



Draft Minutes

Board of Directors Meeting

Wednesday, May 19, 2021

5:00 pm

<https://us02web.zoom.us/j/87023071843>

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1. Welcome & Roll Call

2. Pledge of Allegiance

Present: Directors: Valle (Alameda County), Tiedemann (Albany), Hernandez (Dublin), Marquez (Hayward), Kiick (Livermore), Hannon (Newark), McCarthy (Piemont), Narum (Pleasanton), Lopez (San Leandro), Arriola (Tracy), Patino (Union City), Sutter (Community Advisory), Vice-Chair Martinez (Emeryville) and Chair Kalb (Oakland)

Excused: Directors Harrison (Berkeley), Valle (Alameda), and Cox (Fremont)

Director Harrison (Berkeley) joined the meeting at 5:10pm.

Alternate Director Cox (Fremont) joined the meeting at 5:30pm.

3. 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 and must complete an electronic [speaker slip](#). The Board Chair may increase or decrease the time allotted to each speaker.

Ceyda Durmaz Dogan, representing Local Clean Energy Alliance and Local Clean Power Alliance, spoke in support of EBCE partnering with community-based organizations to

build microgrid resilience hubs, including islandable solar+storage, in order to prepare for upcoming public safety power shut-off events.

Jessica Tovar, representing East Bay Clean Power Alliance, requested that EBCE work with local community organizations to establish resilience hubs with islandable solar+battery storage, in locations that are trusted by the local community.

Livesey Pack, speaking on behalf of the SPUR Urban Center, asked for EBCE's support for SB 617, a piece of legislation co-sponsored by SPUR and Environment California. Livesey Pack stated that SB 617 will streamline solar permitting, provide a low-cost stimulus to local municipalities, and create a more resilient energy future for California.

Aleta Dupree offered recommendations to mitigate renewable energy curtailment, including investments in energy storage infrastructure, and for EBCE to become a distribution and transmission utility.

Susan Silber, director of the Norcal Resilience Network, spoke in support of funding resilience hubs with solar+battery storage. Susan Silber stated that EBCE should support community-driven resilience hubs, not just at critical facilities, but in spaces that directly support underserved and frontline communities that are severely impacted by power shut-offs.

Igor Tregub spoke in opposition to SB 1149, which he stated will kill the rooftop solar industry, and in support of Livesey Pack's comments about SB 617. Igor Tregub also spoke in support of EBCE providing funding and technical support for local resilience hubs. Igor Tregub spoke as a member of the Sierra Club, the East Bay Clean Power Alliance, and the Norcal Resiliency Hub Network.

Marjaneh Moini, speaking on behalf of Physicians for Social Responsibility, asked EBCE to support local resilience hubs.

Alan Marlin spoke in support of resilience hubs and islandable solar and battery storage.

Michelle Allison spoke about the programs that Clean Power Alliance ("CPA"), a recently formed CCA, has implemented to cut climate emissions and make to progress on its climate commitments. Michelle Allison stated that fifteen out of thirty-two of CPA's member municipalities had set their default product to 100% renewable energy, and that CARE, FERA and medical baseline customers receive the full benefit of this product at no additional cost. Michelle Allison offered to serve as a resource about CPA's programs.

Jean Woo asked EBCE to support the development of community-based resilience hubs that include islandable solar+energy storage. Jean Woo offered to serve as a resource to help plan for the creation of resilience hubs.

Nick Peterson praised EBCE's efforts to set up resilience hubs in its service area. Nick Peterson asked EBCE to consider local school districts as locations for community resilience hubs and emergency back-up power. Nick Peterson also spoke in opposition to SB 1139, which he stated will destroy rooftop solar in California.

Lincoln J Oliver-O'Neill asked EBCE to increase funding for equitable energy resilience infrastructure such as rooftop solar and battery storage in low-income communities and communities of color in Alameda County and Tracy.

Audrey Ichinose, speaking on behalf of East Bay Clean Power Alliance and the California Alliance for Community Energy, spoke in support for additional funding to build islandable microgrids fed by solar+storage systems in impacted communities. Audrey Ichinose also spoke regarding the obstacles to community microgrids. A. Ichinose cited Public Utilities Code § 218, which maintains PG&E's monopoly over behind the meter distribution lines, and AB 1139, which would raise transmission fees for all ratepayers, as two such obstacles.

