



**Board of Directors Meeting**  
**Wednesday, January 15, 2025**  
6:00 pm

In Person:

The Lake Merritt Room  
Cal State East Bay - the Oakland Center  
In the Transpacific Centre  
1000 Broadway, Suite 109  
Oakland, CA 94607

Or from the following locations:

- Albany Community Center - 1249 Marin Ave, Albany, CA 94706
- ALM First Headquarters, 3800 Maple Avenue, Ste. 600, Dallas, TX 75219
- Clipper Club - 5 Captain Dr. Emeryville, CA 94608
- 35653 Scarborough Dr., Newark CA 94560
- City Hall - 425 N El Dorado St., Stockton CA 95202

Via Zoom:

<https://ebce-org.zoom.us/j/87023071843>

Or join by phone:

Dial(for higher quality, dial a number based on your current location): US: +1 669 900 6833 or +1 346 248 7799 or +1 253 215 8782 or +1 929 205 6099 or +1 301 715 8592 or 888 475 4499 (Toll Free) or 877 853 5257 (Toll Free)  
Webinar ID: 870 2307 1843

Meetings are accessible to people with disabilities. Individuals who need special assistance or a disability-related modification or accommodation to participate in this meeting, or who have a disability and wish to request an alternative format for the meeting materials, should contact the Clerk of the Board at least 2 working days before the meeting at (510) 906-0491 or [cob@avaenergy.org](mailto:cob@avaenergy.org).

If you have anything that you wish to be distributed to the Board of Directors, please email it to the clerk by 5:00 pm the day prior to the meeting.

**A. Oath of Office**

**1. Welcome & Roll Call**

**2. Pledge of Allegiance**

**3. Public Comment**

*This item is reserved for persons wishing to address the Board on any Ava-related matters that are not otherwise on this meeting agenda. Public comments on matters listed on the agenda shall be heard at the time the matter is called. As with all public comment, members of the public who wish to address the Board are customarily limited to two minutes per speaker and must complete an electronic speaker slip. The Board Chair may increase or decrease the time allotted to each speaker.*

**CONSENT AGENDA**

**4. Approval of Minutes from December 18, 2024**

**5. Contracts Entered Into (Informational Item)**

**6. 2025 Sponsorship of Oakland Roots Sports Club**

Renewal of annual sponsorship

**7. Ava Bike Electric Safety Voucher Adjustment**

Increase in Safety voucher amount for low-income participants

**8. Lunar MSA Contract Amendment**

Amendment to the Lunar Energy MSA

**9. Energy Efficiency Program Funding**

Shifting unused local development funds to Ava's Building Efficiency Accelerator program

**10. Treasurer's Report**

Receive report on Ava's cash position.

**REGULAR AGENDA**

**11. CEO Report**

**12. CAC Report**

**13. Chair and Vice-Chair Elections (Action Item)**

**14. Board Member and Staff Announcements including requests to place items on future Board of Directors Meeting Agendas**

**15. Adjourn**

The next Ava Board of Directors meeting will be held on Wednesday, February 19, 2025 at 6pm.

The Lake Merritt Room  
Cal State East Bay - the Oakland Center  
In the Transpacific Centre  
1000 Broadway, Suite 109  
Oakland, CA 94607



**Draft Minutes**  
**Board of Directors Meeting**  
**Wednesday, December 18, 2024**  
6:00 pm

In Person:

The Lake Merritt Room  
Cal State East Bay - the Oakland Center  
In the Transpacific Centre  
1000 Broadway, Suite 109  
Oakland, CA 94607

Or from the following locations:

- Clipper Club - 5 Captain Dr. Emeryville, CA 94608
- Conference Room, Irvington Community Center, 41885 Blacow Rd. Fremont, CA 94538
- 1755 Harvest Landing Lane, Tracy, CA 95376
- Albany Community Center - 1249 Marin Ave, Albany, CA 94706

Via Zoom:

<https://us02web.zoom.us/j/88267670367>

Or join by phone:

<https://ebce-org.zoom.us/j/87023071843>

Dial(for higher quality, dial a number based on your current location): US: +1 669 900 6833 or +1 346 248 7799 or +1 253 215 8782 or +1 929 205 6099 or +1 301 715 8592 or 888 475 4499 (Toll Free) or 877 853 5257 (Toll Free)  
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*Please note that Item 15 – Local Development Business Plan (Informational Item) was heard prior to roll call.*

**1. (59:21) Welcome & Roll Call**

**Present: Members:** Lopez (Albany) Tregub (Berkeley), Kaur (Emeryville), Roche (Hayward), Jorgens (Newark), Kalb (Oakland), Andersen (Piedmont), Gonzalez (San Leandro), Patino (Union City), CAC Chair Hernandez (Community Advisory Committee), Chair Balch (Pleasanton)

**Not Present:** Marquez (Alameda County), Hu (Dublin), Member Diallo (Lathrop), Barrientos (Livermore)

**2. (1:00:53) Pledge of Allegiance**

**Member Kalb** led the body in reciting the Pledge of Allegiance.

**3. (1:34:12) Public Comment**

*This item is reserved for persons wishing to address the Board on any Ava-related matters that are not otherwise on this meeting agenda. Public comments on matters listed on the agenda shall be heard at the time the matter is called. As with all public comment, members of the public who wish to address the Board are customarily limited to two minutes per speaker and must complete an electronic speaker slip. The Board Chair may increase or decrease the time allotted to each speaker.*

**There were no speakers for Public Comment**

**4. (1:34:55) Closed Session Public Comment**

**There were no speakers for Closed Session Public Comment.**

**5. (1:35:18) Closed Session**

- A. Public Employee Performance Evaluation Pursuant of Code § 54957: Chief Executive Officer

**6. (2:26:43) General Report Out of Closed Session**

**There were no reportable items from Closed Session.**

**CONSENT AGENDA**

**7. Approval of Minutes from November 20, 2024**

**8. Contracts Entered Into (Informational Item)**

**9. Piedmont Pool ESA Amendment (Action Item)**

Draft Amendment to ESA with the City of Piedmont adjusting repayment schedule due to construction delays.

**10. CAC Work Plan Update (Informational Item)**

Draft update to CAC Work Plan to reflect new priorities and engagement with staff.

**11. Updated start date for Ava's participation in the Agricultural Hourly Flex Pricing Pilot (Informational Item)**

Overview of updated start date for Ava's participation in the Agricultural Hourly Flex Pricing ("HFP") Pilot.

**(2:26:48) Member Gonzalez motioned to approve the Consent Agenda. Member Patino seconded the motion which as approved 10/0/0/0/4**

**(yes/no/abstain/recuse/not present)**

**Yes: Members: Lopez, Tregub, Kaur, Roche, Jorgens, Kalb, Andersen, Gonzalez, Patino and Chair Balch**

**No: none**

**Abstain: none**

**Recuse: none**

**Not Present: Members Marquez, Hu, Diallo and Barrientos**

**REGULAR AGENDA**

**12. (2:28:34) CEO Report**

**CEO Chang** spoke about the December 4 Executive Committee meeting and introduced two new hires, Claire Huang and Linda Luong.), and a Habitat for Humanity partnership supporting the Sequoia Grove project in Hayward, a fully electric affordable housing community. The CEO also announced the addition of unincorporated San Joaquin County to the joint powers authority, making Ava an 18-member organization. The representative for San Joaquin County is expected to join the board in early 2024.

**13. (2:32:13) CAC Report**

**Chair Hernandez** announced that the CAC had recently formed two ad hoc committees: one to evaluate and recommend updates to the Local Development Business Plan, chaired by Member Lutz, and another focused on electricity affordability, chaired by Member Balkissoon. They also discussed a potential Resilience Hubs ad hoc committee but deferred further action pending board approval of related initiatives, such as the Emerald City Collective grant.

