



Draft Minutes
Board of Directors Meeting
Wednesday, March 18, 2026
6:00 pm

In Person:
Board Room
Ava Community Energy
1999 Harrison St, Ste 2300
Oakland, CA 94612

Or from the following locations:

- Clipper Club - 5 Captain Dr. Emeryville, CA 94608
- 4917 Knowlson Terrace, Fremont, CA 94555
- 35653 Scarborough Dr Newark, CA 94560
- 1100 Webster St, 2nd Floor Conference Room, Oakland, CA 94607
- Larch Clover Community Center – 11157 West Larch Road, Tracy, CA 95376
- Stockton City Hall – 425 N El Dorado St., Stockton, CA 95202
- City of Union City's Administrative Offices, Council Conference Room - 34009 Alvarado-Niles Road, Union City, CA 94587

Via Zoom:
<https://avaenergy-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.

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.

(6:28) Chair Andersen passed the gavel for this meeting to **Member Roche**.

1. (7:03) Welcome & Roll Call

Present: Members: Marquez (Alameda County), Lopez (Albany), Tregub (Berkeley), Morada (Dublin), Kaur (Emeryville), Roche (Hayward), Barrientos (Livermore), Del Catancio (Newark), Brown (Oakland), Balch (Pleasanton), Rickman (San Joaquin County), Blower (Stockton), Nygard (Tracy), Sakakihara (Union City), CAC Chair Souza (Community Advisory Committee) and Chair Andersen (Piedmont)

Not Present: Members: Keng (Fremont), Diallo (Lathrop), and Vice-Chair Gonzalez (San Leandro)

Alternate Member Blower served as representative for the City of Tracy (Fugazi).
CAC Vice Chair Balkissoon served as the representative for the Community Advisory Committee (Souza).

Member Barrientos joined the meeting at 6:22 pm.

Chair Andersen passed the gavel for this meeting only to **Member Roche**.

2. (8:13) Pledge of Allegiance

Presiding Chair Roche led the body in the **Pledge of Allegiance**.

3. (8:38) 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.

CONSENT AGENDA

4. (9:20) Approval of Minutes from February 18, 2026

5. Contracts Entered Into (Informational Item)

6. Execute agreements to name US Bank as successor Trustee and Custodian for Ava's existing energy prepayment financing transactions

R-2026-3

Staff recommendation to name US Bank as successor trustee and custodian

7. Execute Third Amendment to Reclaimed Wind, LLC Energy Storage Resource Adequacy Agreement **R-2026-4**

Staff recommendation to extend the agreement deadline and revise Commercial Operation Date

There were no speakers for public comment.

Member Balch motioned to approve the Consent Calendar. Member Tregub seconded the motion, which was approved 14/0/0/0/4 (yes/no/abstain/recuse/not present):

Yes: Members: Marquez, Lopez, Tregub, Morada, Kaur, Roche, Del Catancio, Brown, Balch, Rickman, Blower, Nygard, Sakakihara and Chair Andersen

No: none

Abstain: none

Recuse: none

Not Present: Members: Keng, Diallo, Barrientos and Vice-Chair Gonzalez

REGULAR AGENDA

8. (11:23) CEO Report

Howard Chang, CEO, presented the CEO Report and answered questions from the Board. A written version of the report is available in the March 18, 2026 agenda packet.

There were no speakers for public comment.

9. (21:51) CAC Report

CAC Vice-Chair Balkissoon presented the CAC Report and answered questions from the Board. A written version of the report is available in the March 18, 2026 agenda packet.

There were no speakers for public comment.

10. (26:17) Board Member Conference Policy (Action Item)

R-2026-5

Present for approval a policy, vetted by Executive Committee, to permit Ava to reimburse Directors for expenses related to two designated conferences

John Perkins, Legal Director, presented the Board Member Conference Policy item and answered questions from the Board.

There were no speakers for public comment.

Alternate Member Blower motioned to approve the Board Member Conference Policy, with an amendment to use the Ramp application rather than Ironclad for receipt reimbursements. Member Barrientos seconded the motion which passed 15/0/0/0/3 (yes/no/abstain/recuse/not present):

Yes: Members: Marquez, Lopez, Tregub, Morada, Kaur, Roche, Barrientos, Del Catancio, Brown, Balch, Rickman, Blower, Nygard, Sakakihara and Chair Andersen

No: none

Abstain: none

Recuse: none

Not Present: Members: Keng, Diallo and Vice-Chair Gonzalez

11. (38:30) 2026 California Legislative Position Recommendations (Action Item)

R-2026-6

Staff recommendation to support AB 1761 and SB 1138

Sam Sadle, Principle Legislative Manager, presented the 2026 California Legislative Position Recommendations item and answered questions from the Board.

