that was led by Trump donor Linda McMahon, at its Center for Litigation and Center for Law and Justice. She was [appointed](#) to be a Kennedy Center trustee by Trump in 2020 as a plum for her support, and she acted as a campaign surrogate this year.

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POLITICO



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THE POLITICO MAG PROFILE

The Most Powerful Lobbyist in Trump's Washington

Hint: It's not Corey Lewandowski.

By **THEODORIC MEYER** | April 02, 2018

When Brian Ballard signed the lease last year for an office on the second floor of the Homer Building, a downtown Washington edifice that's home to a number of lobbying firms, he promised himself he would stay in the space for five years. He lasted one. In February, his firm, Ballard Partners, moved into a bigger office on the fourth floor to accommodate the new lobbyists Ballard has hired since the election of one of his former clients, President Donald Trump.

At the firm's first staff meeting in the new offices, Ballard and five of his Washington lobbyists sat in new leather chairs around a small conference table, with Ballard at the head. Robert Wexler, a former Democratic congressman from Florida whom Ballard hired last year, phoned in from Paris with an update on the firm's work for the Turkish government. Jamie Rubin, a former assistant secretary of state in the Clinton administration, called from Brussels and updated Ballard on a meeting he'd had with Moise Katumbi, an exiled opposition leader from the Democratic Republic of the Congo, who's a client.

"You'll be happy to hear that we signed the Maldives today," Syl Lukis, another Ballard lobbyist, told Rubin.

"Let's fire away quickly on Kosovo and Turkey," Ballard said. (The government of Kosovo is another Ballard client.)

Other Ballard lobbyists gave updates on their meetings with Trump administration officials and other work on behalf of the dozens of clients they represent in Washington, including Amazon, Dish Network, Uber, Pernod Ricard (the makers of Jameson whiskey and Absolut vodka) and Trulieve (a Florida-based medical marijuana company). Rebecca Benn, a former congressional staffer Ballard hired last year, updated Ballard and another lobbyist, Susie Wiles, on a meeting she'd set up for a client. "They were very, very happy — thank you, Susie — for the meeting at the White House last week," Benn said. "It went very, very well."

Ballard is a veteran Florida lobbyist who's been in Washington for barely a year — the blink of an eye in an industry in which many of the top practitioners have spent decades inside the Beltway. But Ballard is closer to the president than perhaps any other lobbyist in town. He's parlayed that relationship into a booming business helping clients get their way with the Trump administration — and his clients and even some of his rivals say his firm has a better grasp of what's going on in the West Wing than almost anyone else on K Street. Ballard

was one of the top fundraisers in the country for Trump's campaign and continues to raise millions for his reelection campaign. Wiles, one of his top lieutenants, ran Trump's campaign in Florida and delivered the nation's biggest swing state to the president.

Ballard's relationship with Trump has helped him solve a lucrative puzzle that has frustrated more established players. For all of the president's "drain the swamp" rhetoric, the new administration has given corporate America and its lobbyists the opportunity to revive dreams of tax cuts, regulatory rollbacks and rule changes that were mothballed during the Obama administration. But Trump also presents a challenge for the influence business — a White House in which key positions at least initially were as likely to be staffed by Trump loyalists as by old Washington hands with ties to K Street. Ballard has helped to bridge the gap. He's a Trump-friendly out-of-towner who can connect with the establishment — he is a close ally of Senator Marco Rubio as well as Charlie Crist, the former centrist Republican governor of Florida who is now a Democratic congressman — and make corporate clients comfortable.

Ballard isn't the only person in Trump's orbit who decided to try his or her luck in Washington. Campaign veterans from Corey Lewandowski, Trump's fired-but-never-forgotten campaign manager, on down have flocked to "the swamp" to lobby the administration — or, in Lewandowski's case, to offer clients a glimpse into Trump's thought process without actually registering to lobby. But Ballard appears to have landed the biggest fish. He has signed more than 60 clients since setting up shop in Washington after Trump's inauguration, including blue-chip companies like American Airlines and Sprint. Those clients paid Ballard nearly \$10 million last year for help navigating Trump's first year in office. (Those numbers don't include the \$3.1 million the firm says it brought in representing foreign clients such as Turkey and the Dominican Republic.)

"He's the only guy that's done it," said Robert Stryk, a lobbyist who runs in the same circles as some former Trump campaign hands and moved to Washington himself after the election. (Stryk's company, SPG, bills itself as a "private diplomacy" firm rather than a traditional lobbying shop.)

