



MCE Technical Committee Meeting
Friday, April 3, 2026
10:00 a.m.

1125 Tamalpais Avenue
San Rafael, CA 94901

2300 Clayton Road, Suite 1500
Concord, CA, 94520

Public comments may be made in person or remotely via the details below.

Remote Public Meeting Participation

Video Conference: <https://t.ly/QzAmo>

Phone: Dial (669) 900-9128, Meeting ID: 828 5103 7385, Passcode: 142534

DISABLED ACCOMMODATION: If you are a person with a disability who requires an accommodation or an alternative format, please contact MCE at (888) 632-3672 or ada-coordinator@mceCleanEnergy.org at least 72 hours before the meeting start time to ensure arrangements are made.

Agenda Page 1 of 2

1. Roll Call/Quorum
2. Board Announcements (Discussion)
3. Public Open Time (Discussion)
4. Report from Chief Executive Officer (Discussion)
5. Consent Calendar (Discussion/Action)
 - C. 1. Approval of 3.6.26 Meeting Minutes
6. Selection of Technical Committee Chair & Vice Chair (Discussion/Action)
7. Proposed Resolution 2026-02 Delegating Energy Procurement Authority (Discussion/Action)
8. Committee & Staff Matters (Discussion)

9. Adjourn

The Technical Committee may discuss and/or take action on any or all of the items listed on the agenda irrespective of how the items are described.

DRAFT

MCE TECHNICAL COMMITTEE MEETING MINUTES
Friday, March 6, 2026
10:00 A.M.

Present: Stephanie Andre, City of Larkspur, left at 12:30 p.m.
Dion Bailey, City of Hercules
John McCormick, City of Lafayette
Devin Murphy, City of Pinole, Chair
Charles Palmares, City of Vallejo, joined at 10:04 a.m., left at 12:30 p.m.
Amanda Szakats, City of Pleasant Hill

Staff

& Others: Jessica Brooks, Lead Board Clerk and Executive Assistant
Vidhi Chawla, VP of Power Resources
Stephanie Chen, VP of Legislative Affairs
CB Hall, Director of Power Resources
Vicken Kasarjian, Chief Operating Officer
Jonnie Kipyator, Power Analytics Principal Manager
Maddie Kandukuri, Power Analytics Principal Manager
Tanya Lomas, Board Clerk
Stephen Mariani, Manager of Power Resources
Catalina Murphy, General Counsel
Justine Parmelee, VP of Internal Operations
Mike Rodriguez-Vargas, Internal Operations Assistant
Dan Settlemyer, Internal Operations Associate
Jamie Tuckey, Chief Customer Officer
Andy Twilling, Power Procurement Manager
Dawn Weisz, Chief Executive Officer

1. Roll Call

Chair Murphy called the regular Technical Committee meeting to order at 10:00 a.m. with quorum established by roll call.

Chair Murphy announced that item 9 would be presented after item 6.

2. Board Announcements (Discussion)

There were no comments.

3. Public Open Time (Discussion)

Chair Murphy opened the public comment period and there was a comment made by member of the public Nick Pappas.

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4. Report from Chief Executive Officer (Discussion)

Dawn Weisz, CEO, introduced this item.

Chair Murphy opened the public comment period and there were no comments.

5. Consent Calendar (Discussion/Action)

C.1 Approval of 2.6.26 Meeting Minutes

C.2 Approval of 2.13.26 Meeting Minutes

Chair Murphy opened the public comment period and there were no comments.

Action: It was M/S/C (McCormick/Szakats) **to approve Consent Calendar items C.1 and C.2.** Motion carried by unanimous roll call vote.

6. Consider Adjustments to Term Limit for Chair (Discussion/Action)

Dawn Weisz, CEO presented this item and addressed questions from Committee members.

Chair Murphy opened the public comment period and there were comments from members of the public Nick Pappas and Dan Segedin.

Action: It was M/S/C (Murphy/Szakats) **to recommend to the Board that Technical Committee Chair term limits be paused for one year in light of pending governance assessment and for Director Murphy to continue as interim Chair of the Technical Committee during that period.** Motion carried by roll call vote. 4-Yays 2-Nos (Nos: Andre and McCormick).

9. Short-term Power Contracting Update (Discussion/Action)

Stephen Mariani, Manager of Power Resources, presented this item and addressed questions from Committee members.

Chair Murphy opened the public comment period and there were comments from members of the public Joe Barber, Nick Pappas, Dan Segedin and Bruce Ackermann.

7. MCE's Power Supply Content Planning (Discussion)

Jonnie Kipyator, Power Analytics Principal Manager, presented this item and addressed questions from Committee members.

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Chair Murphy opened the public comment period and there was a comment from member of the public Dan Segedin.

Action: No action required.

8. Power Charge Indifference Adjustment Legislation Update (Discussion)

Stephanie Chen, VP of Legislative Affairs, presented this item and addressed questions from Committee members.

Chair Murphy opened the public comment period and there were no comments.

Action: No action required.

10. CAISO Scheduling Services (Discussion)

CB Hall, Director of Power Resources, presented this item and addressed questions from Committee members.

Chair Murphy opened the public comment period and there were no comments.

Action: No action required.

11. Committee & Staff Matters (Discussion)

There were no comments.

12. Adjournment

Chair Murphy adjourned the meeting at 12:46 p.m. to the next scheduled Technical Committee Meeting on April 3, 2026.