**14. (2:35:10) Emerald Cities Collaborative (ECC) Grant Agreement (Action Item)**

Requesting approval to award a grant to ECC (and negotiate the grant agreement) of up to \$300k over 18 months for the Resilience Hub grant initiative.

**JP Ross** presented a request for board approval to negotiate and execute a grant agreement with the Emerald Cities Collaborative as part of AVA's Resilience Hub Initiative. The grant will focus on community engagement, capacity building, and developing a "resilience readiness toolkit" to identify and prepare up to 50 potential

Resilience Hub sites eligible for solar and storage incentives. The initiative involves multiple community-based organizations to ensure equity and local impact, with a shortened 18-month timeline to accelerate progress and gather early insights for potential future grants.

**Board members discussed the following topics:**

- **Member Kalb** asked whether the Emerald Cities Collaborative could accomplish the project within the reduced 18-month timeline instead of the originally planned three years.
- **Member Gonzalez** sought clarification on whether the grant's goal was to define Resilience Hubs and identify viable sites, as well as the geographic distribution of partner organizations across Ava's service territory.
- **Member Roche** asked about Emerald Cities Collaborative's role as the lead agency and their coordination with other community-based organizations.
- **Member Roche** asked whether Ava would manage resilience hubs directly and how organizational or ongoing assistance for sites would be handled.
- **Member Tregub** asked about the total budget for grants and whether other Community Choice Aggregators were undertaking similar resilience initiatives.

**Member Tregub motioned to approve the staff's recommendation. Member Gonzalez seconded the motion which was approved 10/0/0/0/4**

**(yes/no/abstain/recuse/not present)**

**Yes: Members: Lopez, Tregub, Kaur, Roche, Jorgens, Kalb, Andersen, Gonzalez, Patino and Chair Balch**

**No: none**

**Abstain: none**

**Recuse: none**

**Not Present: Members Marquez, Hu, Diallo and Barrientos**

**15. (18:40) Local Development Business Plan Review (Informational Item)**

Present an overview of items that were done as part of the LDBP.

**Annie Hendersen** presented a comprehensive review of Ava Community Energy's Local Development Business Plan (LDBP), highlighting accomplishments from 2018 to 2023 and outlining priorities for the next 6-12 months. The plan, created as a roadmap with 70 tactical recommendations, has driven achievements such as renewable energy projects, municipal fleet electrification, resilience hubs, and community-focused programs like affordability grants and workforce development. The presentation emphasized the agency's progress in balancing ambitious goals with operational feasibility while adapting to evolving community needs and lessons learned.

**(1:15:26) Public Comment: Jim Lutz** commended Ava's staff and board for their accomplishments and success but urged them to be more aggressive in pursuing their

goals.

**(1:17:44) Public Comment: Jessica Tovar** congratulated and thanked Ava for its accomplishments and expressed hope for continued progress, particularly in expanding local investments and community asset ownership.

**The Board discussed the following topics:**

- **Member Roche** asked why reach code support would not continue in 2025 despite its benefits for municipal goals.
- **Member Gonzalez** asked if program areas such as customer financing align with strategic priorities and whether partnerships with third-party financiers could be revisited.
- **Member Tregub** sought clarification on the AMP program, its relation to the California Arrearage Payment Plan, and its impact on CARE/FERA customers.
- **Member Tregub** asked about DC fast charging near multi-family housing, compatibility with Level 2 charging, and specific jurisdictions involved in the EV charging initiatives.
- **Member Tregub** asked about future plans to expand the Disadvantaged Community Green Tariff program and related regulatory challenges.
- **Member Kalb** spoke about the importance of publicizing Ava's accomplishments through press releases, annual reports, and broader media engagement.
- **Member Tregub** spoke about the need to prioritize equity in program design, particularly for renters and disadvantaged communities.
- **Chair Balch** suggested initiating a strategic planning process to transition Ava from its startup phase to a more mature organization with clear long-term priorities.
- **Member Kalb** spoke about the importance of sharing Ava's accomplishments with the public, policymakers, and media in a digestible format to enhance Ava's visibility, promote its successes, and inspire other Community Choice Aggregators.
- **Chair Balch** suggested focusing on the cumulative impact of Ava's achievements in addition to incremental updates to better showcase the agency's progress and build on its success.
- **Member Gonzalez** spoke about the importance of balancing one-page summaries for policymakers with ongoing branding efforts to strengthen public awareness and organizational impact.
- **Member Tregub** urged the board to maintain a focus on equity, particularly in areas such as resilience hubs and EV charging for multi-family housing, to ensure accessibility for disadvantaged communities.
- **Member Kalb** and **CAC Chair Hernandez** advocated for creating annual reports or summaries to effectively communicate Ava's progress and initiatives to stakeholders and policymakers.

**16. (2:58:42) Ava Board Outgoing Members and Sub-Committee Update (Action Item)**

Express thanks to outgoing members and approve updated subcommittee assignments.



The board discussed committee assignments for 2025, acknowledging significant turnover with eight outgoing members and plans for additional appointments in the coming year. Outgoing board members, including **Members Kalb, Patino, and Jorgens**, reflected on their time with Ava Community Energy. **CEO Chang and Chair Balch** expressed appreciation for the departing members' leadership and contributions.

**Chair Balch motioned to appoint subcommittee assignments according to the Staff Report, albeit excluding Member Bedolla and Member Jorgens. Member Gonzalez seconded the motion which was approved 10/0/0/0/4 (yes/no/abstain/recuse/not present).**

**Yes: Members: Lopez, Tregub, Kaur, Roche, Jorgens, Kalb, Andersen, Gonzalez, Patino and Chair Balch**

**No: none**

**Abstain: none**

**Recuse: none**

**Not Present: Members Marquez, Hu, Diallo and Barrientos**

**17. (3:14:11) Board Member and Staff Announcements including requests to place items on future Board of Directors Meeting Agendas**

**There were no Board Member or Staff announcements.**

**18. Adjourned at 9:15pm.**

The next Ava Board of Directors meeting will be held on Wednesday, January 15, 2025.

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Oakland, CA 94607



### Consent Item 5

<b>To:</b>	Ava Community Energy Authority
<b>From:</b>	Howard Chang, Chief Executive Officer
<b>Subject:</b>	<b>Contracts Entered Into</b>
<b>Date:</b>	January 15, 2025

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#### **RECOMMENDATION**

Accept the CEO's report on contracts that Ava Community Energy has entered into, as required by the Administrative Procurement Policy, from December 11, 2024, through January 8, 2025;

C-2024-171 Clean Energy Regulatory Research First Amendment to CSA, adds \$75,000 of additional compensation and extends the term through December 31, 2025.

C-2024-172 Port City Marketing Solutions, Incorporated Consulting Services Agreement, (Stockton, CA) provides media buying and related marketing and communications services, effective December 20, 2024, through July 31, 2025, for a compensation not to exceed \$100,000.

C-2025-001 Sacramento Municipal Utility District (SMUD) Task Order 3 - Ongoing Services, contains pricing and workplan related to the MSA for a two year term for the following services: Billing, Data Management, Contract Center, CRM Systems, with an annual cost estimated not to exceed \$9.1 million (with the inclusion of Stockton & Lathrop) or \$10.85 million (assuming the inclusion of Unincorporated San Joaquin County in 2026).

C-2025-002 Stone Publishing (dba Almaden) (Santa Clara, CA), Consulting Services Agreement for the purposes of providing customer demographic data matching services to Ava through December 31, 2025, with a total cost not to exceed \$20,000.