There were no speakers for public comment.

Alternate Member Blower motioned to approve the 2026 California Legislative Position Recommendations. Member Tregub seconded the motion which passed 15/0/0/0/3 (yes/no/abstain/recuse/not present):

Yes: Members: Marquez, Lopez, Tregub, Morada, Kaur, Roche, Barrientos, Del Catancio, Brown, Balch, Rickman, Blower, Nygard, Sakakihara and Chair Andersen

No: none

Abstain: none

Recuse: none

Not Present: Members: Keng, Diallo and Vice-Chair Gonzalez

12. (58:59) 2026 California Legislative Preview (Informational Item)

2026 California legislative preview

Sam Sadle, Principle Legislative Manager, introduced the item and answered questions from the committee. Sam was joined by **Dominic Faria, Senior Policy Coordinator** and **Kendall Downie, Public Policy Coordinator**.

There were no speakers for public comment.

13. (1:31:30) Board Member and Staff Announcements including requests to place items on future Board of Directors Meeting Agendas

Member Morada thanked Ava for attending the City of Dublin's Saint Patrick's Day parade.

14. Adjourn

The meeting was adjourned at 7:28 pm.

The next Ava Board of Directors meeting will be held on Wednesday, April 15, 2026 at 6pm.

3/18/26 – Ava Board of Directors

AI Generated Courtesy Summary - not official minutes

This summary has not been reviewed for accuracy

1. Welcome & Roll Call

The meeting was called to order at 6:02 PM by Presiding Chair Julie Roche, Vice Chair of the Executive Committee, who assumed gavel duties on behalf of Board Chair Betsy Andersen, who was present but unable to preside. The meeting was held at Ava Community Energy headquarters, 1999 Harrison Street, Oakland, in the Ultimate Conference Room. Members of the public were informed they could participate via the raise hand function in Zoom or by pressing star-9 if joining by telephone.

Present: Alameda County, Albany, Berkeley, Dublin, Emeryville, Fremont, Hayward, Newark, Oakland, Pleasanton, Stockton, Tracy, Union City, San Leandro, Community Advisory Committee, Anne Peacock. A quorum was established.

Absent/Not Confirmed Present: Lathrop, Livermore, San Joaquin County (noted as present during roll call vote on action items).

2. Pledge of Allegiance

The Pledge of Allegiance was led by the Clerk.

3. Public Comment

No members of the public, either in the room or attending remotely, wished to address the Board on non-agenda items. Public comment was closed.

CONSENT AGENDA

Presiding Chair Roche noted that the approval of the February 18, 2026 minutes was included as part of the Consent Calendar. No members requested to pull any items for separate discussion, and no public comments were received on the consent calendar.

Motion to approve the Consent Calendar, including Items 4 through 7, was made by Pleasanton and seconded by Stockton. The motion carried unanimously.

REGULAR AGENDA

8. CEO Report

The CEO provided the Board with updates across several areas.

Recent Subcommittee Activity: The Executive Committee met on March 4, 2026, and discussed the conference sponsorship policy for board members, which appeared later on the agenda. The next XCOM meeting is scheduled for April 1 at 3:00 PM. The Marketing, Regulatory, and Legislative (MRL) Subcommittee met on March 6 and received an update on regulatory and legislative priorities and Ava's outreach strategy. The Finance, Procurement, and Administrative Subcommittee meeting scheduled for later in the month was canceled due to no active items requiring attention.

Credit Rating Reaffirmation: Standard & Poor's reaffirmed Ava's "A" credit rating, originally received in 2021. The CEO noted this is a routine reaffirmation process and emphasized that it is a positive signal given the financial volatility and challenges the organization has been navigating, including utilization of rate stabilization funds and reserves. S&P acknowledged the challenging regulatory environment and exposure to further PCIA reform but expressed confidence in Ava's management of those risks. The reaffirmation letter will be posted in Ava's key documents section.

Unincorporated San Joaquin County Enrollment: Enrollment of approximately 60,000 customers in unincorporated San Joaquin County is scheduled to begin in May 2026. Customer notifications began in March and will continue through April, with additional follow-up notifications after enrollment. Staff highlighted the variety of communication channels being used—including social media—and acknowledged the productive engagement with San Joaquin County staff to ensure a smooth rollout and timely response to customer inquiries.

