



## Board of Directors Meeting

Wednesday, March 16, 2022

5:00 pm

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

Dial (for higher quality, dial a number based on your current location): US: +1 669 900 6833 or +1 346 248 7799 or +1 253 215 8782 or +1 929 205 6099 or +1 301 715 8592 or 888 475 4499 (Toll Free) or 877 853 5257 (Toll Free)

Webinar ID: 870 2307 1843

*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 Board at least 2 working days before the meeting at (510) 906-0491 or [cob@ebce.org](mailto:cob@ebce.org).*

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### 1. Welcome & Roll Call

### 2. Pledge of Allegiance

### 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 two minutes per speaker and must complete an electronic speaker slip. The Board Chair may increase or decrease the time allotted to each speaker.*

## CONSENT AGENDA

### 4. Approval of Minutes from January 19, 2022 and February 16, 2022

### 5. AB 361 Finding for Continued Remote Meetings

*Find that conducting in-person meetings of the Board would present imminent risks to attendees' health and authorize the Board to continue meeting via teleconferencing pursuant to Government Code Section 54953(e).*

### 6. Contracts entered into (Informational Item)

### 7. Camus Energy Agreement

Resolution to authorize CEO to negotiate SaaS agreement with Camus Energy.

### 8. 6th Dimension Contract Amendment

Amend existing CSA to expand construction management services into design and construction phase

**9. cQuant Contract Amendment**

Amend existing CSA to add on dedicated server services and increase compensation.

**REGULAR AGENDA**

**10. CEO REPORT**

- A. Executive Committee Meeting
- B. Finance, Administration and Procurement Subcommittee Meeting
- C. Marketing, Regulatory and Legislative Subcommittee Meeting
- D. Update on Renewable 100 Transition

**11. Community Advisory Committee Report**

**12. Local Development Update (Informational Item)**

Staff update on Local Development programs and activities

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

**14. Adjournment to Wednesday, April 20, 2022 at 5pm.**



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## Draft Agenda

### Board of Directors Meeting

Wednesday, January 19, 2022

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*If you have anything that you wish to be distributed to the Board, please email it to the clerk by 5:00 pm the day prior to the meeting.*

#### 1. Welcome & Roll Call

**Present: Directors:** Valle (Alameda County), Tiedemann (Albany), Cox (Fremont), Marquez (Hayward), Munro (Livermore), Hannon (Newark), Kalb (Oakland), McCarthy (Piedmont), Narum (Pleasanton), Arriola (Tracy), Patino (Union City), Vice-Chair Lopez (San Leandro)

**Excused: Directors:** Harrison (Berkeley), Hernandez (Dublin), Chair Martinez (Emeryville)

*Director Cox served as an Alternate for Director Mei (Fremont).*

#### 2. Pledge of Allegiance

Director Hannon lead the Pledge of Allegiance.

#### 3. Public Comment

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Jessica Tovar, on behalf of East Bay Clean Power Alliance, stated the CPUC would hear an item on Net Energy Metering, the Local Solar Incentive Policy Program, and encouraged everyone to call Governor Newsome and urge him to protect Net Energy Metering when the item comes up

for vote in February 2022, and encouraged everyone to speak at the January 27<sup>th</sup> CPUC meeting. She is concerned about Community Innovation Grants launched in 2019 and urged EBCE to continue to offer the grants.

**Aleta Dupree**, a member of the public, stated that even if people such as renters cannot install solar panels on their roofs they should still be able to get renewable electricity. Aleta Dupree stated electrification of the home and various methods of transportation are important as ways the public can participate in clean energy, and asked how to bridge the gap between the surpluses of solar energy during the day that is not being used and having to burn fuel at night?

### **CONSENT AGENDA**

4. Approval of Board of Directors Meeting Minutes of December 15, 2021
5. Treasurer's Report
6. Contracts entered into between December 8, 2021 and January 12, 2022 (Informational Item)
7. Extend the Temporary Suspension of and Revise Certain Customer Terms and Conditions.
8. Adoption of Resolution 2002-\_\_\_\_\_ regarding imminent Risks Findings Pursuant to AB 361 and Authorization to Continue Meeting via Teleconferencing

**Director Marquez motioned to approve the Consent Agenda. Director Kalb seconded the motion, which passed 13/0. Excused Directors: Harrison (Berkeley), Hernandez (Dublin).**

*Chair Martinez joined the meeting during the Consent Calendar.*

Chair Martinez assumed the role of Chair.

### **REGULAR AGENDA**

9. CEO REPORT
  - a. Executive Committee Meeting;
  - b. Marketing and outreach Update;
  - c. Local Development Business Plan Update, and
  - d. Update on Opt-out

**Recommendation:** Accept Chief Executive Officer (CEO) report on update items below.

**Jessica Tovar**, on behalf of East Bay Clean Power Alliance, appreciated EBCE staff members who speak out in support of Net Energy Metering. Jessica Tovar also appreciated that CEO Chaset responded to their comments regarding reinstating Community Innovation Grants and the Sierra Club's request for EBCE to provide a review of its carbon intensity and why there has been an increase in 2021.

**Aleta Dupree**, a member of the public, stated CEO Chaset's report shows it is easy for people to make decisions on how to get their electricity. Aleta Dupree looks forward to the CEO's report on carbon intensity as far as incoming power that is not renewable to see where it comes from and how it can be reduced.

## 10. Community Advisory Committee Report - Verbal Report

- Chair Eldred reported CAC met January 18<sup>th</sup> and requested there be a presentation next month on the power content and climate contributions of EBCE's energy mix.
- Chair Eldred reported that the next CAC would be held February 14<sup>th</sup>.

## 11. Program to Support and Scale Low to Moderate Income Building Electrification and Efficiency

**Recommendation:** Approve Resolution authorizing CEO to execute an Agreement with BlocPower to provide for \$1 million in investment at the junior capital position and negotiate and execute a separate Agreement to provide \$400,000 in grants to support electrification and clean energy upgrades on low to moderate income homes in EBCE's service area.

**Jessica Tovar**, on behalf of East Bay Clean Power Alliance, stated they support this program for access to electrification for the help it would provide in allowing customers to afford it as well as the jobs it would bring to the local workforce. Jessica Tovar stated that ensuring customers who sign up for the program fully understand the benefits and tradeoffs is an educational opportunity to show that electrification and energy efficiency work best together, and even better when adding local solar energy. Jessica Tovar requested EBCE create a program for customers who cannot afford even small bill increases.

### The Board Discussed:

- The benefits derived from the program, such as upgrades to a home to make it more energy efficient, being worth the monthly increase.
- Confidence in the program inspired by its integrity.
- The potential for renters and people who currently cannot participate in this program being able to eventually participate.
- Staff and BlocPower contacting local jurisdictions and the Alameda County Housing Authority to ensure they are aware of this program.

**Director Hannon motioned to approve a Resolution authorizing CEO to execute an Agreement with BlocPower to provide for \$1 million in investment at the junior capital position and negotiate and execute a separate Agreement to provide \$400,000 in grants to support electrification and clean energy upgrades on low to moderate income homes in EBCE's service area, with the addition that EBCE staff reach out to each local jurisdiction and the Alameda County Housing Authority to ensure they are aware of this program and have the opportunity to participate. Director Kalb seconded the motion, which carried 12/0. Excused Directors: Valle (Alameda County), Harrison (Berkeley), Hernandez (Dublin).**

## 12. Mid-Year Budget Review

**Recommendation:** Receive the report informing the Board of the mid-year Budget position for the 2021-2022 fiscal year.

**There were no speakers for public comment.**

**The Board Discussed:**

- Funding the Community Innovation Grants again.

**13. Credit Rating Review**

**Recommendation:** Receive the review of the credit rating and its implications to EBCE operations.

**There were no speakers for public comment.**

**14. Authorize CEO to Negotiate and Execute a Contract with FEC Nevada I**

**Recommendation:** Adopt a Resolution authorizing the CEO to negotiate and execute a contract with FEC Nevada I, LLC for a renewable energy supply agreement for a minimum term of 15 years and a maximum of 20 years.

**There were no speakers for public comment.**

**Director Hannon motioned to adopt a Resolution authorizing the CEO to negotiate and execute a contract with FEC Nevada I, LLC for a renewable energy supply agreement for a minimum term of 15 years and a maximum of 20 years. Director Cox seconded the motion, which carried 12/0. Excused Directors: Valle (Alameda County), Harrison (Berkeley), Hernandez (Dublin).**

**15. Authorize CEO to Negotiate and Execute a Contract Extension with NCPA to Provide Wholesale Energy Services**

**Recommendation:** Adopt a Resolution authorizing the CEO to negotiate and execute a contract extension with NCPA to provide wholesale energy services for up to a five-year term.

**There were no speakers for public comment.**

**Director Cox motioned to adopt a Resolution authorizing the CEO to negotiate and execute a contract extension with NCPA to provide wholesale energy services for up to a five-year term. Director Munro seconded the motion, which carried 12/0. Excused Directors: Valle (Alameda County), Harrison (Berkeley), Hernandez (Dublin).**

**16. Board Member and Staff Announcements Including Requests to Place Items on Future Board Agendas**

Director Hannon requested a staff presentation on how the geothermal process works and any significant environmental impacts resulting from that process.

Chair Martinez congratulated Director Narum on the newest member of her family.

Chair Martinez thanked staff for responding to letters and public comment on carbon intensity and Community Innovation Grants.



**17. Adjournment** - to Wednesday, February 16, 2022.



## Draft Agenda

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#### 1. Welcome & Roll Call

**Present: Directors:** Valle (Alameda County), Jordan (Albany), Harrison (Berkeley), Kumagai (Dublin), Cox (Fremont), Marquez (Hayward), Munro (Livermore), Kalb (Oakland), McCarthy (Piedmont), Narum (Pleasanton), Arriola (Tracy), Patino (Union City), Vice-Chair Lopez (San Leandro) and Chair Martinez (Emeryville)

**Excused: Directors:** Hannon (Newark)

*Director Jordon served as an Alternate for Director Tiedemann (Albany).*

*Director Kumagai served as an Alternate for Director Hernandez (Dublin).*

*Director Cox served as an Alternate for Director Mei (Fremont).*

#### 2. Pledge of Allegiance

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**Aleta Dupree** spoke regarding the best methods of storage, which is essential to capture renewable kilowatt-hours that would otherwise be curtailed. Aleta Dupree also spoke regarding saving money by scheduling use around times and temperatures.

**Tom Kelly**, spoke regarding the value and relevance of public comment and requested an EBCE staff member be assigned to respond in writing to public speakers. Tom Kelly suggested criteria be established for the source of financing associated with new power projects, and asked for the status of the PCIA in PG&E territory.

**Directors Jordan and McCarthy joined the meeting at 5:10pm.**

### **CONSENT AGENDA**

4. Approval of Board of Directors Meeting Minutes of October 20, 2021; December 3, 2021 Special Meeting; November 17, 2021 Regular Meeting; and December 15, 2021 Regular Meeting.
5. Contracts entered into between January 12, 2022 and February 9, 2022 (Informational Item).
6. Adoption of **Resolution** regarding Imminent Risks Findings Pursuant to AB 361 and Authorization to Continue Meeting via Teleconferencing.
7. Adoption of **Resolution** Authorizing the CEO to negotiate and execute a Consulting Services Agreement with Langan Engineering and Environmental Services, Inc. to provide technical consulting services to East Bay Community Energy (“EBCE”) through a U.S. Environmental Protection Agency (“USEPA”) funded Brownfield Community-wide Assessment Grant, for a total agreement amount not to exceed \$250,000, and with a term through December 31, 2024.
8. Adoption of a **Resolution** authorizing the CEO to negotiate and Execute a Consulting Services Agreement (“CSA”) for architectural services with one of two firms: Komorous-Towey Architects or AE3 Partners, for a total agreement amount ranging between \$400,000 and \$600,000, and with an agreement term through December 31, 2023.

**Director Narum joined the meeting during Public Comment.**

**Vice Chair Lopez motioned to approve the Consent Agenda. Director Harrison seconded the motion, which passed 12/0. Excused: Directors Hernandez, and Hannon. Abstained: Director Jordan.**

### **REGULAR AGENDA**

9. **CEO REPORT**
  - a. Update on enrollment numbers for Albany, Hayward, Dublin, Pleasanton

**Recommendation:** Accept Chief Executive Officer (CEO) report on update items below.

10. **Community Advisory Committee Report - Verbal Report**

**Recommendation:** Receive verbal report.

- Chair Eldred reported that CAC's February 14<sup>th</sup> meeting had extensive technical difficulties, leading to the meeting starting a half hour late and several members being unable to participate in the meeting.
- Chair Eldred discussed the issue raised by Tom Kelly regarding the cleanliness of the power mix.

11. Consideration regarding Approval of Legislative position on Assembly Bill B1814 which would authorize Community Choice Aggregators (CCAs) to submit applications to the California Public Utilities Commission (CPUC) to receive funding to administer transportation electrification programs in their service areas.

**Recommendation:** Board to take a "support" position on Assembly Bill ("AB") 1814 (Grayson).

Jessica Tovar, on behalf of the East Bay Clean Power Alliance, expressed support for the bill and stated they would like Community Choice programs to have more in their purview. Jessica Tovar wanted to see more investments in cleaning up municipal fleets and public transportation.

Aleta Dupree spoke of the importance of this bill and advocated for an expansive definition of electrification that included public transportation and freight vehicles.

**Director Kumagai joined the meeting during public comment.**

**CAC Chair Eldred delivered CAC's recommendation that CAC supports staff's recommendation of a Board position in support of Assembly Bill 1814.**

**Director Kalb motioned that the BOD take a position of support on AB 1814. Director Munro seconded the motion, which passed 13/0. Excused: Director Hannon. Abstained: Director Jordan.**

12. Power Content Guidelines, Zero Emission 2030 - information only.

**Recommendation:** Receive presentation showing a proposed schedule to reach zero emissions electricity in 2030. (No Action)

Richard Rollins stated the Power Content Guidelines report appears to ignore the goals of the jurisdictions that selected Bright Choice as a way to reduce their carbon emissions when it's emissions intensity has increased but the report avoided showing year-by-year emissions intensity. Richard Rollins requested that Table 3 of the report be revised to include Bright Choice emissions factors.

Chris Gilbert in a written comment: "As one of the initial 100 EBCE residential customers I question whether it is credible at this point to propose a path to zero emissions in 2030 since EBCE's emissions have been going up, not down. According to a recent analysis of 2020 power content labels for the various CCAs and IOUs in California, EBCE is the second highest carbon emitter in Northern California with about 600 pounds of CO2 per megawatt hour versus 164 for PG&E. Other CCAs range from Peninsula Clean Energy at 13 pounds CO2 per megawatt hour to Clean Power SF at 40, and Sonoma Clean Power at 80. According to the the staff report tonight, between 2018 and 2020 emissions went up by two-thirds. What is to convince me and other consumers that a path to zero emissions by 2030 can be realized if the emissions are

going in the other direction? What will assure us that we won't do more backsliding? Finally, what is to convince a consumer concerned about climate change that they shouldn't just change back to PG&E given PG&E's incredibly lower emissions?"

**Tom Kelly** stated that one of the driving forces in getting the CCA off the ground was a reduction in greenhouse gas emissions, but the emissions for Bright Choice alone are out of control. Tom Kelly recommended any city in San Joaquin County interested in joining a CCA not join EBCE, because the moment they join their emissions will increase by two or three times over PG&E.

**Jessica Tovar**, on behalf of East Bay Clean Power Alliance, emphasized that the point of their advocacy for the Local Development Business Plan was so they could have a plan for integrating clean energy programs and sources of clean energy and storage locally. Jess Tovar spoke about the importance of the Local Development Business Plan and doing the infrastructure in Alameda County and Tracy so the energy mix can be cleaned up. The East Bay Clean Power Alliance recommends EBCE follow the proceedings on distributed energy resources through the CPUC.

**Aleta Dupree** stated this issue is important and complicated, but can be used as a motivation to push toward a greater level of renewables, ideally solar and wind, but also with a place for being connected to the grid and the region, because EBCE should not be an island.

#### **CAC Chair Eldred Discussed:**

- The presentation said EBCE had planned to have nuclear power and now that they don't their projections are dirtier, but CAC was clearly informed that EBCE never intended to have nuclear in their mix and they were accepting the allocation as a patchthrough only with no intention to buy nuclear in the future.
- The need for a roadmap as to how to achieve these numbers and what is included in the carbon free energy.
- The strong need for local renewable development energy efficiency and energy conservation and other methods of demand reduction as opposed to disproportionate reliance on remote renewables.
- A risk assessment of relying on large hydro, especially as capacity will not expand for large hydro and is likely to decrease.

#### **The Board Discussed:**

- The need for materials to help customers make informed decisions, such as an emission factor chart for Bright Choice versus Renewable 100; a Renewable 100 summary with talking points; the emissions for the Bright Choice plan under the PSDR methodology; and simple data to communicate plan benefits such as cost savings, health benefits, and climate health.
- The factors in Bright Choice's dirtier emissions, such as no nuclear, discounted rate, and a change in the mix.
- How PG&E's use of nuclear energy contributes to its emissions lower than EBCE.
- How EBCE's desire for a discounted rate could be working in opposition with its desire for lower carbon intensity, and whether it is possible for EBCE to negotiate to purchase renewable energy for cheaper so it can offer rates below PG&E.
- The Clean Energy Revenue Bond model for renewables procurement as probably the best tool to structurally bring down the cost of renewables for EBCE customers.
- The need for a roadmap to getting to zero emissions by 2030, the possibility of more analysis on how to implement the vision, and ways to reach that goal even sooner, such

as working with local government, business, and residential communities, and more cities defaulting to 100% renewable.

- The Integrated Resource Plan, which will be completed between now and summer.
- The differences between the CCAs around the Bay Area in terms of their clean energy mix beyond the eligible renewables and how some of them are doing better by accepting the nuclear allocation, have prices at a premium to PG&E, and pay for large hydro out of reserves instead of current year revenues.
- The Local Development Business Plan as a road to lowering cost, lower carbon intensity, and maximizing benefits to the community.
- The negative effect of the supply chain crisis on achieving better pricing and getting more enrollment to Renewable 100.

### 13. Update on possible Expansion to Stockton and San Joaquin County

**Recommendation:** Review informational update on status of Stockton's interest in joining EBCE's Joint Powers Authority. Provide feedback on next steps, if any.

Vaughn asked if EBCE would be able to have service required for the whole area from Stockton through Tracy and over to the Alameda border? Vaughn stated it is a great idea because Stockton and Tracy have lots of land where there are chances to put up solar panels, and a lot of sun.

Tom Kelly stated if a City Council asked him if they should join EBCE right now, he'd say no, because switching to EBCE would increase their carbon emissions four-fold over PG&E.

Jessica Tovar, on behalf of the East Bay Clean Power Alliance, supported the inclusion of Stockton in EBCE's Joint Powers Authority and spoke of the many benefits to joining EBCE, such as governance that includes community members and advocates, and EBCE's investment in the communities over time. Jessica Tovar stated that being able to bring economic benefits to Stockton would be very important.

Richard Rollins asked for clarification on how enrolling Stockton would advance EBCE's mission of reducing greenhouse gas emissions.

#### **CAC Chair Eldred Discussed:**

- Her research that shows in general people are happy with having joined CCAs. Their one concern is growth beyond a certain point results in dilution of community voices. Also, people wished they had looked for closely at the reasons participating cities were joining to see if their values lined up. Chair Eldred favored enrolling the City of Stockton.

#### **The Board Discussed:**

- How to maintain the ability to speak to the smaller groups and the diversity within that community as EBCE grows?
- The idea that EBCE could serve as a model for other communities in the Central Valley for renewable energy generation, to show it can be done.
- The Central Valley's different culture, different economic disparities, and this opportunity to alleviate those challenges.
- How changing EBCE's name to Bay Valley Community Energy would be more equitable and respectful, because East Bay would have a cultural impact.

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

None.

**15. Adjournment to Wednesday, March 16, 2022.**



## Consent Item 5

**TO:** East Bay Community Energy Board of Directors

**FROM:** Inder Khalsa, General Counsel

**SUBJECT:** Adoption of Imminent Risks Findings Pursuant to AB 361 and Authorization to Continue Meeting via Teleconferencing

**DATE:** March 16, 2022

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### Recommendation

Find that conducting in-person meetings of the Board would present imminent risks to attendees' health and authorize the Board to continue meeting via teleconferencing pursuant to Government Code Section 54953(e).

### Background and Discussion

On March 4, 2020, Governor Gavin Newsom proclaimed a state of emergency related to COVID-19, pursuant to Government Code Section 8625, which is still in effect. On March 10, 2020, the Alameda County Board of Supervisors ratified the County Health Officer's declaration of a local health emergency due to COVID-19.

The Brown Act allows legislative bodies to meet by "teleconference," but only if the agenda listed the remote location of each member, the agenda was posted at all remote locations, and the public could access any of the remote locations. Additionally, a quorum of the legislative body had to be within the legislative body's jurisdiction. See Government Code Section 54953(b)(3)

Due to the COVID-19 pandemic, the Governor issued Executive Order N-29-20, suspending certain sections of the Brown Act. Pursuant to the Executive Order, legislative bodies no longer needed to list the location of each remote attendee, post agendas at each remote location, or allow the public to access each location. Further, a quorum of the legislative body does not need to be within the legislative body's



jurisdiction. After several extensions, Executive Order N-29-20 expired on September 30, 2021.

On September 16, 2021 Governor Newsom signed AB 361, new legislation that amends the Brown Act to allow local agencies to meet remotely during Governor declared emergencies under certain conditions. AB 361 took effect immediately as an urgency measure, but the Governor subsequently suspended application of the legislation – with limited exceptions – until October 1, 2021. The provisions of AB 361 relevant to local agencies are codified at Government Code Section 54953(e).