Devin Murphy, Chair

Attest:

Dawn Weisz, Secretary

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Dawn Weisz, Secretary



2026 MCE Board Offices and Committee Rosters

BOARD OFFICES

Chair:	Shanelle Scales-Preston, County of Contra Costa
Vice Chair:	Cindy Darling, Walnut Creek
Treasurer:	Maira Strauss, MCE Chief Financial Officer
Secretary:	Dawn Weisz, MCE Chief Executive Officer

BOARD OFFICES SELECTION PROCESS

The Chair and Vice Chair offices are held for 1 year and there are no limits on the number of terms held by either Chair or Vice Chair.¹ The selection of these offices shall take place in or near December of each year.² The office of Treasurer is appointed by the Board via an approved resolution and may be a non-board member. The Treasurer appointment, along with the delegated authority, is held for 1 year and there are no limits on the number of terms held.³ Deputy Treasurers are appointed directly by the Treasurer each year. Once appointed by the Board, the Secretary shall continue to hold the office each year until the Secretary chooses to resign from the role or the Board decides to remove the individual from the Secretary position.⁴ The Secretary does not need to be a member of the Board. All officer appointments/selections by the Board require a majority vote of the full membership of the Board.⁵

EXECUTIVE COMMITTEE *(Updated 3.2.26)*

- | | |
|------------------------------|------------------------|
| 1. Barbara Coler, Chair | Town of Fairfax |
| 2. Cindy Darling, Vice Chair | City of Walnut Creek |
| 3. Stephanie Andre | City of Larkspur |
| 4. Kari Birdseye | City of Benicia |
| 5. Maika Llorens Gulati | City of San Rafael |
| 6. Devin Murphy | City of Pinole |
| 7. Laura Nakamura | City of Concord |
| 8. Beth Painter | City of Napa |
| 9. Max Perrey | City of Mill Valley |
| 10. Shanelle Scales-Preston | County of Contra Costa |
| 11. Sally Wilkinson | City of Belvedere |

¹ Section 4.13.1 of MCE Joint Powers Agreement.

² Article V, Section 1 of MCE’s Operating Rules and Regulations.

³ Article V, Section 1 of MCE’s Operating Rules and Regulations; California Government Code § 53607.

⁴ Article IV, Section 1(c) of MCE’s Operating Rules and Regulations.

⁵ Article VI, Section 2 of MCE’s Operating Rules and Regulations. At MCE’s current membership of 38 communities with appointed Directors, the vote needed is 20.

FINANCE COMMITTEE (Updated 2.9.26)

- | | |
|-------------------------------|--------------------------|
| 1. Liz Alessio, Chair | Napa County ⁶ |
| 2. Stephanie Andre | City of Larkspur |
| 3. John McCormick, Vice Chair | City of Lafayette |
| 4. Charles Palmares | City of Vallejo |
| 5. Sally Wilkinson | City of Belvedere |

TECHNICAL COMMITTEE (Updated 1.15.26)

- | | |
|--|-----------------------|
| 1. Devin Murphy, Chair | City of Pinole |
| 2. Stephanie Andre, Vice Chair, <i>interested in Chair</i> | City of Larkspur |
| 3. Dion Bailey, <i>interested in Vice Chair</i> | City of Hercules |
| 4. John McCormick | City of Lafayette |
| 5. Charles Palmares, <i>interested in Chair</i> | City of Vallejo |
| 6. Amanda Szakats | City of Pleasant Hill |

2026 AD HOC CONTRACTS COMMITTEE (Updated 2.19.26)

- | | |
|------------------|----------------------|
| 1. Barbara Coler | Town of Fairfax |
| 2. Cindy Darling | City of Walnut Creek |
| 3. Devin Murphy | City of Pinole |

2026 INTERIM ADVISORY COMMITTEE (Updated 3.19.26)⁷

- | | |
|------------------|----------------------|
| 4. Barbara Coler | Town of Fairfax |
| 5. Cindy Darling | City of Walnut Creek |
| 6. Devin Murphy | City of Pinole |
| 7. Mary Sackett | County of Marin |

2026 AD HOC GOVERNANCE COMMITTEE (Updated 1.15.26)

- | | |
|----------------------------|----------------------------------|
| 1. Liz Alessio | Napa County and Four Napa Cities |
| 2. Kari Birdseye | |
| 3. Mary Sackett | City of Benicia |
| 4. Shanelle Scales-Preston | County of Marin |
| | Contra Costa County |

⁶ The Board approved a Finance Committee consisting of 5 to 7 Board representatives. If Director Alessio were to participate in her capacity as the delegate for four Napa Cities, the Finance Committee would effectively have 9 Board representatives, more than the 7 approved by the Board, and Director Alessio would constitute a quorum by herself, raising Brown Act compliance challenges. Given the current size of the Finance Committee, we construe the Board to have appointed Director Alessio to the Committee solely in her capacity as the MCE Board representative for Napa County.

⁷ Created by Resolution No. 2026-01.



April 3, 2026

TO: MCE Technical Committee

FROM: Vidhi Chawla, Vice President of Power Resources
Andy Twilling, Power Procurement Manager

RE: Proposed Resolution 2026-02 Delegating Energy Procurement Authority
(Agenda Item #07)

ATTACHMENTS: A. CCA and POU Benchmarking - Delegated Authority Limits
B. Draft Resolution 2026-02 Delegating Energy Procurement Authority
C. Redline against Resolution 2020-04
D. Presentation on Proposed Resolution 2026-02

Dear Technical Committee Members:

Summary:

The Board first delegated energy procurement authority to the CEO when it adopted the November 2012 Integrated Resource Plan. The Board updated delegations over the years with some modifications, but the basic framework has remained in place through Resolution 2020-04. At its March 19, 2026 meeting, the Board adopted Resolution 2026-01 to create an Interim Advisory Committee to advise on and facilitate MCE's energy procurement delegations, pending the Board's clarifications of those delegations.