Lobbyists at some of Washington's established firms are quick to praise Ballard, but they also wonder how long his success can last, given the unique nature of the Trump administration. There are risks to building a shop around one principal's relationships. The now-defunct firms of Ed Gillespie, who was one of Washington's most powerful lobbyists during George W. Bush's administration, or Tony Podesta, who thrived under Barack Obama, might be regarded as cautionary tales. "Brian is building a strong Washington office, but the question is what happens when the circus leaves town," one Republican lobbyist with close ties of his own to the administration told me.

Unlike Lewandowski, who hasn't been able to resist boasting about his relationship with Trump as he hustles for clients, Ballard has taken pains to avoid the appearance of cashing in on his relationship with the president. He refuses to speak on the record about how often he

talks with the president. But his clients say he's been able to figure out how the Trump administration works in a way no one else has. For now, at least, it's working for him.

Trump called Ballard in the days before he announced he would run for president. The two men have known each other for nearly 30 years. Ballard met Trump after picking up a copy of *The Art of the Deal* in the 1980s. He read the book and was so struck by it that he wrote Trump a letter telling him how much he'd enjoyed it. "I loved the idea of 15-minute meetings," Ballard told me years later. "That's one of the things in the book that still stands out to me." He later told the *Orlando Sentinel* that he didn't believe in meetings that lasted any longer. Trump wrote "this beautiful letter" back, Ballard says, and they kept in touch.

Ballard ended up working on and off as Trump's Florida lobbyist, helping the Trump Organization negotiate state and local government when issues came up with Trump's Doral golf club. A decade before Trump announced his presidential run, Ballard helped orchestrate a fundraiser in 2005 at Trump Tower in Manhattan for Crist's campaign for Florida governor. "A friend told me about his record," Trump told the *St. Petersburg Times* at the time, referring to Crist. "I checked him out. I met him, I liked him, and I said I could help."

Ballard, like most of Florida's Republican establishment, backed Jeb Bush in the primary, but when Trump called he offered to do what he could for his client. In September, as it became clear that Trump's lead in the polls wasn't going away, Ballard dispatched Wiles to New York to meet with Trump. Wiles was named the Trump campaign's Florida co-chairwoman a few weeks later.

It took months for Ballard himself to come around to Trump. He jumped ship first to Rubio's campaign and signed on with Trump only once it was clear he would be the Republican nominee. But once he was in, Ballard proved a valuable asset. Florida is home to lots of wealthy Republican donors, and Ballard knew most of them after raising money for John McCain and Mitt Romney's presidential campaigns. Trump named Ballard his Florida finance chairman, and Ballard raised millions for his campaign. He spoke with Trump often and traveled on the campaign plane with him. The effort also put him in close touch with Reince Priebus, the Republican National Committee chairman who would be tapped as White House chief of staff, and Steven Mnuchin, the campaign's finance chairman, who's now treasury secretary. Trump spent more time in Florida in the general election than in any other state. And "whenever we did an event in Florida I was there," Ballard said.

Ballard watched the election returns come in with Lukis at an apartment he keeps in Manhattan. They didn't know whether Trump would win — although Wiles later said she was confident he would pull it off — but they hoped he'd at least carry Florida. When it became clear

Trump would become president, they high-fived and walked over to the victory party. The calls from clients started the next day. “To say they were freaking out is absolutely maybe even an understatement,” Wiles said.

Some Trump campaign hands almost immediately began trying to figure out whether they would be working in the new administration or lobbying it. Ballard, who was raising money for the inaugural committee, moved more slowly, waiting to open his Washington office until after the inauguration. (His firm began representing a half dozen federal clients before Trump took office, according to disclosure filings, but Ballard says he didn’t do any lobbying until later). Within three months of the inauguration, though, Ballard had signed two dozen clients, not just Amazon and American Airlines, but also Prudential and the GEO Group, a private prison operator.

Many early clients were companies Ballard already represented in Florida. Those clients beget more clients. “We started representing Dish [Network],” Ballard said. “They referred us to MGM, who referred us to H&R Block, who’s referring us to another client right now.” Signing high-profile corporate clients helped Ballard lobbyists get meetings with Trump administration officials, which helped him snag more clients. No one screened Ballard’s calls during his first months in Washington, so he ended up turning away some “squirrely” would-be clients himself: people who wanted to lobby the State Department to buy their patents, bitcoin speculators, people with “some really weird gold issues.” “If it’s anyone who says I want to pay you to set up a meeting with the president or whatever, we just say no out of hand,” Ballard said. “We end that conversation. We don’t do that stuff.”