AB 361 authorizes local agencies to continue meeting remotely without following the Brown Act's standard teleconferencing provisions if the meeting is held during a state of emergency proclaimed by the Governor and either of the following applies: (1) state or local officials have imposed or recommended measures to promote social distancing; or (2) the agency has already determined or is determining whether, as a result of the emergency, meeting in person would present imminent risks to the health or safety of attendees.

The legislative body must make the required findings every 30 days, until the end of the state of emergency or recommended or required social distancing.

AB 361 also requires legislative bodies to make remote public meetings accessible telephonically or otherwise electronically to all members of the public seeking to observe and to address the local legislative body, and to make reasonable efforts to adhere as closely as reasonably possible to the provisions of the Brown Act. AB 361 adds new procedures and clarifies the requirements for conducting remote meetings. A legislative body that meets remotely must allow members of the public to access the meeting via a call-in option or an internet-based service option, and the agenda for the remote meeting must provide an opportunity for members of the public to directly address the body in real time.

Due to the rise in COVID-19 cases caused by the Delta Variant, Alameda County is still impacted by the effects of the COVID-19 emergency. The Centers for Disease Control (CDC) recommends physical distancing of at least six (6) feet whenever possible, avoiding crowds, and avoiding spaces that do not offer fresh air from the outdoors, particularly for people who are not fully vaccinated or who are at higher risk of getting very sick from COVID-19. The CDC also recommends that people who live with unvaccinated people avoid activities that make physical distancing hard.

EBCE's public-meetings are held at indoor facilities not designed to ensure circulation of fresh or outdoor air, particularly during periods of cold and/or rainy weather, and were not designed to ensure that attendees can remain six (6) feet apart. Additionally, holding in-person meetings may encourage community members to come to EBCE facilities to participate in EBCE meetings in-person, and some of them could be at high risk of getting very sick from COVID-19 and/or live with someone who is at high risk. At this point in time, there are few in-person locations available for the EBCE to meet in, since most of the agencies in Alameda County are still holding remote meetings.

In-person meetings could also tempt community members who are experiencing COVID-19 symptoms to leave their homes in order to come to EBCE Board meetings to participate. Attendees may need to use ride-share services and/or public transit to travel to in-person meetings, thereby putting them in close and prolonged contact with additional people outside of their households.

For these reasons, staff recommends that the Board adopt findings that, as a result of the state of emergency caused by COVID-19, meeting in person would present imminent risks to the health and safety of attendees.

Staff will continue to monitor the situation and will return to the Board every 30 days or as needed with additional recommendations related to the conduct of public meetings.

#### **Attachments**

- A. Proclamation of Governor Newsom of a State of Emergency due to COVID-19
- B. Resolution No. R-2020-91 of the Alameda County Board of Supervisors Ratifying the Declaration of a Local Health Emergency due to COVID-19

EXECUTIVE DEPARTMENT  
STATE OF CALIFORNIA

PROCLAMATION OF A STATE OF EMERGENCY

**WHEREAS** in December 2019, an outbreak of respiratory illness due to a novel coronavirus (a disease now known as COVID-19), was first identified in Wuhan City, Hubei Province, China, and has spread outside of China, impacting more than 75 countries, including the United States; and

**WHEREAS** the State of California has been working in close collaboration with the national Centers for Disease Control and Prevention (CDC), with the United States Health and Human Services Agency, and with local health departments since December 2019 to monitor and plan for the potential spread of COVID-19 to the United States; and

**WHEREAS** on January 23, 2020, the CDC activated its Emergency Response System to provide ongoing support for the response to COVID-19 across the country; and

**WHEREAS** on January 24, 2020, the California Department of Public Health activated its Medical and Health Coordination Center and on March 2, 2020, the Office of Emergency Services activated the State Operations Center to support and guide state and local actions to preserve public health; and

**WHEREAS** the California Department of Public Health has been in regular communication with hospitals, clinics and other health providers and has provided guidance to health facilities and providers regarding COVID-19; and

**WHEREAS** as of March 4, 2020, across the globe, there are more than 94,000 confirmed cases of COVID-19, tragically resulting in more than 3,000 deaths worldwide; and

**WHEREAS** as of March 4, 2020, there are 129 confirmed cases of COVID-19 in the United States, including 53 in California, and more than 9,400 Californians across 49 counties are in home monitoring based on possible travel-based exposure to the virus, and officials expect the number of cases in California, the United States, and worldwide to increase; and

**WHEREAS** for more than a decade California has had a robust pandemic influenza plan, supported local governments in the development of local plans, and required that state and local plans be regularly updated and exercised; and

**WHEREAS** California has a strong federal, state and local public health and health care delivery system that has effectively responded to prior events including the H1N1 influenza virus in 2009, and most recently Ebola; and

**WHEREAS** experts anticipate that while a high percentage of individuals affected by COVID-19 will experience mild flu-like symptoms, some will have more serious symptoms and require hospitalization, particularly individuals who are elderly or already have underlying chronic health conditions; and

**WHEREAS** it is imperative to prepare for and respond to suspected or confirmed COVID-19 cases in California, to implement measures to mitigate the spread of COVID-19, and to prepare to respond to an increasing number of individuals requiring medical care and hospitalization; and

**WHEREAS** if COVID-19 spreads in California at a rate comparable to the rate of spread in other countries, the number of persons requiring medical care may exceed locally available resources, and controlling outbreaks minimizes the risk to the public, maintains the health and safety of the people of California, and limits the spread of infection in our communities and within the healthcare delivery system; and

**WHEREAS** personal protective equipment (PPE) is not necessary for use by the general population but appropriate PPE is one of the most effective ways to preserve and protect California's healthcare workforce at this critical time and to prevent the spread of COVID-19 broadly; and

**WHEREAS** state and local health departments must use all available preventative measures to combat the spread of COVID-19, which will require access to services, personnel, equipment, facilities, and other resources, potentially including resources beyond those currently available, to prepare for and respond to any potential cases and the spread of the virus; and

**WHEREAS** I find that conditions of Government Code section 8558(b), relating to the declaration of a State of Emergency, have been met; and

**WHEREAS** I find that the conditions caused by COVID-19 are likely to require the combined forces of a mutual aid region or regions to appropriately respond; and

**WHEREAS** under the provisions of Government Code section 8625(c), I find that local authority is inadequate to cope with the threat posed by COVID-19; and

**WHEREAS** under the provisions of Government Code section 8571, I find that strict compliance with various statutes and regulations specified in this order would prevent, hinder, or delay appropriate actions to prevent and mitigate the effects of the COVID-19.

**NOW, THEREFORE, I, GAVIN NEWSOM**, Governor of the State of California, in accordance with the authority vested in me by the State Constitution and statutes, including the California Emergency Services Act, and in particular, Government Code section 8625, **HEREBY PROCLAIM A STATE OF EMERGENCY** to exist in California.

**IT IS HEREBY ORDERED THAT:**

1. In preparing for and responding to COVID-19, all agencies of the state government use and employ state personnel, equipment, and facilities or perform any and all activities consistent with the direction of the Office of Emergency Services and the State Emergency Plan, as well as the California Department of Public Health and the Emergency Medical Services Authority. Also, all residents are to heed the advice of emergency officials with regard to this emergency in order to protect their safety.
2. As necessary to assist local governments and for the protection of public health, state agencies shall enter into contracts to arrange for the procurement of materials, goods, and services needed to assist in preparing for, containing, responding to, mitigating the effects of, and recovering from the spread of COVID-19. Applicable provisions of the Government Code and the Public Contract Code, including but not limited to travel, advertising, and competitive bidding requirements, are suspended to the extent necessary to address the effects of COVID-19.
3. Any out-of-state personnel, including, but not limited to, medical personnel, entering California to assist in preparing for, responding to, mitigating the effects of, and recovering from COVID-19 shall be permitted to provide services in the same manner as prescribed in Government Code section 179.5, with respect to licensing and certification. Permission for any such individual rendering service is subject to the approval of the Director of the Emergency Medical Services Authority for medical personnel and the Director of the Office of Emergency Services for non-medical personnel and shall be in effect for a period of time not to exceed the duration of this emergency.
4. The time limitation set forth in Penal Code section 396, subdivision (b), prohibiting price gouging in time of emergency is hereby waived as it relates to emergency supplies and medical supplies. These price gouging protections shall be in effect through September 4, 2020.
5. Any state-owned properties that the Office of Emergency Services determines are suitable for use to assist in preparing for, responding to, mitigating the effects of, or recovering from COVID-19 shall be made available to the Office of Emergency Services for this purpose, notwithstanding any state or local law that would restrict, delay, or otherwise inhibit such use.
6. Any fairgrounds that the Office of Emergency Services determines are suitable to assist in preparing for, responding to, mitigating the effects of, or recovering from COVID-19 shall be made available to the Office of Emergency Services pursuant to the Emergency Services Act, Government Code section 8589. The Office of Emergency Services shall notify the fairgrounds of the intended use and can immediately use the fairgrounds without the fairground board of directors' approval, and

notwithstanding any state or local law that would restrict, delay, or otherwise inhibit such use.


7. The 30-day time period in Health and Safety Code section 101080, within which a local governing authority must renew a local health emergency, is hereby waived for the duration of this statewide emergency. Any such local health emergency will remain in effect until each local governing authority terminates its respective local health emergency.
8. The 60-day time period in Government Code section 8630, within which local government authorities must renew a local emergency, is hereby waived for the duration of this statewide emergency. Any local emergency proclaimed will remain in effect until each local governing authority terminates its respective local emergency.
9. The Office of Emergency Services shall provide assistance to local governments that have demonstrated extraordinary or disproportionate impacts from COVID-19, if appropriate and necessary, under the authority of the California Disaster Assistance Act, Government Code section 8680 et seq., and California Code of Regulations, Title 19, section 2900 et seq.
10. To ensure hospitals and other health facilities are able to adequately treat patients legally isolated as a result of COVID-19, the Director of the California Department of Public Health may waive any of the licensing requirements of Chapter 2 of Division 2 of the Health and Safety Code and accompanying regulations with respect to any hospital or health facility identified in Health and Safety Code section 1250. Any waiver shall include alternative measures that, under the circumstances, will allow the facilities to treat legally isolated patients while protecting public health and safety. Any facilities being granted a waiver shall be established and operated in accordance with the facility's required disaster and mass casualty plan. Any waivers granted pursuant to this paragraph shall be posted on the Department's website.
11. To support consistent practices across California, state departments, in coordination with the Office of Emergency Services, shall provide updated and specific guidance relating to preventing and mitigating COVID-19 to schools, employers, employees, first responders and community care facilities by no later than March 10, 2020.
12. To promptly respond for the protection of public health, state entities are, notwithstanding any other state or local law, authorized to share relevant medical information, limited to the patient's underlying health conditions, age, current condition, date of exposure, and possible contact tracing, as necessary to address the effect of the COVID-19 outbreak with state, local, federal, and nongovernmental partners, with such information to be used for the limited purposes of monitoring, investigation and control, and treatment and coordination of care. The

notification requirement of Civil Code section 1798.24, subdivision (i), is suspended.

13. Notwithstanding Health and Safety Code sections 1797.52 and 1797.218, during the course of this emergency, any EMT-P licensees shall have the authority to transport patients to medical facilities other than acute care hospitals when approved by the California EMS Authority. In order to carry out this order, to the extent that the provisions of Health and Safety Code sections 1797.52 and 1797.218 may prohibit EMT-P licensees from transporting patients to facilities other than acute care hospitals, those statutes are hereby suspended until the termination of this State of Emergency.
14. The Department of Social Services may, to the extent the Department deems necessary to respond to the threat of COVID-19, waive any provisions of the Health and Safety Code or Welfare and Institutions Code, and accompanying regulations, interim licensing standards, or other written policies or procedures with respect to the use, licensing, or approval of facilities or homes within the Department's jurisdiction set forth in the California Community Care Facilities Act (Health and Safety Code section 1500 et seq.), the California Child Day Care Facilities Act (Health and Safety Code section 1596.70 et seq.), and the California Residential Care Facilities for the Elderly Act (Health and Safety Code section 1569 et seq.). Any waivers granted pursuant to this paragraph shall be posted on the Department's website.

**I FURTHER DIRECT** that as soon as hereafter possible, this proclamation be filed in the Office of the Secretary of State and that widespread publicity and notice be given of this proclamation.

**IN WITNESS WHEREOF** I have hereunto set my hand and caused the Great Seal of the State of California to be affixed this 4th day of March 2020



\_\_\_\_\_  
GAVIN NEWSOM  
Governor of California

**ATTEST:**

\_\_\_\_\_  
ALEX PADILLA  
Secretary of State



**OFFICE OF THE AGENCY DIRECTOR**

1000 San Leandro Boulevard, Suite 300  
San Leandro, CA 94577  
TEL (510) 618-3452  
FAX (510) 351-1367

March 6, 2020

The Honorable Board of Supervisors  
County Administration Building  
1221 Oak Street  
Oakland, CA 94612

**SUBJECT: ADOPT A RESOLUTION RATIFYING THE DECLARATION OF A LOCAL HEALTH EMERGENCY BY THE COUNTY HEALTH OFFICER RELATED TO THE 2019 NOVEL CORONAVIRUS**

Dear Board Members:

**RECOMMENDATION**

Adopt a Resolution ratifying the Declaration of a Local Health Emergency by the County Health Officer related to the 2019 Novel Coronavirus

**DISCUSSION/SUMMARY**

In December 2019, an outbreak of a respiratory illness due to a novel coronavirus (a disease known as 2019 Novel Coronavirus or COVID-19) was first identified in Wuhan City, Hubei Province, China. Since then, the outbreak has spread to more than 75 countries, including the United States. As of March 5, 14 California counties have had at least one citizen infected with the virus. The County of Alameda is among those counties, as are several Bay Area counties including Contra Costa, San Francisco, San Mateo, Santa Clara, Solano, and Sonoma.

The United States Centers for Disease Control and Prevention (CDC) considers COVID-19 to present a very serious threat to public health. On January 23, 2020, the CDC activated its Emergency Response System to provide ongoing support for the response to COVID-19 across the United States. On January 31, 2020, the Secretary of the US Department of Health and Human Services declared a public health emergency in the United States.

As of March 6, 2020, the CDC has identified 164 confirmed cases of COVID-19 infection, across 19 states, including 45 in California. The number of reported cases has escalated dramatically, with more than 94,000 confirmed cases and more than 3,300 deaths worldwide.

On March 1, 2020, the California Department of Public Health confirmed that an Oakland resident had become infected with COVID-19 after providing healthcare to the Solano County COVID-19 patient. Two days later, an individual in Berkeley also tested positive for COVID-19 Infection.



The Honorable Board of Supervisors

March 6, 2020

Page 2 of 2

California Health and Safety Code section 101080 allows a local health officer to declare a local health emergency in the health officer's jurisdiction, or any part thereof, "whenever the health officer reasonably determines that there is an imminent and proximate threat of the introduction of any contagious, infectious, or communicable disease, chemical agent, noncommunicable biologic agent, toxin, or radioactive agent." On March 1, 2020, Alameda County Interim Health Officer Erica Pan, MD, MPH, FAAP declared a local health emergency. Dr. Pan found that with "multiple cases of COVID-19 and evidence of community transmission in the region, there is an ongoing risk and likelihood of additional COVID-19 positive patients and community spread in the County of Alameda." Dr. Pan renewed this declaration of emergency on March 5, 2020.

The declaration of a local health emergency provides the following benefits: it allows other jurisdictions and state agencies to provide mutual aid; it allows the extraordinary costs of providing mutual aid to be a legal charge against the state; and it provides immunity to healthcare providers who render aid during the emergency. The declaration also provides the local Health Officer with the authority to exercise the full range of her power to protect the community's public health, which includes issuance and enforcement of orders for quarantine and isolation.

Under section 101080, your Board is required to ratify the Health Officer's declaration of emergency. Ordinarily, your Board would need to renew this ratification every thirty (30) days; however, on March 4, 2020, California Governor Gavin Newsom issued a Proclamation of a State of Emergency relating to the COVID-19 outbreak that included a waiver of the renewal requirement: "The 30-day time period in Health & Safety Code section 101080, within which a local governing authority must renew a local health emergency, is hereby waived for the duration of this statewide emergency. Any such local health emergency will remain in effect until each local governing authority terminates its respective local emergency." The Governor similarly waived the renewal requirement for a declaration of local emergency.

#### **VISION 2026 GOAL**

This Resolution meets the 10X goal pathway of **Healthcare for All** in support of our shared visions of **Safe and Livable Communities**, **Thriving and Resilient Population**, and **Healthy Environment**.

Sincerely,

DocuSigned by:  
  
CB284AE84C50405...

Colleen Chawla, Director  
Health Care Services Agency

RESOLUTION NUMBER R-2020- 91

**A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF ALAMEDA RATIFYING THE DECLARATION OF LOCAL HEALTH EMERGENCY BY THE COUNTY HEALTH OFFICER RELATED TO THE 2019 NOVEL CORONAVIRUS**

**WHEREAS**, California Health and Safety Code section 101080 authorizes a local health officer to declare a local health emergency in the health officer's jurisdiction, or any part thereof, whenever the health officer reasonably determines that there is an imminent and proximate threat of the introduction of any contagious, infectious, or communicable disease, chemical agent, non-communicable biological agent, toxin, or radioactive agent; and

**WHEREAS**, on March 1, 2020 and again on March 5, 2020, the County's Health Officer declared a local health emergency based on an imminent and proximate threat to public health from the introduction of a novel coronavirus (named COVID-19) in the County of Alameda; and

**WHEREAS**, under Health and Safety Code section 101080, the local health emergency shall not remain in effect for more than seven (7) days unless ratified by the Board of Supervisors; and

**WHEREAS**, the Board of Supervisors hereby finds that there continues to exist an imminent and proximate threat to public health from the introduction of COVID-19 in the County for reasons set forth in the declaration of local health emergency by the County's Health Officer, dated March 5, 2020;

**NOW, THEREFORE, BE IT RESOLVED**, by the Board of Supervisors of the County of Alameda as follows:

Section 1 – The local health emergency declared by the County's Health Officer on March 5, 2020 is hereby ratified. Under authority granted by California Governor Gavin Newsom in a Proclamation of a State of Emergency issued on March 4, 2020, this declaration of local emergency shall remain in effect until the Board of Supervisors determines that the emergency condition no longer exists.

Section 2 – The Board of Supervisors hereby delegates to the County's Health Officer authority to terminate the local health emergency, pursuant to Health & Safety Code section 101080 "at the earliest possible date that conditions warrant the termination."

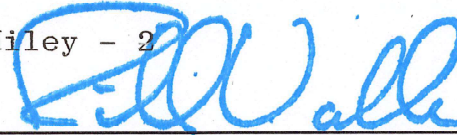
Section 3 – All County departments and agencies take those actions, measures, and steps deemed necessary to assure the health, safety, and welfare of County citizens and property, including requesting mutual aid to the extent such aid is necessary.

The foregoing Resolution was passed and adopted by the Board of Supervisors of the County of Alameda, State of California, at a regular meeting of the Board on the 10 day of March, 2020 by the following vote:

AYES: Supervisors Carson, Haggerty and President Valle - 3

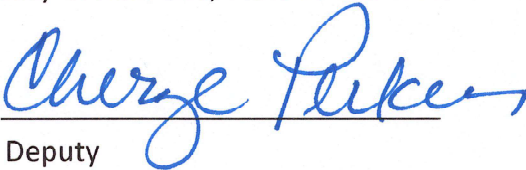
NOES: None

EXCUSED: Supervisors Chan and Miley - 2

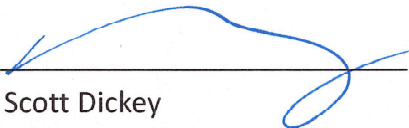


Richard Valle, President of the Board of Supervisors

ATTEST:  
Clerk of the Board of Supervisors,  
County of Alameda, State of California

By:   
Deputy

APPROVED AS TO FORM:  
Donna R. Ziegler, County Counsel

By:   
K. Scott Dickey  
Assistant County Counsel

**DECLARATION OF A LOCAL HEALTH EMERGENCY**

**WHEREAS**, Health and Safety Code section 101080 authorizes a local health officer to declare a local health emergency in the health officer's jurisdiction, or any part thereof, whenever the health officer reasonably determines that there is an imminent and proximate threat of the introduction of any contagious, infectious, or communicable disease, chemical agent, noncommunicable biologic agent, toxin, or radioactive agent;

**WHEREAS**, COVID-19 is a contagious, infectious, or communicable disease;

**WHEREAS**, the Secretary of the United States Department of Health and Human Services declared a public health emergency on January 31, 2020, for the United States;

**WHEREAS**, the Centers for Disease Control and Prevention announced on February 25, 2020, that community spread of COVID-19 is likely to occur in the United States;

**WHEREAS**, the first confirmed case of COVID-19 has now been identified in the County of Alameda;

**WHEREAS**, the Governor Gavin Newsom issued a Proclamation of a State of Emergency on March 4, 2020 for California;

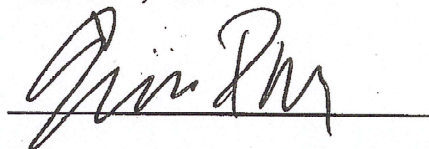
**WHEREAS**, based on the United States Department of Health and Human Services declaration and the Centers for Disease Control and Prevention statements, and multiple cases of COVID-19 and evidence of community transmission in the region, there is an ongoing risk and likelihood of additional COVID-19 positive patients and community spread in the County of Alameda;

**WHEREAS**, based on the foregoing, the Health Officer of Alameda County does hereby find that there is an imminent and proximate threat of the introduction and spread of COVID-19 in the County of Alameda and a threat to the public health of the residents of the County of Alameda;

**THEREFORE**, the County Health Officer hereby declares a renewal of a local health emergency originally declared on March 1<sup>st</sup>, 2020 throughout the County of Alameda;

**IT IS SO DECLARED**, on this date: March 5<sup>th</sup>, 2020.

**BY:**



Name: Dr. Erica Pan

Title: Interim Health Officer

Public Health Department, County of Alameda

**DECLARATION OF A LOCAL HEALTH EMERGENCY**

**WHEREAS**, Health and Safety Code section 101080 authorizes a local health officer to declare a local health emergency in the health officer's jurisdiction, or any part thereof, whenever the health officer reasonably determines that there is an imminent and proximate threat of the introduction of any contagious, infectious, or communicable disease, chemical agent, noncommunicable biologic agent, toxin, or radioactive agent;

**WHEREAS**, COVID-19 is a contagious, infectious, or communicable disease;

**WHEREAS**, the Secretary of the United States Department of Health and Human Services declared a public health emergency on January 31, 2020, for the United States;

**WHEREAS**, the Centers for Disease Control and Prevention announced on February 25, 2020, that community spread of COVID-19 is likely to occur in the United States;

**WHEREAS**, the first confirmed case of COVID-19 has now been identified in the County of Alameda;

**WHEREAS**, the Governor Gavin Newsom issued a Proclamation of a State of Emergency on March 4, 2020 for California;

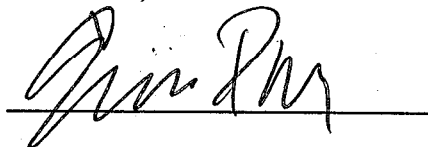
**WHEREAS**, based on the United States Department of Health and Human Services declaration and the Centers for Disease Control and Prevention statements, and multiple cases of COVID-19 and evidence of community transmission in the region, there is an ongoing risk and likelihood of additional COVID-19 positive patients and community spread in the County of Alameda;

**WHEREAS**, based on the foregoing, the Health Officer of Alameda County does hereby find that there is an imminent and proximate threat of the introduction and spread of COVID-19 in the County of Alameda and a threat to the public health of the residents of the County of Alameda;

**THEREFORE**, the County Health Officer hereby declares a renewal of a local health emergency originally declared on March 1<sup>st</sup>, 2020 throughout the County of Alameda;

**IT IS SO DECLARED**, on this date: March 5<sup>th</sup>, 2020.

**BY:**



Name: Dr. Erica Pan

Title: Interim Health Officer

Public Health Department, County of Alameda



### Consent Item 6

**TO:** East Bay Community Energy Board of Directors  
**FROM:** Nick Chaset, Chief Executive Officer  
**SUBJECT:** Contracts Entered Into  
**DATE:** March 16, 2022

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#### RECOMMENDATION

Accept the CEO's report on contracts that EBCE has entered, as required by the Administrative Procurement Policy. **Items executed between February 9, 2022 and March 9, 2022;**

C-2022-012 SMUD (Sacramento) Amendment 4 to Exhibit A, Task Order 2 for CAPP Data Analysis, one time service to validate PG&E reporting, one time cost of \$20,000.

