



Draft Minutes

Community Advisory Committee Meeting
Monday, March 13, 2023
6:00 pm

In Person:

The Lake Merritt Room
Cal State East Bay - the Oakland Center
In the Transpacific Centre
1000 Broadway, Suite 109
Oakland, CA 94607

Or from the following locations:

4563 Meyer Park Circle, Fremont, CA 94536
3602 Thornton Ave, Fremont, CA 94536

Via Zoom:

<https://us02web.zoom.us/j/84794506189>

Or join by phone:

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 +1 312 626 6799 or 877 853 5257 (Toll Free)
Webinar ID: 847 9450 6189

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

C1. Welcome & Roll Call

**Present: Members: Landry, Hu, Swaminathan, Lakshman, Pacheco, Lutz,
Vice-Chair Hernandez and Chair Eldred**

Excused: Members: Liu, Talreja and Souza

Presenters and Staff:

Marie Fontenot - EBCE staff
Chris Eshleman - EBCE staff
Jim Dorrance - EBCE staff
Raissa Ngoma (Assistant Clerk)
Adrian Bankhead (Clerk)

C2. Public Comment

This item is reserved for persons wishing to address the Committee 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 Committee are customarily limited to three minutes per speaker and must complete an electronic [speaker slip](#). The Committee Chair may increase or decrease the time allotted to each speaker.

Jessica Tovar discussed the recent reduction in Net Energy Metering incentives by the CPUC and suggested that East Bay Community Energy (EBCE) should offer better incentives than the investor-owned utilities. Jessica Tovar advocated for incentives that exceed Net Energy Metering 2.0, citing inquiries at the Local Clean Energy Alliance and public concerns raised at the January 18, 2023 EBCE Board meeting. She also encouraged the creation of incentives to promote the growth of local solar, wind and storage within EBCE's service territory.

Tom Kelly raised concerns about the lack of response to public inquiries and requests for information. He cited a recent example, where both he and Jessica Tovar asked for an update on the \$50 million program for replacing gas-fired appliances but received no update. He also expressed discomfort with the thought that unidentified staff members might be present on Zoom calls. Despite asking for a list of participants in the meeting minutes, he has not seen it implemented yet. Kelly emphasized the importance of openness and transparency.

Additionally, Tom Kelly reminded the Chair of a previous request made by Member Landry to address his concerns regarding greenhouse gas emissions and the comparison between Bright Choice and PG&E.

Audrey Ichinose expressed appreciation for the remote meeting setup, which allows for public participation via Zoom. Audrey Ichinose reiterated her public comment from the Power Procurement Board retreat, requesting a follow-up retreat focused on local clean energy development. Audrey Ichinose suggested

that the second retreat should cover EBCE's programs, progress, and the costs of these programs in terms of their percentage of budget surplus allocations.

C3. Approval of Minutes from February 13, 2023

Tom Kelly objected to the use of the word "allege" in the minutes regarding his comments on EBCE's greenhouse gas emissions compared to PG&E's. He requested the word be replaced with "stated." Chair Eldred suggested not accepting Tom's feedback since the accuracy of his statements had not been determined, and that further examination of the methodology was needed, which would be discussed during the meeting.

Jim Lutz raised a concern about an incorrect phrase in the minutes, "Long-Term Critical Care Facilities," stating that the correct term should be "Resilient Critical Facilities." Chair Eldred recommended approving the minutes with the understanding that clarification of the correct term would be provided.

Member Lutz motioned to approve the minutes with the understanding that the clarification of the use of the phrase "long term critical care facilities" would be provided. Member Hernandez seconded the motion, which passed 7/0. Abstain: Member Pacheco.

C4. CAC Chair Report

Chair Eldred expressed gratitude to the staff for their efforts in coordinating meetings and enabling remote participation for the public. She offered assistance to CAC members to find remote locations if needed.