In recent public meetings, a few members of the Board and public have raised questions about how MCE should conduct consultation for 1-5 year contracts and have expressed a desire for updated and clarified procurement guidance. To address these questions, provide greater understanding of context, and present best practices from the industry, staff conducted benchmarking research on delegated authority and procurement policies at other CCAs and Publicly Owned Utilities (see Attachment A). Recommendations from the research regarding best practices are reflected in the new draft Resolution 2026-02 (Attachment B).

Best Practices for Public Agencies:

As reflected in Attachment A, most CCAs and Publicly Owned Utilities (POUs) in California have granted full delegation to the CEO or General Manager for most transactions with no Board or committee consultation or approval. Many organizations have pre-approved procurement policies and/or energy risk management policies to guide procurement. While some public energy providers

delegate all power purchasing authority to agency staff, many also include delegated approval based on the total notional value¹ of the contract.

As an example, Sonoma Clean Power (SCP) has delegated authority to the CEO for any power supply contract with a total value of \$250M or less, Central Coast Community Energy delegates all power supply contracts with a total value of \$65M or less, and Silicon Valley Clean Energy delegates all power supply contracts with a total value of up to 10% of the annual budget. It is worth noting that the size of a public agency's budget is typically a determining factor in the level of delegated authority.

Public agencies who provide electricity must follow specific practices to balance commercial efficiency and protect confidential and market-sensitive information, while providing visibility and transparency. Market sensitive information, especially forward-looking positions and prices can be carefully tracked internally but presenting this information in public meetings risks putting MCE at a significant disadvantage in bilateral markets and could expose the agency to higher prices or less-favorable contract terms.

Proposed Resolution 2026-02 for Delegation of Energy Procurement Authority is reflective of industry standards that balance transparency and oversight with operational needs of the procurement teams while maintaining confidentiality of market sensitive information.

Proposed Resolution 2026-02

This resolution would authorize the CEO and Technical Committee Chair jointly to approve contracts with delivery periods with a cumulative total of up to 10 years or with a notional value less than or equal to \$100 million, if they have reviewed MCE's open positions and contracting needs with MCE staff within the prior 12 months. The Vice Chair of the Technical Committee, Board Chair, or Vice Chair of the Board could serve as alternate co-signatory with the CEO if the Technical Committee Chair is unavailable and if that individual reviewed MCE's open positions and contracting needs with MCE staff within the prior 12 months. In this way, these board members serving in leadership roles would be exercising their authority based on individual knowledge, not on behalf of a full committee or board.

The CEO would be authorized to approve contracts or amendments with delivery periods having a cumulative total of less than or equal to 5 years, as well as contracts or amendments with a notional value less than or equal to \$65 million. In Resolution 2026-02, the CEO would continue to have authority to execute amendments to existing contracts, regardless of the contract's notional value or term, which improve the provisions of the contract to MCE's benefit without increasing the contract's notional value and the authority to execute transactions in emergency or critical needs situations, as defined.

It is important to note that the proposed delegations of procurement authority refer to "cumulative delivery periods," which can have discontinuities in deliveries. For example, a contract spanning six

¹ Notional Value = unit cost x volume.

calendar years, with 5 summer delivery months per calendar year, would have a cumulative delivery period of 30 months, which would fall under the procurement authority of the CEO.

This resolution would rescind existing Resolutions 2020-04 and 2026-01. Therefore, Board approval of Resolution 2026-02 would dissolve the Interim Advisory Committee.

Overview of Short-Term Energy Purchases (Up to 5 years)

CAISO Energy Price Hedges - MCE uses California Independent System Operator (CAISO) energy price hedges to help minimize its exposure to day-ahead energy prices for its load. MCE has master agreements with several suppliers, and solicitations are typically conducted 3 or 4 times a year. Prices continually fluctuate for hedge contracts, and offers are held for only a two-hour period once received. In that two-hour period, the COO, CFO, VP of Power Resources, and consultants discuss offers, decide which offers will be awarded, and confirmation agreements are then signed.

Resource Adequacy - Resource Adequacy (RA) is a forward capacity obligation with significant consequences for non-compliance. Typically, RA procurement consists of opportunistic and bilateral transactions, with offers being held for anywhere from minutes to several days. In tight compliance years such as 2023 and 2024, speed of execution allowed buyers to procure the most advantageous contracts. In looser compliance periods, solicitations could regain a larger role in procurement of these contracts.

Short-term Renewable and GHG-free Energy Contracts - MCE uses short-term volumes of renewable and carbon-free energy for its Board-approved power content label targets and its renewable portfolio standard requirements. Depending on whether MCE is short or long, MCE will either be a buyer or seller. To trade such volumes, MCE uses a combination of solicitations and bilateral outreach, both of which require relatively short timelines and speed of execution. Without this speed, MCE risks losing out on attractive pricing as both a buyer and a seller.

Markets can change quickly without warning and a complex or lengthy contract approval process may harm MCE when competing against buyers whose delegated authority reflects industry standards. Proposed Resolution 2026-02 would maintain efficiency for MCE staff to execute time-sensitive contracts to secure the best pricing on those contracts for MCE customers, avoid procurement policy uncertainty, and ensure regulatory requirements are met.

As an example, RA requirements for all load serving entities (LSEs) are published in August, finalized in September, and LSEs are required to show compliance with signed contracts by October. The RA market is fast-paced and driven by buyer demand based on regulation, and buyers that are able to transact quickly secure the most favorable contracts.