Federal Administration Updates: The CEO provided awareness-level updates on three recent federal actions with potential indirect implications for Ava:

- The Trump administration issued a final rule on February 12 rescinding the 17-year-old EPA Endangerment Finding, which had provided legal justification for federal regulation of greenhouse gas emissions. Seven groups have since filed suit, setting up a likely lengthy court battle.
- The IRS issued interim guidance on the Prohibited Foreign Entity rules related to the Investment Tax Credit and Production Tax Credit, which govern federal incentives for renewable energy projects based on the origin of materials. Staff noted the guidance does not provide full clarity and is being closely tracked.
- The U.S. Supreme Court ruled on February 20 that a significant portion of import tariffs imposed under the International Emergency Economic Powers Act are unconstitutional. In response, the President rescinded those tariffs and imposed a new temporary 10% across-the-board tariff. The CEO noted this adds uncertainty to Ava's PPA and balance-sheet project planning.

Community Engagement: Ava's spring and summer events calendar is actively ramping up, with a notable concentration of events in unincorporated San Joaquin County in preparation for the May launch.

Smart Home Battery Incentive Program Launch: The CEO announced that Ava officially launched the first phase of its Smart Home Battery Incentive Program on Monday, March 16. New behind-the-meter residential battery installations are now eligible for incentives. Future phases will address existing batteries participating in Virtual Power Plant (VPP) aspects of the program, and work continues on the Community Resilience Hub incentive through pilot projects and technical evaluation.

No questions were raised by Board members or the public. Public comment was closed with no speakers.

9. CAC Report

CAC Vice Chair Indira Balkissoon delivered the report on behalf of CAC Chair Sousa.

The CAC held its most recent meeting on Monday, March 16, 2026. Minutes from the February 18, 2026 meeting were approved with one abstention, with a correction noted to the spelling of member Lutz's name. Chair Sousa provided a report on the February 19 Board of Directors meeting, including mention of the updated CEO budget projection showing improvement from a projected deficit of -\$133.7 million to -\$94.2 million for the January–June period. Member Hernandez inquired whether previously removed CARE and FERA customer credits might be revisited; Chair Sousa conveyed that the Board discussed waiting to see whether positive financial trends continue over the next six months before deciding on program restoration.

The CAC's Affordability Ad Hoc Committee met with Paul Finn and Henry Harris of Local Power. The presentation focused on demand-side reduction and distributed energy resource ownership opportunities, including dividend-paying ownership shares and shared use facilitation among neighbors. CAC members noted

that several implementation questions remained unanswered, including revenue models and barriers around currently illegal electron-sharing practices. The ad hoc committee is studying successful project implementations in Ithaca, New York, and Ann Arbor, Michigan.

A public commenter, Jessica Tovar, urged Ava to move away from IOU investment patterns and toward local community development, referencing Ava's original local development business plan and noting that Ava had declined to purchase power from a Hayward project that subsequently sold to PG&E.

The CAC also requested updates on the Demand Response program roadmap and RFP process, discussed expanding future CAC meetings to locations such as Stockton, and emphasized the importance of in-person community engagement in expanded territories. The Vice Chair indicated additional CAC comments would be reserved for the legislative agenda items.

No Board questions or public comments were received. Public comment was closed.

10. Board Member Conference Policy (Action Item)

Legal Director John Perkins presented a draft Conference Expenditures Reimbursement Policy for Board Directors, developed in response to recurring requests from board members for clarity on conference reimbursements. The policy, which was reviewed and refined by the Executive Committee, designates two specific conferences eligible for reimbursement: the CalCCA Annual Conference and the CAISO Stakeholder Symposium. The policy covers all reasonable expenses, including Internet costs, as specifically requested by XCOM. Director Perkins noted one correction to the draft: the reimbursement platform should reference RAMP, not Ironclad as listed in the distributed materials.

Discussion among Board members addressed several points. A director asked whether the policy would preclude the Board from approving reimbursement for other mission-aligned conferences in the future. The CEO and Legal Director clarified that, as with any board policy, this document can be amended at any time by Board action, and that the two designated conferences represent a deliberate starting point rather than a permanent ceiling. The former Board Chair noted the policy originated from situations where board members sought reimbursement for various conferences, and the Executive Committee worked to identify the two most clearly mission-aligned events as an initial framework.