C-2025-003 Brandt Energy Services First Amendment to CSA, amends CSA to add \$10,000 in compensation.



## Consent Item 6

<b>To:</b>	Ava Community Energy Authority
<b>From:</b>	Dan Lieberman, Director of Marketing
<b>Subject:</b>	Approving a Resolution Authorizing Execution of a Sponsorship Agreement with the Oakland Roots Sports Club for the 2025 season of the Roots and Soul soccer teams
<b>Date:</b>	January 15, 2025

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### **Summary/Recommendation**

Staff recommends authorizing the CEO to negotiate and execute a Sponsorship Agreement with the Oakland Roots Sports Club ("Oakland Roots SC") for the 2025 season of the Roots and Soul because our ongoing partnership has provided significant marketing and brand value.

### **Financial Impact**

\$175,000 total for the 2025 season of the Roots (\$141,000) and Soul (\$34,000) teams. Note that Ava's sponsorship of these teams in 2024 totaled \$194,000. Funds have been allocated in the current FY budget for this level of sponsorship.

### **Analysis and Context (with deadlines as applicable)**

Oakland Roots SC is the first purpose-driven professional sports team in the United States. Their United Soccer League (USL) men's team is one of the fastest-growing brands in American sports, and they are one of the only remaining professional sports teams in Ava's service territory. 2023 marked the inaugural USL-W season for the club's affiliated women's soccer team, Oakland Soul.

Oakland Roots SC partnerships combine sponsorship opportunities with community impact, creative storytelling, and employee engagement. Ava is a founding partner of the Roots, sponsoring the team since 2018, and similarly was a foundational sponsor of the Oakland Soul, sponsoring them since their inaugural season (2023).

Ava's past sponsorship provided significant brand and program promotional opportunities for Ava. Our partnership has helped Ava communicate with a diverse local fan-base and have our brand associated with a fun and popular form of community entertainment. Ava's marketing team activated an informational booth at most home games, in order to connect with thousands of attendees at their (usually) sold-out home matches, and received digital promotions, streaming television advertising, and other promotional benefits.

In addition to the benefit of on-site activation presence, this 2025 sponsorship package would continue Ava's standing as the exclusive Clean Power Partner of both Roots and Soul, would place the full Ava logo on the back of team jerseys (including on their merchandise jerseys), provide on-field signage, messaging on the stadium video board, and be a presenting partner for our Coliseum Bike Valet and also of a drone light show. Additional benefits include social media posts, a press release, and game tickets. Note that for the first time, both teams' home games in 2025 will be played at the Oakland Coliseum. This location change will make the games BART accessible, and there will be more fan seating available than in past seasons.

Ava's past sponsorship levels are as follows:

- 2019 - \$25,000
- 2020 - \$25,000
- 2021 - \$125,000 (moved up to USL)
- 2022 - \$125,000
- 2023 - \$125,000 (plus \$10k for soul)
- 2024 - \$196,000 (\$150k Roots/ \$46k Soul), first time with our logo on the jerseys

For 2025, Ava has evaluated which elements of past seasons' sponsorships have provided the most value, and we are focusing on those elements. In past seasons, our sponsorship agreement included digital streaming assets, such as a branded clock wrap and 0:30 video commercials. But, we are aware that the game stream is shown globally; therefore, it is of greater value for a partner that services a large geographic market than Ava. For 2025, we are declining those digital streaming opportunities, instead focusing on in-game promotions, which lowers our sponsorship cost compared to last year.

### **Committee Recommendation**

Ava staff presented this recommendation to the Marketing, Regulatory, and Legislative committee on December 20, 2024 and the committee supported the proposal, agreeing that it should be included as a consent item for this Board meeting.

**Attachments**

A. Resolution

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

**A RESOLUTION OF THE BOARD OF DIRECTORS**

**OF AVA COMMUNITY ENERGY AUTHORITY AUTHORIZING EXECUTION OF A SPONSORSHIP AGREEMENT WITH THE OAKLAND ROOTS SPORTS CLUB FOR THE 2025 SEASON OF THE ROOTS AND SOUL SOCCER TEAMS**

**WHEREAS** Ava Community Energy Authority (“Ava”) was formed as a community choice aggregation agency (“CCA”) on December 1, 2016, under the Joint Exercise of Powers Act, California Government Code sections 6500 *et seq.*, among the County of Alameda, and the Cities of Albany, Berkeley, Dublin, Emeryville, Fremont, Hayward, Livermore, Piedmont, Oakland, San Leandro, and Union City to study, promote, develop, conduct, operate, and manage energy-related climate change programs in all of the member jurisdictions. The Cities of Newark and Pleasanton, located in Alameda County, along with the City of Tracy, located in San Joaquin County, were added as members of Ava and parties to the Joint Powers Agreement (“JPA”) in March of 2020. The City of Stockton was added as a member to Ava in September of 2022. The City of Lathrop was added as a member to Ava in October of 2023. San Joaquin County was added as a member to Ava in July 2024. On October 24, 2023, Ava legally adopted the name Ava Community Energy Authority, where it had previously used the name East Bay Community Energy Authority since its inception.

**WHEREAS** Ava’s marketing activities seek to inform our customers about the benefits that Ava’s electricity provides, as well as introduce customers to programs that Ava offers that might save them money and/or improve environmental outcomes;

**WHEREAS** Oakland Roots Sports Club (“Oakland Roots SC”) is a leading professional sports franchise that is community-focused and whose sponsorship affords partners access to a large local fan base;

**WHEREAS** Ava has sponsored Oakland Roots (men's team) and Oakland Soul (women's team) since their inception as follows:

- 2019 - \$25,000
- 2020 - \$25,000
- 2021 - \$125,000 (moved up to USL)
- 2022 - \$125,000
- 2023 - \$125,000 (plus \$10k for soul)
- 2024 - \$196,000 (\$150k Roots/ \$46k Soul), first time with our logo on the jerseys; and

**WHEREAS** the 2025 season of these teams provides new, exciting opportunities to engage fans at the Oakland Coliseum, both through mass communication (signage, PA announcements, social media, etc.) and one-on-one engagement at an exhibit booth during game days, at a lower price point than in 2024.

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

Section 1. Authorize the CEO to negotiate and execute a sponsorship agreement with the Oakland Roots SC for the 2025 season of the Roots and Soul in consultation with legal counsel, at a not to exceed amount of \$175,000.

ADOPTED AND APPROVED this 15th day of January, 2025.

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Jack Balch, Chair

ATTEST:

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Adrian Bankhead, Clerk of the Board





### Consent Item 7

<b>To:</b>	Ava Community Energy Authority
<b>From:</b>	Brett Wiley
<b>Subject:</b>	A Resolution of the Board of Directors of Ava Community Energy Authority to Adjust the Safety Voucher Amount for Low-Income Participants in the Ava Bike Electric Program
<b>Date:</b>	January 15, 2025

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#### **Summary/Recommendation**

Staff recommends adjusting the safety voucher amount for low-income participants in Ava's Bike Electric Program.

#### **Financial Impact**

As the adjustment is within the previously approved Ava Bike Electric Program budget, there is no fiscal impact.

#### **Analysis and Context**

The Ava Bike Electric Program ("Program") development is well underway. Ava and our program vendor, APTIM, have completed the Program implementation manual, marketing plan, and creative materials. Recruitment of local bike shops is going well, with 23 shops verbally agreeing to participate, who will be signing agreements this month, as we prepare for our first Program training with them. This Program will be the largest residential program Ava has launched, and it will attempt to engage every household in Alameda County and every Ava customer within the first two months of the Program launch. Ambitious programs like this can take longer to develop, compared to what was planned. Ava plans to launch this Program during Summer 2025, as a means to give us more time to develop the backend technical and data systems that will

support this Program launching at scale. Our partners at Alameda County Transportation Commission support this decision. They offered us a grant extension and requested it be sent in our January 2025 report, which we will do.