C-2022-013 SMUD (Sacramento) Amendment 5 to Exhibit A, Task Order 2 Management and Call Center Services related to DAC-GT Disadvantaged Communities Green Tariff, adds a one-time fee of \$53,898.

C-2022-014 Spectrum Community Services (Hayward) 2022 Community Outreach Grant awarded in the amount of \$30,000 to support workforce development, promote stronger local economic activity, and increase community resilience, and to support Spectrum's AMP outreach program.

C-2022-015 Korn Ferry Letter of Engagement (New York, NY) Independent market data and advice on current levels of pay for CEO, COO & Sr Director of Energy Procurement at a cost of \$29,000.



## Consent Item 7

**TO:** East Bay Community Energy Board of Directors

**FROM:** Taj Ait-Laoussine, VP Technology & Analytics

**SUBJECT:** Software as a Service Agreement with Camus Energy

**DATE:** March 16, 2022

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### **Recommendation**

Adopt a Resolution authorizing the CEO to negotiate and execute a Software as a Service Agreement with Camus Energy Inc. for a term of up to 3 years, and total cost of up to \$170,000, with the first-year fees set at \$70,000, and an option to renew for 2 subsequent years at a cost of \$50,000 per year.

### **Background and Discussion**

EBCE is a data pioneer and innovator, having built and deployed a robust cloud-based infrastructure for the storage, transfer, processing, and reporting of data that is unparalleled in the CCA space. EBCE is continuously looking to expand its capabilities, either by internally developing new solutions or implementing those of best-in-class providers.

There is currently a gap in EBCE's internal data visualization capabilities, particularly as it relates to the display of information in map-based environments. The proposed engagement with Camus would allow EBCE to license Camus Energy's map-based visualization capabilities, which can be easily integrated into EBCE's existing infrastructure, to fill that gap.

The Agreement also makes provisions for establishing open-source shared code repositories that both parties will contribute to, and which could be used to support future engagements with other CCAs as well as the continuing expansion of EBCE's

data platform. EBCE is already collaborating with Camus Energy and Silicon Valley Clean Energy to deploy a combination of both parties' solutions.

### **Fiscal Impact**

The cost of service for the first year will be \$70,000, which is split between a \$50,000 service fee and a \$20,000 set up fee. The contract can be renewed for a total term of up to 3 years, and at an additional cost of \$50,000 per year. The total contract cost for 3 years is therefore \$170,000.

### **Attachments**

- A. Resolution Authorizing the Chief Executive Officer to Negotiate and Execute an Amendment to the Subscription Agreement with Camus Energy Inc.



RESOLUTION NO. \_\_

**A RESOLUTION OF THE BOARD OF DIRECTORS  
OF THE EAST BAY COMMUNITY ENERGY AUTHORITY TO AUTHORIZE THE CHIEF  
EXECUTIVE OFFICER TO NEGOTIATE AND EXECUTE AN AGREEMENT WITH CAMUS  
ENERGY INC. FOR DATA VISUALIZATION SOFTWARE AS A SERVICE**

WHEREAS The East Bay Community Energy Authority (“EBCE”) was formed as a community choice aggregation agency (“CCA”) on December 1, 2016, Under the Joint Exercise of Power Act, California Government Code sections 6500 *et seq.*, among the County of Alameda, and the Cities of Albany, Berkeley, Dublin, Emeryville, Fremont, Hayward, Livermore, Piedmont, Oakland, San Leandro, and Union City to study, promote, develop, conduct, operate, and manage energy-related climate change programs in all of the member jurisdictions. The cities of Newark and Pleasanton, located in Alameda County, along with the City of Tracy, located in San Joaquin County, were added as members of EBCE and parties to the JPA in March of 2020.

WHEREAS data visualization and analysis are fundamental to the efficient operation and innovation of EBCE as a CCA;

WHEREAS Camus Energy offers a compelling and unique data visualization platform in use at other CCAs which EBCE staff has discussed and reviewed at length;

WHEREAS EBCE and Camus Energy Inc. would like to further a partnership to jointly develop software solutions and software code repositories for use in the wider CCA Community;

**NOW, THEREFORE, THE BOARD OF DIRECTORS OF THE EAST BAY COMMUNITY ENERGY AUTHORITY DOES HEREBY RESOLVE AS FOLLOWS:**

Section 1. The Board hereby authorizes the Chief Executive Officer to negotiate and execute, subject to the approval of General Counsel, a Software as a Service Agreement with Camus Energy, for a term of up to 3 years, for compensation not to exceed \$170,000, with the first-year compensation set at \$70,000, and an option to renew for 2 subsequent years at a price of \$50,000 per year.

ADOPTED AND APPROVED this 16<sup>th</sup> day of March, 2022.

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Dianne Martinez, Chair

ATTEST:

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Adrian Bankhead, Clerk of the Board



## Consent Item 8

**TO:** East Bay Community Energy Board of Directors

**FROM:** Nick Chaset, Chief Executive Officer

**SUBJECT:** Amendment and Extension of Consulting Services Agreement with Sixth Dimension for design and construction management services (action item)

**DATE:** March 16, 2022

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### Recommendation

Delegate authority to the CEO to negotiate and execute a First Amendment to the Consulting Services Agreement with Sixth Dimension to expand the scope of work to include design and construction management services for the build of EBCE's headquarters at 251 8<sup>th</sup> Street in Oakland, to increase the compensation by \$216,995 for a total amount not to exceed \$250,000, and to extend the termination date to June 30, 2023.

### Discussion

In the fall of 2021, EBCE issued a Request for Proposal (RFP) for property management and construction management services. Through this solicitation, EBCE selected Sixth Dimension - an Oakland, CA based, Alameda County SLEB certified business - to provide on-going property management services and construction management services for the design and build out of EBCE's headquarters. In December 2021, EBCE entered into the initial phase of the Consulting Services Agreement with Sixth Dimension focused on the property management scope of work and support selecting an architect to design the interior of 251 8<sup>th</sup> St. At the time, EBCE staff elected not to include a scope of work related to the design and construction of 251 8<sup>th</sup> St. because staff wanted to select an architect first, and better understand the schedule and likely scope of construction. As EBCE staff finalize selection of an architect, we are seeking to extend the term of the contract with Sixth Dimension for design and construction management services now that staff has a better understanding of the likely scope of construction, to increase the compensation to cover these services, and to extend the termination date through June 30, 2023.

### Attachment

1. Resolution Authorizing the CEO to Negotiate and Execute a First Amendment to the Consulting Services Agreement with Sixth Dimension to Expand the Scope, Increase the Compensation, and Extend the Term

**RESOLUTION NO. R-2022 -xx**

**A RESOLUTION OF THE BOARD OF DIRECTORS  
OF THE EAST BAY COMMUNITY ENERGY AUTHORITY AUTHORIZING THE CEO TO  
NEGOTIATE AND EXECUTE A FIRST AMENDMENT TO THE CONSULTING SERVICES  
AGREEMENT WITH SIXTH DIMENSION TO EXPAND THE SCOPE, INCREASE THE  
COMPENSATION, AND EXTEND THE TERM**

**WHEREAS**, The East Bay Community Energy Authority (“EBCE”) was formed as a community choice aggregation agency (“CCA”) on December 1, 2016, under the Joint Exercise of Power Act, California Government Code sections 6500 *et seq.*, among the County of Alameda and the Cities of Albany, Berkeley, Dublin, Emeryville, Fremont, Hayward, Livermore, Piedmont, Oakland, San Leandro, and Union City to study, promote, develop, conduct, operate, and manage energy-related climate change programs in all of the member jurisdictions. The cities of Newark and Pleasanton, located in Alameda County, along with the City of Tracy, located in San Joaquin County, were added as members of EBCE and parties to the JPA in March of 2020;

**WHEREAS**, in the Fall of 2021, EBCE issued a Request For Proposals for property management and construction management services;

**WHEREAS**, EBCE selected the vendor Sixth Dimension and executed a Consulting Services Agreement effective November 30, 2021, for construction management services;

**WHEREAS**, EBCE now requires additional services related to design and construction management services for the architect that will be improving 251 8<sup>th</sup> Street, Oakland.

**NOW, THEREFORE, THE BOARD OF DIRECTORS OF THE EAST BAY COMMUNITY ENERGY AUTHORITY DOES HEREBY RESOLVE AS FOLLOWS:**

Section 1. The CEO is authorized to negotiate and execute a First Amendment to the Consulting Services Agreement with Sixth Dimension to expand the scope of services to include design and construction management services, to increase the compensation by \$216,995 for a total amount not to exceed \$250,000, and to extend the termination date to June 30, 2023.

ADOPTED AND APPROVED this 16<sup>th</sup> day of March, 2022.

---

Dianne Martinez, Chair

ATTEST:

---

Adrian Bankhead, Clerk of the Board



## Consent Item 9

**TO:** East Bay Community Energy Board of Directors  
**FROM:** Chris Eshleman, Senior Manager, Power Resources  
**SUBJECT:** Dedicated Server Services with cQuant.IO, Inc.  
**DATE:** March 16<sup>th</sup>, 2022

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### Recommendation

Adopt a Resolution authorizing the Chief Executive Officer to negotiate and execute a First Amendment to the EBCE Consulting Services Agreement with cQuant.IO, Inc. (“cQuant”), dated September 24, 2020, for dedicated server services to use with their portfolio, risk, and valuation management software for a 2 to 4 month subscription term with monthly payments not to exceed \$5,000. The amendment increases the not to exceed amount by \$20,000, for a total not to exceed amount of \$581,000.

### Background and Discussion

East Bay Community Energy (“EBCE”) staff have utilized cQuant’s software platform for portfolio, risk, and valuation management services effective September 24<sup>th</sup>, 2020. Staff will be evaluating projects submitted to EBCE’s 2022 Long-Term Resource Request for Offers (“RFOs”) using the cQuant software platform.

#### 1. Assessment, Review, and Selection Process

EBCE staff initiated an assessment with the assistance of the cQuant staff on how best to complete the valuation activities required as part of the EBCE 2022 Long-Term Resource RFO. It was determined that to complete the evaluation of all RFO submissions effectively and efficiently, EBCE needs to retain a cQuant add-on service for a dedicated server.

Staff conducted discussions with the cQuant staff and cited the following benefits:

- A dedicated server infrastructure solely used by EBCE, freeing computing resources usually shared amongst the entire cQuant user base, which limits large amounts of model runs from any individual company.
- Increase the simultaneous model run quantity from two (2) to six (6).
- Based on prior use of cQuant’s platform for EBCE’s 2020 Long-Term Resource RFOs, subscribing to this add-on service will speed up the time it takes to value RFO submissions.

## 2. Proposed Subscription Services

EBCE staff reviewed and finalized the quote from cQuant. Below is the additional scope of services to be added via amendment to the CSA dated September 24, 2020:

- EBCE dedicated server - A server to which computing resources are dedicated and only usable by EBCE staff during the 2022 Long-Term Resource RFOs.

### Fiscal Impact

The subscription term for the add-on services is 2 to 4 months, with a monthly fee not to exceed \$5,000. The Amendment would increase the total compensation amount of the Consulting Services Agreement by to \$20,000.

### Attachments

- A. Resolution of the Board of Directors of the East Bay Community Energy Authority Authorizing the Chief Executive Officer to Negotiate and Execute an Amendment to the Consulting Services Agreement with cQuant.io, INC. dated March 16, 2022 to Provide Dedicated Server Services for the use with their Portfolio, Risk and Valuation Management Software Platform.

**RESOLUTION NO. R-2022-XX  
A RESOLUTION OF THE BOARD OF DIRECTORS  
OF THE EAST BAY COMMUNITY ENERGY AUTHORITY AUTHORIZING THE CHIEF EXECUTIVE  
OFFICER TO NEGOTIATE AND EXECUTE A FIRST AMENDMENT TO THE CONSULTING SERVICES  
AGREEMENT WITH CQUANT.IO, INC. DATED SEPTEMBER 24<sup>th</sup> 2020 TO PROVIDE DEDICATED  
SERVER SERVICES FOR USE WITH THEIR PORTFOLIO, RISK AND VALUATION MANAGEMENT  
SOFTWARE PLATFORM**

**WHEREAS** The East Bay Community Energy Authority (“EBCE”) was formed as a community choice aggregation agency (“CCA”) on December 1, 2016, under the Joint Exercise of Power Act, California Government Code sections 6500 *et seq.*, among the County of Alameda, and the Cities of Albany, Berkeley, Dublin, Emeryville, Fremont, Hayward, Livermore, Piedmont, Oakland, San Leandro, and Union City to study, promote, develop, conduct, operate, and manage energy-related climate change programs in all of the member jurisdictions. The cities of Newark and Pleasanton, located in Alameda County, along with the City of Tracy, located in San Joaquin County, were added as members of EBCE and parties to the JPA in March of 2020.

**WHEREAS** there is a need for EBCE to subscribe to and operate a dedicated server to speed up valuation activities during EBCE’s 2022 Long-Term Resource Request for Offers;

**WHEREAS** EBCE staff has negotiated and executed a Consulting Services Agreement with cQuant.IO, Inc. dated September 24<sup>th</sup>, 2020 with a term of 3 years;

**WHEREAS** the services offered by cQuant.IO, Inc. was determined to be the best fit to meet the current and future needs of EBCE;

**NOW, THEREFORE, THE BOARD OF DIRECTORS OF THE EAST BAY COMMUNITY ENERGY AUTHORITY DOES HEREBY RESOLVE AS FOLLOWS:**

Section 1. The CEO is hereby authorized to negotiate and execute a First Amendment to the EBCE Consulting Services Agreement with cQuant.IO, Inc. dated September 24<sup>th</sup>, 2020, to expand the scope of services to establish a dedicated server for a two (2) to four (4) month subscription term with a monthly payment of \$5,000, increasing the compensation by \$20,000, for a total amount not to exceed \$581,000, Amendment will be approved as to form by General Counsel.

ADOPTED AND APPROVED this 16<sup>th</sup> day of March 2022.

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Dianne Martinez, Chair



ATTEST:

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Adrian Bankhead, Clerk of the Board



## CEO Report Item 10

**TO:** East Bay Community Energy Board of Directors

**FROM:** Nick Chaset, Chief Executive Officer

**SUBJECT:** CEO Report (Informational Item)

**DATE:** March 16, 2022

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### **Recommendation**

Accept Chief Executive Officer (CEO) report on update items below.

### **Executive Committee Meeting**

The February 25, 2022 Executive Committee meeting was canceled. The next Executive Committee meeting will be held on March 25, 2022.

### **Finance, Administration and Procurement Subcommittee Meeting**

The February 18 and March 11 meetings of the Finance, Administration and Procurement Subcommittee were canceled. The next Finance, Administration and Procurement Subcommittee meeting will be held on April 15, 2022.

### **Marketing Regulatory and Legislative Subcommittee Meeting**

A meeting of the Marketing, Regulatory and Legislative Subcommittee was held on February 2, 2022. Members received an update on regulatory items of interest to EBCE and a summary of key activities for Marketing and Account Services over the next six months. The next Marketing, Regulatory and Legislative subcommittee will be held on April 6, 2022.

### **Update on Renewable 100 Transitions**

Four cities transitioned most of their customers to Renewable 100 during the month of January and two additional cities are transitioning residential customers to Renewable 100 in March. The January transition cities are Albany, Dublin (residential only), Hayward, and Pleasanton; the March transition cities are Berkeley and San Leandro.

The first notice to March transition customers was mailed and emailed in early February. The second notice was mailed to these customers in early March and will be emailed in mid-March.

Staff has tracked the enrollment status of customers in these areas and found that customers who act are more frequently staying with EBCE on Bright Choice rather than choosing to return to PG&E. These figures suggest that customers are making informed decisions about their electricity service. Below is a table showing the change in enrollment status percentages from November 2021 March 1, 2022.

	3/1/22			Change from November 2021	
	Total Eligible	Total % Opt Out	Total % Move to/ Stay on BC	% Opt Out	% Move to/ Stay on BC
Albany	7,367	3.04%	12.34%	0.25%	11.22%
Berkeley	55,173	2.64%	2.03%	0.16%	2.01%
Dublin	27,565	5.30%	3.56%	0.46%	3.55%
Hayward	57,964	6.47%	11.14%	0.31%	10.28%
Pleasanton	32,052	5.24%	5.54%	1.02%	4.80%
San Leandro	35,733	6.57%	1.70%	0.25%	1.68%
<b>All EBCE</b>	<b>674,224</b>	<b>5.59%</b>	<b>2.21%</b>	<b>0.24%</b>	<b>2.07%</b>

#### Update on Generation Rate Changes

PG&E increased generation rates to its bundled customers on March 1, 2022. Per our rate setting protocol, staff is updating the EBCE rates to maintain the value propositions for Bright Choice (1% less than PG&E inclusive of fees) and Renewable 100 (1 cent more per kWh). Staff anticipate that rate updates will be deployed to EBCE customers in mid-March with an effective date of March 1. Staff will post updated EBCE rate sheets at <https://ebce.org/rates/> and is working with PG&E to update the Joint Rate Comparison.