A director raised a question regarding whether the GSA per diem standard—used as a reimbursement benchmark in the policy—would remain a reliable reference point given potential changes under the current federal administration. Legal Director Perkins clarified that the policy does not mandate strict adherence to the GSA rate but uses it as a reasonable reference standard; if the GSA standard were to change in an unexpected direction, the policy's "reasonable expenses" standard would still govern. A question was also raised about estimated annual fiscal impact if all directors utilized both conferences; staff estimated the figure would be under \$60,000 annually, noting historically high variability in attendance.

The CAC Vice Chair noted that a CAC member had expressed interest in attending the CalCCA conference. Director Perkins indicated this requires further legal investigation, as CAC members are not elected officials. Presiding Chair Roche noted the issue remains open for future discussion, and the CAC Vice Chair suggested that even if direct attendance as a participant was not possible, a CAC or Ava representative could potentially present at the conference to highlight Ava's CAC model.

Motion to adopt the Conference Expenditures Reimbursement Policy for Ava Directors, with the amendment to reference RAMP rather than Ironclad as the reimbursement platform, was made by Pleasanton and seconded by Stockton. The motion carried unanimously.

11. 2026 California Legislative Position Recommendations (Action Item)

Legislative Affairs Lead Sam Sadle presented staff recommendations to formally support two CalCCA-sponsored bills, describing them as the first-ever bills sponsored by CalCCA.

AB 1761 – PCIA Data Transparency: Staff provided background on the Power Charge Indifference Adjustment (PCIA) and noted that in early 2025, CPUC staff asserted that Resource Adequacy (RA) Market Price

Benchmarks were flawed and issued a rapid revision in May 2025 that was formally adopted in June. Ava and other CCAs have been unable to effectively audit or forecast the PCIA because data requests submitted as early as February 2025 were delayed 17 times, with only partial information received as of the meeting date.

AB 1761, authored by Assembly Member Rogers (a former board member at Sonoma Clean Power), would require the CPUC to release data underlying any proposal or analysis that informs changes to the PCIA, regardless of whether the data originated from an IOU, CPUC staff, or another party. Market-sensitive data would be made available through a neutral third party rather than shared directly with load-serving entities, using existing data-sharing agreements and structures. The bill is officially sponsored by CalCCA and is supported by most CCAs statewide. Southern California Edison and SDG&E have registered opposition—SCE arguing the data is already accessible, and SDG&E citing compliance burdens. Staff noted that the bill passed the Assembly Utilities and Energy Committee 10-0 earlier in the day, with indications that committee amendments may address SDG&E's specific concerns.

SB 1138 – RA Transactability: Staff explained that since California moved to an hourly RA compliance regime beginning in 2022, a misalignment has existed between the compliance standard (hourly) and the transactability standard (non-hourly), forcing load-serving entities to over-procure RA at an estimated annual cost of approximately \$180 million. The CPUC has acknowledged this issue would save customers money but indicated it was not yet ready to act administratively. SB 1138 would require the CPUC to allow RA transactability between LSEs, capped at 25% of an LSE's compliance portfolio, with transactions required to occur in the same unit of time as the compliance obligation. No opposition has been registered by any party, including the IOUs. The bill has not yet been scheduled for a senate committee hearing, with a hearing anticipated in the second half of April.

Board discussion included questions about the data security and destruction protocols for information shared under AB 1761 (staff committed to follow up), the legislative timeline for both bills, the absence of PG&E from the opposition list for AB 1761, and the significance of these being the first CalCCA-sponsored bills. The CEO, who testified in support of AB 1761 in Sacramento earlier in the day, highlighted the strong showing of CCA support at the hearing with no opposing testimony present.

The CAC Vice Chair reported that the CAC voted unanimously to support both bills, with public commenter Dohee Kim from the Local Clean Energy Alliance also voicing support at the CAC level.

Motion to approve the staff recommendation to support AB 1761 and SB 1138 was made by Director Blauer (Berkeley) and seconded by Director Ochregoom. The motion carried unanimously.

12. 2026 California Legislative Preview (Informational Item)

Legislative staff—Sam Sadle, Dominic Faria, and Kendall Downey—presented a broad overview of the 2026 California legislative session as it relates to Ava's work. Staff noted that approximately 1,800 bills were introduced this session (the lowest count in 20 years), of which roughly 80 are relevant to Ava's operations. Of those, 37 bills (updated from 33 since additional bills moved from intent to text) are currently under active cross-functional analysis, with a first round of formal position recommendations to be brought to the April Board meeting.