Ava will reassess the current Program end date of December 2026 at the end of 2025 based on many factors, included among them are program participant demand and e-bike supply at local shops.

Based on feedback from local community stakeholders, local pricing review, and discussions with our Program vendors, Ava staff proposes to increase the amount of the safety equipment rebate for CARE/FERA participants in the Program from \$100 to \$250. The higher rebate amount will increase the percentage of the safety equipment cost that the rebate will cover (from 30% to 80%) and will add dollars to purchase a child's helmet, in addition to the full set of safety equipment for one adult, which includes a helmet, a lock and cable, and a pair of lights. Only those 18 years and older are eligible to participate in the Program, and the addition of the child's helmet is intended for parents getting cargo e-bikes to safely transport children. This proposal advances our goal to ensure a Program that's focused on clean, accessible, and safe transportation.

Customer Type	Base Incentive	Adders	Safety Equipment Voucher
CARE/FERA Customers	\$1,000	+\$500 Cargo or Adaptive e-bikes	\$250
All Other Customers	\$400		n/a

Table 1. Adjusted E-bike incentives for qualified participants and eligible e-bikes.

With the proposed increased rebate amount, the safety equipment budget will increase by \$272,785 (from \$343,500 to \$616,285). Staff proposes to use budget from the previously allocated \$2M budget for a potential lending program, thus not requiring any additional Program funds to accommodate this rebate increase. This shifts \$272,785 from the lending budget to the safety equipment budget. This adjustment will not impact the ability to launch a lending program, if Ava determines that is required. However, the lending program is not being considered, until we successfully launch the incentive program.

The original staff report is included below, with highlighted areas indicating how this proposed change impacts the outcomes of the program.

**Committee Recommendation**

None

**Attachments**

- A. Resolution
- B. Original Staff Report

**RESOLUTION NO. R-2025-XX**  
**A RESOLUTION OF THE BOARD OF DIRECTORS**  
**OF AVA COMMUNITY ENERGY AUTHORITY TO ADJUST THE SAFETY**  
**VOUCHER AMOUNT FOR LOW-INCOME PARTICIPANTS IN THE AVA**  
**BIKE ELECTRIC PROGRAM**

**WHEREAS** Ava Community Energy Authority (“Ava”) was formed as a community choice aggregation agency (“CCA”) on December 1, 2016, under the Joint Exercise of Powers Act, California Government Code sections 6500 *et seq.*, among the County of Alameda, and the Cities of Albany, Berkeley, Dublin, Emeryville, Fremont, Hayward, Livermore, Piedmont, Oakland, San Leandro, and Union City to study, promote, develop, conduct, operate, and manage energy-related climate change programs in all of the member jurisdictions. The Cities of Newark and Pleasanton, located in Alameda County, along with the City of Tracy, located in San Joaquin County, were added as members of Ava and parties to the Joint Powers Agreement (“JPA”) in March of 2020. The City of Stockton was added as a member to Ava in September of 2022. The City of Lathrop was added as a member to Ava in October of 2023. San Joaquin County was added as a member to Ava in July 2024. On October 24, 2023, Ava legally adopted the name Ava Community Energy Authority, where it had previously used the name East Bay Community Energy Authority since its inception.

**WHEREAS** On July 17, 2024, the Ava Board of Directors authorized the CEO to negotiate and execute an Agreement with APTIM to manage Ava’s \$10M Bike Electric Program;

**WHEREAS** Ava had originally proposed a \$100 safety voucher for low-income customers in the July 17, 2024, Staff Report;

**WHEREAS** Upon consultation with local bike shops, stakeholders, and APTIM, the Program Administrator, Ava staff believes that the safety voucher should be increased to \$250; and

**WHEREAS** The increased safety voucher budget can be taken from the \$2M budget for a potential lending program, without impacting the ability to launch a lending program should Ava decide that a lending program is necessary, after successful launch of the incentive program.

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

Section 1. The low-income safety voucher for the Ava Bike Electric Program shall be increased to \$250.

Section 2. Staff may do all things necessary to effect this revision, in consultation with Ava legal counsel.

ADOPTED AND APPROVED this 15<sup>th</sup> day of January, 2025.

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Jack Balch, Chair

ATTEST:

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Adrian Bankhead, Clerk of the Board



**Staff Report Item 18**

**TO:** Ava Community Energy Board of Directors

**FROM:** Brett Wiley, Senior Program Associate

**SUBJECT:** Authorizing CEO to negotiate and execute a Consulting Services Agreement with APTIM for the Ava Bike Electric Program

**DATE:** July 17, 2024

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**Recommendation**

Approve a Resolution of the Board of Directors of Ava Community Energy Authority Authorizing the CEO To Negotiate and Execute a Consulting Services Agreement with APTIM for the Ava Bike Electric Program

**Background and Discussion**

Ava Community Energy (“Ava”) is working to increase adoption of zero-emission micromobility options that are safe, affordable, and reduce motor vehicle trips across our service area. The Ava Bike Electric Program (“Program”) will provide Ava’s customers, and residents of Alameda County, with the opportunity to get hands-on experience using electric bikes (e-bikes), while reducing the cost of ownership. The Program will have the following components:

1. **(optional) E-Bike Lending:** Ava aims to stimulate e-bike ownership beyond the financial limits of Ava’s ability to provide ongoing, long-term incentives. Therefore, Ava solicited proposals for e-bike lending that will allow residents to borrow an e-bike for short-term periods. Borrowing an e-bike and receiving bike & road safety training will enable participants to gain hands-on experience to determine if an e-bike could meet the needs of their daily activities. Unlike our plan last year, this lending program would leverage existing and growing local bike shops, who offer e-bike lending and provide an incentive voucher to participants to utilize those services. The intent of the lending program will be to increase awareness and enthusiasm for e-bikes, resulting in residents eventually

purchasing e-bikes and more likely by those who are not already primed to do so. While coordinated with the incentive program discussed below, there is no commitment on the participant to purchase an e-bike to utilize the lending program. NOTE: This offer is optional based on Ava staff capacity, successfully launching the e-bike ownership incentive, and customer needs. Ava will determine at a future date whether to implement this Program component or not. If not launched, the funding set aside for lending would be allocated to the ownership incentive.

- 2. E-Bike Ownership Incentive:** The incentive is intended to increase adoption and ownership of e-bikes in Ava’s service area. Incentives will be provided as point-of-sale vouchers and available at all income levels, with at least 40% of incentives dedicated to income-qualified customers on CARE/FERA electricity rates. The incentive amounts are indicated in the table below.

Customer Type	Base Incentive	Adders	Safety Equipment Voucher
CARE/FERA Customers	\$1,000	+\$500 Cargo or Adaptive e-bikes	\$100
All Other Customers	\$400		n/a

Table 1. E-bike incentives for qualified participants and eligible e-bikes.

Cargo and adaptive e-bikes have a higher incentive, since they tend to be more expensive, can offset more vehicle trips, and can provide mode-shifting options to people, who may not be comfortable using a traditional two-wheeled bicycle. Cargo e-bikes have increased weight capacity and an elongated frame & seats to especially help, for example, parents to travel with their kids in tow. Adaptive e-bikes are uniquely designed for those with mobility-related disabilities and can remove the barriers of biking for those who are dependent on additional equipment, such as a wheelchair, for mobility. Safety equipment vouchers for income qualified participants are expected to increase the likelihood that the additional expenses of helmets, locks, and lights are reduced at the point-of-sale for e-bikes, rather than an afterthought, further advancing more safe rides post-purchase.

