



Consent Item 12

To:	Ava Community Energy Authority
From:	Howard Chang, Chief Executive Office
Subject:	Appointing Ava's Chief Financial Officer as Ava's Treasurer
Date:	February 19, 2025

Summary/Recommendation

This memo proposes appointing Ava Community Energy Authority's Chief Financial Officer as the Treasurer of the agency to succeed our previous Treasurer who has transitioned to the role of Chief Executive Officer.

Financial Impact

N/A

Analysis and Context (with deadlines as applicable)

Responsibilities and Duties of Treasurer

Government Code section 6505.5 identifies the duties of an agency treasurer:

- Receive and receipt for all money of the agency or entity and place it in the treasury of the treasurer so designated to the credit of the agency or entity.
- Be responsible, upon his or her official bond, for the safekeeping and disbursement of all agency or entity money so held by him or her.
- Pay, when due, out of money of the agency or entity held by him or her, all sums payable on outstanding bonds and coupons of the agency or entity.
- Pay any other sums due from the agency or entity from agency or entity money, or any portion thereof, only upon warrants of the public officer performing the functions of auditor or controller who has been designated by the agreement.

Government Code section 6505.6 provides that Ava may, in lieu of designating the County's treasurer, to carry out the duties required by section 6505.5, appoint one of its own officers to serve as its treasurer.

Attachments

- A. Resolution Appointing Chief Financial Officer as Treasurer

RESOLUTION NO. R-2025-xx
A RESOLUTION OF THE BOARD OF DIRECTORS
OF AVA COMMUNITY ENERGY AUTHORITY APPOINTING AVA'S CHIEF
FINANCIAL OFFICER AS AVA'S TREASURER

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, it is in the interest of Ava Community Energy Authority ("Ava") to designate an Ava employee to assume the responsibilities and duties of treasurer in accordance with Government Code Section 6505.5; and

WHEREAS, pursuant to Government Code Section 6505.6, Ava may appoint one of its officers or employees to either or both of the positions of Treasurer or of Auditor-Controller, and such person or persons shall comply with the duties and responsibilities of the office or officers as set forth in subdivisions (a) to (d), inclusive, of Government Code Section 6505.5; and

WHEREAS, Russel Mills, who currently serves as the Chief Financial Officer of Ava, is qualified to serve as treasurer and can perform the required functions and duties of treasurer.

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

Section 1. As authorized by Government Code 6505.6, the Board of Directors hereby appoints the Chief Financial Officer, Russel Mills, as Treasurer of the Ava.

Section 2. This resolution shall become effective immediately upon its passage and adoption.

ADOPTED AND APPROVED this 19th day of February, 2025.

Jack Balch, Chair

ATTEST:

Adrian Bankhead, Clerk of the Board