



Consent Item 7

To:	Ava Community Energy Authority
From:	Matt Chiodo – Senior Analyst, Power Resources
Subject:	Approving Resolution Authorizing the Chief Executive Officer to Execute a Third Amendment to the Energy Storage Resource Adequacy Agreement with Reclaimed Wind, LLC
Date:	March 18, 2026

Recommendation

Adopt a Resolution authorizing the Chief Executive Officer to execute a Third Amendment to the Energy Storage Resource Adequacy Agreement with Reclaimed Wind, LLC (“Seller”).

Background

On February 12, 2024, Ava Community Energy (“Ava”) executed an Energy Storage Resource Adequacy Agreement (the “Agreement”) with Reclaimed Wind, LLC (“Seller”) for 90.70 megawatts (“MW”) of Resource Adequacy (“RA”) from a battery energy storage facility (“BESS”) that will be located in Alameda County (“Project”) and developed by Ignis. The Agreement is for 90.70 MW of Resource Adequacy (“RA”) from the Project for a 10-year term with a construction start deadline of July 1, 2026, and an original commercial operation date (“COD”) of December 1, 2026. The Project was evaluated during Ava’s 2023 Request for Offer (“RFO”) and was approved by Ava’s Board of Directors on January 17, 2024.

The Agreement structure has Ava receiving only RA from the project, but terms of the Agreement allow Ava and Seller to negotiate and execute a subsequent agreement for the full suite of products from the BESS, including RA, Energy, and Ancillary Services (“Secondary Agreement”). The deadline for the Secondary Agreement was April 30, 2025.

On April 15, 2025, Ava and Seller entered into a First Amendment to the Agreement to extend the Secondary Agreement deadline to October 31, 2025.

On October 31, 2025, Ava and Seller entered into a Second Amendment to the Agreement to extend the Secondary Agreement deadline to July 31, 2026.

In March 2026, the Seller approached Ava to initiate a Third Amendment to the Agreement to extend the Secondary Agreement deadline again and to revise the COD. The Third Amendment would amend the COD to December 31, 2027. The Project's environmental review and permitting are being processed through the California Energy Commission's ("CEC") Application for Certification ("AFC") process. An extension to the COD is needed because of delays related to the review and completion of the AFC.

The Project will be located in Ava's service territory, providing local reliability benefits to customers and supporting regulatory reliability requirements.

Attachments

- A. Resolution of the Board of Directors of Ava Community Energy Authority Authorizing the Chief Executive Officer to Execute a Third Amendment the Energy Storage Resource Adequacy Agreement with Reclaimed Wind, LLC

RESOLUTION NO. R-2026-XX

A RESOLUTION OF THE BOARD OF DIRECTORS

OF AVA COMMUNITY ENERGY AUTHORITY AUTHORIZING THE CHIEF EXECUTIVE OFFICER TO NEGOTIATE AND EXECUTE A THIRD AMENDMENT TO THE ENERGY STORAGE RESOURCE ADEQUACY AGREEMENT WITH RECLAIMED WIND, LLC

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

WHEREAS Ava executed an Energy Storage Resource Adequacy Agreement (“Agreement”) with Reclaimed Wind, LLC (“Seller”) on February 12, 2024; and

WHEREAS the Agreement is for 90.70 mega-watts of Resource Adequacy (RA) from a battery energy storage facility (BESS) with a Construction Start Deadline of July 1, 2026, and Commercial Operation Date Deadline of December 1, 2026; and

WHEREAS on April 15, 2025, the First Amendment to the Agreement was executed to extend the Secondary Agreement Deadline to October 31, 2025; and

WHEREAS on October 31, 2025, the Second Amendment to the Agreement was executed to extend the Secondary Agreement Deadline to July 31, 2026; and

WHEREAS Ava staff is negotiating a Third Amendment to the Agreement with the Seller to extend the Secondary Agreement Deadline and the Commercial Operation Date to December 31, 2027.

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

Section 1. The Chief Executive Officer, in consultation with staff and legal counsel, is hereby authorized to execute a Third Amendment to the Energy Storage Resource Adequacy Agreement with Reclaimed Wind, LLC to extend the Secondary Agreement Deadline and the Commercial Operation Date to December 31, 2027.

ADOPTED AND APPROVED this 18th day of March, 2026.

Betsy Andersen, Chair

ATTEST:

Adrian Bankhead, Clerk of the Board