Increasing Board Visibility

To address board member interest in procurement details, Resolution 2026-02 proposes that the Technical Committee Chair or Vice Chair, or Board of Directors Chair or Vice Chair, attend at least one meeting with staff in the prior 12 months to review MCE's positions and market prices prior to signing any applicable power supply contracts.

In addition, staff recommend conducting training for Board members on energy procurement, contracting and/or risk management. These trainings could be conducted publicly by MCE staff, consultants, and/or specialists in the energy sector. Staff recommends beginning with an interested cohort and recording the trainings for future board members.

Financial, Operational, and Compliance Impacts:

Resolution 2026-02 would help ensure that MCE can continue to buy and sell both capacity and energy at the speeds required by counterparties in California's bilateral power markets. This in turn would help ensure that MCE does not miss out on attractive pricing, that MCE would continue to be a competitive market participant, and that MCE could secure the volumes it needs to comply with CPUC and CAISO requirements. Additionally, it would provide the necessary information to selected Board members that would improve procurement oversight and transparency.

Recommendation:

Recommend that the Board of Directors adopt Resolution No. 2026-02 Delegating Energy Procurement Authority.

Att. A. CCA and POU Benchmarking - Delegated Authority Limits

CCA	Delegated Authority	Oversight	Other	Retail Sales*
Clean Power SF	<ul style="list-style-type: none"> CEO for up to 25-year contracts; annual expense cap of \$300M/year 	<ul style="list-style-type: none"> Board of supervisors can raise cap 	<ul style="list-style-type: none"> CEO may elect to bring 1 PPA per year to board if desired 	3M
SCP	<ul style="list-style-type: none"> CEO and Head of Power Procurement up to \$250M and <10 years CEO and chair and vice chair of board for transactions >\$250M and >10 years 		<ul style="list-style-type: none"> CEO, COO, and Head of Power Procurement also have designated authority at lower limits Contracts do not go to full board for approval 	2.1M
CPA	<ul style="list-style-type: none"> CEO <10 years for existing resources CEO in consultation with Risk Mgmt. Team (RMT) for new build agreements <5 years 	<ul style="list-style-type: none"> RMT Members: CEO, COO, CFO, & VP of Power Supply Master Agreements must be approved by the board, and are required for transactions 	<ul style="list-style-type: none"> Board members can request an un-redacted contract review Board may sit in on hedge solicitation once per year 	10.6M
SVCE	<ul style="list-style-type: none"> CEO any contract up to 10% of budget or \$30M (whichever is higher) Approved Master Agreements: <ul style="list-style-type: none"> CEO for non-RA contracts <5 years Any Counterparty: <ul style="list-style-type: none"> CEO for non-RA contracts <1 year CEO for RA contracts <5 years 	<ul style="list-style-type: none"> Board approved master agreements for non-RA contracts 	<ul style="list-style-type: none"> Board training requirements from UC Berkeley Haas 	4M

* 2024 Retail Sales Volume, in MWh; MCE's 2024 annual sales volume was 5.5M MWhs

Att. A. CCA and POU Benchmarking - Delegated Authority Limits

CCA	Delegated Authority	Oversight	Other	Retail Sales*
Ava	<ul style="list-style-type: none"> CEO < 10 years for RA contracts CEO < 5 years for non-RA contracts 	<ul style="list-style-type: none"> Energy Risk Management Regulations (ERM), the policy which includes delegated authority, flows from Energy Risk Management Policy (ERMP) 	<ul style="list-style-type: none"> COO, VP Power Resources, PR Managers have designated authority for shorter durations 	6.6M
3CE	<ul style="list-style-type: none"> CEO up to \$65M and < 5 years Risk Management Committee (RMC) up to \$110M and < 5 years 	<ul style="list-style-type: none"> RMC Members: CEO, CFO, COO, CCO, up to 5 board members (selected by CEO) 	<ul style="list-style-type: none"> Annual Energy Risk Mgmt. trainings for Board Annual update of ERM Policy required 	4.7M
OCPA	<ul style="list-style-type: none"> CEO and ROC < 5 years for RA contracts CEO and ROC < 3 years for non-RA contracts 	<ul style="list-style-type: none"> ROC chosen by CEO (includes chair and vice chair) 	<ul style="list-style-type: none"> ROC meets at least once per quarter 	2.4M
CalChoice	<ul style="list-style-type: none"> CEO < 20 years if related to compliance obligation (incl. renewables and RA) CEO < 5 years if not related to a compliance obligation 			2.7M

* 2024 Retail Sales Volume, in MWh; MCE's 2024 annual sales volume was 5.5M MWhs

Att. A. CCA and POU Benchmarking - Delegated Authority Limits

POU	Delegated Authority	Other	Retail Sales*
SMUD	<ul style="list-style-type: none"> • CEO or his/her designee: <ul style="list-style-type: none"> • Long-term agreements < 30 years not to exceed 500,000 MWh/year with no single supplier providing more than 200,000 MWh/year, and prices paid are a market discount of at least 75% as much as a SMUD-sponsored pre-pay transaction • Regulatory required (PURPA) agreements for any term if prices are below SMUD’s avoided cost & consistent w/ federal regulation • Other contracts < 3 years 		9.9M
Alameda	<ul style="list-style-type: none"> • Uses Northern California Power Agency (NCPA) • General Manager: <ul style="list-style-type: none"> • Trade authorization limit of \$3M per transaction, < 5 years • Total transactions with combined costs of no more than \$4M (limit applies to each fiscal year) • In 2024, delegated authority to execute RA sales up to \$6M (does not count towards \$3M or \$4M cap) 	<ul style="list-style-type: none"> • Increased RA approval limits for 2024 were approved in 2023, ahead of the compliance period to ensure the ability to transact quickly 	0.3M
Palo Alto	<ul style="list-style-type: none"> • NCPA is authorized to purchase and sell electricity and related products on behalf of the city, not to exceed the approved budget; terms cannot exceed 5 years and must be pre-authorized by the city manager or utilities director <ul style="list-style-type: none"> • These transaction could be up to several million dollars • City Manager, Director of Utilities, and their designated employees: 	<ul style="list-style-type: none"> • Uses Northern California Power Agency (NCPA) 	0.9M