# LOCAL DEVELOPMENT UPDATE

PRESENTED BY: The Local Programs Team

DATE: March 16, 2022

# Innovating on Delivery Models

Developing new models to provide clean energy services to our customers

- EBCE leading as “Procurement agent” for Cities to deliver Climate Action Plans
  - Solar + Storage for municipal facilities
  - Public Fast Charging for electric vehicles
  - Municipal fleet vehicle charging as a Service
- Innovating on ways to leverage EBCE capital
  - Incentives + low cost project financing for BlocPower LMI EE/BE program
- Providing frontline communities with debt relief and bills savings
  - CAPP, AMP, Solar Discount / Community Solar Discount

# Local Development Leverage

Local Development projects are saving customers money and creating jobs in Alameda County

- Local Programs utilizing public dollars for incentives. Private capital investments occur when customers fund investments based on future savings

EBCE is focused on creating high road jobs by requiring prevailing wage and collaborating with local job training organizations

Program	EBCE	Public Funds	Private Capital
CALeVIP	\$3.5M	\$14.5	~\$17.5
CAPP		\$8M	
EE		\$13.5M	~\$13.5M
Critical Facilities			~\$15M
Heat Pumps	\$0.25M	\$0.25M	\$0.5M
DAC-GT		\$15M	
Resilient Home			~\$30M
LMI Electrification	\$0.4M		\$1.8M
<b>Total:</b>	<b>\$4.15M</b>	<b>\$51.25</b>	<b>\$78.3M</b>

# Tracking Customer Participation

- Salesforce provides customer level tracking for program enrollments
- New enrollments happening in Salesforce
- Dashboards and reports will provide insights into enrollment rates
- Vendors can log into Salesforce and ‘work in the system’ with role restricted access to data
- Now using marketing automation tool (Pardot) and webform/survey tool (Formstack) to enable staff to leverage system capabilities



Status: Identified

✓ Mark Status as Complete

Salesforce incentive processing status bar

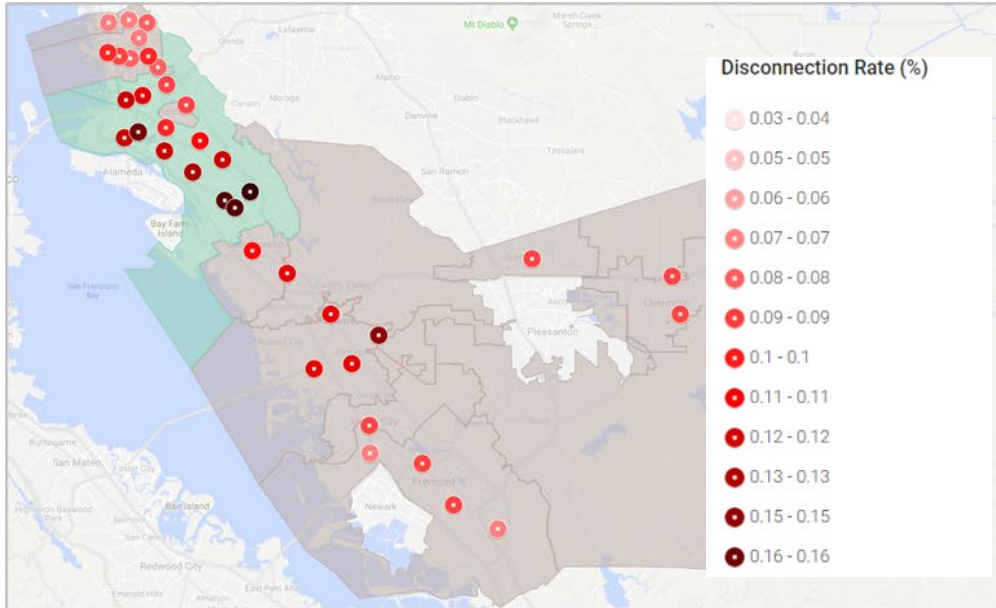
# Focusing on Equity

- Continuing to develop an equitable program portfolio
- Targeted programs specifically on frontline communities, eg.
  - Low income EE pilot
  - LMI electrification and efficiency with BlocPower
  - TE charging infrastructure incentives
  - EBCEs EV fast charging infrastructure investment strategy
  - MF affordable housing TE assistance
  - M/H Duty TE strategy
  - MF affordable housing solar and storage via Resilient Home
  - Medical Baseline backup battery program
- Connected Communities entirely focused on most vulnerable populations
- Tracking enrollments in salesforce to build a baseline of participation metrics



# Background: Why Connected Communities?

The problem as we saw it in 2019: High disconnection rates and the CARE/FERA gap



- Eleven zip codes in EBCE's service area have average disconnection rates greater than **10%** -- much higher than the PG&E average rate of 5.4%.
- On average, **50%** of the population lives below twice the Federal Poverty Level, but only **30%** are enrolled in CARE.
- Median arrearages: \$130

# Connected Communities

Staff Report Item 12

**Summary:** EBCE launched its Connected Communities pilot program in 2019/2020 to learn about how to design and implement meaningful solutions to utility debt and disconnections. The initiative involves partnering with community-based organizations and others to develop innovative means of reducing utility disconnections through efforts that complement what is available through other channels such as the State or PG&E.

## 2021-2022 Initiatives:

- Disadvantaged Communities Green Tariff/Community Solar Green Tariff implementation and program evaluation with UC Berkeley
- California Arrearage Payment Program implementation
- Arrearage Management Plan outreach and enrollment assistance grants
- Percentage of Income Payment Plan design and implementation

## Key Outcomes in 2021/2022:

- \$150,000 in outreach grants provided to 5 community-based organizations
- 1,600 customers located in disadvantaged communities are receiving 20% bill discounts through EBCE's Solar Discount program (aka DAC-GT)
- \$8MM in debt relief delivered via statewide CAPP program

# New in 2022: Percentage of Income Payment Plan

## Background:

PIPP establishes a **bill cap** for CARE-enrolled customers. There are two standardized bill caps, depending on income: either **\$37** (for customers with incomes less than 100% of Federal Poverty Level thresholds) or **\$109** (for customers with incomes between 100% & 200% of FPL).

Eligibility: Enrolled in CARE, located in zip codes with highest disconnections *or* who have been disconnected two or more times in the year prior to the disconnections moratorium.

## Benefits of EBCE participation:

- Absent EBCE's participation, residents in our service area would not have the opportunity to enroll in the pilot.

## Program structure and enrollment:

- EBCE has been given 703 program "spots."
- EBCE will take an application-based approach to PIPP enrollment. Since program space is limited, to ensure an equitable selection process, at the end of the application period, **all applicants who meet eligibility criteria will be placed into a randomized lottery** to select the final 703 PIPP participants.

# Energy Efficiency Funding Request

## Commercial Pay for Performance Program

- Incentives paid on measured, cost-effective savings
- Increased incentives during peak periods
- Incentives paid to installers to promote quality installation and focus on peak reduction
- Program will target combined demand response and energy efficiency installations

Summary of Energy Efficiency Program (Three Year)	
Program Budget	\$13,463,049
kWh Savings (lifetime)	30,327,839
kW Savings (lifetime)	3,463
Portfolio TRC	1.06
Portfolio PAC	1.44

# Results from Energy Efficiency Pilots

## Low Income EE and Peak Management

- 388 customers participated
- 2% savings across the portfolio

## Single Family Peak Management

- 122 projects enrolled
- No measurable impact on peak - likely due to short time frame of pilot

## Commercial Pay-for-Performance

- Three enrolled projects, fully subscribed
- 53 MWh projected savings, \$356,000 reserved incentives
- Measured savings will be available February 2023

# Municipal Electrification Assistance Program

- Cities asked to apply for one of three categories
- Reach Code Assistance
  - Emphasis on regional model code for consistency across jurisdictions
  - EBCE is currently planning to support at least eight jurisdictions as they pursue Reach codes
- Technical Assistance
  - Can support specific projects, incorporating electrification into capital improvement plans, support procurement plans
  - Example: City of Hayward
- Gap Funding
  - Up to \$10,000
  - Can cover gap for incentive programs and on-bill financing

# Induction Cooktop Lending Program

## Induction Cooktop Lending Program (ICLP)

- Partnering with Acterra
- Targeting 200~250 loans in year 1
- Soft launch: April 4 - Public launch: early May
- Engaged local suppliers for kit procurement & for securing discount deals for customers
- Developing parallel content development campaign to generate awareness



# Induction Related Marketing and Outreach

Staff Report Item 12

- Videos featuring well known local chefs trying or promoting induction
  - More than 40,000 views
- Induction cooking classes and demonstrations
- Social media campaigns to boost brand awareness and engagement while promoting induction



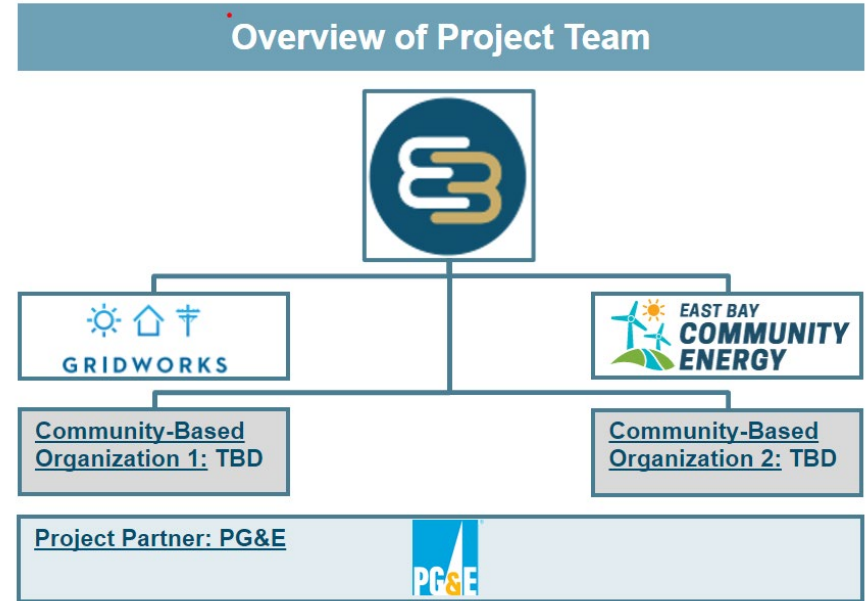


# Strategic Natural Gas Decommissioning

A key challenge facing CA: how to equitably decarbonize buildings in a way that supports and meets the needs of communities while reducing greenhouse gas emissions?

One hypothesis: targeted electrification combined with strategic decommissioning of gas infrastructure can reduce gas system costs and help mitigate future rate impacts for remaining gas customers

This project: will develop critical data and information to inform and evaluate the gas decommissioning hypothesis and will develop a deployment plan for three pilot sites to test this hypothesis



# Strategic Natural Gas Decommissioning

## EBCE's Role

- Inform evaluative criteria and actionable deployment plans based on community perspectives.
  - Gain insight on community specific input on propensity to electrify
  - Understand specific community issues
  - Refine recommendations for pilot selection criteria based on learning outcomes
- Develop deployment plans for zonal electrification at three pilot locations
  - ~25 buildings; rural / suburban, urban, DAC
  - No funding to complete identified projects

# Resilient Home

Partnership with Sunrun to deliver 5MW of Load Reduction and ~2000 residential solar + battery energy storage systems

- Single and multi-family residents
- All systems provide backup power

Since launch (8/2020)

- 1,540 EBCE leads
- 1,000 customer agreement (sales)
- + Multifamily affordable housing
- 2.2 MW/ac load reduction (via battery)
- 6 MW solar PV
- Planning additional sales through 2023



Put solar + storage on your holiday wish list!

EBCE knows you've been good this year, so we'll kick in a \$1,250 incentive. Details [here](#).

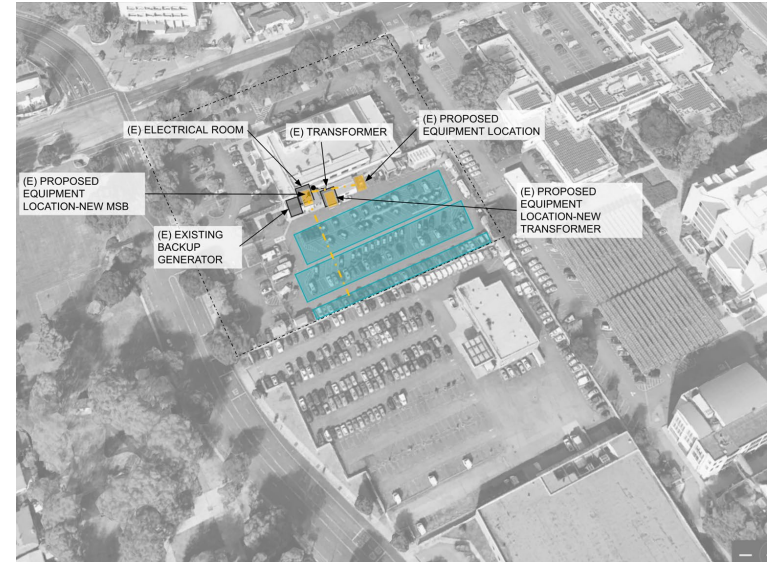
# Critical Municipal Facility Resilience

## Scope: Solar + Battery Energy Storage Systems

- 300+ facilities assessed - high level (2019-2020)
- EBCE issues industry RFI (2020)
  - Takeaway: De-risk portfolio of sites upfront
  - Feedback informed need to hire engineering consultants to conduct deeper level site assessments (2021-ongoing)
  - Structural, roof, electrical upgrades + cost
- Council resolutions passed committing cities to proceed with engineering assessments + EBCE procurement process (2021)
  - Phase I: Berkeley, Hayward, Fremont, San Leandro

## Next Steps

- RFP for PPA vendor: mid-2022
  - Success = no cost increase to cities for electricity; systems deployed at scale
- Phase II assessments & procurement
  - Cities TBD



# Medical Baseline Pilot Program

## Free Portable Backup Batteries

- 50 Goal Zero Yeti 3000X purchased by EBCE (retail \$3,399)
- Targeted outreach conducted to EBCE's low-income MB customers
- Partnered with CBO Community Resources for Independent Living (warehouse & delivery)
- All batteries distributed
- Battery recipients: Albany, Berkeley, Fremont, Hayward, Livermore, Oakland, San Leandro, San Lorenzo, Sunol, Union City

## MB \$1,000 Rebate (Goal Zero Yeti 3000X)

- Outreach ongoing to all MB customers in service area
- Specific outreach message to residents in High Fire Threat Districts
  - EBCE + PG&E rebates = \$2K off cost
- 30 rebates paid to date; ~80 remaining

Next Steps: Video with battery and rebate recipient interviews



# Transportation Electrification

## Setting the Stage

### Light Duty Vehicles

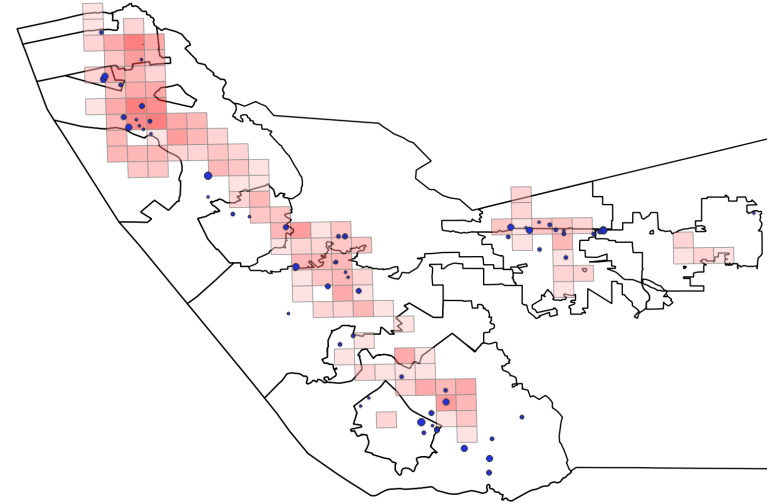
- 50% of residents are renters in multifamily housing
- 90% of multifamily buildings 50+ yr old
- Little adoption of EVs by renters
- Significant gaps in access to charging
- Help cities lead by example
  - Public fast charging hubs
  - Municipal fleet

### Medium and Heavy-Duty (M/HD) Vehicles

- Service area one of the most strategic trade locations in the U.S.
- EBCE serves all commercial / industrial load outside of Port boundaries

## Strategic Priorities

1. Provide incentives for publicly available EV charging (CALeVIP)
2. Develop EBCE owned DC fast charge network (see map)
3. Provide municipal fleet electrification TA and offer EBCE Charging-as-a-Service product
4. Establish service area as 1st mover market for zero-emission M/HD Goods Movement



EBCE Multi-family Hotspots + existing DCFC infrastructure (e.g., significant gaps in access)

# 2021 Alameda County CAlLeVIP Program

Incentives for publicly accessible EV chargers (Level 2 & DC Fast)

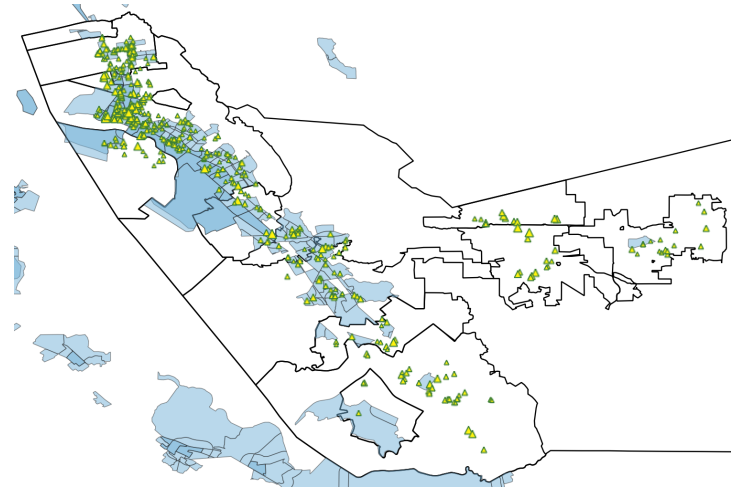
- CEC investment: \$14.5M
- EBCE co-funding (Board approved budget)
  - \$14.5M (over 4 years)
    - \$3M CAlLeVIP for Level 2 chargers (2021)
    - Remainder allocated to standalone EBCE owned charging infrastructure investments (next slide)

EBCE's priority in developing program requirements: Equity

- 50% of total budget (\$17.3M) dedicated to DAC/LIC projects
- 50% of DCFC budget (\$8.5M) for projects in EBCE's multifamily hotspots
- Incentive adder for all affordable multifamily properties
  - EBCE free technical assistance provided to ~ 50 properties and resulted 10 awarded incentive applications

Program launch: 12/1/21

- DCFC incentives oversubscribed in 4 minutes (in excess of ~\$28M)
- Level 2 incentives: ~ \$3M available



Affordable housing overlap with DAC/LICs; a lot of properties outside of boundaries

# EBCE DC Fast Charge Hubs

## Scope

- EBCE operating 40-50 hubs by 2030
- Standard design: min. 10 dual port DCFC (gas station model)
- Site host: municipal parking lots and garages
- Site priorities: multifamily hotspots & adjacent to driver amenities

## Funding

- To date: Grants + EBCE BoD approved budget
- Scaling: Public-Public partnership with EBCE JPA members
  - Developing charging hubs at City lots and garages with revenue sharing opportunity with JPA member cities
  - EBCE will provide discounted customer charging
  - EBCE to recover revenue via electricity sales + LCFS credits

## Projects

Phase I: Oakland, Livermore, Piedmont

Phase II:

- Berkeley - Partnership term sheet approved by Council (2/8/22)
- Hayward, San Leandro (EBCE CEC REACH grant submitted 2/2022)



1. Project design example
2. San Leandro Main Library overlap with MUD Hotspot and nearby amenities



# Municipal Fleets

EBCE is providing free technical assistance to cities/county

- Fleet electrification plans
- Consultant support contract

All work to be complete by 3/2023:

1. Assess city's inventory of fleet vehicles
2. Determine vehicle energy requirements and charging needs
3. Conduct financial cost/benefit analysis
4. Purchase/operating expenses of vehicles and charging infrastructure
  - GHG reductions
5. Fleet transition plan over 10-year period

EBCE: Support fleet transition by offering Charging-as-a-Service product to municipal partners

## Staff Report Item 12

Albany	Completed
Alameda County	Completed
Berkeley	Completed
Dublin	Completed
Emeryville	Q2 2022
Fremont	Completed*
Hayward	Completed
Livermore	Q3/4 2022
Newark	Q3/4 2022
Oakland	Completed
Piedmont	Q3/4 2022
Pleasanton	Q3/4 2022
San Leandro	Q2 2022
Tracy	TBD
Union City	Q2 2022

# ZE M/HD Goods Movement

**Goal:** ZE Class 3-6 x 2030 and Class 7-8 x 2045

- ex. first/last mile delivery, regional delivery, drayage, long-haul

## **Develop ZE M/HD Goods Movement Blueprint (10/2021-10/2023)**

- CEC grant + EBCE BoD Match (staff time)
- Strategic partner: CALSTART
- Project area: EBCE's service territory
- Data analysis informing development of actions/strategies
  - vehicles, charging, workforce, financing, community benefit

## **M/HD Technical Assistance Pilot (2021-2023)**

- Strategic partner: CALSTART
- Fleet electrification assessments
- Prep pipeline for new M/HD incentive programs

## **EBCE Fast Charging Hub Development**

- US EPA brownfields assessment grant: potential site identification
- Collaboration with the City of Oakland, others
- Determine organizational strategy re: financing, O&M, partnerships, etc.

## **Vehicle Grid Integration**

- PG&E's Commercial V2G Pilot Partner



# APPENDIX

Staff Report Item 12

# Results from Energy Efficiency Pilots



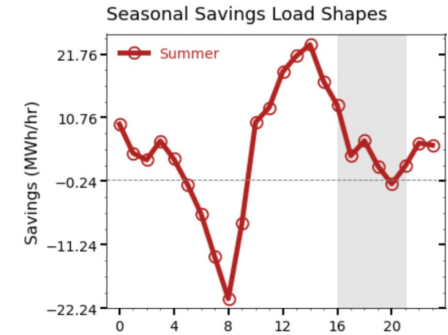
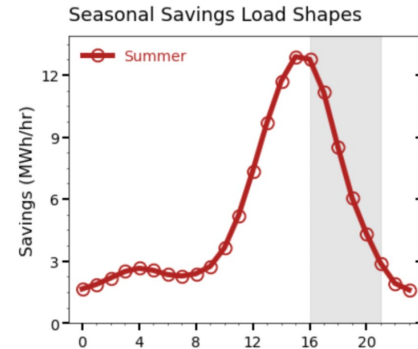
## Low Income Peak Management

- Rising Sun: Green House Calls and thermostats
  - 200 participants
  - 1.9% electricity savings
  - 12 MWh, 43 MMBTU
- OhmConnect: Peak management and smart plugs
  - 188 participants
  - 2.7% electricity savings
  - 15 MWh, 51 MMBTU
- Combined total savings: 2.2%

# Results from Energy Efficiency Pilots

## Residential Energy Efficiency and Peak Management

- Worked with CLEAResult to enroll additional projects in BayREN Home+
- Tested if additional peak savings could be achieved beyond estimated savings
- 122 projects enrolled
- Measured savings very close to estimated:
  - 31.56 MWh, 2.92 therms
  - 2.12 peak MWh reduction
- Short time frame of pilot launch likely impeded ability to capture additional peak
- Targeted marketing was tested but ultimately unverified



Predicted load shape of savings (left) relative to measured load shape of savings (right).