As a result of this program, roughly 8,300 people would newly own an e-bike, with the primary purpose of mode shifting personal trips and work commute, while at least roughly 3,100 would be income qualified participants. If optioned, Ava has a budget for roughly 5,700 lending sessions. Ava will stagger incentive distributions, while randomizing selection, to ensure they last for a long duration of the Program and are fairly distributed.

While e-bikes rise in popularity, disparities exist in how common biking is based on where someone lives and who is riding those bikes across Ava's service area. In Alameda County, commuting by bike as the primary mode varies widely between Berkeley (5.9%), neighboring Oakland (2.0%), and Emeryville (3.0%), and there is even greater variation with Fremont (0.3%)<sup>1</sup>. Across the Bay Area, those who commute on bikes are disproportionately male (2-to-1), white (61%), and affluent (25% earn more than \$225,000/year)<sup>2</sup>.

Ava recognizes these disparities and barriers to bike commuting, as well as the opportunity this program provides to reduce those barriers. Ava will prioritize engaging those in harder to reach communities and have key performance indicators to track progress with Program participants that fully reflect the entire service area, instead of those who are likely to participate regardless of this Program.

### 2024 Request for Proposals

Ava issued a new RFP on March 20, 2024, to solicit proposals for program development and implementation of a consumer facing e-bike adoption program available across our growing service area, building on lessons learned from the work-to-date in the program, after ending the contract with previous implementer.

Ava received eight bids in response to its RFP for e-bike program implementers, of which five were conforming. None of the respondents applied to Ava's Fall 2022 solicitation, demonstrating the growing experience and market development in e-bikes since then. After reviewing bids and interviewing respondents, Ava selected the team led by APTIM as the primary implementer. APTIM is a private company with over 20 years of experience, over 3,000 employees worldwide (410 of which are in California), and extensive experience managing energy projects, including completing 1,600 in California over the past 10 years. They've also implemented three of the top e-bike programs in the U.S., including the largest nationally with the City of Denver. In total, they've distributed over 15,000 e-bike vouchers, over 5,000 safety equipment vouchers, and processed over \$15 Million in e-bike incentives across those three programs.

Ava believes APTIM will successfully implement the Program due to their e-bike program experience, program management expertise and infrastructure, flexibility to adapt and apply lessons learned across those they work with and the field, and a clearly outlined proposal and solicitation response that demonstrates ambitious yet realistic outcomes.

### Coordination with Additional E-Bike Programs

The number of programs helping consumers access and own e-bikes continues to grow. In Ava's service area, comparable – but not the same – programs exist through the City of Oakland (short-term lending), City of Berkeley (long-term lending), and via an upcoming low-income incentive program through the State of California. Ava is working

<sup>1</sup> <https://www.vitalsigns.mtc.ca.gov/indicators/commute-mode-choice>

<sup>2</sup> <https://www.sfchronicle.com/bayarea/phillmatier/article/One-place-where-white-men-still-reign-supreme-15084274.php>



closely with these partners and many others to ensure we are leveraging and supporting each other's programs, while filling in gaps (i.e. geographic, income levels) across peer programs to provide the best service for residents of Alameda County and our growing service area in San Joaquin County.

**Fiscal Impact**

The Consulting Services Agreement would be funded through the previous Board approved \$6,000,000 allocation to the Local Development Transportation Electrification budget for \$2,000,000 allotments in FY22, FY23, and FY24. These funds are derived from Ava's net revenue. Ava will also allocate an additional \$4,000,000 in funding via a previous Board approved and signed grant from the Alameda County Transportation Commission ("ACTC").

**Attachments**

- A) Resolution of the Board of Directors of Ava Community Energy Authority Authorizing the CEO to Negotiate and Execute a Consulting Services Agreement with APTIM for the Ava Bike Electric Program
- B) Presentation
- C) Consulting Services Agreement
- D) Scope of Work, in final draft



## Consent Item 8

<b>To:</b>	Ava Community Energy Authority
<b>From:</b>	Allison Lopez, Energy Efficiency Associate
<b>Subject:</b>	Approving a Resolution for CEO to negotiate and execute an Amendment to Main Services Agreement (MSA) with Lunar Energy Limited
<b>Date:</b>	January 15, 2024

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### **Summary/Recommendation**

This memo proposes extending the Main Services Agreement (“MSA”) with Lunar Energy Limited to January 2028 to align the distributed energy resources systems (“DERMS”) platform services with updated program timelines. Additionally, this Amendment proposes including an operational Scope of Work and a Service Level Agreement for Ava’s managed charging program, to document performance expectations for device control and dispatch consistent with managed charging program design. Lastly, this memo proposes clarifying administrative contract provisions.

### **Financial Impact**

- Given the adjusted launch timelines of the managed charging program (initially Q4 of 2024 to now Q1 2025) and solar and storage program (initially Q2 of 2025 to now later in 2025), Ava recommends extending the term of this MSA without increasing the not to exceed (“NTE”) of the MSA, since the changes will not impact costs incurred by Ava.

### **Analysis and Context**

In July 2024, Ava Energy executed an MSA with Lunar Energy Limited to implement a DERMS platform. This platform enables Ava to communicate and manage distributed energy resources (“DERS”) throughout our service territory. The objective of this effort is to develop virtual power plants (“VPPs”) that can optimize customer cost savings, while advancing Ava’s load management priorities. The MSA includes Addendums comprised of separate scopes of work:

- Addendum A: DERMS platform – A software-as-a-service (“SAAS”) solution to operate the DERMS platform.
- Addendum B: Battery Storage Operational Service Level Agreement – Defines the dispatch parameters for the battery storage program.
- Addendum C: Solar and Storage Program – Professional services providing administrative and program design support for the solar and storage program.
- Addendum D: Electric Vehicle Managed Charging (“EVMC”) Program – Professional services to launch and manage the EVMC program, with Optiwatt serving as the subcontractor.

The initial term of the MSA is two (2) years, and may be renewed up to three (3) successive one (1) year terms. Based on the date of contract execution, the initial term concludes in July 2027. The managed charging program and battery program timelines have adjusted to later in 2025, which would fall outside of this initial term limit. Ava recommends extending the MSA term to January 2028 to better align with updated program timelines and ensure sufficient time for implementation.

Ava also seeks to amend the MSA to include an “Addendum E: Managed Charging Program Operational Service Level Agreement.” This would include an operational Scope of Work for the managed charging program. This Addendum establishes clear performance expectations for asset management by Lunar Energy Limited, within the DERMS platform. This Scope establishes a transparent framework for Ava and Lunar Energy to align on objectives and measurable outcomes. Key elements of the scope include:

- Load management parameters: Describes the operational parameters for the managed charging programs and a process for adjusting as necessary,
- Performance metrics: Provides the calculations and rationale used to measure program success, and
- Capacity calculation methodology: Describes the method for calculating delivered capacity, which informs the variable capacity fee.

Lastly, Ava proposes revising the invoicing instructions detailed in the Scope of Work to provide additional clarity on the process for submitting invoices and calculating fees.

Ava staff recommend these MSA amendments to establish clear expectations, alignment on timeline, and transparent performance metrics, to ensure the success of our VPP programs.