* 2024 Retail Sales Volume, in MWh; MCE’s 2024 annual sales volume was 5.5M MWhs

RESOLUTION 2026-02

A RESOLUTION OF THE BOARD OF DIRECTORS OF MARIN CLEAN ENERGY DELEGATING ENERGY PROCUREMENT AUTHORITY

WHEREAS, Marin Clean Energy (MCE) is a joint powers authority established on December 19, 2008, and organized under the Joint Exercise of Powers Act (Government Code Section 6500 et seq.); and

WHEREAS, MCE members include the following communities: the County of Marin, the County of Contra Costa, the County of Napa, the County of Solano, the City of American Canyon, the City of Belvedere, the City of Benicia, the City of Calistoga, the City of Concord, the Town of Corte Madera, the Town of Danville, the City of El Cerrito, the Town of Fairfax, the City of Fairfield, the City of Hercules, the City of Lafayette, the City of Larkspur, the City of Martinez, the City of Mill Valley, the Town of Moraga, the City of Napa, the City of Novato, the City of Oakley, the City of Pinole, the City of Pittsburg, the City of Pleasant Hill, the City of San Ramon, the City of Richmond, the Town of Ross, the Town of San Anselmo, the City of San Pablo, the City of San Rafael, the City of Sausalito, the City of St. Helena, the Town of Tiburon, the City of Vallejo, the City of Walnut Creek, and the Town of Yountville; and

WHEREAS, Resolution No. 2020-04 set forth energy procurement authority delegated by the Board of Directors; and

WHEREAS, Resolution No. 2026-01 created an Interim Advisory Committee for Energy Procurement Delegation for the purpose of advising on and facilitating MCE's delegations as set forth in Resolution 2020-04, but sunsets when the Board revisits and/or clarifies the delegations set forth in Resolution 2020-04; and

WHEREAS, the Board intends that this Resolution No. 2026-02 replaces Resolution No. 2020-04 and Resolution 2026-01; and

WHEREAS, the Board of Directors, by this delegation of energy procurement and contracting authority as described herein, shall not be divested of any such authority, but shall retain and may exercise such authority at such times as it may deem necessary and proper, at its sole discretion; and

WHEREAS, the Board of Directors shall retain contracting authority over all contracts required by law to be approved by the Board, including but not limited to any contracts to borrow money or otherwise incur debt.

NOW, THEREFORE, BE IT RESOLVED, by the MCE Board of Directors:

- A. Resolution No. 2020-04 and Resolution 2026-01 are hereby rescinded.
- B. For purposes of this Resolution, "Energy Procurement" shall mean all contracting, purchase and sale of energy and energy-related products for MCE, including but not limited to products related to electricity, capacity, energy efficiency, distributed energy resources, demand response, and storage.

- C. For the purposes of this Resolution, the “notional value” of an Energy Procurement shall mean the unit cost of energy times the volume of energy. For Energy Procurements with unit-contingent or uncertain volumes, notional value shall be calculated using the expected volume. For Energy Procurements with a firm volume, notional value shall be calculated using the firm volume. For Energy Procurements with a range of firm volumes, notional value shall be calculated using the maximum volume.
- D. The Board of Directors hereby delegates the following contracting authority consistent with an approved resource plan and/or budget, as applicable, including contracts that are consistent with the current fiscal year's budget but extend beyond the current fiscal year:

1. Delegation to the Technical Committee

The Technical Committee is hereby authorized to approve and direct the Chief Executive Officer ("CEO") and Technical Committee Chair to execute:

- a. contracts for Energy Procurement as herein defined;
- b. contracts for functions, programs or services related to Energy Procurement; and
- c. contracts related to MCE ownership, leasing or development of energy generation projects and assets.

2. Delegation to the Chief Executive Officer and Technical Committee Chair, Jointly

The CEO and Technical Committee Chair, jointly, are hereby authorized, to approve and execute contracts for Energy Procurement with delivery periods having a cumulative total of less than or equal to ten years (without regard to notional value), or with a notional value of less than or equal to \$100 million (without regard to cumulative delivery period). If the Technical Committee Chair is unavailable, such authority may be succeeded by the Vice Chair of the Technical Committee, the Chair of the Board of Directors, or the Vice Chair of the Board of Directors. In order for any of the individuals identified in this paragraph to exercise the delegation set forth herein, he or she must have met with MCE Staff at least once within the prior 12 months to review MCE's open positions and contracting needs.

The CEO shall timely report to the Board of Directors all such executed contracts.