# Results from Energy Efficiency Pilots

Project Type	Projected kWh Savings	Projected Incentive
Refrigeration	210,604	\$149,133
Refrigeration	108,962	\$50,730
Refrigeration	211,578	\$156,200

## Commercial Flexible Demand Marketplace

- Incentives paid to installers
- Payments based on cost-effective savings
- 8 vendors enrolled to participate
- Fully subscribed with three projects
- Final savings results available minimum 12 months post project installation

# REGULATORY ENGAGEMENT

- CPUC DRIVE OIR Proceeding: Transportation Electrification Framework & Plans
- CARB LCFS: CCA equal access to the incremental value of residential LCFS credits
- Vehicle Grid Integration (VGI): New CCA reporting mandates starting 2022
- Self Generation Incentive Program: HPWH, energy storage, EV/VGI added: Under consideration by CPUC
- DAC Green Tariff
- CEC Load Modification for Resource Adequacy
- General Rate Case - input on PG&E's proposed E-ELEC rate
- Building Decarbonization Proceeding

**THANK YOU**





## Draft Agenda

### Board of Directors Meeting

Wednesday, January 19, 2022

5:00 pm

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

Dial (for higher quality, dial a number based on your current location): US: +1 669 900 6833 or +1 346 248 7799 or +1 253 215 8782 or +1 929 205 6099 or +1 301 715 8592 or 888 475 4499 (Toll Free) or 877 853 5257 (Toll Free)

Webinar ID: 870 2307 1843

*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 Board at least 2 working days before the meeting at (510) 906-0491 or [cob@ebce.org](mailto:cob@ebce.org).*

*If you have anything that you wish to be distributed to the Board, please email it to the clerk by 5:00 pm the day prior to the meeting.*

#### 1. Welcome & Roll Call

**Present: Directors:** Valle (Alameda County), Tiedemann (Albany), Cox (Fremont), Marquez (Hayward), Munro (Livermore), Hannon (Newark), Kalb (Oakland), McCarthy (Piedmont), Narum (Pleasanton), Arriola (Tracy), Patino (Union City), Vice-Chair Lopez (San Leandro)

**Excused: Directors:** Harrison (Berkeley), Hernandez (Dublin), Chair Martinez (Emeryville)

*Director Cox served as an Alternate for Director Mei (Fremont).*

#### 2. Pledge of Allegiance

Director Hannon lead the Pledge of Allegiance.

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

Jessica Tovar, on behalf of East Bay Clean Power Alliance, stated the CPUC would hear an item on Net Energy Metering, the Local Solar Incentive Policy Program, and encouraged everyone to call Governor Newsome and urge him to protect Net Energy Metering when the item comes up

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for vote in February 2022, and encouraged everyone to speak at the January 27<sup>th</sup> CPUC meeting. She is concerned about Community Innovation Grants launched in 2019 and urged EBCE to continue to offer the grants.

**Aleta Dupree**, a member of the public, stated that even if people such as renters cannot install solar panels on their roofs they should still be able to get renewable electricity. Aleta Dupree stated electrification of the home and various methods of transportation are important as ways the public can participate in clean energy, and asked how to bridge the gap between the surpluses of solar energy during the day that is not being used and having to burn fuel at night?

### CONSENT AGENDA

4. Approval of Board of Directors Meeting Minutes of December 15, 2021
5. Treasurer's Report
6. Contracts entered into between December 8, 2021 and January 12, 2022 (Informational Item)
7. Extend the Temporary Suspension of and Revise Certain Customer Terms and Conditions.
8. Adoption of Resolution 2002-\_\_\_\_\_ regarding imminent Risks Findings Pursuant to AB 361 and Authorization to Continue Meeting via Teleconferencing

Director Marquez motioned to approve the Consent Agenda. Director Kalb seconded the motion, which passed 13/0. Excused Directors: Harrison (Berkeley), Hernandez (Dublin).

*Chair Martinez joined the meeting during the Consent Calendar.*

Chair Martinez assumed the role of Chair.

### REGULAR AGENDA

9. CEO REPORT
  - a. Executive Committee Meeting;
  - b. Marketing and outreach Update;
  - c. Local Development Business Plan Update, and
  - d. Update on Opt-out

**Recommendation:** Accept Chief Executive Officer (CEO) report on update items below.

**Jessica Tovar**, on behalf of East Bay Clean Power Alliance, appreciated EBCE staff members who speak out in support of Net Energy Metering. Jessica Tovar also appreciated that CEO Chaset responded to their comments regarding reinstating Community Innovation Grants and the Sierra Club's request for EBCE to provide a review of its carbon intensity and why there has been an increase in 2021.

**Aleta Dupree**, a member of the public, stated CEO Chaset's report shows it is easy for people to make decisions on how to get their electricity. Aleta Dupree looks forward to the CEO's report on carbon intensity as far as incoming power that is not renewable to see where it comes from and how it can be reduced.

## 10. Community Advisory Committee Report - Verbal Report

- Chair Eldred reported CAC met January 18<sup>th</sup> and requested there be a presentation next month on the power content and climate contributions of EBCE's energy mix.
- Chair Eldred reported that the next CAC would be held February 14<sup>th</sup>.

## 11. Program to Support and Scale Low to Moderate Income Building Electrification and Efficiency

**Recommendation:** Approve Resolution authorizing CEO to execute an Agreement with BlocPower to provide for \$1 million in investment at the junior capital position and negotiate and execute a separate Agreement to provide \$400,000 in grants to support electrification and clean energy upgrades on low to moderate income homes in EBCE's service area.

**Jessica Tovar**, on behalf of East Bay Clean Power Alliance, stated they support this program for access to electrification for the help it would provide in allowing customers to afford it as well as the jobs it would bring to the local workforce. Jessica Tovar stated that ensuring customers who sign up for the program fully understand the benefits and tradeoffs is an educational opportunity to show that electrification and energy efficiency work best together, and even better when adding local solar energy. Jessica Tovar requested EBCE create a program for customers who cannot afford even small bill increases.

### The Board Discussed:

- The benefits derived from the program, such as upgrades to a home to make it more energy efficient, being worth the monthly increase.
- Confidence in the program inspired by its integrity.
- The potential for renters and people who currently cannot participate in this program being able to eventually participate.
- Staff and BlocPower contacting local jurisdictions and the Alameda County Housing Authority to ensure they are aware of this program.

**Director Hannon motioned to approve a Resolution authorizing CEO to execute an Agreement with BlocPower to provide for \$1 million in investment at the junior capital position and negotiate and execute a separate Agreement to provide \$400,000 in grants to support electrification and clean energy upgrades on low to moderate income homes in EBCE's service area, with the addition that EBCE staff reach out to each local jurisdiction and the Alameda County Housing Authority to ensure they are aware of this program and have the opportunity to participate. Director Kalb seconded the motion, which carried 12/0. Excused Directors: Valle (Alameda County), Harrison (Berkeley), Hernandez (Dublin).**

## 12. Mid-Year Budget Review

**Recommendation:** Receive the report informing the Board of the mid-year Budget position for the 2021-2022 fiscal year.

**There were no speakers for public comment.**

**The Board Discussed:**

- Funding the Community Innovation Grants again.

**13. Credit Rating Review**

**Recommendation:** Receive the review of the credit rating and its implications to EBCE operations.

**There were no speakers for public comment.**

**14. Authorize CEO to Negotiate and Execute a Contract with FEC Nevada I**

**Recommendation:** Adopt a Resolution authorizing the CEO to negotiate and execute a contract with FEC Nevada I, LLC for a renewable energy supply agreement for a minimum term of 15 years and a maximum of 20 years.

**There were no speakers for public comment.**

**Director Hannon motioned to adopt a Resolution authorizing the CEO to negotiate and execute a contract with FEC Nevada I, LLC for a renewable energy supply agreement for a minimum term of 15 years and a maximum of 20 years. Director Cox seconded the motion, which carried 12/0. Excused Directors: Valle (Alameda County), Harrison (Berkeley), Hernandez (Dublin).**

**15. Authorize CEO to Negotiate and Execute a Contract Extension with NCPA to Provide Wholesale Energy Services**

**Recommendation:** Adopt a Resolution authorizing the CEO to negotiate and execute a contract extension with NCPA to provide wholesale energy services for up to a five-year term.

**There were no speakers for public comment.**

**Director Cox motioned to adopt a Resolution authorizing the CEO to negotiate and execute a contract extension with NCPA to provide wholesale energy services for up to a five-year term. Director Munro seconded the motion, which carried 12/0. Excused Directors: Valle (Alameda County), Harrison (Berkeley), Hernandez (Dublin).**

**16. Board Member and Staff Announcements Including Requests to Place Items on Future Board Agendas**

Director Hannon requested a staff presentation on how the geothermal process works and any significant environmental impacts resulting from that process.

Chair Martinez congratulated Director Narum on the newest member of her family.

Chair Martinez thanked staff for responding to letters and public comment on carbon intensity and Community Innovation Grants.

**17. Adjournment** - to Wednesday, February 16, 2022.



## Draft Agenda

### Board of Directors Meeting

Wednesday, February 16, 2022

5:00 pm

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

Dial (for higher quality, dial a number based on your current location): US: +1 669 900 6833 or +1 346 248 7799 or +1 253 215 8782 or +1 929 205 6099 or +1 301 715 8592 or 888 475 4499 (Toll Free) or 877 853 5257 (Toll Free)

Webinar ID: 870 2307 1843

*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 Board at least 2 working days before the meeting at (510) 906-0491 or [cob@ebce.org](mailto:cob@ebce.org).*

*If you have anything that you wish to be distributed to the Board, please email it to the clerk by 5:00 pm the day prior to the meeting.*

#### 1. Welcome & Roll Call

**Present: Directors:** Valle (Alameda County), Jordan (Albany), Harrison (Berkeley), Kumagai (Dublin), Cox (Fremont), Marquez (Hayward), Munro (Livermore), Kalb (Oakland), McCarthy (Piedmont), Narum (Pleasanton), Arriola (Tracy), Patino (Union City), Vice-Chair Lopez (San Leandro) and Chair Martinez (Emeryville)

**Excused: Directors:** Hannon (Newark)

*Director Jordon served as an Alternate for Director Tiedemann (Albany).*

*Director Kumagai served as an Alternate for Director Hernandez (Dublin).*

*Director Cox served as an Alternate for Director Mei (Fremont).*

#### 2. Pledge of Allegiance

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

**Aleta Dupree** spoke regarding the best methods of storage, which is essential to capture renewable kilowatt-hours that would otherwise be curtailed. Aleta Dupree also spoke regarding saving money by scheduling use around times and temperatures.

**Tom Kelly**, spoke regarding the value and relevance of public comment and requested an EBCE staff member be assigned to respond in writing to public speakers. Tom Kelly suggested criteria be established for the source of financing associated with new power projects, and asked for the status of the PCIA in PG&E territory.

**Directors Jordan and McCarthy joined the meeting at 5:10pm.**

### **CONSENT AGENDA**

4. Approval of Board of Directors Meeting Minutes of October 20, 2021; December 3, 2021 Special Meeting; November 17, 2021 Regular Meeting; and December 15, 2021 Regular Meeting.
5. Contracts entered into between January 12, 2022 and February 9, 2022 (Informational Item).
6. Adoption of **Resolution** regarding Imminent Risks Findings Pursuant to AB 361 and Authorization to Continue Meeting via Teleconferencing.
7. Adoption of **Resolution** Authorizing the CEO to negotiate and execute a Consulting Services Agreement with Langan Engineering and Environmental Services, Inc. to provide technical consulting services to East Bay Community Energy (“EBCE”) through a U.S. Environmental Protection Agency (“USEPA”) funded Brownfield Community-wide Assessment Grant, for a total agreement amount not to exceed \$250,000, and with a term through December 31, 2024.
8. Adoption of a **Resolution** authorizing the CEO to negotiate and Execute a Consulting Services Agreement (“CSA”) for architectural services with one of two firms: Komorous-Towey Architects or AE3 Partners, for a total agreement amount ranging between \$400,000 and \$600,000, and with an agreement term through December 31, 2023.

**Director Narum joined the meeting during Public Comment.**

**Vice Chair Lopez motioned to approve the Consent Agenda. Director Harrison seconded the motion, which passed 12/0. Excused: Directors Hernandez, and Hannon. Abstained: Director Jordan.**

### **REGULAR AGENDA**

9. **CEO REPORT**
  - a. Update on enrollment numbers for Albany, Hayward, Dublin, Pleasanton

**Recommendation:** Accept Chief Executive Officer (CEO) report on update items below.

10. **Community Advisory Committee Report - Verbal Report**

**Recommendation:** Receive verbal report.

- Chair Eldred reported that CAC's February 14<sup>th</sup> meeting had extensive technical difficulties, leading to the meeting starting a half hour late and several members being unable to participate in the meeting.
- Chair Eldred discussed the issue raised by Tom Kelly regarding the cleanliness of the power mix.

11. Consideration regarding Approval of Legislative position on Assembly Bill B1814 which would authorize Community Choice Aggregators (CCAs) to submit applications to the California Public Utilities Commission (CPUC) to receive funding to administer transportation electrification programs in their service areas.

**Recommendation:** Board to take a "support" position on Assembly Bill ("AB") 1814 (Grayson).

Jessica Tovar, on behalf of the East Bay Clean Power Alliance, expressed support for the bill and stated they would like Community Choice programs to have more in their purview. Jessica Tovar wanted to see more investments in cleaning up municipal fleets and public transportation.

Aleta Dupree spoke of the importance of this bill and advocated for an expansive definition of electrification that included public transportation and freight vehicles.

**Director Kumagai joined the meeting during public comment.**

**CAC Chair Eldred delivered CAC's recommendation that CAC supports staff's recommendation of a Board position in support of Assembly Bill 1814.**

**Director Kalb motioned that the BOD take a position of support on AB 1814. Director Munro seconded the motion, which passed 13/0. Excused: Director Hannon. Abstained: Director Jordan.**

12. Power Content Guidelines, Zero Emission 2030 - information only.

**Recommendation:** Receive presentation showing a proposed schedule to reach zero emissions electricity in 2030. (No Action)

Richard Rollins stated the Power Content Guidelines report appears to ignore the goals of the jurisdictions that selected Bright Choice as a way to reduce their carbon emissions when it's emissions intensity has increased but the report avoided showing year-by-year emissions intensity. Richard Rollins requested that Table 3 of the report be revised to include Bright Choice emissions factors.

Chris Gilbert in a written comment: "As one of the initial 100 EBCE residential customers I question whether it is credible at this point to propose a path to zero emissions in 2030 since EBCE's emissions have been going up, not down. According to a recent analysis of 2020 power content labels for the various CCAs and IOUs in California, EBCE is the second highest carbon emitter in Northern California with about 600 pounds of CO2 per megawatt hour versus 164 for PG&E. Other CCAs range from Peninsula Clean Energy at 13 pounds CO2 per megawatt hour to Clean Power SF at 40, and Sonoma Clean Power at 80. According to the the staff report tonight, between 2018 and 2020 emissions went up by two-thirds. What is to convince me and other consumers that a path to zero emissions by 2030 can be realized if the emissions are



going in the other direction? What will assure us that we won't do more backsliding? Finally, what is to convince a consumer concerned about climate change that they shouldn't just change back to PG&E given PG&E's incredibly lower emissions?"

**Tom Kelly** stated that one of the driving forces in getting the CCA off the ground was a reduction in greenhouse gas emissions, but the emissions for Bright Choice alone are out of control. Tom Kelly recommended any city in San Joaquin County interested in joining a CCA not join EBCE, because the moment they join their emissions will increase by two or three times over PG&E.

**Jessica Tovar**, on behalf of East Bay Clean Power Alliance, emphasized that the point of their advocacy for the Local Development Business Plan was so they could have a plan for integrating clean energy programs and sources of clean energy and storage locally. Jess Tovar spoke about the importance of the Local Development Business Plan and doing the infrastructure in Alameda County and Tracy so the energy mix can be cleaned up. The East Bay Clean Power Alliance recommends EBCE follow the proceedings on distributed energy resources through the CPUC.

**Aleta Dupree** stated this issue is important and complicated, but can be used as a motivation to push toward a greater level of renewables, ideally solar and wind, but also with a place for being connected to the grid and the region, because EBCE should not be an island.

#### **CAC Chair Eldred Discussed:**

- The presentation said EBCE had planned to have nuclear power and now that they don't their projections are dirtier, but CAC was clearly informed that EBCE never intended to have nuclear in their mix and they were accepting the allocation as a patchthrough only with no intention to buy nuclear in the future.
- The need for a roadmap as to how to achieve these numbers and what is included in the carbon free energy.
- The strong need for local renewable development energy efficiency and energy conservation and other methods of demand reduction as opposed to disproportionate reliance on remote renewables.
- A risk assessment of relying on large hydro, especially as capacity will not expand for large hydro and is likely to decrease.

#### **The Board Discussed:**

- The need for materials to help customers make informed decisions, such as an emission factor chart for Bright Choice versus Renewable 100; a Renewable 100 summary with talking points; the emissions for the Bright Choice plan under the PSDR methodology; and simple data to communicate plan benefits such as cost savings, health benefits, and climate health.
- The factors in Bright Choice's dirtier emissions, such as no nuclear, discounted rate, and a change in the mix.
- How PG&E's use of nuclear energy contributes to its emissions lower than EBCE.
- How EBCE's desire for a discounted rate could be working in opposition with its desire for lower carbon intensity, and whether it is possible for EBCE to negotiate to purchase renewable energy for cheaper so it can offer rates below PG&E.
- The Clean Energy Revenue Bond model for renewables procurement as probably the best tool to structurally bring down the cost of renewables for EBCE customers.
- The need for a roadmap to getting to zero emissions by 2030, the possibility of more analysis on how to implement the vision, and ways to reach that goal even sooner, such

as working with local government, business, and residential communities, and more cities defaulting to 100% renewable.

- The Integrated Resource Plan, which will be completed between now and summer.
- The differences between the CCAs around the Bay Area in terms of their clean energy mix beyond the eligible renewables and how some of them are doing better by accepting the nuclear allocation, have prices at a premium to PG&E, and pay for large hydro out of reserves instead of current year revenues.
- The Local Development Business Plan as a road to lowering cost, lower carbon intensity, and maximizing benefits to the community.
- The negative effect of the supply chain crisis on achieving better pricing and getting more enrollment to Renewable 100.

### 13. Update on possible Expansion to Stockton and San Joaquin County

**Recommendation:** Review informational update on status of Stockton's interest in joining EBCE's Joint Powers Authority. Provide feedback on next steps, if any.

Vaughn asked if EBCE would be able to have service required for the whole area from Stockton through Tracy and over to the Alameda border? Vaughn stated it is a great idea because Stockton and Tracy have lots of land where there are chances to put up solar panels, and a lot of sun.

Tom Kelly stated if a City Council asked him if they should join EBCE right now, he'd say no, because switching to EBCE would increase their carbon emissions four-fold over PG&E.

Jessica Tovar, on behalf of the East Bay Clean Power Alliance, supported the inclusion of Stockton in EBCE's Joint Powers Authority and spoke of the many benefits to joining EBCE, such as governance that includes community members and advocates, and EBCE's investment in the communities over time. Jessica Tovar stated that being able to bring economic benefits to Stockton would be very important.

Richard Rollins asked for clarification on how enrolling Stockton would advance EBCE's mission of reducing greenhouse gas emissions.

#### **CAC Chair Eldred Discussed:**

- Her research that shows in general people are happy with having joined CCAs. Their one concern is growth beyond a certain point results in dilution of community voices. Also, people wished they had looked for closely at the reasons participating cities were joining to see if their values lined up. Chair Eldred favored enrolling the City of Stockton.

#### **The Board Discussed:**

- How to maintain the ability to speak to the smaller groups and the diversity within that community as EBCE grows?
- The idea that EBCE could serve as a model for other communities in the Central Valley for renewable energy generation, to show it can be done.
- The Central Valley's different culture, different economic disparities, and this opportunity to alleviate those challenges.
- How changing EBCE's name to Bay Valley Community Energy would be more equitable and respectful, because East Bay would have a cultural impact.

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

None.

**15. Adjournment to Wednesday, March 16, 2022.**



## Consent Item 5

**TO:** East Bay Community Energy Board of Directors

**FROM:** Inder Khalsa, General Counsel

**SUBJECT:** Adoption of Imminent Risks Findings Pursuant to AB 361 and Authorization to Continue Meeting via Teleconferencing

**DATE:** March 16, 2022

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### Recommendation

Find that conducting in-person meetings of the Board would present imminent risks to attendees' health and authorize the Board to continue meeting via teleconferencing pursuant to Government Code Section 54953(e).

### Background and Discussion

On March 4, 2020, Governor Gavin Newsom proclaimed a state of emergency related to COVID-19, pursuant to Government Code Section 8625, which is still in effect. On March 10, 2020, the Alameda County Board of Supervisors ratified the County Health Officer's declaration of a local health emergency due to COVID-19.

The Brown Act allows legislative bodies to meet by "teleconference," but only if the agenda listed the remote location of each member, the agenda was posted at all remote locations, and the public could access any of the remote locations. Additionally, a quorum of the legislative body had to be within the legislative body's jurisdiction. See Government Code Section 54953(b)(3)

Due to the COVID-19 pandemic, the Governor issued Executive Order N-29-20, suspending certain sections of the Brown Act. Pursuant to the Executive Order, legislative bodies no longer needed to list the location of each remote attendee, post agendas at each remote location, or allow the public to access each location. Further, a quorum of the legislative body does not need to be within the legislative body's

jurisdiction. After several extensions, Executive Order N-29-20 expired on September 30, 2021.

On September 16, 2021 Governor Newsom signed AB 361, new legislation that amends the Brown Act to allow local agencies to meet remotely during Governor declared emergencies under certain conditions. AB 361 took effect immediately as an urgency measure, but the Governor subsequently suspended application of the legislation – with limited exceptions – until October 1, 2021. The provisions of AB 361 relevant to local agencies are codified at Government Code Section 54953(e).

AB 361 authorizes local agencies to continue meeting remotely without following the Brown Act's standard teleconferencing provisions if the meeting is held during a state of emergency proclaimed by the Governor and either of the following applies: (1) state or local officials have imposed or recommended measures to promote social distancing; or (2) the agency has already determined or is determining whether, as a result of the emergency, meeting in person would present imminent risks to the health or safety of attendees.