Ballard isn’t the only Washington lobbyist who has a personal relationship with Trump. Dave Urban, a veteran lobbyist who helped Trump carry Pennsylvania, is also widely believed to be close to the president. But Ballard’s clients say many other Republican lobbyists in town haven’t figured out how to negotiate the Trump administration more than a year into his presidency.

“I’ll be very honest about this: I still don’t feel this town has caught up,” Richard Haselwood, a lobbyist for one of Ballard's clients, the tobacco giant Reynolds American, said one night in February as he sipped a martini. Ballard, Wiles and I, along with a couple of other Ballard lobbyists, had met Haselwood for drinks at Mastro's, a steakhouse across the street from Ballard's Washington office (and three blocks east of the White House) that’s become enough of a haunt for Ballard lobbyists that they’ve started to learn the names of the waitresses.

Congressman Matt Gaetz dropped by the table, cocktail in hand. Gaetz, a baby-faced freshman from Florida, is closer to Trump than most House Republicans. He’s flown on Air Force One and is a frequent presence defending Trump on Fox News, CNN and MSNBC, which has gotten the president’s attention. Gaetz has bragged that Trump sometimes calls him when he gets off the air. But even Gaetz sometimes needs help from Ballard lobbyists to get what he wants from the West Wing. “Even as a friend of the president who speaks frequently with the president, sometimes I have to call Susie Wiles to get my way,” he said.

Haselwood was one of a number of lobbyists for Ballard's Florida clients who urged him in the weeks after the election to consider setting up shop in Washington. Reynolds American, like other big companies, was struggling to figure out how to negotiate what would soon be Trump's Washington. Haselwood recalled Ballard being mobbed at the Republican Governors Association meeting in Orlando the week after the election. "Everyone is down there," he said. "No one knew what was going on. Brian came in and people were, like, rushing to him."

Ballard has helped clients like Reynolds map out who's really calling the shots in Trump's administration, where aides and even Cabinet members can be influential one week and out of favor the next. "Brian jumped in and jumped in big, and I'm thrilled," Haselwood added. "I'd feel naked without him."

Ballard spent nearly two decades figuring out how to dine and golf with Florida's governors without abusing his relationships with them. He told the *St. Petersburg Times* a decade ago that he avoided lobbying Crist unless the governor's staffers were present. "I don't sneak it in while we're shooting the breeze," Ballard told the paper. "It doesn't work that way. It would be gross."

He grew up in Delray Beach, Florida, one of six children raised by a single mother. He got his start in politics at 24, when he took time off from law school to work as a travel aide and driver to Tampa Mayor Bob Martinez, a Republican waging a long-shot campaign for governor. When Martinez won, Ballard moved to Tallahassee to work for him and traded in his 1980 Toyota Tercel for a silver BMW. By the time the *Orlando Sentinel* profiled him in 1990, Ballard was the governor's chief of staff and had just married Kathryn Smith, the daughter of Florida Secretary of State Jim Smith, in what another newspaper called "Tallahassee's wedding of the year." (George Steinbrenner, a future Ballard client, was a guest.) The *Sentinel* profile recounted Ballard yukking it up on the phone with Jeb Bush — who was chairman of Martinez's reelection campaign — and described him as the "brat-savant of Florida politics."

Martinez lost reelection in 1990 to Lawton Chiles, a Democrat, and Ballard stuck around Tallahassee as a lobbyist. It wasn't an easy time to start out as a Republican lobbyist: Democrats held majorities in both chambers of the Florida Legislature and the governorship. But Republicans won control of the Florida Senate in 1994 and took the House two years later. And in 1998, Ballard's old pal Jeb Bush was elected governor.

A few weeks after the election, the *Ledger* of Lakeland, Florida, reported that Ballard's firm — called Smith, Ballard, Bradshaw and Logan at the time — had something other Tallahassee lobbying firms "only wish they could claim: an undeniably special relationship with Bush that is being cautiously defended." Ballard brashly told the paper his firm had no more access to Bush than anyone else. "Anyone who

thinks that when they are hiring us they have secured some special niche in the administration is wrong and should save their money,” Ballard said. “Don't hire us. Go somewhere else.”