Chair Eldred reported that the last board meeting had a closed session with nothing to report, and that there will be a substantial closed session at the next meeting. Chair Eldred also reported that the travel reimbursement policy passed as originally presented, but staff are reviewing feedback and seeking examples from other bodies. The mid-year budget was discussed, and feedback from the CAC and the board was incorporated.

A special board meeting on power procurement took place, with no solutions reached, but the board requested the information be brought back to them. Marie Fontenot agreed to present the key discussion point at the current meeting, addressing Tom Kelly's concerns. Chair Eldred encouraged CAC members and the public to watch the procurement meeting.

C5. MRP Malaga (CAC Action Item)

MRP Malaga long-term energy hedge and RA agreement

The Community Advisory Committee discussed:

- Member Swaminathan asked for details about the structure of the financial hedge that is included in the Malaga contract.
- Member Lutz asked for the percentage of EBCE's power contracts that are dedicated to resource adequacy versus generation and storage.
- Member Landry asked if EBCE would ever use the natural gas that is produced at the peaker plant, in particular when natural gas is less expensive than wind or solar. Member Landry also asked if the energy source for the battery storage at the peaker plant is renewable.
- Member Pacheco asked if additional detail can be provided about the structure of the Malaga contract, and if that contract structure has been used elsewhere. Member Pacheco also asked for staff to explain how this contract would reduce the number of hours that the peaker plant would be in operation, and why staff is confident that the battery power will be deployed equitably.
- Chair Eldred expressed concern about contracting with a gas plant, when a battery could be added to a curtailed solar or wind plant. .

Tom Kelly expressed confusion about EBCE, an organization founded to combat climate change, signing a contract with a fossil fuel company to maintain a peaker plant. Tom Kelly cited the Vistra peaker plant in Oakland as an example of a harmful facility that needed to be shut down. Kelly suggested that solar energy, abundant in California and often curtailed, should be used to power batteries instead of relying on peaker plants.

Member Swaminathan motioned to support the staff recommendation. The motion was seconded by Member Lakshman. The motion was not approved: 4/0 (the ayes did not meet the quorum necessary for passage).

MRP Malaga vote tally:

Aye: Swaminathan, Lakshman, Lutz and Chair Eldred

Abstain: Landry, Hu, Pacheco and Hernandez

Excused: Liu, Talreja, Souza and Kaur

C6. Emissions Reporting (CAC Informational Item)

Receive update on Power Procurement activities

The Community Advisory Committee discussed:

- Chair Eldred asked if a significant portion of the unspecified power on the Bright choice Power Content Label is, in fact, provided by an asset-controlling supplier (ACS).
- Chair Eldred addressed concerns about energy reporting mechanisms and questioned the accuracy and usefulness of the Power Content Label as a representation of energy procurement.

- Member Swaminathan suggested that a time series graphic of the power content label pounds per megawatts over time and for different scenarios would be helpful for this conversation.
- Chair Eldred suggested that staff should focus on “greening” Bright Choice to avoid attributing carbon emissions to those who cannot afford to purchase Renewable 100.
- Member Lutz asked why the Power Content Labels for the other Northern California CCAs look so much cleaner than EBCE. Marie Fontenot responded that EBCE provides a discount to PG&E and that it has not accepted a nuclear allocation.

Tom Kelly expressed confusion over the presentation's intent, stating that PG&E and other Northern California CCAs outperformed EBCE in greenhouse gas emissions. Tom Kelly also highlighted EBCE's reliance on system power and questioned why EBCE's emissions increased significantly in 2020. Kelly urged the board to follow the example of other CCAs or provide a clear explanation for why EBCE has not matched their performance in reducing greenhouse gas emissions.

C7. CAC Member and Staff Announcements including requests to place items on future CAC agendas

- **Chair Eldred stated that Councilmember Wright would be sworn in as the new Board member for the City of Stockton at the March 15, 2023 Board of Directors meeting.**
- **Chair Eldred asked for contacts at community groups and member cities that might be interested in supporting an eagle scout project to provide public education about peak power usage reduction.**

C8. Adjournment to Monday, April 17, 2023 at 6:00 pm