3. Delegation to the Chief Executive Officer

The CEO is hereby authorized to approve and execute:

- a. Contracts, amendments, or addenda for Energy Procurement, of any amount, with delivery periods having a cumulative total of less than or equal to 60 months, which the CEO shall timely report to the Board of Directors;

- b. Contracts, amendments, or addenda for Energy Procurement, of any term, with a notional value less than or equal to \$65 million, which the CEO shall timely report to the Board of Directors;
- c. Amendments or addenda to existing Energy Procurement contracts, regardless of the existing contract's notional value or term, which improve the terms of the contract to MCE's benefit without increasing the contract's notional value; and
- d. In the event of an emergency or critical needs situation, such as exposure to volatile CAISO market conditions during extreme weather events, or a shortage in energy supply compared to load forecasted, short-term purchases, which includes transactions with existing counterparties in both written and oral format.
 - i. Oral transactions may only be executed with existing counterparties contractually enabled with MCE through an approved master agreement on a recorded telephone line where written receipts and voice recordings documenting such transactions are provided to MCE.
 - ii. "Short-term purchases" for purposes hereof refers to Energy Procurement on the day-ahead energy market within the forecasted 30 days.
 - iii. The CEO shall timely report any short-term purchases to the Board of Directors.
 - iv. The CEO may delegate authority to engage in short-term purchases under this subdivision to staff, including the Chief Operating Officer or Vice President of Power Resources.

PASSED AND ADOPTED at a regular meeting of the MCE Board of Directors on this 16th day of April, 2026, by the following vote:

	AYES	NOES	ABSTAIN	ABSENT
County of Marin				
Contra Costa County				
County of Napa				
County of Solano				
City of American Canyon				
City of Belvedere				
City of Benicia				
City of Calistoga				
City of Concord				
Town of Corte Madera				
Town of Danville				

City of El Cerrito				
Town of Fairfax				
City of Fairfield				
City of Hercules				
City of Lafayette				
City of Larkspur				
City of Martinez				
City of Mill Valley				
Town of Moraga				
City of Napa				
City of Novato				
City of Oakley				
City of Pinole				
City of Pittsburg				
City of Pleasant Hill				
City of San Ramon				
City of Richmond				
Town of Ross				
Town of San Anselmo				
City of San Pablo				
City of San Rafael				
City of Sausalito				
City of St. Helena				
Town of Tiburon				
City of Vallejo				
City of Walnut Creek				
Town of Yountville				

CHAIR, MCE

Attest:

SECRETARY, MCE

RESOLUTION ~~2020-04~~2026-02

**A RESOLUTION OF THE BOARD OF DIRECTORS OF
MARIN CLEAN ENERGY ~~RESCINDING RESOLUTION NO. 2018-03 AND~~ DELEGATING
ENERGY PROCUREMENT AUTHORITY**

WHEREAS, Marin Clean Energy (MCE) is a joint powers authority established on December 19, 2008, and organized under the Joint Exercise of Powers Act (Government Code Section 6500 et seq.); and

WHEREAS, MCE members include the following communities: the County of Marin, the County of Contra Costa, the County of Napa, the County of Solano, the City of American Canyon, the City of Belvedere, the City of Benicia, the City of Calistoga, the City of Concord, the Town of Corte Madera, the Town of Danville, the City of El Cerrito, the Town of Fairfax, the City of Fairfield, the City of Hercules, the City of Lafayette, the City of Larkspur, the City of Martinez, the City of Mill Valley, the Town of Moraga, the City of Napa, the City of Novato, the City of Oakley, the City of Pinole, the City of Pittsburg, the City of Pleasant Hill, the City of San Ramon, the City of Richmond, the Town of Ross, the Town of San Anselmo, the City of San Pablo, the City of San Rafael, the City of Sausalito, the City of St. Helena, the Town of Tiburon, the City of Vallejo, the City of Walnut Creek, and the Town of Yountville; and

WHEREAS, Resolution No. ~~2018-03~~2020-04 set forth energy procurement authority delegated by the Board of Directors; and

WHEREAS, Resolution No. 2026-01 created an Interim Advisory Committee for Energy Procurement Delegation for the purpose of advising on and facilitating MCE's delegations as set forth in Resolution 2020-04, but sunsets when the Board revisits and/or clarifies the delegations set forth in Resolution 2020-04; and

WHEREAS, the Board intends that this Resolution No. ~~2020-04~~2026-02 replaces Resolution No. ~~2018-03~~2020-04 and Resolution 2026-01; and

WHEREAS, the Board of Directors, by this delegation of energy procurement and contracting authority as described herein, shall not be divested of any such authority, but shall retain and may exercise such authority at such times as it may deem necessary and proper, at its sole discretion; and

WHEREAS, the Board of Directors shall retain contracting authority over all contracts required by law to be approved by the Board, including but not limited to any contracts to borrow money or otherwise incur debt.

NOW, THEREFORE, BE IT RESOLVED, by the MCE Board of Directors:

- A. ~~A.~~—Resolution No. ~~2018-03~~2020-04 and Resolution 2026-01 are hereby rescinded.
- B. ~~B.~~—For purposes of this Resolution, "Energy Procurement" shall mean all contracting, purchase and sale of energy and energy-related products for MCE, including but not limited to products related to electricity, capacity, energy efficiency, distributed energy resources, demand response, and storage.

C. C. For the purposes of this Resolution, the “notional value” of an Energy Procurement shall mean the unit cost of energy times the volume of energy. For Energy Procurements with unit-contingent or uncertain volumes, notional value shall be calculated using the expected volume. For Energy Procurements with a firm volume, notional value shall be calculated using the firm volume. For Energy Procurements with a range of firm volumes, notional value shall be calculated using the maximum volume.

G.D. The Board of Directors hereby delegates the following contracting authority consistent with an approved resource plan and/or budget, as applicable, including contracts that are consistent with the current fiscal year's budget but extend beyond the current fiscal year:

1. Delegation to the Technical Committee

The Technical Committee is hereby authorized to approve and direct the Chief Executive Officer ("CEO") and Technical Committee Chair to execute:

- a. contracts for Energy Procurement as herein defined;
- b. contracts for functions, programs or services related to Energy Procurement; and
- c. contracts related to MCE ownership, leasing or development of energy generation projects and assets.