The legislative body must make the required findings every 30 days, until the end of the state of emergency or recommended or required social distancing.

AB 361 also requires legislative bodies to make remote public meetings accessible telephonically or otherwise electronically to all members of the public seeking to observe and to address the local legislative body, and to make reasonable efforts to adhere as closely as reasonably possible to the provisions of the Brown Act. AB 361 adds new procedures and clarifies the requirements for conducting remote meetings. A legislative body that meets remotely must allow members of the public to access the meeting via a call-in option or an internet-based service option, and the agenda for the remote meeting must provide an opportunity for members of the public to directly address the body in real time.

Due to the rise in COVID-19 cases caused by the Delta Variant, Alameda County is still impacted by the effects of the COVID-19 emergency. The Centers for Disease Control (CDC) recommends physical distancing of at least six (6) feet whenever possible, avoiding crowds, and avoiding spaces that do not offer fresh air from the outdoors, particularly for people who are not fully vaccinated or who are at higher risk of getting very sick from COVID-19. The CDC also recommends that people who live with unvaccinated people avoid activities that make physical distancing hard.

EBCE's public-meetings are held at indoor facilities not designed to ensure circulation of fresh or outdoor air, particularly during periods of cold and/or rainy weather, and were not designed to ensure that attendees can remain six (6) feet apart. Additionally, holding in-person meetings may encourage community members to come to EBCE facilities to participate in EBCE meetings in-person, and some of them could be at high risk of getting very sick from COVID-19 and/or live with someone who is at high risk. At this point in time, there are few in-person locations available for the EBCE to meet in, since most of the agencies in Alameda County are still holding remote meetings.

In-person meetings could also tempt community members who are experiencing COVID-19 symptoms to leave their homes in order to come to EBCE Board meetings to participate. Attendees may need to use ride-share services and/or public transit to travel to in-person meetings, thereby putting them in close and prolonged contact with additional people outside of their households.

For these reasons, staff recommends that the Board adopt findings that, as a result of the state of emergency caused by COVID-19, meeting in person would present imminent risks to the health and safety of attendees.

Staff will continue to monitor the situation and will return to the Board every 30 days or as needed with additional recommendations related to the conduct of public meetings.

#### **Attachments**

- A. Proclamation of Governor Newsom of a State of Emergency due to COVID-19
- B. Resolution No. R-2020-91 of the Alameda County Board of Supervisors Ratifying the Declaration of a Local Health Emergency due to COVID-19

EXECUTIVE DEPARTMENT  
STATE OF CALIFORNIA

PROCLAMATION OF A STATE OF EMERGENCY

**WHEREAS** in December 2019, an outbreak of respiratory illness due to a novel coronavirus (a disease now known as COVID-19), was first identified in Wuhan City, Hubei Province, China, and has spread outside of China, impacting more than 75 countries, including the United States; and

**WHEREAS** the State of California has been working in close collaboration with the national Centers for Disease Control and Prevention (CDC), with the United States Health and Human Services Agency, and with local health departments since December 2019 to monitor and plan for the potential spread of COVID-19 to the United States; and

**WHEREAS** on January 23, 2020, the CDC activated its Emergency Response System to provide ongoing support for the response to COVID-19 across the country; and

**WHEREAS** on January 24, 2020, the California Department of Public Health activated its Medical and Health Coordination Center and on March 2, 2020, the Office of Emergency Services activated the State Operations Center to support and guide state and local actions to preserve public health; and

**WHEREAS** the California Department of Public Health has been in regular communication with hospitals, clinics and other health providers and has provided guidance to health facilities and providers regarding COVID-19; and

**WHEREAS** as of March 4, 2020, across the globe, there are more than 94,000 confirmed cases of COVID-19, tragically resulting in more than 3,000 deaths worldwide; and

**WHEREAS** as of March 4, 2020, there are 129 confirmed cases of COVID-19 in the United States, including 53 in California, and more than 9,400 Californians across 49 counties are in home monitoring based on possible travel-based exposure to the virus, and officials expect the number of cases in California, the United States, and worldwide to increase; and

**WHEREAS** for more than a decade California has had a robust pandemic influenza plan, supported local governments in the development of local plans, and required that state and local plans be regularly updated and exercised; and

**WHEREAS** California has a strong federal, state and local public health and health care delivery system that has effectively responded to prior events including the H1N1 influenza virus in 2009, and most recently Ebola; and

**WHEREAS** experts anticipate that while a high percentage of individuals affected by COVID-19 will experience mild flu-like symptoms, some will have more serious symptoms and require hospitalization, particularly individuals who are elderly or already have underlying chronic health conditions; and

**WHEREAS** it is imperative to prepare for and respond to suspected or confirmed COVID-19 cases in California, to implement measures to mitigate the spread of COVID-19, and to prepare to respond to an increasing number of individuals requiring medical care and hospitalization; and

**WHEREAS** if COVID-19 spreads in California at a rate comparable to the rate of spread in other countries, the number of persons requiring medical care may exceed locally available resources, and controlling outbreaks minimizes the risk to the public, maintains the health and safety of the people of California, and limits the spread of infection in our communities and within the healthcare delivery system; and

**WHEREAS** personal protective equipment (PPE) is not necessary for use by the general population but appropriate PPE is one of the most effective ways to preserve and protect California's healthcare workforce at this critical time and to prevent the spread of COVID-19 broadly; and

**WHEREAS** state and local health departments must use all available preventative measures to combat the spread of COVID-19, which will require access to services, personnel, equipment, facilities, and other resources, potentially including resources beyond those currently available, to prepare for and respond to any potential cases and the spread of the virus; and

**WHEREAS** I find that conditions of Government Code section 8558(b), relating to the declaration of a State of Emergency, have been met; and

**WHEREAS** I find that the conditions caused by COVID-19 are likely to require the combined forces of a mutual aid region or regions to appropriately respond; and

**WHEREAS** under the provisions of Government Code section 8625(c), I find that local authority is inadequate to cope with the threat posed by COVID-19; and

**WHEREAS** under the provisions of Government Code section 8571, I find that strict compliance with various statutes and regulations specified in this order would prevent, hinder, or delay appropriate actions to prevent and mitigate the effects of the COVID-19.

**NOW, THEREFORE, I, GAVIN NEWSOM**, Governor of the State of California, in accordance with the authority vested in me by the State Constitution and statutes, including the California Emergency Services Act, and in particular, Government Code section 8625, **HEREBY PROCLAIM A STATE OF EMERGENCY** to exist in California.



**IT IS HEREBY ORDERED THAT:**

1. In preparing for and responding to COVID-19, all agencies of the state government use and employ state personnel, equipment, and facilities or perform any and all activities consistent with the direction of the Office of Emergency Services and the State Emergency Plan, as well as the California Department of Public Health and the Emergency Medical Services Authority. Also, all residents are to heed the advice of emergency officials with regard to this emergency in order to protect their safety.
2. As necessary to assist local governments and for the protection of public health, state agencies shall enter into contracts to arrange for the procurement of materials, goods, and services needed to assist in preparing for, containing, responding to, mitigating the effects of, and recovering from the spread of COVID-19. Applicable provisions of the Government Code and the Public Contract Code, including but not limited to travel, advertising, and competitive bidding requirements, are suspended to the extent necessary to address the effects of COVID-19.
3. Any out-of-state personnel, including, but not limited to, medical personnel, entering California to assist in preparing for, responding to, mitigating the effects of, and recovering from COVID-19 shall be permitted to provide services in the same manner as prescribed in Government Code section 179.5, with respect to licensing and certification. Permission for any such individual rendering service is subject to the approval of the Director of the Emergency Medical Services Authority for medical personnel and the Director of the Office of Emergency Services for non-medical personnel and shall be in effect for a period of time not to exceed the duration of this emergency.
4. The time limitation set forth in Penal Code section 396, subdivision (b), prohibiting price gouging in time of emergency is hereby waived as it relates to emergency supplies and medical supplies. These price gouging protections shall be in effect through September 4, 2020.
5. Any state-owned properties that the Office of Emergency Services determines are suitable for use to assist in preparing for, responding to, mitigating the effects of, or recovering from COVID-19 shall be made available to the Office of Emergency Services for this purpose, notwithstanding any state or local law that would restrict, delay, or otherwise inhibit such use.
6. Any fairgrounds that the Office of Emergency Services determines are suitable to assist in preparing for, responding to, mitigating the effects of, or recovering from COVID-19 shall be made available to the Office of Emergency Services pursuant to the Emergency Services Act, Government Code section 8589. The Office of Emergency Services shall notify the fairgrounds of the intended use and can immediately use the fairgrounds without the fairground board of directors' approval, and

notwithstanding any state or local law that would restrict, delay, or otherwise inhibit such use.


7. The 30-day time period in Health and Safety Code section 101080, within which a local governing authority must renew a local health emergency, is hereby waived for the duration of this statewide emergency. Any such local health emergency will remain in effect until each local governing authority terminates its respective local health emergency.
8. The 60-day time period in Government Code section 8630, within which local government authorities must renew a local emergency, is hereby waived for the duration of this statewide emergency. Any local emergency proclaimed will remain in effect until each local governing authority terminates its respective local emergency.
9. The Office of Emergency Services shall provide assistance to local governments that have demonstrated extraordinary or disproportionate impacts from COVID-19, if appropriate and necessary, under the authority of the California Disaster Assistance Act, Government Code section 8680 et seq., and California Code of Regulations, Title 19, section 2900 et seq.
10. To ensure hospitals and other health facilities are able to adequately treat patients legally isolated as a result of COVID-19, the Director of the California Department of Public Health may waive any of the licensing requirements of Chapter 2 of Division 2 of the Health and Safety Code and accompanying regulations with respect to any hospital or health facility identified in Health and Safety Code section 1250. Any waiver shall include alternative measures that, under the circumstances, will allow the facilities to treat legally isolated patients while protecting public health and safety. Any facilities being granted a waiver shall be established and operated in accordance with the facility's required disaster and mass casualty plan. Any waivers granted pursuant to this paragraph shall be posted on the Department's website.
11. To support consistent practices across California, state departments, in coordination with the Office of Emergency Services, shall provide updated and specific guidance relating to preventing and mitigating COVID-19 to schools, employers, employees, first responders and community care facilities by no later than March 10, 2020.
12. To promptly respond for the protection of public health, state entities are, notwithstanding any other state or local law, authorized to share relevant medical information, limited to the patient's underlying health conditions, age, current condition, date of exposure, and possible contact tracing, as necessary to address the effect of the COVID-19 outbreak with state, local, federal, and nongovernmental partners, with such information to be used for the limited purposes of monitoring, investigation and control, and treatment and coordination of care. The

notification requirement of Civil Code section 1798.24, subdivision (i), is suspended.

13. Notwithstanding Health and Safety Code sections 1797.52 and 1797.218, during the course of this emergency, any EMT-P licensees shall have the authority to transport patients to medical facilities other than acute care hospitals when approved by the California EMS Authority. In order to carry out this order, to the extent that the provisions of Health and Safety Code sections 1797.52 and 1797.218 may prohibit EMT-P licensees from transporting patients to facilities other than acute care hospitals, those statutes are hereby suspended until the termination of this State of Emergency.
14. The Department of Social Services may, to the extent the Department deems necessary to respond to the threat of COVID-19, waive any provisions of the Health and Safety Code or Welfare and Institutions Code, and accompanying regulations, interim licensing standards, or other written policies or procedures with respect to the use, licensing, or approval of facilities or homes within the Department's jurisdiction set forth in the California Community Care Facilities Act (Health and Safety Code section 1500 et seq.), the California Child Day Care Facilities Act (Health and Safety Code section 1596.70 et seq.), and the California Residential Care Facilities for the Elderly Act (Health and Safety Code section 1569 et seq.). Any waivers granted pursuant to this paragraph shall be posted on the Department's website.

**I FURTHER DIRECT** that as soon as hereafter possible, this proclamation be filed in the Office of the Secretary of State and that widespread publicity and notice be given of this proclamation.

**IN WITNESS WHEREOF** I have hereunto set my hand and caused the Great Seal of the State of California to be affixed this 4th day of March 2020



\_\_\_\_\_  
GAVIN NEWSOM  
Governor of California

**ATTEST:**

\_\_\_\_\_  
ALEX PADILLA  
Secretary of State



**OFFICE OF THE AGENCY DIRECTOR**

1000 San Leandro Boulevard, Suite 300  
San Leandro, CA 94577  
TEL (510) 618-3452  
FAX (510) 351-1367

March 6, 2020

The Honorable Board of Supervisors  
County Administration Building  
1221 Oak Street  
Oakland, CA 94612

**SUBJECT: ADOPT A RESOLUTION RATIFYING THE DECLARATION OF A LOCAL HEALTH EMERGENCY BY THE COUNTY HEALTH OFFICER RELATED TO THE 2019 NOVEL CORONAVIRUS**

Dear Board Members:

**RECOMMENDATION**

Adopt a Resolution ratifying the Declaration of a Local Health Emergency by the County Health Officer related to the 2019 Novel Coronavirus

**DISCUSSION/SUMMARY**

In December 2019, an outbreak of a respiratory illness due to a novel coronavirus (a disease known as 2019 Novel Coronavirus or COVID-19) was first identified in Wuhan City, Hubei Province, China. Since then, the outbreak has spread to more than 75 countries, including the United States. As of March 5, 14 California counties have had at least one citizen infected with the virus. The County of Alameda is among those counties, as are several Bay Area counties including Contra Costa, San Francisco, San Mateo, Santa Clara, Solano, and Sonoma.

The United States Centers for Disease Control and Prevention (CDC) considers COVID-19 to present a very serious threat to public health. On January 23, 2020, the CDC activated its Emergency Response System to provide ongoing support for the response to COVID-19 across the United States. On January 31, 2020, the Secretary of the US Department of Health and Human Services declared a public health emergency in the United States.

As of March 6, 2020, the CDC has identified 164 confirmed cases of COVID-19 infection, across 19 states, including 45 in California. The number of reported cases has escalated dramatically, with more than 94,000 confirmed cases and more than 3,300 deaths worldwide.

On March 1, 2020, the California Department of Public Health confirmed that an Oakland resident had become infected with COVID-19 after providing healthcare to the Solano County COVID-19 patient. Two days later, an individual in Berkeley also tested positive for COVID-19 Infection.

The Honorable Board of Supervisors

March 6, 2020

Page 2 of 2

California Health and Safety Code section 101080 allows a local health officer to declare a local health emergency in the health officer's jurisdiction, or any part thereof, "whenever the health officer reasonably determines that there is an imminent and proximate threat of the introduction of any contagious, infectious, or communicable disease, chemical agent, noncommunicable biologic agent, toxin, or radioactive agent." On March 1, 2020, Alameda County Interim Health Officer Erica Pan, MD, MPH, FAAP declared a local health emergency. Dr. Pan found that with "multiple cases of COVID-19 and evidence of community transmission in the region, there is an ongoing risk and likelihood of additional COVID-19 positive patients and community spread in the County of Alameda." Dr. Pan renewed this declaration of emergency on March 5, 2020.

The declaration of a local health emergency provides the following benefits: it allows other jurisdictions and state agencies to provide mutual aid; it allows the extraordinary costs of providing mutual aid to be a legal charge against the state; and it provides immunity to healthcare providers who render aid during the emergency. The declaration also provides the local Health Officer with the authority to exercise the full range of her power to protect the community's public health, which includes issuance and enforcement of orders for quarantine and isolation.

Under section 101080, your Board is required to ratify the Health Officer's declaration of emergency. Ordinarily, your Board would need to renew this ratification every thirty (30) days; however, on March 4, 2020, California Governor Gavin Newsom issued a Proclamation of a State of Emergency relating to the COVID-19 outbreak that included a waiver of the renewal requirement: "The 30-day time period in Health & Safety Code section 101080, within which a local governing authority must renew a local health emergency, is hereby waived for the duration of this statewide emergency. Any such local health emergency will remain in effect until each local governing authority terminates its respective local emergency." The Governor similarly waived the renewal requirement for a declaration of local emergency.

#### **VISION 2026 GOAL**

This Resolution meets the 10X goal pathway of **Healthcare for All** in support of our shared visions of **Safe and Livable Communities**, **Thriving and Resilient Population**, and **Healthy Environment**.

Sincerely,

DocuSigned by:  
  
CB284AE84C50405...

Colleen Chawla, Director  
Health Care Services Agency

RESOLUTION NUMBER R-2020- 91

**A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF ALAMEDA RATIFYING THE DECLARATION OF LOCAL HEALTH EMERGENCY BY THE COUNTY HEALTH OFFICER RELATED TO THE 2019 NOVEL CORONAVIRUS**

**WHEREAS**, California Health and Safety Code section 101080 authorizes a local health officer to declare a local health emergency in the health officer's jurisdiction, or any part thereof, whenever the health officer reasonably determines that there is an imminent and proximate threat of the introduction of any contagious, infectious, or communicable disease, chemical agent, non-communicable biological agent, toxin, or radioactive agent; and

**WHEREAS**, on March 1, 2020 and again on March 5, 2020, the County's Health Officer declared a local health emergency based on an imminent and proximate threat to public health from the introduction of a novel coronavirus (named COVID-19) in the County of Alameda; and

**WHEREAS**, under Health and Safety Code section 101080, the local health emergency shall not remain in effect for more than seven (7) days unless ratified by the Board of Supervisors; and

**WHEREAS**, the Board of Supervisors hereby finds that there continues to exist an imminent and proximate threat to public health from the introduction of COVID-19 in the County for reasons set forth in the declaration of local health emergency by the County's Health Officer, dated March 5, 2020;

**NOW, THEREFORE, BE IT RESOLVED**, by the Board of Supervisors of the County of Alameda as follows:

Section 1 – The local health emergency declared by the County's Health Officer on March 5, 2020 is hereby ratified. Under authority granted by California Governor Gavin Newsom in a Proclamation of a State of Emergency issued on March 4, 2020, this declaration of local emergency shall remain in effect until the Board of Supervisors determines that the emergency condition no longer exists.

Section 2 – The Board of Supervisors hereby delegates to the County's Health Officer authority to terminate the local health emergency, pursuant to Health & Safety Code section 101080 "at the earliest possible date that conditions warrant the termination."

Section 3 – All County departments and agencies take those actions, measures, and steps deemed necessary to assure the health, safety, and welfare of County citizens and property, including requesting mutual aid to the extent such aid is necessary.

The foregoing Resolution was passed and adopted by the Board of Supervisors of the County of Alameda, State of California, at a regular meeting of the Board on the 10 day of March, 2020 by the following vote:

AYES: Supervisors Carson, Haggerty and President Valle - 3

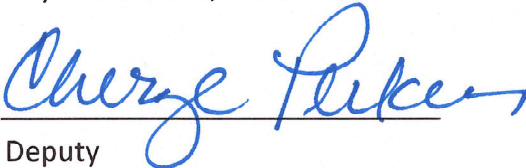
NOES: None

EXCUSED: Supervisors Chan and Miley - 2

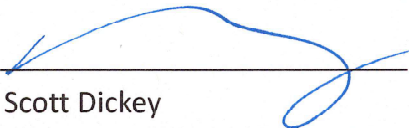


Richard Valle, President of the Board of Supervisors

ATTEST:  
Clerk of the Board of Supervisors,  
County of Alameda, State of California

By:   
Deputy

APPROVED AS TO FORM:  
Donna R. Ziegler, County Counsel

By:   
K. Scott Dickey  
Assistant County Counsel

**DECLARATION OF A LOCAL HEALTH EMERGENCY**

**WHEREAS**, Health and Safety Code section 101080 authorizes a local health officer to declare a local health emergency in the health officer's jurisdiction, or any part thereof, whenever the health officer reasonably determines that there is an imminent and proximate threat of the introduction of any contagious, infectious, or communicable disease, chemical agent, noncommunicable biologic agent, toxin, or radioactive agent;

**WHEREAS**, COVID-19 is a contagious, infectious, or communicable disease;

**WHEREAS**, the Secretary of the United States Department of Health and Human Services declared a public health emergency on January 31, 2020, for the United States;

**WHEREAS**, the Centers for Disease Control and Prevention announced on February 25, 2020, that community spread of COVID-19 is likely to occur in the United States;

**WHEREAS**, the first confirmed case of COVID-19 has now been identified in the County of Alameda;

**WHEREAS**, the Governor Gavin Newsom issued a Proclamation of a State of Emergency on March 4, 2020 for California;

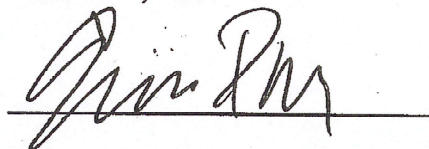
**WHEREAS**, based on the United States Department of Health and Human Services declaration and the Centers for Disease Control and Prevention statements, and multiple cases of COVID-19 and evidence of community transmission in the region, there is an ongoing risk and likelihood of additional COVID-19 positive patients and community spread in the County of Alameda;

**WHEREAS**, based on the foregoing, the Health Officer of Alameda County does hereby find that there is an imminent and proximate threat of the introduction and spread of COVID-19 in the County of Alameda and a threat to the public health of the residents of the County of Alameda;

**THEREFORE**, the County Health Officer hereby declares a renewal of a local health emergency originally declared on March 1<sup>st</sup>, 2020 throughout the County of Alameda;

**IT IS SO DECLARED**, on this date: March 5<sup>th</sup>, 2020.

**BY:**



Name: Dr. Erica Pan

Title: Interim Health Officer

Public Health Department, County of Alameda



**DECLARATION OF A LOCAL HEALTH EMERGENCY**

**WHEREAS**, Health and Safety Code section 101080 authorizes a local health officer to declare a local health emergency in the health officer's jurisdiction, or any part thereof, whenever the health officer reasonably determines that there is an imminent and proximate threat of the introduction of any contagious, infectious, or communicable disease, chemical agent, noncommunicable biologic agent, toxin, or radioactive agent;

**WHEREAS**, COVID-19 is a contagious, infectious, or communicable disease;

**WHEREAS**, the Secretary of the United States Department of Health and Human Services declared a public health emergency on January 31, 2020, for the United States;

**WHEREAS**, the Centers for Disease Control and Prevention announced on February 25, 2020, that community spread of COVID-19 is likely to occur in the United States;

**WHEREAS**, the first confirmed case of COVID-19 has now been identified in the County of Alameda;

**WHEREAS**, the Governor Gavin Newsom issued a Proclamation of a State of Emergency on March 4, 2020 for California;

**WHEREAS**, based on the United States Department of Health and Human Services declaration and the Centers for Disease Control and Prevention statements, and multiple cases of COVID-19 and evidence of community transmission in the region, there is an ongoing risk and likelihood of additional COVID-19 positive patients and community spread in the County of Alameda;

**WHEREAS**, based on the foregoing, the Health Officer of Alameda County does hereby find that there is an imminent and proximate threat of the introduction and spread of COVID-19 in the County of Alameda and a threat to the public health of the residents of the County of Alameda;

**THEREFORE**, the County Health Officer hereby declares a renewal of a local health emergency originally declared on March 1<sup>st</sup>, 2020 throughout the County of Alameda;

**IT IS SO DECLARED**, on this date: March 5<sup>th</sup>, 2020.

**BY:**



Name: Dr. Erica Pan

Title: Interim Health Officer

Public Health Department, County of Alameda



## Consent Item 6

**TO:** East Bay Community Energy Board of Directors  
**FROM:** Nick Chaset, Chief Executive Officer  
**SUBJECT:** Contracts Entered Into  
**DATE:** March 16, 2022

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### RECOMMENDATION

Accept the CEO's report on contracts that EBCE has entered, as required by the Administrative Procurement Policy. **Items executed between February 9, 2022 and March 9, 2022;**

C-2022-012 SMUD (Sacramento) Amendment 4 to Exhibit A, Task Order 2 for CAPP Data Analysis, one time service to validate PG&E reporting, one time cost of \$20,000.

