



## Draft Minutes

### Community Advisory Committee Meeting

Monday, July 16, 2018

7:00 pm

City of Hayward

Conference Room C1

777 B Street,

Hayward, CA 94544

*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 Committee at least 2 working days before the meeting at (510) 736-4981 or [Scabrera@ebce.org](mailto:Scabrera@ebce.org).*

*If you have anything that you wish to be distributed to the Committee, please hand it to the clerk who will distribute the information to the Committee members and other staff*

#### 1. Welcome & Roll Call

**Present:** Members: Franch, O'Connell, Padilla, Landry, Sutter, Thomas, and Chair Eldred

**Excused:** Member Chambers and Vice-Chair O'Neil

#### 2. Public Comment

*This item is reserved for persons wishing to address the Board on any EBCE-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 three minutes per speaker.*

**Christ T.** - Spoke regarding the need to oppose AB813 and to encourage CalCCA to reverse their position of support.

**Laura W.** - Spoke in support of AB813 and ways to ensure a clean energy future.

**Esteban C.** - Spoke regarding local generation capacity and potential hurdles to distributing the energy locally.

**Al Weinrub** - Spoke regarding Local Clean Energy Alliance communications sent regarding AB813 and concerns with being able to communicate concerns with the Board.

**REGULAR AGENDA**

**3. Approval of Minutes June 18, 2018  
Continued**

**4. Conflict of Interest Training**

**The Committee discussed:**

- Who files a form 700
- What is included in form 700 reporting

**Board of Directors' 7/18/18 REGULAR AGENDA**

- 5. CEO REPORT**
- A. Executive Committee Meeting; and
  - B. Update on Opt-outs

**Presented**

- 6. Approve Local Development Business Plan (Action Item)**  
Approve a resolution to adopt the Local Development Business Plan and direct the CEO, or his/her designee, to develop implementation plan(s) for the Early Actions outlined in Section 1 of the Local Development Business Plan, and to file a notice of exemption under CEQA with Alameda County.

**The Committee discussed**

- Incorporation of Community input
- Scope of document
- Changes in language and terminology as it related to EBCE functions

**Al Weinrub** - Spoke regarding the community input in the LDBP, early actions and implementation plans. Recommended that the plans be incorporated and prioritized. Mr. Weinrub also recommended that progress be reviewed annually.

**Member Padilla motioned to support Staff recommendation to adopt the Local Development Business Plan. Member Sutter seconded the motion which carried 7/0; Excused: Member Chambers and Vice-chair O'Neil.**

- 7. Approve Filing of Integrated Resource Plan with California Public Utilities Commission (Action Item)**  
Delegate to EBCE Staff authority to make necessary revisions to attached Draft Integrated Resource Plan to ensure Plan meets at CPUC compliance requirements and authorize the CEO or his designee to file the EBCE Integrated Resource Plan with the CPUC on or before the deadline.

**The Committee discussed:**

- Potential updates to the document
- How it aligns with EBCE's actual plan
- Document language

**Member Padilla Motioned to support staff recommendation to delegate authority to Staff to make necessary revisions to the Draft Integrated Resource Plan. Member Franch seconded the motion which carried 7/0; Excused: Member Chambers and Vice-Chair O'Neil.**

8. **Amended and Restated Administrative Procurement Policy (Action Item)**  
Adopt a resolution to approve the amended and restated Administrative Procurement Policy (The "Policy").

9. **Approve EBCE Legislative Program (Action Item)**  
Approve EBCE's Legislative Program.

**The Committee discussed:**

- How does the policy tie in with EBCE's JPA/Core goals
- Order in which items will be presented for consideration
- Role for CAC in evaluation of legislation
- The Public's ability to go directly to the Board
- Requested staff include language that ties in with Local Policy

**Al Weinrub** - Spoke regarding conflicts in policy positions recommended in Legislative Program, how they align with EBCE goals, and how to get the community's recommendations and input on legislation to the Board.

**Richard Rollins** - Questioned the CAC's ability to respond due to policy being distributed just before the meeting and concerns with how policy will tie in with other EBCE priorities.

