

  
CITY ATTORNEY'S OFFICE

## OAKLAND CITY COUNCIL

RESOLUTION NO. \_\_\_\_\_ C.M.S.

INTRODUCED BY COUNCILMEMBER DAN KALB

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**RESOLUTION TO UPGRADE THE DEFAULT ELECTRICITY SERVICE PLAN FOR ELECTRICITY RATE PAYERS IN OAKLAND FROM AVA COMMUNITY ENERGY'S BRIGHT CHOICE 49.4% RENEWABLE ENERGY PLAN (BRIGHT CHOICE) TO AVA COMMUNITY ENERGY'S RENEWABLE 100% PLAN (RENEWABLE 100) TO PROVIDE 100% RENEWABLE ENERGY FROM WIND AND SOLAR FOR: 1) MUNICIPAL ACCOUNTS IN MARCH 2025; 2) RESIDENTIAL ACCOUNTS IN MARCH 2026, EXCLUDING CERTAIN LOW-INCOME CUSTOMERS; AND 3) COMMERCIAL ACCOUNTS IN MARCH 2027; AND ALLOWING CUSTOMERS TO OPT DOWN TO THE BRIGHT CHOICE PLAN**

**WHEREAS**, Fossil fuel extraction and combustion is a primary cause of the present serious climate emergency that threatens the well-being of living things locally and throughout the planet; and

**WHEREAS**, according to scientists and engineers, transitioning society to less greenhouse gas (GHG) intensive forms of energy, namely cleaner electricity, is fundamental to decarbonization; and

**WHEREAS**, in July 2020, the City of Oakland adopted its Equitable Climate Action Plan (ECAP), which stated that Oakland's climate models showed that a 100% clean energy grid was required to achieve our climate targets in 2030 and 2050; and

**WHEREAS**, Community Choice Aggregation (CCA) energy authorities, such as Ava Community Energy (Ava), previously East Bay Community Energy (EBCE), which procure cleaner electric power from low-carbon sources on behalf of electricity customers, are a key strategy to meet local clean energy goals and greenhouse gas reduction targets; and

**WHEREAS**, in 2018 Oakland began providing electricity for all City-owned buildings from 100% carbon-free sources through EBCE; and

**WHEREAS**, Cities have the authority to request clean, greenhouse gas-free default electric service plans as the default plan for eligible residential and commercial customers, allowing customers to return to Bright Choice as an option; and

**WHEREAS**, the city councils of other Ava participating jurisdictions such as Albany, Berkeley, Dublin, Emeryville, Hayward, Piedmont, Pleasanton and San Leandro have requested default service plans featuring 100% all-renewable, GHG-free electricity for their customers; and

**WHEREAS**, on June 17, 2021, EBCE approved the city council of Dublin request to opt up all residential customers, excluding those in the California Rates Energy Program (CARE), Family Electrical Rate Assistance (FERA), and Medical Baseline Allowance programs, to *Renewable 100* service to meet their greenhouse gas emission reduction goals adopted in their “Climate Action Plan 2030 and Beyond;” and

**WHEREAS**, the City Council wishes to follow this plan and opt up all residential customers, excluding those in the CARE, FERA, and Medical Baseline Allowance programs; and

**WHEREAS**, given the present climate emergency, establishing a new default for residential and commercial customers while maintaining current plans for lower income customers likely will yield substantially more GHG savings than the best marketing campaign aimed at encouraging customers to opt-up individually; and

**WHEREAS**, it is in the public interest to position residential and commercial customers throughout our city to take advantage of electricity service with the lowest emissions factor and best environmental profile by replacing *Bright Choice* with *Renewable 100* as the default service plan; and

**WHEREAS**, Ava Community Energy will reach out to all Oakland customers who are upgraded to the Renewable 100 plan at least twice reminding them how they can opt down to the Bright Choice plan; and

**WHEREAS**, customers receiving subsidies through California Rates Energy Program (CARE), Family Electrical Rate Assistance (FERA), and Medical Baseline Allowance programs are our most sensitive communities will not be moved to the Renewable 100 and thus will see no change in their rate plans or service as a result of this effort; now, therefore, be it

**RESOLVED**, that the City of Oakland requests that Ava Community Energy hereby enroll Oakland in the Renewable 100 electric power portfolio as the default product for all residential accounts except for CARE, FERA, and Medical Baseline Allowance accounts as of March 2026, Municipal accounts as of March 2025, and commercial accounts as of March 2027; and be it

**FURTHER RESOLVED**, that the City Council authorizes the City Administrator to temporarily opt down the city’s municipal accounts to the Bright Choice service plan for up to two years at any time when the Council has declared an “extreme fiscal necessity” as defined by City Council Resolution 89803 C.M.S. or other City Council resolution or ordinance relating to the City’s budget; and be it

**FURTHER RESOLVED:** That the City Council authorizes the City Administrator to work with Ava staff to develop and implement a robust customer communication plan and to co-brand customer notifications with the City of Oakland’s seal to communicate the change in service plans in accordance with Ava’s Default Rate Product Change Policy adopted March 20, 2024.

IN COUNCIL, OAKLAND, CALIFORNIA,

PASSED BY THE FOLLOWING VOTE:

AYES - FIFE, GALLO, JENKINS, KALB, KAPLAN, RAMACHANDRAN, REID, AND  
PRESIDENT FORTUNATO BAS

NOES –

ABSENT –

ABSTENTION –

ATTEST: \_\_\_\_\_  
ASHA REED  
City Clerk and Clerk of the Council of the  
City of Oakland, California