### **Committee Recommendation**

N/A

### **Attachments**

- A. Resolution Authorizing CEO to Negotiate and Execute First Amendment with Lunar Energy
- B. Draft Amendment Template

**RESOLUTION NO. R-2025-xx**  
**A RESOLUTION OF THE BOARD OF DIRECTORS**  
**OF AVA COMMUNITY ENERGY AUTHORITY APPROVING AMENDMENT**  
**TO MAIN SERVICES AGREEMENT WITH LUNAR ENERGY LIMITED**

**WHEREAS** Ava Community Energy Authority (“Ava”) was formed as a community choice aggregation agency (“CCA”) on December 1, 2016, under the Joint Exercise of Powers Act, California Government Code sections 6500 *et seq.*, among the County of Alameda, and the Cities of Albany, Berkeley, Dublin, Emeryville, Fremont, Hayward, Livermore, Piedmont, Oakland, San Leandro, and Union City to study, promote, develop, conduct, operate, and manage energy-related climate change programs in all of the member jurisdictions. The Cities of Newark and Pleasanton, located in Alameda County, along with the City of Tracy, located in San Joaquin County, were added as members of Ava and parties to the Joint Powers Agreement (“JPA”) in March of 2020. The City of Stockton was added as a member to Ava in September of 2022. The City of Lathrop was added as a member to Ava in October of 2023. San Joaquin County was added as a member to Ava in July 2024. On October 24, 2023, Ava legally adopted the name Ava Community Energy Authority, where it had previously used the name East Bay Community Energy Authority since its inception.

**WHEREAS** In July 2024, Ava executed a Main Services Agreement (“MSA”) with Lunar Energy Limited to implement a distributed energy resources management system (“DERMS”) to manage distributed energy resources (“DERs”) throughout Ava’s service territory;

**WHEREAS** the MSA included four Addenda, representing four Scopes of Work for the: 1. DERMS platform, 2. Managed charging program, 3. Battery program, and 4. Battery program Operational Service Level Agreement;

**WHEREAS** the initial term of the MSA is two (2) years, and may be renewed up to three (3) successive one (1) year terms;

**WHEREAS** the program timelines for the managed charging program and the battery program have adjusted to later dates in 2025; and

**WHEREAS** Ava recommends extending term of the MSA to January 2028, to align with adjusted program timelines and adding an Operational Service Level Agreement for the managed charging program to ensure alignment on performance expectations and measurement of performance metrics.

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

Section 1. The CEO is hereby authorized to negotiate and execute an Amendment to the MSA with Lunar Energy Limited to 1) extend the term to January 2028, 2) add an Operational Service Level Agreement for the managed charging

program, and 3) clarify administrative contract provisions.

ADOPTED AND APPROVED this 15<sup>th</sup> day of January, 2025.

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Jack Balch, Chair

ATTEST:

Adrian Bankhead, Clerk of the Board

## First Amendment to Main Services Agreement by and Between Ava Community Energy Authority and [Vendor]

This [Number] Amendment to the Agreement with [Vendor] for Services (“[Number] Amendment”) is made this [day] day of [month], [202X], by and between the Ava Community Energy Authority, a Joint Powers Agency formed under the laws of the State of California (“Ava”) and [Legal Name of Vendor] (“[Vendor]”), for the purposes of adding additional compensation, adding additional services to the scope, extending the termination date, and updating the hourly rates of compensation.

### Recitals

- A. Ava and [Vendor] entered into that certain Main Services Agreement dated [date] (“Agreement”), wherein [Vendor] agreed to provide [service] to Ava, with compensation not to exceed \$[amount].
- B. Ava and [Vendor] entered into that certain [Number] Amendment to the Main Services Agreement on [date] to add additional compensation, increasing the not-to-exceed amount by \$[amount] for a total amount not to exceed \$[amount], to update the scope of services, to extend the term, and to update the hourly rates of compensation.
- C. Ava and [Vendor] entered into that certain [Number] Amendment to the Main Services Agreement on [date] to add additional compensation, increasing the not-to-exceed amount by \$[amount] for a total amount not to exceed \$[amount], to update the scope of services, to extend the term, and to update the hourly rates of compensation.
- D. Ava and [Vendor] now desire to amend the Agreement to add additional compensation, increasing the not-to-exceed amount by \$[amount], to add additional services to the scope of services [to include additional services], to extend the term, and to update the hourly rates of compensation.

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

1. Section [#] of the Agreement (“Term”) is amended to extend the term of the Agreement through [new date].
2. Section [#] of the Agreement (“Compensation and Payment”) is amended in part to increase the total compensation of the Agreement by \$[amount] for a total amount not to exceed [new amount spelled out] (\$[new amount]).
3. Section [#] of the Agreement (“Notices”) is amended in part to include [Legal@avaenergy.org](mailto:Legal@avaenergy.org) as an additional recipient.

4. Exhibit A (“Scope of Work”) of the Agreement is replaced in its entirety by Exhibit A, attached hereto.
5. Exhibit B (“Schedule”) of the Agreement is replaced in its entirety by Exhibit B, attached hereto.
6. Exhibit E (“Compensation/Budget”) of the Agreement is replaced in its entirety by Exhibit E, attached hereto.
7. All other terms and conditions in the Agreement not otherwise modified by this [Number] Amendment will remain in full force and effect.

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

Ava Community Energy Authority,  
A Joint Powers Authority

[Vendor],  
A [Legal form of entity]

\_\_\_\_\_  
[Name]  
[Title]

\_\_\_\_\_  
[Name]  
[Title]

Date: \_\_\_\_\_

Date: \_\_\_\_\_

Approved as to form:

[Name]  
[Title]

Date: \_\_\_\_\_

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

**Exhibit A**

**Scope of Work**

[Insert text here]



**Exhibit B**

**Schedule**

[Insert text here]

**Exhibit E**

**Compensation/Budget**

[Insert text here]



## Consent Item 9

<b>To:</b>	Ava Community Energy Authority
<b>From:</b>	Allison Lopez, Energy Efficiency Associate
<b>Subject:</b>	Approving a resolution to allocate funds to Ava's Building Efficiency Accelerator program.
<b>Date:</b>	January 15, 2025

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### **Summary/Recommendation**

Approve a Resolution that allocates \$1 million of unused funds from the Fiscal Year 2023/2024 (FY 23/24) Local Development Building Electrification budget to the Building Efficiency Accelerator program to ensure Ava can pay incentives to participating customers and ensure a positive customer experience with Ava.

### **Financial Impact**

- Shifting \$1 million of unused funds from the FY 23/24 Local Development Building Electrification budget into the Building Efficiency Accelerator program.

### **Analysis and Context**

In September 2022, the California Public Utilities Commission (CPUC) approved Resolution E-5215 allowing Ava to administer a commercial energy efficiency program for \$13.4 million for three years, beginning May of 2023 through May of 2026.<sup>1</sup> With these funds, Ava launched a program called the Building Efficiency Accelerator program (hereafter referred to as the

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<sup>1</sup> There are two pathways for CCAs to access Public Purpose Program (PPP) funds to administer energy efficiency programs: Elect-to-Administer (ETA) and Apply-to-Administer (ATA). Ava filed a program plan under the ETA pathway in 2021.

“Accelerator” program) in May 2023, with the support of our program implementer, Cascade Energy. The program is set to end in May 2026.

The Accelerator program is designed to save Ava’s largest commercial and industrial customers energy through low-to-no cost energy efficiency measures and provides generous incentives based on energy savings. Customers that enroll in the program benefit from services such as: 1) site assessment to identify energy savings opportunities, 2) 12-24 months of one-on-one support from an energy coach, and 3) costs savings from lower energy bills and incentives for saving energy. To date, 30 customers have enrolled in the Accelerator program. The types of customers include hospital, biotech, food production, and municipal sites among others. The energy savings projects scoped across these sites equal approximately 15 Giga Watt hours of energy savings potential.