C-2022-013 SMUD (Sacramento) Amendment 5 to Exhibit A, Task Order 2 Management and Call Center Services related to DAC-GT Disadvantaged Communities Green Tariff, adds a one-time fee of \$53,898.

C-2022-014 Spectrum Community Services (Hayward) 2022 Community Outreach Grant awarded in the amount of \$30,000 to support workforce development, promote stronger local economic activity, and increase community resilience, and to support Spectrum's AMP outreach program.

C-2022-015 Korn Ferry Letter of Engagement (New York, NY) Independent market data and advice on current levels of pay for CEO, COO & Sr Director of Energy Procurement at a cost of \$29,000.



## Consent Item 7

**TO:** East Bay Community Energy Board of Directors

**FROM:** Taj Ait-Laoussine, VP Technology & Analytics

**SUBJECT:** Software as a Service Agreement with Camus Energy

**DATE:** March 16, 2022

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### Recommendation

Adopt a Resolution authorizing the CEO to negotiate and execute a Software as a Service Agreement with Camus Energy Inc. for a term of up to 3 years, and total cost of up to \$170,000, with the first-year fees set at \$70,000, and an option to renew for 2 subsequent years at a cost of \$50,000 per year.

### Background and Discussion

EBCE is a data pioneer and innovator, having built and deployed a robust cloud-based infrastructure for the storage, transfer, processing, and reporting of data that is unparalleled in the CCA space. EBCE is continuously looking to expand its capabilities, either by internally developing new solutions or implementing those of best-in-class providers.

There is currently a gap in EBCE's internal data visualization capabilities, particularly as it relates to the display of information in map-based environments. The proposed engagement with Camus would allow EBCE to license Camus Energy's map-based visualization capabilities, which can be easily integrated into EBCE's existing infrastructure, to fill that gap.

The Agreement also makes provisions for establishing open-source shared code repositories that both parties will contribute to, and which could be used to support future engagements with other CCAs as well as the continuing expansion of EBCE's

data platform. EBCE is already collaborating with Camus Energy and Silicon Valley Clean Energy to deploy a combination of both parties' solutions.

### **Fiscal Impact**

The cost of service for the first year will be \$70,000, which is split between a \$50,000 service fee and a \$20,000 set up fee. The contract can be renewed for a total term of up to 3 years, and at an additional cost of \$50,000 per year. The total contract cost for 3 years is therefore \$170,000.

### **Attachments**

- A. Resolution Authorizing the Chief Executive Officer to Negotiate and Execute an Amendment to the Subscription Agreement with Camus Energy Inc.

**RESOLUTION NO. \_\_**

**A RESOLUTION OF THE BOARD OF DIRECTORS  
OF THE EAST BAY COMMUNITY ENERGY AUTHORITY TO AUTHORIZE THE CHIEF  
EXECUTIVE OFFICER TO NEGOTIATE AND EXECUTE AN AGREEMENT WITH CAMUS  
ENERGY INC. FOR DATA VISUALIZATION SOFTWARE AS A SERVICE**

**WHEREAS** The East Bay Community Energy Authority (“EBCE”) was formed as a community choice aggregation agency (“CCA”) on December 1, 2016, Under the Joint Exercise of Power Act, California Government Code sections 6500 *et seq.*, among the County of Alameda, and the Cities of Albany, Berkeley, Dublin, Emeryville, Fremont, Hayward, Livermore, Piedmont, Oakland, San Leandro, and Union City to study, promote, develop, conduct, operate, and manage energy-related climate change programs in all of the member jurisdictions. The cities of Newark and Pleasanton, located in Alameda County, along with the City of Tracy, located in San Joaquin County, were added as members of EBCE and parties to the JPA in March of 2020.

**WHEREAS** data visualization and analysis are fundamental to the efficient operation and innovation of EBCE as a CCA;

**WHEREAS** Camus Energy offers a compelling and unique data visualization platform in use at other CCAs which EBCE staff has discussed and reviewed at length;

**WHEREAS** EBCE and Camus Energy Inc. would like to further a partnership to jointly develop software solutions and software code repositories for use in the wider CCA Community;

**NOW, THEREFORE, THE BOARD OF DIRECTORS OF THE EAST BAY COMMUNITY ENERGY AUTHORITY DOES HEREBY RESOLVE AS FOLLOWS:**

Section 1. The Board hereby authorizes the Chief Executive Officer to negotiate and execute, subject to the approval of General Counsel, a Software as a Service Agreement with Camus Energy, for a term of up to 3 years, for compensation not to exceed \$170,000, with the first-year compensation set at \$70,000, and an option to renew for 2 subsequent years at a price of \$50,000 per year.

ADOPTED AND APPROVED this 16<sup>th</sup> day of March, 2022.

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Dianne Martinez, Chair

ATTEST:

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Adrian Bankhead, Clerk of the Board



## Consent Item 8

**TO:** East Bay Community Energy Board of Directors

**FROM:** Nick Chaset, Chief Executive Officer

**SUBJECT:** Amendment and Extension of Consulting Services Agreement with Sixth Dimension for design and construction management services (action item)

**DATE:** March 16, 2022

---

### Recommendation

Delegate authority to the CEO to negotiate and execute a First Amendment to the Consulting Services Agreement with Sixth Dimension to expand the scope of work to include design and construction management services for the build of EBCE's headquarters at 251 8<sup>th</sup> Street in Oakland, to increase the compensation by \$216,995 for a total amount not to exceed \$250,000, and to extend the termination date to June 30, 2023.

### Discussion

In the fall of 2021, EBCE issued a Request for Proposal (RFP) for property management and construction management services. Through this solicitation, EBCE selected Sixth Dimension - an Oakland, CA based, Alameda County SLEB certified business - to provide on-going property management services and construction management services for the design and build out of EBCE's headquarters. In December 2021, EBCE entered into the initial phase of the Consulting Services Agreement with Sixth Dimension focused on the property management scope of work and support selecting an architect to design the interior of 251 8<sup>th</sup> St. At the time, EBCE staff elected not to include a scope of work related to the design and construction of 251 8<sup>th</sup> St. because staff wanted to select an architect first, and better understand the schedule and likely scope of construction. As EBCE staff finalize selection of an architect, we are seeking to extend the term of the contract with Sixth Dimension for design and construction management services now that staff has a better understanding of the likely scope of construction, to increase the compensation to cover these services, and to extend the termination date through June 30, 2023.

### Attachment

1. Resolution Authorizing the CEO to Negotiate and Execute a First Amendment to the Consulting Services Agreement with Sixth Dimension to Expand the Scope, Increase the Compensation, and Extend the Term

**RESOLUTION NO. R-2022 -xx**

**A RESOLUTION OF THE BOARD OF DIRECTORS  
OF THE EAST BAY COMMUNITY ENERGY AUTHORITY AUTHORIZING THE CEO TO  
NEGOTIATE AND EXECUTE A FIRST AMENDMENT TO THE CONSULTING SERVICES  
AGREEMENT WITH SIXTH DIMENSION TO EXPAND THE SCOPE, INCREASE THE  
COMPENSATION, AND EXTEND THE TERM**

**WHEREAS**, The East Bay Community Energy Authority (“EBCE”) was formed as a community choice aggregation agency (“CCA”) on December 1, 2016, under the Joint Exercise of Power Act, California Government Code sections 6500 *et seq.*, among the County of Alameda and the Cities of Albany, Berkeley, Dublin, Emeryville, Fremont, Hayward, Livermore, Piedmont, Oakland, San Leandro, and Union City to study, promote, develop, conduct, operate, and manage energy-related climate change programs in all of the member jurisdictions. The cities of Newark and Pleasanton, located in Alameda County, along with the City of Tracy, located in San Joaquin County, were added as members of EBCE and parties to the JPA in March of 2020;

**WHEREAS**, in the Fall of 2021, EBCE issued a Request For Proposals for property management and construction management services;

**WHEREAS**, EBCE selected the vendor Sixth Dimension and executed a Consulting Services Agreement effective November 30, 2021, for construction management services;

**WHEREAS**, EBCE now requires additional services related to design and construction management services for the architect that will be improving 251 8<sup>th</sup> Street, Oakland.

**NOW, THEREFORE, THE BOARD OF DIRECTORS OF THE EAST BAY COMMUNITY ENERGY AUTHORITY DOES HEREBY RESOLVE AS FOLLOWS:**

Section 1. The CEO is authorized to negotiate and execute a First Amendment to the Consulting Services Agreement with Sixth Dimension to expand the scope of services to include design and construction management services, to increase the compensation by \$216,995 for a total amount not to exceed \$250,000, and to extend the termination date to June 30, 2023.

ADOPTED AND APPROVED this 16<sup>th</sup> day of March, 2022.

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Dianne Martinez, Chair



ATTEST:

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Adrian Bankhead, Clerk of the Board



## Consent Item 9

**TO:** East Bay Community Energy Board of Directors  
**FROM:** Chris Eshleman, Senior Manager, Power Resources  
**SUBJECT:** Dedicated Server Services with cQuant.IO, Inc.  
**DATE:** March 16<sup>th</sup>, 2022

---

### Recommendation

Adopt a Resolution authorizing the Chief Executive Officer to negotiate and execute a First Amendment to the EBCE Consulting Services Agreement with cQuant.IO, Inc. (“cQuant”), dated September 24, 2020, for dedicated server services to use with their portfolio, risk, and valuation management software for a 2 to 4 month subscription term with monthly payments not to exceed \$5,000. The amendment increases the not to exceed amount by \$20,000, for a total not to exceed amount of \$581,000.

### Background and Discussion

East Bay Community Energy (“EBCE”) staff have utilized cQuant’s software platform for portfolio, risk, and valuation management services effective September 24<sup>th</sup>, 2020. Staff will be evaluating projects submitted to EBCE’s 2022 Long-Term Resource Request for Offers (“RFOs”) using the cQuant software platform.

#### 1. Assessment, Review, and Selection Process

EBCE staff initiated an assessment with the assistance of the cQuant staff on how best to complete the valuation activities required as part of the EBCE 2022 Long-Term Resource RFO. It was determined that to complete the evaluation of all RFO submissions effectively and efficiently, EBCE needs to retain a cQuant add-on service for a dedicated server.

Staff conducted discussions with the cQuant staff and cited the following benefits:

- A dedicated server infrastructure solely used by EBCE, freeing computing resources usually shared amongst the entire cQuant user base, which limits large amounts of model runs from any individual company.
- Increase the simultaneous model run quantity from two (2) to six (6).
- Based on prior use of cQuant’s platform for EBCE’s 2020 Long-Term Resource RFOs, subscribing to this add-on service will speed up the time it takes to value RFO submissions.

## 2. Proposed Subscription Services

EBCE staff reviewed and finalized the quote from cQuant. Below is the additional scope of services to be added via amendment to the CSA dated September 24, 2020:

- EBCE dedicated server - A server to which computing resources are dedicated and only usable by EBCE staff during the 2022 Long-Term Resource RFOs.

### Fiscal Impact

The subscription term for the add-on services is 2 to 4 months, with a monthly fee not to exceed \$5,000. The Amendment would increase the total compensation amount of the Consulting Services Agreement by to \$20,000.

### Attachments

- A. Resolution of the Board of Directors of the East Bay Community Energy Authority Authorizing the Chief Executive Officer to Negotiate and Execute an Amendment to the Consulting Services Agreement with cQuant.io, INC. dated March 16, 2022 to Provide Dedicated Server Services for the use with their Portfolio, Risk and Valuation Management Software Platform.

**RESOLUTION NO. R-2022-XX  
A RESOLUTION OF THE BOARD OF DIRECTORS  
OF THE EAST BAY COMMUNITY ENERGY AUTHORITY AUTHORIZING THE CHIEF EXECUTIVE  
OFFICER TO NEGOTIATE AND EXECUTE A FIRST AMENDMENT TO THE CONSULTING SERVICES  
AGREEMENT WITH CQUANT.IO, INC. DATED SEPTEMBER 24<sup>th</sup> 2020 TO PROVIDE DEDICATED  
SERVER SERVICES FOR USE WITH THEIR PORTFOLIO, RISK AND VALUATION MANAGEMENT  
SOFTWARE PLATFORM**

**WHEREAS** The East Bay Community Energy Authority (“EBCE”) was formed as a community choice aggregation agency (“CCA”) on December 1, 2016, under the Joint Exercise of Power Act, California Government Code sections 6500 *et seq.*, among the County of Alameda, and the Cities of Albany, Berkeley, Dublin, Emeryville, Fremont, Hayward, Livermore, Piedmont, Oakland, San Leandro, and Union City to study, promote, develop, conduct, operate, and manage energy-related climate change programs in all of the member jurisdictions. The cities of Newark and Pleasanton, located in Alameda County, along with the City of Tracy, located in San Joaquin County, were added as members of EBCE and parties to the JPA in March of 2020.

**WHEREAS** there is a need for EBCE to subscribe to and operate a dedicated server to speed up valuation activities during EBCE’s 2022 Long-Term Resource Request for Offers;

**WHEREAS** EBCE staff has negotiated and executed a Consulting Services Agreement with cQuant.IO, Inc. dated September 24<sup>th</sup>, 2020 with a term of 3 years;

**WHEREAS** the services offered by cQuant.IO, Inc. was determined to be the best fit to meet the current and future needs of EBCE;

**NOW, THEREFORE, THE BOARD OF DIRECTORS OF THE EAST BAY COMMUNITY ENERGY AUTHORITY DOES HEREBY RESOLVE AS FOLLOWS:**

Section 1. The CEO is hereby authorized to negotiate and execute a First Amendment to the EBCE Consulting Services Agreement with cQuant.IO, Inc. dated September 24<sup>th</sup>, 2020, to expand the scope of services to establish a dedicated server for a two (2) to four (4) month subscription term with a monthly payment of \$5,000, increasing the compensation by \$20,000, for a total amount not to exceed \$581,000, Amendment will be approved as to form by General Counsel.

ADOPTED AND APPROVED this 16<sup>th</sup> day of March 2022.

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Dianne Martinez, Chair

ATTEST:

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Adrian Bankhead, Clerk of the Board



## CEO Report Item 10

**TO:** East Bay Community Energy Board of Directors

**FROM:** Nick Chaset, Chief Executive Officer

**SUBJECT:** CEO Report (Informational Item)

**DATE:** March 16, 2022

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### **Recommendation**

Accept Chief Executive Officer (CEO) report on update items below.

### **Executive Committee Meeting**

The February 25, 2022 Executive Committee meeting was canceled. The next Executive Committee meeting will be held on March 25, 2022.

### **Finance, Administration and Procurement Subcommittee Meeting**

The February 18 and March 11 meetings of the Finance, Administration and Procurement Subcommittee were canceled. The next Finance, Administration and Procurement Subcommittee meeting will be held on April 15, 2022.

### **Marketing Regulatory and Legislative Subcommittee Meeting**

A meeting of the Marketing, Regulatory and Legislative Subcommittee was held on February 2, 2022. Members received an update on regulatory items of interest to EBCE and a summary of key activities for Marketing and Account Services over the next six months. The next Marketing, Regulatory and Legislative subcommittee will be held on April 6, 2022.

### **Update on Renewable 100 Transitions**

Four cities transitioned most of their customers to Renewable 100 during the month of January and two additional cities are transitioning residential customers to Renewable 100 in March. The January transition cities are Albany, Dublin (residential only), Hayward, and Pleasanton; the March transition cities are Berkeley and San Leandro.

The first notice to March transition customers was mailed and emailed in early February. The second notice was mailed to these customers in early March and will be emailed in mid-March.

Staff has tracked the enrollment status of customers in these areas and found that customers who act are more frequently staying with EBCE on Bright Choice rather than choosing to return to PG&E. These figures suggest that customers are making informed decisions about their electricity service. Below is a table showing the change in enrollment status percentages from November 2021 March 1, 2022.

	3/1/22			Change from November 2021	
	Total Eligible	Total % Opt Out	Total % Move to/ Stay on BC	% Opt Out	% Move to/ Stay on BC
Albany	7,367	3.04%	12.34%	0.25%	11.22%
Berkeley	55,173	2.64%	2.03%	0.16%	2.01%
Dublin	27,565	5.30%	3.56%	0.46%	3.55%
Hayward	57,964	6.47%	11.14%	0.31%	10.28%
Pleasanton	32,052	5.24%	5.54%	1.02%	4.80%
San Leandro	35,733	6.57%	1.70%	0.25%	1.68%
<b>All EBCE</b>	<b>674,224</b>	<b>5.59%</b>	<b>2.21%</b>	<b>0.24%</b>	<b>2.07%</b>

#### Update on Generation Rate Changes

PG&E increased generation rates to its bundled customers on March 1, 2022. Per our rate setting protocol, staff is updating the EBCE rates to maintain the value propositions for Bright Choice (1% less than PG&E inclusive of fees) and Renewable 100 (1 cent more per kWh). Staff anticipate that rate updates will be deployed to EBCE customers in mid-March with an effective date of March 1. Staff will post updated EBCE rate sheets at <https://ebce.org/rates/> and is working with PG&E to update the Joint Rate Comparison.



# LOCAL DEVELOPMENT UPDATE

PRESENTED BY: The Local Programs Team

DATE: March 16, 2022



# Innovating on Delivery Models

Developing new models to provide clean energy services to our customers

- EBCE leading as “Procurement agent” for Cities to deliver Climate Action Plans
  - Solar + Storage for municipal facilities
  - Public Fast Charging for electric vehicles
  - Municipal fleet vehicle charging as a Service
- Innovating on ways to leverage EBCE capital
  - Incentives + low cost project financing for BlocPower LMI EE/BE program
- Providing frontline communities with debt relief and bills savings
  - CAPP, AMP, Solar Discount / Community Solar Discount

# Local Development Leverage

Local Development projects are saving customers money and creating jobs in Alameda County

- Local Programs utilizing public dollars for incentives. Private capital investments occur when customers fund investments based on future savings

EBCE is focused on creating high road jobs by requiring prevailing wage and collaborating with local job training organizations

Program	EBCE	Public Funds	Private Capital
CALeVIP	\$3.5M	\$14.5	~\$17.5
CAPP		\$8M	
EE		\$13.5M	~\$13.5M
Critical Facilities			~\$15M
Heat Pumps	\$0.25M	\$0.25M	\$0.5M
DAC-GT		\$15M	
Resilient Home			~\$30M
LMI Electrification	\$0.4M		\$1.8M
<b>Total:</b>	<b>\$4.15M</b>	<b>\$51.25</b>	<b>\$78.3M</b>

# Tracking Customer Participation

- Salesforce provides customer level tracking for program enrollments
- New enrollments happening in Salesforce
- Dashboards and reports will provide insights into enrollment rates
- Vendors can log into Salesforce and ‘work in the system’ with role restricted access to data
- Now using marketing automation tool (Pardot) and webform/survey tool (Formstack) to enable staff to leverage system capabilities



Status: Identified

✓ Mark Status as Complete

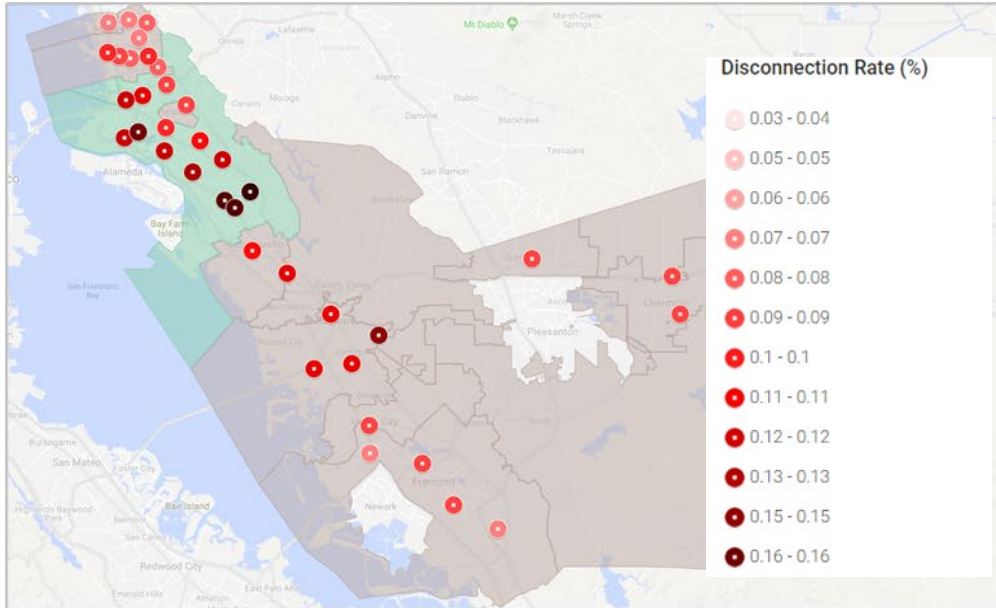
Salesforce incentive processing status bar

# Focusing on Equity

- Continuing to develop an equitable program portfolio
- Targeted programs specifically on frontline communities, eg.
  - Low income EE pilot
  - LMI electrification and efficiency with BlocPower
  - TE charging infrastructure incentives
  - EBCEs EV fast charging infrastructure investment strategy
  - MF affordable housing TE assistance
  - M/H Duty TE strategy
  - MF affordable housing solar and storage via Resilient Home
  - Medical Baseline backup battery program
- Connected Communities entirely focused on most vulnerable populations
- Tracking enrollments in salesforce to build a baseline of participation metrics

# Background: Why Connected Communities?

The problem as we saw it in 2019: High disconnection rates and the CARE/FERA gap



- Eleven zip codes in EBCE's service area have average disconnection rates greater than **10%** -- much higher than the PG&E average rate of 5.4%.
- On average, **50%** of the population lives below twice the Federal Poverty Level, but only **30%** are enrolled in CARE.
- Median arrearages: \$130

# Connected Communities

Staff Report Item 12

**Summary:** EBCE launched its Connected Communities pilot program in 2019/2020 to learn about how to design and implement meaningful solutions to utility debt and disconnections. The initiative involves partnering with community-based organizations and others to develop innovative means of reducing utility disconnections through efforts that complement what is available through other channels such as the State or PG&E.