Aisha Abose, speaking on behalf of the Asian Pacific Environmental Network, spoke in support of additional funding and technical support for local resilience hubs.

Alice Sung asked EBCE to work with community-based organizations, public school districts and municipalities to identify the best locations for local community resilience hubs. Alice Sung also spoke in opposition to AB 1139, which she described as a regressive bill that would kill rooftop solar.

Laura Nicodemus spoke in support of inviting schools to join resilience hub networks.

Vaughn asked about the technology that resilience hubs would use to implement long-duration storage.

CONSENT AGENDA

4. Approval of Minutes from April 21, 2021

5. Contracts entered into (Informational Item)

6. 2021 Community Advisory Committee (CAC) Appointments

Adopt a Resolution approving the appointments of new Community Advisory Committee ("CAC") Members.

R-2021-16

7. Contract Amendment for Printer

Adopt a Resolution authorizing the CEO to negotiate and execute a Second Amendment to the Consulting Services Agreement with FinalOption Corp, dba Pacific Printers, to extend the contract from June 30, 2021 to June 30, 2022 and add an additional \$395,000 in compensation for total compensation not to exceed total \$800,000.

R-2021-17

8. Legal Services Spend Increase for FY 2020-2021

Adopt a Resolution authorizing staff to spend up to \$1,066,000 on legal services for Fiscal Year 2020-2021.

R-2021-18

9. Consulting Services Agreement with ARUP for Engineering and Project Development Services

Adopt a Resolution authorizing the CEO to negotiate and execute a Consulting Services Agreement with ARUP North America, LTD, to provide Engineering and Project Development Services that will facilitate deployment of solar photovoltaic and battery energy storage systems at critical municipal facilities, for a total amount not to exceed \$380,000, through December 31, 2024.

R-2021-19

10. Agreement with EcoMotion for Engineering and Project Development Services

Adopt a Resolution authorizing EBCE's CEO to execute a Consulting Services Agreement ("Agreement") with EcoMotion, a California S corporation, ("EcoMotion"), to provide Engineering and Project Development Services that will facilitate deployment of solar photovoltaic and battery energy storage systems at critical municipal facilities, for a total amount not to exceed \$400,000, through December 31, 2024.

R-2021-20

11. Suspend Procurement Policy for One-Time Purchase from Goal Zero

Approve a Resolution suspending procurement requirements and authorizing and delegating authority to the CEO to procure portable batteries sold and manufactured by Goal Zero for EBCE's Medical Baseline Resilience Pilot Program, in an amount not to exceed \$140,000.

R-2021-21

Director Kiick motioned to approve the Consent Agenda. Director Narum seconded the motion, which passed 12/0. Excused: Directors Valle and Cox. Abstain: Director McCarthy

REGULAR AGENDA

12. CEO REPORT

- A. Executive Committee Meeting
- B. Finance, Administration and Procurement Subcommittee Meeting
- C. Marketing, Regulatory and Legislative Subcommittee Meeting
- D. Special Board Retreats
- E. Marketing and Account Services Update

Jessica Tovar expressed concern about sponsorship commitments outside of the budget, stating that sponsorships can distract from a focus on equity and on the critical issues that are important to local communities.

13. Community Advisory Committee Report

Chair Sutter updated the Board about equity metrics within the Oakland Equitable Climate Action Plan and the process that Oakland took to determine those metrics from Shayna Hirshfield Gold (City of Oakland Climate Coordinator). This presentation was to provide the CAC with background on past efforts in the area of equity metrics prior to considering useful equity metrics for EBCE programs.

Chair Sutter also stated that with multiple new members joining the CAC, the committee has chosen to push the transition to a new chair/vice-chair to September or October. This short delay will allow new members to become familiar with the CAC and help them decide whether they want to step into a leadership role. Until that point, the current chair and vicechair will remain.

14. Prepay Transaction Overview (Informational Item)

Review of prepay transaction structure and update on transaction preparation status

The Committee discussed:

- Number of prepay transactions that have been executed by CCAs to date.
- Estimate of taxable vs. tax-exempt spread needed to achieve sought after discounts
- Interest rate projections
- Risk associated with 5-7 year bond repricing and re-issuance.

15. Legislative Update (Action Item)

Update on EBCE's bill tracker and recommended legislative positions

The Committee discussed:

- Changes that EBCE asked for to AB 1087, and rationale for why changes were not accepted.
- Per AB 1087, could CalCCA become a third party administrator for climate resiliency improvements to buildings that constitute community hubs?