In August of 2024, Peninsula Clean Energy (PCE) alerted Ava to an error in the budget determination process for CCA energy efficiency programs. The calculation used to determine CCA funding for energy efficiency programs is:

*“CCA funding = Total electricity **energy efficiency nonbypassable charge** collections from the CCA’s customers – (total electricity **energy efficiency nonbypassable charge** collections from the CCA’s customers \* % of the applicable IOU portfolio budget”*

The error occurred from the use of an incorrect value for the energy efficiency Non-Bypassable Charge (NBC) in the budget calculation. Funding for energy efficiency programs comes from the Public Purpose Program surcharge (PPPC) NBC on all utility bills, which includes multiple components (wildfire mitigation, Energy Savings Assistance (ESA), Self Generation Incentive Program (SGIP), energy efficiency, etc.). In calculating our ETA budget, we used the entire PPPC flat rate, rather than isolating the portion associated specifically with energy efficiency:

*“CCA funding = **Total electricity nonbypassable charge** collections from the CCA’s customers – **total electricity nonbypassable charge** collections from the CCA’s customers \* % of the applicable IOU EE budget”*

Based on the corrected input, Ava should have only received approximately \$5 million instead of \$13.4 million. This miscalculation was identified across all Elect-to-Administer (ETA) CCA budgets, yet all were approved by the CPUC through the resolution process. Ava and all other affected CCAs met with the CPUC Energy Division on August 30, 2024, to discuss the inconsistency and its effect on the current funding and how the CPUC can support CCAs to more precisely calculate the ETA budget in the future. On December 24, 2024, the CPUC issued draft resolution E-5366<sup>2</sup> proposing a corrected budget for Ava of \$5.56 million, thus reducing the overall budget by \$7.9 million.

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<sup>2</sup> Draft Resolution E-5366

<https://docs.cpuc.ca.gov/PublishedDocs/Published/G000/M550/K985/550985987.PDF>

Based on the 30 sites Ava has enrolled in the Accelerator program, we have forecasted program expenditures of approximately \$6.5 million<sup>3</sup>. With the adjusted budget, Ava's financial exposure is approximately \$1 million. Given this exposure, Ava has temporarily paused new recruitment for the Accelerator program. Our priority is ensuring that all enrolled customers can fully pursue their energy efficiency projects and receive incentives. As one of the few programs for Ava's commercial and industrial customers, the Accelerator has often served as the first touchpoint between these customers and Ava. For this reason, it is critical that Ava maintains a positive customer experience by upholding all Accelerator program commitments and delivering on expectations.

Staff recommends shifting \$1 million of unused funds from the Local Development Building Electrification budget to the Building Efficiency Accelerator program.<sup>4</sup> This reallocation will allow Ava to continue to support our program implementer, Cascade Energy, and ensure payments to participating customers are fulfilled. Additionally, this funding will be used to support energy efficiency and electrification projects that may arise during the duration of the Accelerator program.

### **Committee Review**

On January 8, 2025, the Executive Committee reviewed this item with a recommendation for the Board to review in light of forthcoming budget discussions.

### **Attachments**

- A. Resolution Allocating Funds to Ava's Building Efficiency Accelerator Program
- B. PowerPoint presented to Executive Committee on January 8, 2025

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<sup>3</sup> The total forecasted spend for the program includes program administration fees and customers incentives. This is inclusive of the \$1M spend to date on the program.

<sup>4</sup> Ava has identified ~\$4 million of unspent funds from previously allocated Building Electrification budgets. Ava will return to the Board with a full reconciliation of Local Development funding in the coming months.

**RESOLUTION NO. R-2025-xx**

**A RESOLUTION OF THE BOARD OF DIRECTORS**

**OF AVA COMMUNITY ENERGY AUTHORITY ALLOCATING FUNDS TO  
AVA'S BUILDING EFFICIENCY ACCELERATOR PROGRAM**

**WHEREAS** Ava Community Energy Authority ("Ava") was formed as a community choice aggregation agency ("CCA") on December 1, 2016, under the Joint Exercise of Powers Act, California Government Code sections 6500 *et seq.*, among the County of Alameda, and the Cities of Albany, Berkeley, Dublin, Emeryville, Fremont, Hayward, Livermore, Piedmont, Oakland, San Leandro, and Union City to study, promote, develop, conduct, operate, and manage energy-related climate change programs in all of the member jurisdictions. The Cities of Newark and Pleasanton, located in Alameda County, along with the City of Tracy, located in San Joaquin County, were added as members of Ava and parties to the Joint Powers Agreement ("JPA") in March of 2020. The City of Stockton was added as a member to Ava in September of 2022. The City of Lathrop was added as a member to Ava in October of 2023. San Joaquin County was added as a member to Ava in July 2024. On October 24, 2023, Ava legally adopted the name Ava Community Energy Authority, where it had previously used the name East Bay Community Energy Authority since its inception.

**WHEREAS** in September 2022 Ava was approved through Resolution E-5215 for a \$13.4 million ratepayer funded commercial energy efficiency program administered under the auspices of the California Public Utilities Commission (CPUC);

**WHEREAS** In May of 2023, Ava launched its commercial energy efficiency program called the Building Efficiency Accelerator in partnership with our program implementer, Cascade Energy;

**WHEREAS** Ava has enrolled 30 large commercial and industrial customers in the program, totaling 15 GWh of potential energy savings;

**WHEREAS** In August 2024, Ava learned of an error in the funding determination calculation for elect-to-administer (ETA) CCAs, with Ava being over allocated approximately \$8 million;

**WHEREAS** This miscalculation was identified across all ETA CCA budgets, yet all were approved by the CPUC through the resolution process;

**WHEREAS** all affected CCAs discussed the issue with the CPUC in August 2024;

**WHEREAS** the CPUC issued draft resolution E-5366 proposing a corrected budget for Ava of \$5.56 million, thus reducing Ava's overall budget by \$7.9 million;

**WHEREAS** Ava's maximum forecasted program spend for the enrolled customers is \$6.5 million, exceeding the corrected budget by \$1 million; and

**WHEREAS** Ava’s priority is to ensure there is enough funding for participating customers to pursue their energy efficiency and electrification projects and wishes to reallocate \$1 million of unused funds from the Fiscal Year 2023/2024 Local Development Building Electrification budget to the Building Efficiency Accelerator program.

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

Section 1. The Board approves a reallocation of \$1 million from the Fiscal Year 2023/2024 Local Development Building Electrification budget to the Building Efficiency Accelerator program.

ADOPTED AND APPROVED this 15th day of January, 2025

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Jack Balch, Chair

ATTEST:

Adrian Bankhead, Clerk of the Board

# Energy Efficiency Program Funding

Executive Committee Meeting 1/8/2025





# Background

## Program Inception

- Ava filed a program plan with the CPUC to access Public Purpose Program (PPP) funds under the Elect to Administer (ETA) pathway in 2021.
- In September 2022, the CPUC approved Resolution E-5215 allowing Ava to administer a commercial energy efficiency (EE) program with a budget of \$13.4 M over three years
- In May 2023, Ava launched a program called the Building Efficiency Accelerator in partnership with our program implementer, Cascade Energy, to operate until May 2026.

## Program Performance

To date, the Building Efficiency Accelerator Program has:

- enrolled 30 buildings belonging to our largest C&I and public sector customers, providing free technical assistance on opportunities for energy savings and incentives, and
- identified ~15 GWh of potential savings from energy efficiency.



# CPUC Budget Allocation

## Funding Issue

In August 2024, Peninsula Clean Energy (PCE) alerted Ava to an error in the budget calculation. This miscalculation was identified across all ETA CCAs budgets, yet all were reviewed and approved by CPUC through the resolution process.