Staff organized the bills into thematic areas:

Energy Affordability and Rate Reform: Several bills are attempting to address California's status as having the second-highest electricity rates in the nation. Approaches include directing the CPUC to consider infrastructure spending in cost approvals (AB 1975), requiring consideration of affordability and hardship in rate determinations (AB 2611, SB 924), examining RA values (AB 2266), and requiring the CPUC to study IOU return on equity (AB 2463).

Transmission and Grid Infrastructure: Bills in this area target the delays and costs associated with grid expansion. AB 2493 would require IOUs to retain independent third-party auditors for transmission-related CPUC submissions. AB 2239 would allow expedited energy project development in underserved areas and impose penalties on utilities for missing energization timelines. AB 2516, the California Grid Manufacturing Initiative, would enable the state to aggregate procurement of critical energy components such as transformers and switchboards, and incentivize in-state manufacturing.

Large Load and Data Centers: This emerged as a significant area of legislative activity, with staff organizing their analysis around four themes: (1) preventing cost shifts to non-benefiting ratepayers, (2) protecting grid

reliability and California's climate goals, (3) improving transparency around large load development, and (4) preserving customer choice and CCA participation. Bills of note include SB 886 (comprehensive cost tracking for large loads), AB 2383 (new large load tariffs, treating some transmission costs as system-wide benefits), SB 887 (removing CEQA exemptions for data centers and requiring storage capacity), AB 1577 and SB 978 (transparency and disclosure requirements), SB 943 (electrification incentives for industrial large loads), and SB 1168 (natural gas surcharge on data centers with proceeds directed to low-income programs). Staff noted that several bills establishing new large load tariffs contain language that could unintentionally exclude CCAs as generation providers, and Ava is actively advocating in Sacramento and in a CPUC Rule 30 proceeding to protect CCA participation rights.

Utility-Scale Decarbonization: AB 1156 would facilitate solar and storage development on agricultural land facing water insecurity. SB 1295 would establish a statewide 40-gigawatt energy storage mandate by 2040, with LSE compliance shares assigned proportionally.

Distributed Energy Resources: SB 868 would exempt qualifying balcony or plug-in solar systems from interconnection requirements. AB 2612 would require building standards to accommodate such systems. SB 222 would streamline local permitting and cap fees for heat pump water heaters and HVAC systems (a re-introduction of last year's SB 282). A budget bill would transfer unused program funds to the Demand Side Grid Support (DSGS) program.

Transportation Electrification: AB 1942 would require Class 2 and 3 e-bikes to be registered and plated with the DMV, which would affect Ava's e-bike program (though the program is scheduled to conclude before the bill's effective date). SB 1167 would instead require disclosure to purchasers when a vehicle falls outside the standard e-bike classification. SB 1215 would require IOUs to triple their installed Level 2 and 3 EV charger ports in multifamily housing. SB 1282 would advance vehicle-to-grid regulations.

Dynamic Rates: AB 1787 would require IOUs to offer dynamic rate options once a smart meter is installed. AB 710 would require offering a dynamic pricing option from the outset with a phased rollout.

Miscellaneous: SB 1187 is a Brown Act update building on SB 707, which the Board supported in 2025. Two bills address diversity in PUC appointments. SB 327 is a re-introduction of last year's SB 24 (IOU spending restrictions), which was vetoed due to a drafting error that has now been corrected.

Staff noted that a full list of all 80 tracked bills, with direct links to bill text, is included in the meeting materials. Board members were invited to flag any bills not currently on the tracking list for staff's attention.

Board discussion was largely complimentary. Directors praised the thematic organization of the presentation, particularly the data center buckets, and expressed appreciation for the early engagement on the legislative portfolio. A director asked about Ava's coordination process with CalCCA; staff explained that Ava and CalCCA work collaboratively on a daily basis through tiger teams assigned to individual bills, with a formal endorsement process that runs through CalCCA's legislative committee and CEO-level board. The CEO noted that Ava actively advocates within CalCCA for its own priorities in that process.

No public comments were received. The CAC Vice Chair noted that CAC discussion centered on energy affordability, data center impacts on water and affordability, fossil fuel avoidance, cost isolation, and the opportunities presented by balcony solar.

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

Director Morada extended thanks on behalf of the City of Dublin to Ava for attending Dublin's Saint Patrick's Day parade and festival and for sharing information about Ava's services and programs with the community.

No other announcements were made by Board members or staff.

14. Adjourn

Presiding Chair Roche adjourned the meeting at 7:28 PM. The next Ava Community Energy Board of Directors meeting will be held on Wednesday, April 15, 2026, at 6:00 PM.