



Staff Report Item 5

TO: East Bay Community Energy Executive Committee

FROM: Nick Chaset, Chief Executive Officer

SUBJECT: Community Advisory Committee Guide and Appointment Process Updates (Action Item)

DATE: September 25, 2020

Recommendation

Review Community Advisory Committee Guide and Appointment Process update suggestions. Provide direction to staff on updates to implement and forward to the full Board for approval.

Suggested updates:

- A. Update language to include new EBCE service areas;
- B. Assign seats to geographical areas; and
- C. Shorten appointment terms to 2-years, maintaining the appointment maximum of 8 years (4 full 2-year terms or combination thereof)

Background and Discussion

On November 10, 2019 the Board of Directors approved the Community Advisory Committee (CAC) guide and appointment process outlining membership qualifications. Since then, EBCE’s service area has grown to include Tracy, in San Juaquin County. To be inclusive of our new communities, staff recommends updating the apportionment of CAC seats to geographic regions of the EBCE service area. Staff recommends the following allocation, which approximates voting share percentage of each EBCE member jurisdiction:

	JPA Vote Share	CAC Seat Allocation
NORTH Albany, Berkeley, Oakland, Emeryville and Piedmont	36%	3
EAST Dublin, Livermore, and Pleasanton	14%	1
SOUTH Fremont, Union City and Newark	27%	2
CENTRAL	23%	2

Hayward, San Leandro and Alameda County Unincorporated		
SAN JOAQUIN COUNTY Tracy	6%	1
Alternate 1 - At-Large		
Alternate 2 - At-Large		

Below is a table with the current make-up of the CAC. If the proposed changes to the CAC are approved by the Board, open CAC seats and CAC seats that reach the end of a two-year term will be reviewed and allocated based on the new geographic apportionment formula.

	Current CAC Seat Allocation
Albany, Berkeley, Oakland, Emeryville and Piedmont	3* (4 th and 5 th CAC Members termed out 7/20)
Dublin, Livermore, and Pleasanton	0
Fremont, Union City and Newark	1
Hayward, San Leandro, and Alameda County Unincorporated	2
Tracy	0
Alternate 1 - At-Large	Open
Alternate 2 - At-Large	Open

By assigning the seats to member jurisdiction areas, EBCE is able to engage the city Board representatives for outreach and appointment recommendations. This apportionment will also ensure equitable representation of all EBCE communities on the CAC.

To ensure engagement and active participation, staff is also recommending setting the appointment term lengths to 2 years for members of the CAC while maintaining the maximum of 8 years of service (4 complete terms). In order to facilitating transition, implementation of the new 2-year terms will be applied to all current members of the CAC as well as all future appointments.

The CAC is currently at 6 members with 3 regular and 2 alternate vacancies. To ensure the CAC is able to maintain a quorum, the application period is tentatively set for October 2020.

Fiscal Impact

None

Attachments

- A. Community Advisory Guide and Appointment Process - Redline



Community Advisory Committee Guide

Purpose

Advise the Board of Directors on all subjects related to the operations of the CCA program as set forth in the work plan adopted on October 18, 2019

Authority

Established by the Board of Directors. See JPA section 4.9

Agency

East Bay Community Energy (EBCE)

Qualifications

~~EBCE service area-EBCE service area resident~~Alameda County resident or shall have owned or actively operated a business in ~~EBCE service area-EBCE service area resident~~Alameda County for a period of at least 5 years prior to appointment and shall do so for the entire period of appointment. Applicants will be considered with an interest in maintaining diversity of representation by geography, population, work experience and community.

Staff person

Stephanie Cabrera 510-736-4981

Composition

The Advisory Committee consists of nine (9) active and two (2) alternate members for a total of 11 seats. **The 9 active seats each represent the following areas:**

	JPA Vote Share	CAC Seat Allocation
NORTH Albany, Berkeley, Oakland, Emeryville and Piedmont	36%	3
EAST Dublin, Livermore, and Pleasanton	14%	1

SOUTH Fremont, Union City and Newark	27%	2
CENTRAL Hayward, San Leandro and Alameda County Unincorporated	23%	2
SAN JOAQUIN COUNTY Tracy	6%	1
Alternate 1 - At-Large		
Alternate 2 - At-Large		

Application process

Any person residing or operating a business in the EBCE service area interested in serving on the Advisory Committee should complete the Advisory Committee application during the specified application period. EBCE will announce the start of the application window via meeting announcements, EBCE email distribution list and the Community Advisory Committee site: <https://ebce.org/community-advisory-committee/>. The application period will be for 30 days from the first announcement of the vacancy.

Applicants will receive an automated email response to their application submission with the appointment target date. EBCE staff will review applications for completeness and qualifications. Once the applications have been reviewed, applicants will be notified via email if they will or will not advance to be interviewed.

The Executive Committee and/or an Ad hoc committee of the Board will interview enough candidates for the number of available seats and recommend the appointment of members to the full Board for approval. Once selected applicants have completed the interview process, interviewees will be notified of appointment status.

If a selected applicant declines the appointment invitation, another candidate may be selected from the same pool of interviewees. Applications will be retained for 30 days after appointments are made. In the event a vacancy is created during these 30 days, EBCE may use the same pool of applicants.

No applications will be retained for future application periods. Applicants not selected may resubmit an application when the next application period opens.

Appointment

The committee is appointed by the Board of Directors based on qualifications outlined above.

Term

Appointments shall be for ~~two (2)~~ ~~four (4)~~ year terms. With the exception of the initial committee

which had 3 members serving a shorter 2-year term to stagger the term end dates. Members may serve up to ~~two (2)~~ four (4) full terms or combination thereof for a total of eight (8) years, or at the pleasure of the Board, from the date of appointment. No appointee shall serve more than a total of eight (8) years.

Chair and Vice-Chair

The committee shall elect a new Chair and Vice-Chair yearly at their June meeting. Members may serve as Chair or Vice-Chair for one year and no more than two consecutive years.

Ex Officio Board Member

The committee Chair will serve as a non-voting member of the Board of Directors as described in the Joint Powers Authority agreement section 4.2.2. The Ex Officio Board member may not serve on the Executive Committee or participate in Closed Session Meetings of the Board.

Stipends

Committee members are eligible to receive a \$50 stipend per meeting with a maximum of \$100 per month. As the Ex Officio Member of the Board, the Chair will receive a \$100 stipend with a maximum of \$200 per month, in line with the Board's stipend.

To be eligible for a stipend the CAC must have a quorum and members must arrive no later than 30 minutes after the meeting start time. Please see Board of Directors' Resolution R-2018-17 for additional information.

Attendance

Members are expected to attend up to two (2) meetings per month. Members must inform the Clerk of the Board of a planned absence.

Absences may not be communicated through the Chair, although the member should include the Chair in any attendance communications with the Clerk. Members with excessive absences may potentially be dismissed from the committee. The decision to dismiss a member will be made by the Board of Directors.

Vacancies

When a vacancy is created on the committee, EBCE will announce the vacancy and the start of the application window via meeting announcements, EBCE email distribution list and the Community Advisory Committee site: <https://ebce.org/community-advisory-committee/> closest to the date the vacancy was created.

Vacancies will be filled no later than 90 days of the vacancy announcement. If the seat vacated is a regular seat, an alternate may be appointed immediately following the vacancy announcement to fill the seat and complete the remaining term.

Removal from Committee

A member of the Community Advisory Committee may be removed by the Board of Directors for

any reason by majority vote. See JPA section 4.9