Erroneous Calculation = *Total electricity NBC collections from the CCA's customers – total electricity NBC collections from the CCA's customers \* % of the applicable IOU EE budget*

Corrected Calculation = *Total electricity energy efficiency NBC collections from the CCA's customers – total electricity energy efficiency NBC collections from the CCA's customers \* % of the applicable IOU EE budget*

- Energy efficiency program costs are not shown as a standalone nonbypassable charge (NBC) on customers' bills, but are rolled into Public Purpose Program (PPP) NBCs.
- The total PPP rate on bills includes multiple rate components for programs, not just energy efficiency.
- The error occurred from the use of the **total PPP NBC** in the CPUC's budget calculation equation, instead of a percentage that only applied to the energy efficiency rate component.

 Based on the corrected input, Ava should have only received ~\$5.5 M instead of \$13.4 M

# CPUC Budget Reduction Risk to Ava

Ava and all affected CCAs identified the issue for the CPUC. On 12/24/24 the CPUC issued a draft resolution E-5366 proposing a corrected budget for Ava of \$5.56M. If the Resolution is approved, Ava will face an overall program budget reduction of \$7.9M.

Ava has paused enrollment in the program to minimize financial risk based on a reduction in CPUC funding and identified a revised maximum program spend given the existing level of enrollment.

Based on the existing 30 buildings enrolled in the program, Ava's forecasted maximum fees over the program term to 2026 are ~\$6.5M, split between administration and participant incentive costs.



# Recommendation

Ava recommends shifting \$1M of unused funds from the Local Development Building Electrification budget into the Building Efficiency Accelerator, making the new budget \$6.5 M.

The rationale for this proposal is:

- Ava has identified ~\$4M of unspent funding from previously allocated Building Electrification budgets. Ava will return to the Board with a full reconciliation of Local Development funding in the coming months
- Ava needs to confirm the available budget now in order to continue delivering program offerings to customers
- Ensure the enrolled customers maintain access to the resources and incentives offered
- Contribute to a **positive program experience** for commercial and industrial customers.
- Support the implementation of energy efficiency measures – such as equipment replacements, controls optimization, electrification projects – while providing incentives that help customers reduce energy usage and achieve up to 10% savings on their bills.

Ava will prioritize ensuring enrolled customers have the necessary funding to complete their projects and will continue to monitor enrollment and new project costs to ensure they remain within the adjusted amount.





**Consent Item 10**

<b>To:</b>	Ava Community Energy Authority
<b>From:</b>	Howard Chang, Chief Executive Officer & Treasurer
<b>Subject:</b>	Presenting the Treasurer's Report for Fiscal Year 2024-2025 Q2 (Informational Item)
<b>Date:</b>	January 13, 2025

**Summary/Recommendation**

Receive report on Ava's cash position.

**Background and Discussion**

For the quarter ending December 31, 2024, Ava has maintained a positive cash balance on all Ava bank accounts. Below is a summary of account balances, cash received, and outstanding loan balances.

**Account Balances as of 12/31/2024**

<b>Accounts Held</b>	<b>Amount</b>
<b>River City Accounts</b>	
Operating	
Internal Operating	\$ 4,599,638
Operating Fund	\$ 92,068,571
Lockbox	\$ 16,748,233
Interest Bearing	
Money Market	\$ 55,799,235
Insured Cash Sweep Checking	\$ 86,476,087
Insured Cash Sweep Saving	\$ 20,226,515
CDARS	\$ 50,000,000
<b>US Bank</b>	
Checking	\$ 115,392,044
Custodial	\$ 332,328,629
<b>Wells Fargo</b>	
Security Margin	\$ 475,218
<b>Total</b>	<b>\$ 774,114,170</b>

**Cash Received by Month into Lockbox Account**

Oct	2024	\$ 95,054,280
Nov	2024	\$ 72,655,606
Dec	2024	\$ 65,326,118
<hr/>		
Total		\$ 233,036,004

**Outstanding Loan Balances:**

Union Bank Credit Facility: \$0.00

**Customer Delinquency:**

As of December 31, 2024

31 – 60 Days:	\$ 4,927,370
61 – 90 Days:	\$ 4,961,071
91 - 120 Days:	\$ 3,090,640
120+ Days:	\$ 47,484,967



## CEO Report Item 11

**TO:** Ava Community Energy Board of Directors  
**FROM:** Howard Chang, Chief Executive Officer  
**SUBJECT:** CEO Report (Informational Item)  
**DATE:** January 15, 2025

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### **Recommendation**

Accept Chief Executive Officer (CEO) report on update items below.

### **Executive Committee Meeting**

An Executive Committee Meeting was held on Wednesday, January 8, 2025. Members received updates about BAAQMD Rule 9-6 and Building Efficiency Accelerator Funding. The next meeting will be held on Wednesday, February 5, 2025 at 9am.

### **Marketing Regulatory and Legislative Subcommittee Meeting**

A Marketing Regulatory and Legislative Subcommittee Meeting was held on Friday, December 20, 2024. Members received updates about the Oakland Roots and Soul Agreement and Stockton and Lathrop launch of service. Members also received an overview of recent research initiatives and a preview of upcoming local development marketing campaigns. The next Marketing, Regulatory and Legislative Subcommittee meeting will be held on Friday, February 21, 2025 at 12pm.

Note that Sub-committee meeting times may be rescheduled to accommodate availability of new members.

### **Ava Board Appointments**

Over the coming months Ava Community Energy's board expects to welcome 9 new primary board members (7 new to Ava and 2 were former alternates). Ava staff will hold new board member orientations and schedule 1:1's with the CEO in Jan-Mar timeframe. We will continue to complete sub-committee assignments as new board members join.

### **Veloz Board Appointment**

Veloz is a unique public-private nonprofit driving toward 100% zero-emission vehicles through strategic communications, unprecedented collaborations and purposeful convening. Its board leadership includes IOUs, Auto OEMs, Charging OEMs, and other key players in the transportation electrification space. Its policy board includes leadership from CPUC, CEC, CAISO, BAAQMD and others. Veloz' mission and vision originated with a CA focus and is currently broadening its focus beyond CA. In December Howard Chang was appointed to the

Veloz Board of Directors concurrently with Eliot Mainzer, CEO of CAISO being appointed to the Policy Board.

Formal Announcement can be found here: <https://www.veloz.org/veloz-appoints-new-board-director-and-public-policy-board-member-2/>

### **Ava Customer Bill Credits**

A portion of the fiscal year 2023-2024 surplus budget is being shared back with customers in the form of bill credits as authorized by the board as part of the FY23/24 budget and most recently discussed at the November 2024 board meeting. Bill credits total \$22M and will begin to appear on customer bills during the week of January 13. All CARE and FERA customers will receive a bill credit of \$100, while other residential customers will receive a credit of \$8.82. Non-residential customers will receive \$0.0019/kWh for a total of roughly \$7M. Most non-residential meters (84%) are receiving a credit under \$100 with 44% of all meters receiving an average of \$35.

### **New Employees**

#### **Hector Aguiniga – Outreach Coordinator, San Joaquin County**

Hector joined Ava as an Outreach Coordinator for San Joaquin County, where he is part of the Marketing team. In this role, he partners with community organizations, coordinates Ava's participation in local events, and interacts directly with residents and businesses to inform them about Ava's greener energy solutions and lower rates.

Before Ava, Hector worked at San Joaquin Delta College as a Temporary Digital Communication Coordinator, where he managed social media, created engaging content, and developed strategies to enhance outreach and engagement. Prior to that, he worked in Outreach and Engagement at the University of the Pacific's Eberhardt School of Business, where he earned both his B.A. in Marketing and M.S. in Data Analytics.

A Stockton native, Hector is passionate about building meaningful connections within his community. In his free time, he enjoys playing and watching sports, working out at the gym, and exploring his love for cars.