Despite his protestations at the time, Ballard proved remarkably successful over the next two decades at cultivating friendships with Florida's Republican governors. He was an early supporter of Crist's successful campaign to succeed Bush. When Rick Scott, a former hospital executive, beat the candidate Ballard was backing in the Republican primary to replace Crist, Ballard hustled to win him over, raising enough money for Scott's general-election campaign that Scott named him chairman of his inaugural committee after he won. Ballard also hired the woman who'd managed Scott's dark-horse campaign: Wiles, who would help Trump win Florida six years later. Mac Stipanovich, a longtime Republican lobbyist in Florida who hired Ballard to work on the Martinez campaign three decades ago, said Ballard has had “private, mansion-dinner relationships with every governor of Florida since” Bush. (The two men remain friends even though Stipanovich claims to “hate Trump worse than a snake.”)

Ballard is 56, with a tanned face and slightly sandy brown hair. He splits his time between Tallahassee, New York and Washington these days, but he retains something of a Florida air about him. When I met him at his office one morning in January, he wore a blue suit, a bright white shirt open at the collar and loafers. Lobbyists who know Ballard in Florida say he can be intensely competitive, but in person he's warm and laughs easily. Unlike many other Washington lobbyists, he doesn't seem like he's trying to ingratiate himself with you.

“I think the fastest way to get shut out is to start talking about who you can influence and who you can't influence,” Lukis, a Ballard managing partner who moved to Washington after the election to open the new office, said over breakfast one morning at the Old Ebbitt Grill. “I don't even like the word ‘influence.’ I'm not trying to influence anybody. What I'm trying to do is to have input into the ultimate decision-making process that's being made regarding the issue that we're working on. And I'd just as soon talk to a staffer than I would the secretary, because I think ultimately if you can get the staff to agree with you, 98 percent of the time you're probably going to get the secretary to agree with you.”

If Ballard hadn't helped to elect Trump, it's easy to imagine he might be one of the many Republican lobbyists in Washington who aren't enamored of the president. He's raised money and professed admiration over the years for several Republicans who have been harsh Trump critics: Jeb Bush, John McCain, Mitt Romney. He's occasionally even given to Democrats, including his old friend Crist, who became an independent during his failed Senate campaign in 2010 and is now a Democratic congressman. “Brian is a fairly moderate Republican, I think I would say,” Crist said when I asked him what it was like to be on the other of the partisan divide from Ballard. “So it's fine.” He laughed.

Ballard has taken criticism from Republicans who would have rather seen Hillary Clinton elected than Trump. It's cost him friendships. After the "Access Hollywood" tape came out late in the campaign, he said, "I can recall a very active Republican that I was trying to get to help at an event after that asking me if I was ashamed of myself." No, not at all, he replied. "No one's going to be fooled by electing Donald Trump," he told me. "He is what he is."

If he didn't know Trump, he might have ended up as a Trump critic rather than a supporter, he told me. "But I know him," he said.

Ballard's relationship with Trump isn't all that different from the bonds that hundreds if not thousands of lobbyists in Washington have with members of Congress they used to work for. Like Ballard, many lobbyists help sustain those relationships by giving money and hosting fundraisers for their old bosses' reelection campaigns. The difference is that Ballard's relationship is with the president of United States. Lobbyists and former campaign big shots such as Lewandowski had it particularly easy in the first months of the administration, before John Kelly replaced Priebus as chief of staff and cracked down on outside access to Trump. "You were walking in, you were having dinner," said a lobbyist for one of Ballard's clients, who estimated Ballard talks with Trump every few weeks. "It was like dealing with a Senate office or a small-time governor."

Ballard won't talk about what he does for his clients, for the most part. He made an exception for his work on behalf of Katumbi, the exiled Congolese opposition leader. Katumbi, who fled the Democratic Republic of the Congo in 2016 to avoid being thrown in prison by President Joseph Kabila, hired Ballard to help persuade the Trump administration to pressure Kabila to allow him to return. Ballard, Lukis and Katumbi met with a deputy to Nikki Haley, the U.S. ambassador to the United Nations, in October before Haley traveled to the Democratic Republic of the Congo, and Haley forcefully called for the country to hold elections this year on her trip.