2. Delegation to the Chief Executive Officer and Technical Committee Chair, Jointly

The CEO and Technical Committee Chair, jointly, are hereby authorized, ~~after consultation with the appropriate Committee of the Board of Directors,~~ to approve and execute contracts for Energy Procurement for terms with delivery periods having a cumulative total of less than or equal to ~~five~~ten years ~~– (without regard to notional value), or with a notional value of less than or equal to \$100 million (without regard to cumulative delivery period).~~ If the Technical Committee Chair is unavailable, such authority may be succeeded by the Vice Chair of the Technical Committee, the Chair of the Board of Directors, or the Vice Chair of the Board of Directors. In order for any of the individuals identified in this paragraph to exercise the delegation set forth herein, he or she must have met with MCE Staff at least once within the prior 12 months to review MCE’s open positions and contracting needs.

The CEO shall timely report to the Board of Directors all such executed contracts.

3. Delegation to the Chief Executive Officer

The CEO is hereby authorized to approve and execute:

- a. Contracts, amendments, or addenda for Energy Procurement ~~for terms,~~ of any amount, with delivery periods having a cumulative total of less

than or equal to ~~4260~~ months, which the CEO shall timely report to the Board of Directors;

b. Contracts, amendments, or addenda for Energy Procurement, of any term, with a notional value less than or equal to \$65 million, which the CEO shall timely report to the Board of Directors;

b.c. Amendments or addenda to existing Energy Procurement contracts, regardless of the existing contract's ~~price~~notional value or ~~total amount~~term, which improve the terms of the contract to MCE's benefit without increasing the contract's ~~not-to-exceed maximum dollar amount~~notional value; and

e.d. In the event of an emergency or critical needs situation, such as exposure to volatile CAISO market conditions during extreme weather events, or a shortage in energy supply compared to load forecasted, short-term purchases, which includes transactions with existing counterparties in both written and oral format.

- i. Oral transactions may only be executed with existing counterparties contractually enabled with MCE through an approved master agreement on a recorded telephone line where written receipts and voice recordings documenting such transactions are provided to MCE.
- ii. "Short-term purchases" for purposes hereof refers to Energy Procurement on the day-ahead energy market within the forecasted 30 days.
- iii. The CEO shall timely report any short-term purchases to the Board of Directors.
- iv. The CEO may delegate authority to engage in short-term purchases under this subdivision to staff, including the Chief Operating Officer or ~~Manager~~Vice President of Power Resources.

PASSED AND ADOPTED at a regular meeting of the MCE Board of Directors on this ~~49th~~16th day of ~~November, 2020~~April, 2026, by the following vote:

	AYES	NOES	ABSTAIN	ABSENT
County of Marin				
Contra Costa County				
County of Napa				
County of Solano				
City of American Canyon				
City of Belvedere				
City of Benicia				
City of Calistoga				
City of Concord				

Town of Corte Madera				
Town of Danville				
City of El Cerrito				
Town of Fairfax				
City of Fairfield				
City of Hercules				
City of Lafayette				
City of Larkspur				
City of Martinez				
City of Mill Valley				
Town of Moraga				
City of Napa				
City of Novato				
City of Oakley				
City of Pinole				
City of Pittsburg				
City of Pleasant Hill				
City of San Ramon				
City of Richmond				
Town of Ross				
Town of San Anselmo				
City of San Pablo				
City of San Rafael				
City of Sausalito				
City of St. Helena				
Town of Tiburon				
City of Vallejo				
City of Walnut Creek				
Town of Yountville				



CHAIR, MCE



Attest:

SECRETARY, MCE



Proposed Resolution 2026-02 Delegating Energy Procurement Authority

Technical Committee
April 3, 2026



MCE's Current Policies

Delegations of Authority (Reso. 2020-04)

- CEO and Technical Committee Chair: Energy Contracts for greater than one year and less than or equal to 5 years
- CEO: Energy Contracts for equal or less than 12 months, amendments which improve contract terms, short-term purchases in emergencies or for critical needs

Procurement Oversight Procedures (Reso. 2020-04)

- “Consultation with the appropriate Committee of the Board” for Energy Contracts greater than one and less than or equal to 5 years

Key Takeaways from Other CCAs and Publicly Owned Utilities (POUs)

A majority have:

- Full delegation to the CEO for most transactions with no Board or committee consultation or approval
- Pre-approved procurement policies and energy risk management policies to guide efficient, time-sensitive procurement

Ideas to increase Board visibility:

- Opportunities for Board members in leadership roles to participate in review of open positions and market prices
- Opportunities for Board members to request unredacted contract reviews and sit in on solicitation reviews
- Board approved Master Agreements enabling Staff to execute confirmations
- Energy risk training opportunities for Board members from non-staff (e.g., consultants, institutions)

