Consent Item 7

To:	Ava Community Energy Authority
From:	John Perkins, Legal Director and Deputy General Counsel
Subject:	Approving the updated Exhibits B and C to the Joint Powers Agreement
Date:	November 18, 2026

Summary/Recommendation

This Staff Report recommends that the Board accept updated Exhibits B and C to Ava's Joint Powers Agreement to update each Party's electrical load for the previous year.

Financial Impact

N/A

Analysis and Context

Ava's Joint Powers Agreement (JPA) includes Exhibits B and C, where Exhibit B sets forth the Annual Energy Use of each Party for the previous year, and Exhibit C sets forth each Party's Annual Energy Use as a percentage of the aggregate Annual Energy Use of all Parties. Exhibit C is used in the event that the Board of Directors holds a Voting Shares Vote pursuant to Sections 1.1.23 and 4.12.12 of the JPA. The JPA sets forth in Section 1.3 that these Exhibits may be updated without formally amending the JPA, upon approval of the Board. It is part of standard operating procedures to update these exhibits annually to reflect changes to Ava's JPA members and changes to historical energy load.

Historically, Ava does not receive the data it needs to determine the values of Exhibits B and C from Pacific Gas & Electric until October. For that reason, the Board has historically updated the Exhibits in November or later. Now that data is available for the 2025 calendar year, Staff requests that the Board approves the adoption of the updated exhibits provided with this Staff Report.

Committee Recommendation

N/A

Attachments

A. Resolution
B. Exhibits B and C

RESOLUTION NO. R-2026-xx

A RESOLUTION OF THE BOARD OF DIRECTORS

OF AVA COMMUNITY ENERGY AUTHORITY APPROVING THE UPDATED EXHIBITS B AND C TO THE JOINT POWERS AGREEMENT

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 pursuant to the JPA, Ava must annually update Exhibits B and C thereto based on the annual energy use Parties to the JPA;

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

Section 1. Approve and adopt Exhibits B and C to the JPA accompanying this Resolution.

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

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Betsy Andersen, Chair

ATTEST:

Adrian Bankhead, Clerk of the Board

EXHIBIT B

ANNUAL ENERGY USE

This Exhibit B is effective as of November 6, 2026

Party	kWh (2025*)
Albany	46,372,179
Berkeley	375,388,956
Dublin	242,402,937
Emeryville	171,954,413
Fremont	1,188,960,408
Hayward	681,808,693
Lathrop	260,189,071
Livermore	401,626,676
Newark	245,279,554
Oakland	1,712,050,835
Piedmont	27,204,734
Pleasanton	359,284,218
San Leandro	371,653,670
Stockton	1,164,697,356
Tracy	410,977,652
Union City	244,519,026
Unincorporated Alameda County	398,597,117
Unincorporated San Joaquin County	1,012,886,415
Total	9,315,853,912

*All data provided by PG&E

EXHIBIT C

VOTING SHARES

This Exhibit C is effective as of November 6, 2026

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Party	kWh (2024*)	Voting Shares Section 4.12.2
Albany	46,372,179	0.5%
Berkeley	375,388,956	4.0%
Dublin	242,402,937	2.6%
Emeryville	171,954,413	1.8%
Fremont	1,188,960,408	12.8%
Hayward	681,808,693	7.3%
Lathrop	260,189,071	2.8%
Livermore	401,626,676	4.3%
Newark	245,279,554	2.6%
Oakland	1,712,050,835	18.4%
Piedmont	27,204,734	0.3%
Pleasanton	359,284,218	3.9%
San Leandro	371,653,670	4.0%
Stockton	1,164,697,356	12.5%
Tracy	410,977,652	4.4%
Union City	244,519,026	2.6%
Unincorporated Alameda County	398,597,117	4.3%
Unincorporated San Joaquin County	1,012,886,415	10.9%
Total	9,315,853,912	100.0%

*All data provided by PG&E