Not all of Ballard's foreign clients are as sympathetic. Ballard signed a contract with the Turkish government worth \$125,000 a month on May 11, days before Turkish President Recep Tayyip Erdogan's security guards beat up peaceful protesters outside Turkey's embassy, according to a Justice Department filing. Another filing shows Ballard met several times with administration officials on Turkey's behalf, including Sean Cairncross, a senior adviser to the White House chief of staff, and Matt Mowers, a State Department official who worked on Trump's campaign.

Domestic lobbying filings don't require the same level of disclosure, and Ballard's are especially lacking in detail. But they give a sense of the scope of his lobbying efforts. Ballard Partners has lobbied nearly two dozen federal agencies, from the Treasury Department to the Army Corps of Engineers, as well as the White House, Vice President Mike Pence's office and Congress. Ballard and his partners pulled in

\$550,000 last year lobbying the White House and the Justice Department for the GEO Group, the private-prison operator, which won the administration's first immigrant-detention contract in April, less than three months after signing Ballard. He lobbied the Office of the U.S. Trade Representative on behalf of LG, the South Korean electronics manufacturer, and two solar-panel installation companies as the administration considered whether to slap tariffs on imported washing machines and solar panels. And he started lobbying the White House for Crowley Maritime, a Florida shipping company, four days after the administration waived the Jones Act in an effort to speed the delivery of hurricane relief to Puerto Rico. Thomas Crowley, the company's chief executive, told the *Washington Post* at the time that waiving the Jones Act — which requires shipments between U.S. ports to be carried on American-flagged vessels — wouldn't help relief efforts. The Jones Act, Crowley added, “is very important to our company and America's shipping industry.” Trump allowed the waiver to lapse days later.

The staff at Ballard Partners remains small, at least compared with how much money Ballard is pulling in. The firm had just six registered lobbyists handling domestic work in the fourth quarter of 2017, when it took in \$3.6 million. That made it the No. 17 firm in Washington, ahead of many long-established firms, according to a POLITICO analysis of lobbying disclosure filings. Peck Madigan Jones, the No. 16 lobbying firm by revenue, had twice that many lobbyists.

Ballard insists he wants to build a firm that will outlast Trump, but some lobbyists are skeptical that he'll succeed. If Trump leaves before his term is finished or fails to win reelection, “I would imagine there would be significant drop-off” in Ballard's business, a prominent Democratic lobbyist said. “Because it's a straight Trump play.”

Still, Ballard wouldn't be the first state-level lobbyist to make a permanent leap to Washington. The Denver law firm Brownstein Hyatt Farber Schreck, for instance, opened a Washington office in 1995 and is now the No. 2 lobbying shop in town by revenue. Norm Brownstein, the chairman of the firm's board, told me he admires what Ballard has achieved so far, before adding, “I believe as long as [Trump] is president, he will have a great practice.”

Ballard's fundraising prowess means he'll remain valuable to Trump at least through 2020, the lobbyist for one of Ballard's clients told me. Washington lobbyists, of course, have hosted fundraisers and given money as a way of ingratiating themselves with lawmakers for decades. But relatively few lobbyists are raising serious money for Trump, whom many Republicans on K Street freely disparage in private. Ballard is one of only three lobbyists who's a vice chairman of the Republican National Committee's fundraising committee. “He's a ferocious fundraiser. I mean, if that coffee cup could give money,” Wiles told me over coffee one morning, gesturing toward a mug on the table.

Stipanovich, Ballard's old friend in Florida, said he was willing to make a prediction: Ballard, unlike other Trump campaign veterans who have come to Washington, will be in business long after Trump is out of office. "When Trump is gone, Lewandowski might as well buy a bed-and-breakfast in Vermont," Stipanovich said. "But not Brian."



ITEM 6: Consider Approval of Incremental Marketing Budget

SUMMARY:

A request for Incremental funding to elevate slipping consumer awareness and preference for California Avocados. This will produce greater awareness building through multiple media channels and digital platforms. Consumer testing on creative and messaging to ensure it resonates with consumers and drives preference. Along with other tactics to support the objectives.

FISCAL ANALYSIS:

Options of varying financial commitments will be presented.

BOARD OPTIONS:

The board will be presented with a stratified investment strategy including associated marketing tactics. The varied level of investment will be broken out in the following levels:

- Status Quo
- \$700,000
- \$1,250,000
- \$2,000,000

STAFF RECOMMENDATION:

To fully realize the benefit and achieve our objectives, the Marketing staff recommends the \$2,000,000 level. However, we understand overall 2025 available budget and other business needs come into play.

EXHIBITS / ATTACHMENTS:

- None