Comparison to other CCAs

CCA	Delegated Authority	Oversight	Other	Retail Sales*
Clean Power SF	<ul style="list-style-type: none"> CEO for up to 25-year contracts; annual expense cap of \$300M/year 	<ul style="list-style-type: none"> Board of supervisors can raise cap 	<ul style="list-style-type: none"> CEO may elect to bring 1 PPA per year to board if desired 	3M
SCP	<ul style="list-style-type: none"> CEO and Head of Power Procurement up to \$250M and <10 years CEO and chair and vice chair of board for transactions >\$250M and >10 years 		<ul style="list-style-type: none"> CEO, COO, and Head of Power Procurement also have designated authority at lower limits Contracts do not go to full board for approval 	2.1M
CPA	<ul style="list-style-type: none"> CEO <10 for existing resources CEO in consultation with Risk Mgmt. Team (RMT) for new build agreements <5 years 	<ul style="list-style-type: none"> RMT Members: CEO, COO, CFO, & VP of Power Supply Master Agreements must be approved by the board, and are required for transactions 	<ul style="list-style-type: none"> Board members can request an un-redacted contract review Board may sit in on hedge solicitation once per year 	10.6M
SVCE	<ul style="list-style-type: none"> CEO any contract <10% of budget or \$30M (whichever is higher) Approved Master Agreements: <ul style="list-style-type: none"> CEO for non-RA contracts <5 years Any Counterparty: <ul style="list-style-type: none"> CEO for non-RA contracts <1 year CEO for RA contracts <5 years 	<ul style="list-style-type: none"> Board approved master agreements for non-RA contracts 	<ul style="list-style-type: none"> Board training requirements from UC Berkeley Haas 	4M

*2024 Retail Sales Volume, in MWh; MCE's 2024 annual sales volume was 5.5M MWhs

Comparison to other CCAs

CCA	Delegated Authority	Oversight	Other	Retail Sales*
Ava	<ul style="list-style-type: none"> CEO < 10 years for RA contracts CEO < 5 years for non-RA contracts 	<ul style="list-style-type: none"> Energy Risk Management Regulations (ERMR), the policy which includes delegated authority, flows from Energy Risk Management Policy (ERMP) 	<ul style="list-style-type: none"> COO, VP Power Resources, PR Managers have designated authority for shorter durations 	6.6M
3CE	<ul style="list-style-type: none"> CEO up to \$65M and < 5 years Risk Management Committee (RMC) up to \$110M and < 5 years 	<ul style="list-style-type: none"> RMC Members: CEO, CFO, COO, CCO, up to 5 board members (selected by CEO) 	<ul style="list-style-type: none"> Annual Energy Risk Mgmt. trainings for Board Annual update of ERM Policy required 	4.7M
OCPA	<ul style="list-style-type: none"> CEO and ROC < 5 years for RA contracts CEO and ROC < 3 years for non-RA contracts 	<ul style="list-style-type: none"> ROC chosen by CEO (includes chair and vice chair) 	<ul style="list-style-type: none"> ROC meets at least once per quarter 	2.4M
CalChoice	<ul style="list-style-type: none"> CEO < 20 years if related to compliance obligation (including renewables and RA) CEO < 5 years if not related to a compliance obligation 			2.7M

*2024 Retail Sales Volume, in MWh; MCE's 2024 annual sales volume was 5.5M MWhs

Comparison to other Publicly Owned Utilities (POUs)

POU	Delegated Authority	Other	Retail Sales*
SMUD	<ul style="list-style-type: none"> CEO or his/her designee: <ul style="list-style-type: none"> Long-term agreements < 30 years not to exceed 500,000 MWh/year with no single supplier providing more than 200,000 MWh/year, and prices paid are a market discount of at least 75% as much as a SMUD-sponsored pre-pay transaction Regulatory required (PURPA) agreements for any term if prices are below SMUD's avoided cost & consistent w/ federal regulation Other contracts < 3 years 		9.9M
Alameda	<ul style="list-style-type: none"> Uses Northern California Power Agency (NCPA) to transact General Manager: <ul style="list-style-type: none"> Trade authorization limit of \$3M per transaction, <5 years Total transactions with combined costs of no more than \$4M (limit applies to each fiscal year) In 2024, delegated authority to execute RA sales up to \$6M (does not count towards \$3M or \$4M cap) 	<ul style="list-style-type: none"> Increased RA approval limits for 2024 were approved in 2023, ahead of the compliance period to ensure the ability to transact quickly 	0.3M
Palo Alto	<ul style="list-style-type: none"> NCPA is authorized to purchase and sell electricity and related products on behalf of the city, not to exceed the approved budget; terms cannot exceed 5 years and must be pre-authorized by the city manager or utilities director <ul style="list-style-type: none"> These transaction could be up to several million dollars City Manager, Director of Utilities, and their designated employees: <ul style="list-style-type: none"> < 5 years with a contract price not to exceed \$250,000 in any contract year 	<ul style="list-style-type: none"> Uses Northern California Power Agency (NCPA) 	0.9M

*2024 Retail Sales Volume, in MWh; MCE's 2024 annual sales volume was 5.5M MWhs

Procurement Policy Objectives

- Align with industry best practices
- Ensure regulatory requirements are met
- Set practical guidelines to align procurement with Board-approved goals and policies
 - Clear, prospective procurement targets that mitigate market risk
 - Avoid procurement policy uncertainty and related delays
- Set delegated authority that provides flexibility and ability to act quickly with respect to:
 - Market Conditions (e.g., pricing volatility)
 - Competitive Environment (e.g., execution time, equal playing field with other Buyers)

Key Elements of Resolution 2026-02

- CEO and Tech Com chair jointly authorized to approve contracts up to 10 years and \$100 million in notional value.
- Tech Com Chair must attend at least one meeting in the prior 12 months with detailed review of MCE's positions and market prices to approve contracts. If Tech Com Chair is not available, the Vice Chair of Tech Com or Chair or Vice Chair of the Board may also approve contracts after attending meeting.
- CEO authorized to approve contracts of up to 5 years and \$65 million in notional value.
- CEO maintains authority to approve amendments which improve terms of a contract without increasing dollar amount and authority to execute transactions in emergency situations.

Recommendation

Recommend that the Board of Directors adopt Resolution No. 2026-02 Delegating Energy Procurement Authority.