**Member Padilla motioned to support staff recommendation to approve EBCE's Legislative Program as amended to:**

- Provide clarification on section 1.4 D;**
- Strike section 1.4 A;**
- Clarification on the role of the CAC with regards to notification, inclusion and legislative program and recommendation; and**
- Add section outlining state and local positions**

**Member Sutter seconded the motion which failed.**

**Member Sutter motioned to not support staff recommendation to approve legislative program due to insufficient time to review materials and would like to include the following in the policy review:**

- Provide clarification on section 1.4 D;**
- Strike section 1.4 A;**

**C. Clarification on the role of the CAC with regards to notification, inclusion and legislative program and recommendation; and**

**D. Add section outlining state and local positions**

**Member Franch seconded the motion which carried 7/0; Excused: Member Chambers and Vice-Chair O’Neil.**

**10. Approve EBCE Legislative Position on Senate Bill (SB) 100 (Action Item)**

Approve EBCE taking a formal "Support" position on SB 100 (De León)

**Member Padilla motioned to recommend approval of EBCE taking a formal “Support” position SB 100. Member Sutter seconded the motion which carried 7/0; Excused: Member Chambers and Vice-Chair O’Neil.**

**11. Approve Legislative Position on Senate Bill (SB) 237 (Action Item)**

Approve EBCE taking a formal "Oppose" position on SB 237 (Hertzberg)

**The Committee discussed:**

- Types of energy included in bill
- How SB 100 and SB 237 overlap
- Potential impacts to Local government
- Direct Access program
- Potential of the Bill passing

**Audrey Ichinose** – Spoke regarding the language in SB237 and potential risks to CCA programs.

**Al Weinrub** – Spoke regarding complexities and difficulties in the California energy market models.

**Member Padilla motioned to recommend staff recommendation to “Oppose” SB 237. Member Franch seconded the motion which carried 7/0; Excused: Member Chambers and Vice-Chair O’Neil**

**12. Large Customer Retention (Action Item)**

Delegate to Staff the authority to develop a voluntary agreement for commercial customers that grants two calendar years of certainty that EBCE’s Bright Choice and Brilliant 100 rates will not exceed PG&E’s rates, in exchange for two calendar years’ commitment from the customer to purchase power from EBCE. Agreement will be presented to the Board for final approval.

**The Committee discussed**

- Need for program - Who benefits? Potential costs?
- Identifying qualifying rate-payers
- Alignment with JPA Language
- Revenue impacts - potential subsidizing risks between rate-payers and revenue loss due to opt-outs.
- Requested additional financial analysis on plan.

**Richard Rollins** - Spoke regarding potential risk of other rate-payers subsidizing large customers and recommended opening the program to include all rate-payers

**Jessica Tovar** - Spoke regarding EBCPA concerns with potential of residential rate-payers subsidizing commercial rate-payers.

**Member O'Connell motioned to recommend approval of staff recommendation to develop a voluntary agreement for commercial customers and requested staff provide financial scenarios to illustrate impact of policy on all rate-payers. Member Padilla seconded the motion which carried 7/0; Excused: Member Chambers and Vice-Chair O'Neil.**

**13. Approve Agreement with Bay Area Air Quality Management District to Receive Solar and Storage Grid Resilience Grant (Action Item)**

Approve a resolution to accept \$300,000 in grant funding from the Bay Area Air Quality Management District (BAAQMD) to promote resilient solar in critical facilities, to authorize the CEO to negotiate and execute the grant agreement, and to allocate and restrict use of the grant funds to be consistent with the grant's purpose and in compliance with the grant agreement.

The Committee discussed:

- Grant fund distribution
- Potential ideas for uses

**Chair Eldred motioned to support staff recommendation to accept grant funding from the Bay Area Quality Management. Member Sutter seconded the motion which carried 7/0; Excused: Member Chambers and Vice-Chair O'Neil.**

**14. Appoint Alternates to the Community Advisory Committee**

Appoint two of three alternates to the Community Advisory Committee (CAC):

- A. Ernest Pacheco (Oakland) - Labor/Environmental Advocate; and
- B. Nicholas Olmstead (San Leandro) - Clean Energy Business/Energy Advocate

**15. Committee Member and Staff Announcements including requests to place items on future Committee Agendas**

**16. Adjourned**