Barbara Stebbins, speaking on behalf of Local Clean Energy Alliance and the California Alliance for Community Energy, spoke in opposition to AB 1139. Barbara Stebbins stated that AB 1139 would destroy the rooftop solar industry.

Ceyda Durmaz Dogan asked why EBCE has not taken a position in opposition to AB 1139.

Audrey Ichinose asked about CalCCA's position on AB 1139.

Jessica Tovar spoke in opposition to AB 1139, stating that the bill will maintain the investor-owned utility's monopoly over the transmission infrastructure.

Director Harrison (Berkeley) motioned to approve SB 68. Director Martinez (Emeryville) seconded the motion, which passed 14/0. Excused: Director Valle (Alameda County)

Director Harrison (Berkeley) motioned to support AB 1087. Chair Kalb seconded the motion, which passed 14/0. Excused: Director Valle (Alameda County)

16. Partnership Opportunities and Oakland Roots SC (Action Item)

Partnership opportunities presentation and request to negotiate and execute agreement with Oakland Roots SC

Director Harrison (Berkeley) left the meeting at 7:30pm.

The Committee discussed:

- Oakland Roots ticket price range
- Mid-year budget review

Ceyda Duraz Dogan, speaking on behalf of Local Clean Energy Alliance, spoke in opposition to the Oakland Roots SC partnership and requested to know the total budget for sponsorship and the percentage of this sponsorship to the total sponsorship budget.

Barbara Stebbins, speaking on behalf of the Oakland Clean Power Alliance, spoke in opposition to the Oakland Roots sponsorship, and provided examples of alternative programs that she states are more closely targeted at addressing equity in low-income communities.

Audrey Ichinose, speaking on behalf of East Bay Clean Power alliance and the California Alliance for Community Energy, spoke in opposition to the Oakland Roots Partnership, stating that EBCE should emphasize the qualities that distinguish it from the investor-owned utilities: that EBCE is non-profit, and that it supports local control and transparency.

Jessica Tovar, on behalf of the East Bay Clean Power Alliance, spoke in opposition to the Oakland Roots Partnership. Jessica Tovar stated that the sponsorship should be seen within the context of the full budget in order to ensure that funding is spent equitably, and with a priority on large investments in community organizations that address the needs of people on the ground.

Jean Woo spoke in opposition to the Oakland Roots sponsorship and provided alternative sponsorship suggestions including the People's Grocery, the People's Power Battery Collective and STEM-related student clubs.

Director Hernandez (Dublin) motioned to authorize the CEO to negotiate and execute an agreement to sponsor the Oakland Roots Sports Club as the official Climate Justice partner. Director Patino (Union City) seconded the motion which passed 13/0. Excused: Directors Valle (Alameda County) and Harrison (Berkeley)

17. Draft Budget Review (Informational Item)

Review the current Draft Budget

The Committee discussed:

- Arrearages write-off for CARE and FERA customers

Jessica Tovar asked about the omission of community innovation grants in the budget. Jessica Tovar stated that Covid Relief should not be included in the Local Development Business Plan, and asked where Resilience Hub Infrastructure for Community Groups is located in the budget. Jessica Tovar requested to receive a breakdown of where each program falls in the different areas, and how much money is allocated to each program.

Barbara Stebbins spoke regarding the difference between resilience hubs and critical facilities. Critical facilities primarily apply to municipal buildings such as police and fire stations - places that communities members will not be able to access power during a shut off. Barbara Stebbins stated that at least 40% of the budget should address equity in frontline communities.

Audrey Ichinose requested that Board members liaise with EBCE staff to help locate CARE and FERA eligible customers in their districts.

18. Board Member and Staff Announcements including requests to place items on future Board Agendas

Chair Kalb requested a staff report on SB 617 at the June Board Meeting.

Director Kiick requested a staff report on AB 1139 at the June Board meeting.

Director Lopez requested to place AB 1139 on the June Executive Committee agenda, in addition to June Board meeting agenda.

Director Hannon requested that staff send relevant materials about SB 617 and AB 1139 to Board Members prior to the June Board meeting.

Chair Kalb requested that staff to work to him to create a resolution in support of a zero-emission vehicle mandate.

19. Adjourned at 8:15pm.