

ITEM 6.1

CITY MANAGER'S REPORT FEBRUARY 12, 2024 CITY COUNCIL REGULAR MEETING

ITEM: **MAYOR DHALIWAL REFERRAL: APPOINTMENT OF A BOARD OF DIRECTOR, AND ALTERNATE, TO THE AVA COMMUNITY ENERGY BOARD OF DIRECTORS**

RECOMMENDATION: **Mayor to Appoint a Councilmember to the Ava Community Energy, Formerly East Bay Community Energy, Board of Directors, and an Alternate, Representing the City of Lathrop as a Member Agency (Appointment Subject to FORM 700 Filings)**

SUMMARY:

In 2018, the County of Alameda and eleven cities launched Ava (formerly East Bay Community Energy (EBCE)) as a not-for-profit public agency that governs Community Choice Energy service. The Joint Power Agency expanded in 2021. The cities that are currently being served by Ava are Albany, Berkeley, Dublin, Emeryville, Fremont, Hayward, Livermore, Newark, Oakland, Piedmont, Pleasanton, San Leandro, Tracy, and Union City. The unincorporated areas of Alameda County, which include Ashland, Castro Valley, Cherryland, Fairview, San Lorenzo, and Sunol, are also served by Ava. On March 13, 2023, the City Council received a presentation from Ava (formerly EBCE) regarding the benefits of implementing a Community Choice Aggregation program. The potential benefits include lower electrical rates, local control and, investment, and environmental sustainability. On July 10, 2023, the Lathrop City Council held a public hearing to consider adopting an ordinance to implement a Community Choice Aggregation Program, and a Joint Powers Agreement with EBCE, now known as Ava, to provide electric services in the City of Lathrop. On August 14, 2023, the City Council adopted Ordinance No. 23-447 authorizing the implementation the Community Choice Aggregation Program to provide electric services in the City of Lathrop. In 2025, it is expected that Ava will extend service to the San Joaquin County cities of Stockton and Lathrop.

Appointed Ava Board of Director, and Alternate, Requirements:

- The Ava Board of Directors consists of one elected official from each member agency.
- Appointed Board of Director, and Alternate, are subject to filing a Statement of Economic Interests (Form 700); including an Assuming Office within 30 days of appointment with Ava's Clerk of the Board and the Fair Political Practices Commission. Late statements are subject to a \$10 per day late fine.
- The next Ava Board of Directors meeting will be held on February 21, 2024.
- Ava's Board of Directors meet once a month; special sessions as needed.
- Agenda can be found on Ava's website: <https://avaenergy.org/meetings/>.
- Ava Board of Directors, and or alternate, receive a stipend currently set at \$123.55 for each board and subcommittee meeting attended, with a cap of four meetings per month.

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FEBRUARY 12, 2024 CITY COUNCIL MEETING
APPOINT VOTING MEMBER AND ALTERNATE TO AVA COMMUNITY ENERGY
BOARD OF DIRECTORS

Pursuant to the City Council Handbook of Rules and Regulations, Chapter V, Section A (1)(b), staff is requesting the Mayor to appoint, a Councilmember to the Ava Community Energy, Formerly East Bay Community Energy, Board of Directors, Representing the City of Lathrop as a Member Agency. Including an Alternate Board of Director, in the event the primary delegate is not able to attend the scheduled meetings.

FISCAL IMPACT:

There is no fiscal impact to the City of Lathrop associated with the appointment of a Board of Director, and Alternate, to the Ava Board of Directors. Ava Community Energy will provide the stipend directly to the appointed Director, or Alternate, which will cover their time and mileage, for each meeting attended.

SUBMITTED BY:



Teresa Vargas
Government Services Director/
City Clerk

2/7/2024

Date