## 2021-2022 Initiatives:

- Disadvantaged Communities Green Tariff/Community Solar Green Tariff implementation and program evaluation with UC Berkeley
- California Arrearage Payment Program implementation
- Arrearage Management Plan outreach and enrollment assistance grants
- Percentage of Income Payment Plan design and implementation

## Key Outcomes in 2021/2022:

- \$150,000 in outreach grants provided to 5 community-based organizations
- 1,600 customers located in disadvantaged communities are receiving 20% bill discounts through EBCE's Solar Discount program (aka DAC-GT)
- \$8MM in debt relief delivered via statewide CAPP program

# New in 2022: Percentage of Income Payment Plan

## Background:

PIPP establishes a **bill cap** for CARE-enrolled customers. There are two standardized bill caps, depending on income: either **\$37** (for customers with incomes less than 100% of Federal Poverty Level thresholds) or **\$109** (for customers with incomes between 100% & 200% of FPL).

Eligibility: Enrolled in CARE, located in zip codes with highest disconnections *or* who have been disconnected two or more times in the year prior to the disconnections moratorium.

## Benefits of EBCE participation:

- Absent EBCE's participation, residents in our service area would not have the opportunity to enroll in the pilot.

## Program structure and enrollment:

- EBCE has been given 703 program "spots."
- EBCE will take an application-based approach to PIPP enrollment. Since program space is limited, to ensure an equitable selection process, at the end of the application period, **all applicants who meet eligibility criteria will be placed into a randomized lottery** to select the final 703 PIPP participants.

# Energy Efficiency Funding Request

## Commercial Pay for Performance Program

- Incentives paid on measured, cost-effective savings
- Increased incentives during peak periods
- Incentives paid to installers to promote quality installation and focus on peak reduction
- Program will target combined demand response and energy efficiency installations

Summary of Energy Efficiency Program (Three Year)	
Program Budget	\$13,463,049
kWh Savings (lifetime)	30,327,839
kW Savings (lifetime)	3,463
Portfolio TRC	1.06
Portfolio PAC	1.44



# Results from Energy Efficiency Pilots

## Low Income EE and Peak Management

- 388 customers participated
- 2% savings across the portfolio

## Single Family Peak Management

- 122 projects enrolled
- No measurable impact on peak - likely due to short time frame of pilot

## Commercial Pay-for-Performance

- Three enrolled projects, fully subscribed
- 53 MWh projected savings, \$356,000 reserved incentives
- Measured savings will be available February 2023

# Municipal Electrification Assistance Program

- Cities asked to apply for one of three categories
- Reach Code Assistance
  - Emphasis on regional model code for consistency across jurisdictions
  - EBCE is currently planning to support at least eight jurisdictions as they pursue Reach codes
- Technical Assistance
  - Can support specific projects, incorporating electrification into capital improvement plans, support procurement plans
  - Example: City of Hayward
- Gap Funding
  - Up to \$10,000
  - Can cover gap for incentive programs and on-bill financing

# Induction Cooktop Lending Program

## Induction Cooktop Lending Program (ICLP)

- Partnering with Acterra
- Targeting 200~250 loans in year 1
- Soft launch: April 4 - Public launch: early May
- Engaged local suppliers for kit procurement & for securing discount deals for customers
- Developing parallel content development campaign to generate awareness



# Induction Related Marketing and Outreach

Staff Report Item 12

- Videos featuring well known local chefs trying or promoting induction
  - More than 40,000 views
- Induction cooking classes and demonstrations
- Social media campaigns to boost brand awareness and engagement while promoting induction

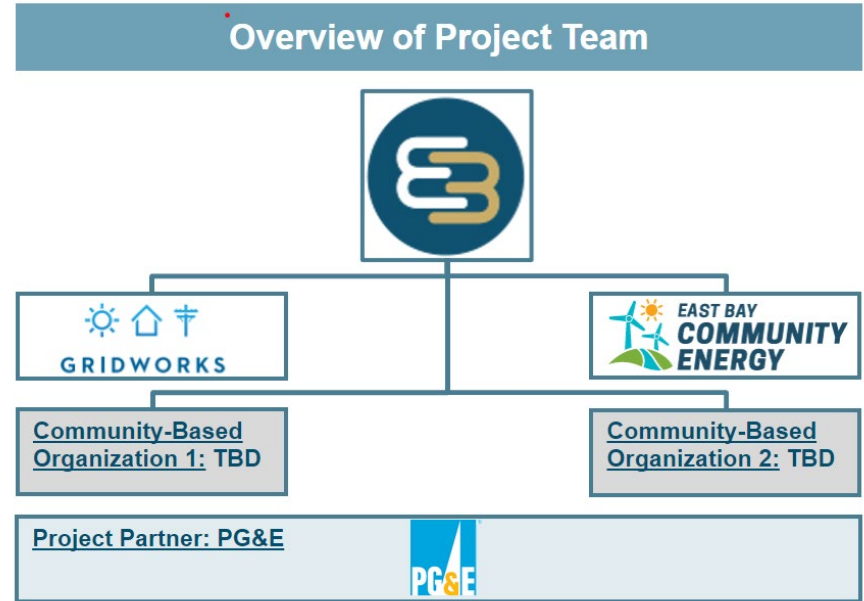


# Strategic Natural Gas Decommissioning

A key challenge facing CA: how to equitably decarbonize buildings in a way that supports and meets the needs of communities while reducing greenhouse gas emissions?

One hypothesis: targeted electrification combined with strategic decommissioning of gas infrastructure can reduce gas system costs and help mitigate future rate impacts for remaining gas customers

This project: will develop critical data and information to inform and evaluate the gas decommissioning hypothesis and will develop a deployment plan for three pilot sites to test this hypothesis



# Strategic Natural Gas Decommissioning

## EBCE's Role

- Inform evaluative criteria and actionable deployment plans based on community perspectives.
  - Gain insight on community specific input on propensity to electrify
  - Understand specific community issues
  - Refine recommendations for pilot selection criteria based on learning outcomes
- Develop deployment plans for zonal electrification at three pilot locations
  - ~25 buildings; rural / suburban, urban, DAC
  - No funding to complete identified projects

# Resilient Home

Partnership with Sunrun to deliver 5MW of Load Reduction and ~2000 residential solar + battery energy storage systems

- Single and multi-family residents
- All systems provide backup power

Since launch (8/2020)

- 1,540 EBCE leads
- 1,000 customer agreement (sales)
- + Multifamily affordable housing
- 2.2 MW/ac load reduction (via battery)
- 6 MW solar PV
- Planning additional sales through 2023



Put solar + storage on your holiday wish list!

EBCE knows you've been good this year, so we'll kick in a \$1,250 incentive. Details [here](#).

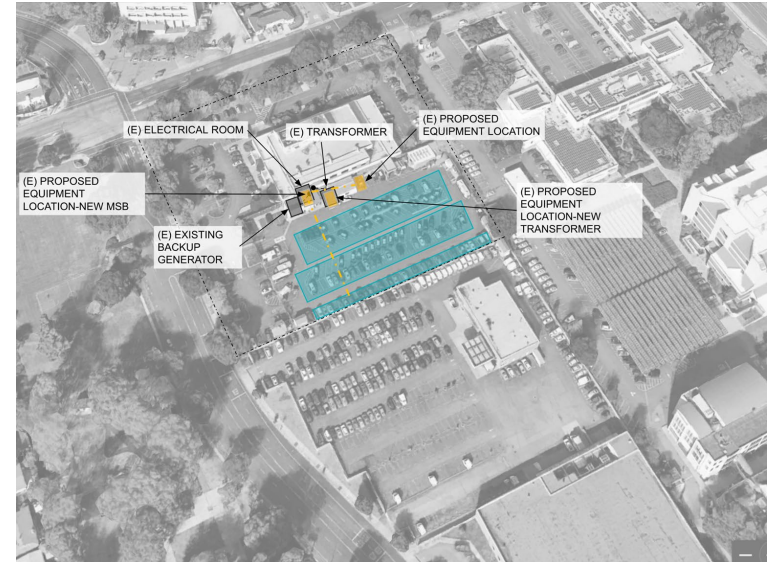
# Critical Municipal Facility Resilience

## Scope: Solar + Battery Energy Storage Systems

- 300+ facilities assessed - high level (2019-2020)
- EBCE issues industry RFI (2020)
  - Takeaway: De-risk portfolio of sites upfront
  - Feedback informed need to hire engineering consultants to conduct deeper level site assessments (2021-ongoing)
  - Structural, roof, electrical upgrades + cost
- Council resolutions passed committing cities to proceed with engineering assessments + EBCE procurement process (2021)
  - Phase I: Berkeley, Hayward, Fremont, San Leandro

## Next Steps

- RFP for PPA vendor: mid-2022
  - Success = no cost increase to cities for electricity; systems deployed at scale
- Phase II assessments & procurement
  - Cities TBD





# Medical Baseline Pilot Program

## Free Portable Backup Batteries

- 50 Goal Zero Yeti 3000X purchased by EBCE (retail \$3,399)
- Targeted outreach conducted to EBCE's low-income MB customers
- Partnered with CBO Community Resources for Independent Living (warehouse & delivery)
- All batteries distributed
- Battery recipients: Albany, Berkeley, Fremont, Hayward, Livermore, Oakland, San Leandro, San Lorenzo, Sunol, Union City

## MB \$1,000 Rebate (Goal Zero Yeti 3000X)

- Outreach ongoing to all MB customers in service area
- Specific outreach message to residents in High Fire Threat Districts
  - EBCE + PG&E rebates = \$2K off cost
- 30 rebates paid to date; ~80 remaining

Next Steps: Video with battery and rebate recipient interviews



# Transportation Electrification

## Setting the Stage

### Light Duty Vehicles

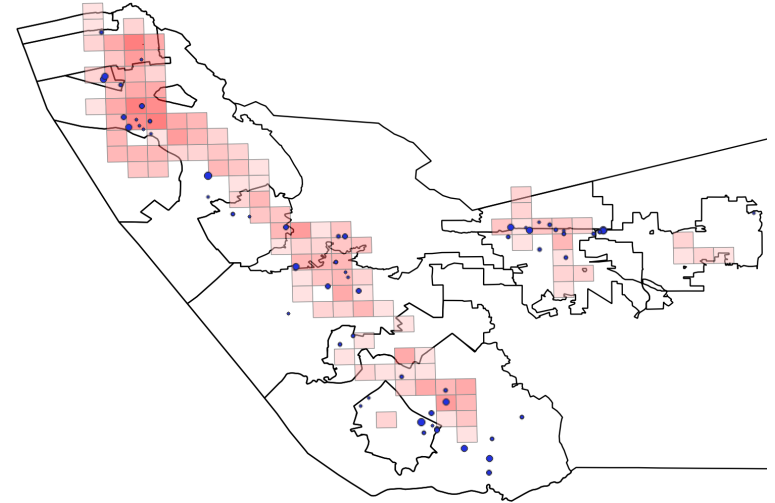
- 50% of residents are renters in multifamily housing
- 90% of multifamily buildings 50+ yr old
- Little adoption of EVs by renters
- Significant gaps in access to charging
- Help cities lead by example
  - Public fast charging hubs
  - Municipal fleet

### Medium and Heavy-Duty (M/HD) Vehicles

- Service area one of the most strategic trade locations in the U.S.
- EBCE serves all commercial / industrial load outside of Port boundaries

## Strategic Priorities

1. Provide incentives for publicly available EV charging (CALeVIP)
2. Develop EBCE owned DC fast charge network (see map)
3. Provide municipal fleet electrification TA and offer EBCE Charging-as-a-Service product
4. Establish service area as 1st mover market for zero-emission M/HD Goods Movement



EBCE Multi-family Hotspots + existing DCFC infrastructure (e.g., significant gaps in access)

# 2021 Alameda County CAlLeVIP Program

Incentives for publicly accessible EV chargers (Level 2 & DC Fast)

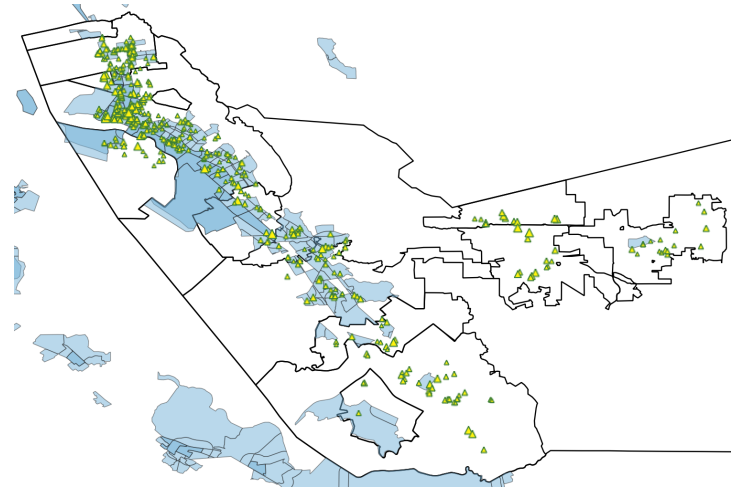
- CEC investment: \$14.5M
- EBCE co-funding (Board approved budget)
  - \$14.5M (over 4 years)
    - \$3M CAlLeVIP for Level 2 chargers (2021)
    - Remainder allocated to standalone EBCE owned charging infrastructure investments (next slide)

EBCE's priority in developing program requirements: Equity

- 50% of total budget (\$17.3M) dedicated to DAC/LIC projects
- 50% of DCFC budget (\$8.5M) for projects in EBCE's multifamily hotspots
- Incentive adder for all affordable multifamily properties
  - EBCE free technical assistance provided to ~ 50 properties and resulted 10 awarded incentive applications

Program launch: 12/1/21

- DCFC incentives oversubscribed in 4 minutes (in excess of ~\$28M)
- Level 2 incentives: ~ \$3M available



Affordable housing overlap with DAC/LICs; a lot of properties outside of boundaries

# EBCE DC Fast Charge Hubs

## Scope

- EBCE operating 40-50 hubs by 2030
- Standard design: min. 10 dual port DCFC (gas station model)
- Site host: municipal parking lots and garages
- Site priorities: multifamily hotspots & adjacent to driver amenities

## Funding

- To date: Grants + EBCE BoD approved budget
- Scaling: Public-Public partnership with EBCE JPA members
  - Developing charging hubs at City lots and garages with revenue sharing opportunity with JPA member cities
  - EBCE will provide discounted customer charging
  - EBCE to recover revenue via electricity sales + LCFS credits

## Projects

Phase I: Oakland, Livermore, Piedmont

Phase II:

- Berkeley - Partnership term sheet approved by Council (2/8/22)
- Hayward, San Leandro (EBCE CEC REACH grant submitted 2/2022)



1. Project design example
2. San Leandro Main Library overlap with MUD Hotspot and nearby amenities

# Municipal Fleets

EBCE is providing free technical assistance to cities/county

- Fleet electrification plans
- Consultant support contract

All work to be complete by 3/2023:

1. Assess city's inventory of fleet vehicles
2. Determine vehicle energy requirements and charging needs
3. Conduct financial cost/benefit analysis
4. Purchase/operating expenses of vehicles and charging infrastructure
  - GHG reductions
5. Fleet transition plan over 10-year period

EBCE: Support fleet transition by offering Charging-as-a-Service product to municipal partners

## Staff Report Item 12

Albany	Completed
Alameda County	Completed
Berkeley	Completed
Dublin	Completed
Emeryville	Q2 2022
Fremont	Completed*
Hayward	Completed
Livermore	Q3/4 2022
Newark	Q3/4 2022
Oakland	Completed
Piedmont	Q3/4 2022
Pleasanton	Q3/4 2022
San Leandro	Q2 2022
Tracy	TBD
Union City	Q2 2022

# ZE M/HD Goods Movement

**Goal:** ZE Class 3-6 x 2030 and Class 7-8 x 2045

- ex. first/last mile delivery, regional delivery, drayage, long-haul

## **Develop ZE M/HD Goods Movement Blueprint (10/2021-10/2023)**

- CEC grant + EBCE BoD Match (staff time)
- Strategic partner: CALSTART
- Project area: EBCE's service territory
- Data analysis informing development of actions/strategies
  - vehicles, charging, workforce, financing, community benefit

## **M/HD Technical Assistance Pilot (2021-2023)**

- Strategic partner: CALSTART
- Fleet electrification assessments
- Prep pipeline for new M/HD incentive programs

## **EBCE Fast Charging Hub Development**

- US EPA brownfields assessment grant: potential site identification
- Collaboration with the City of Oakland, others
- Determine organizational strategy re: financing, O&M, partnerships, etc.

## **Vehicle Grid Integration**

- PG&E's Commercial V2G Pilot Partner



# APPENDIX

Staff Report Item 12

# Results from Energy Efficiency Pilots



## Low Income Peak Management

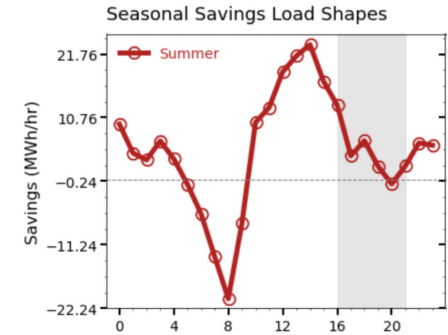
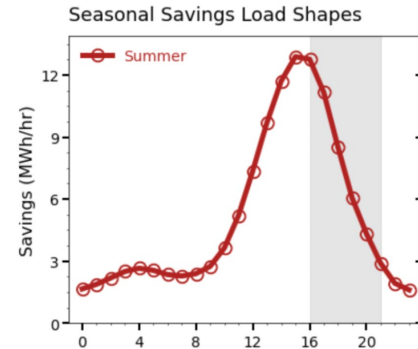
- Rising Sun: Green House Calls and thermostats
  - 200 participants
  - 1.9% electricity savings
  - 12 MWh, 43 MMBTU
- OhmConnect: Peak management and smart plugs
  - 188 participants
  - 2.7% electricity savings
  - 15 MWh, 51 MMBTU
- Combined total savings: 2.2%



# Results from Energy Efficiency Pilots

## Residential Energy Efficiency and Peak Management

- Worked with CLEAResult to enroll additional projects in BayREN Home+
- Tested if additional peak savings could be achieved beyond estimated savings
- 122 projects enrolled
- Measured savings very close to estimated:
  - 31.56 MWh, 2.92 therms
  - 2.12 peak MWh reduction
- Short time frame of pilot launch likely impeded ability to capture additional peak
- Targeted marketing was tested but ultimately unverified



Predicted load shape of savings (left) relative to measured load shape of savings (right).

# Results from Energy Efficiency Pilots

Project Type	Projected kWh Savings	Projected Incentive
Refrigeration	210,604	\$149,133
Refrigeration	108,962	\$50,730
Refrigeration	211,578	\$156,200

## Commercial Flexible Demand Marketplace

- Incentives paid to installers
- Payments based on cost-effective savings
- 8 vendors enrolled to participate
- Fully subscribed with three projects
- Final savings results available minimum 12 months post project installation

# REGULATORY ENGAGEMENT

- CPUC DRIVE OIR Proceeding: Transportation Electrification Framework & Plans
- CARB LCFS: CCA equal access to the incremental value of residential LCFS credits
- Vehicle Grid Integration (VGI): New CCA reporting mandates starting 2022
- Self Generation Incentive Program: HPWH, energy storage, EV/VGI added: Under consideration by CPUC
- DAC Green Tariff
- CEC Load Modification for Resource Adequacy
- General Rate Case - input on PG&E's proposed E-ELEC rate
- Building Decarbonization Proceeding

**THANK YOU**