



Consent Item 12

TO: East Bay Community Energy Board of Directors

FROM: Alex DiGiorgio, Public Engagement Manager

SUBJECT: City of Stockton Community Advisory Committee (CAC) seat and term extension for current regional members (Action item)

DATE: June 21, 2023

Recommendation

- 1) Approve creating an interim CAC seat to represent the City of Stockton;
- 2) Approve a six-month term extension for current CAC members, extending their term through December 2023

Background and Discussion

On October 21, 2020, the Board of Directors [approved updates to the CAC Guide and Appointment process](#). These updates were made to ensure proper representation and engagement of the CAC, particularly given the inclusion of EBCE's new communities in the cities of Newark, Pleasanton, and Tracy. The updates included the following: The addition of three seats (increasing the size of the CAC to twelve active seats to address the voting shares); configuring the apportionment of CAC seats to EBCE Service Area Regions; appointing one Alternate Member for each EBCE Service Area Region, for a total of five; and engaging the Mayors' Conference to appoint two at-large Members.

Since then, the CAC has been composed of twelve active seats ("Members") and five alternate seats ("Alternates").

As reflected in the table below, the CAC seat allocations approximate the voting shares percentage of each member jurisdiction:

EBCE Service Area Region	JPA Vote Share	CAC Seat Allocation	Alternate Seat Allocation
NORTH Albany, Berkeley, Oakland, Emeryville, and Piedmont	30%	3	1
EAST Dublin, Livermore, and Pleasanton	14%	1	1
SOUTH Fremont, Union City and Newark	27%	3	1
CENTRAL Hayward, San Leandro, and Alameda County Unincorporated	23%	2	1
SAN JOAQUIN COUNTY Tracy	6%	1	1
At-Large	N/A	1	N/A
At-Large	N/A	1	N/A

By assigning seats to EBCE Service Area Regions, EBCE can engage the city/county Board members for outreach and appointment nominations. This regional apportionment was also intended to ensure equitable representation of all EBCE communities on the CAC.

The CAC currently has eleven members serving (i.e., nine Regional members and two At-Large members) with one Member vacancies (South region). All five Alternate seats are currently vacant.

Below is a table with the current make-up of the CAC:

EBCE Service Area Region	Current CAC Representation
NORTH Albany, Berkeley, Oakland, Emeryville, and Piedmont	Anne Olivia Eldred (Chair) Cynthia Landry (Member) Lisa Hu (Member) [Alternate vacancy]
EAST Dublin, Livermore, and Pleasanton	Joel Liu (Member); [Alternate vacancy]
SOUTH Fremont, Union City, and Newark	Shiva Swaminathan (Member) Vijay Lakshman (Member) [Member vacancy] [Alternate vacancy]
CENTRAL Hayward, San Leandro, and Alameda County Unincorporated	Ernie Pacheco (Member) Lorraine Souza (Member) [Alternate vacancy]

SAN JOAQUIN COUNTY Tracy	Harman Ratia (Member) [Alternate vacancy]
At Large	Ed Hernandez (Vice Chair)
At Large	Jim Lutz (Member)

All active Regional CAC members have communicated with staff to confirm their desire to remain on the Committee if a six-month term extension is approved by the Board.

Recommendation 1: Approve the addition of a new, interim CAC seat to represent the City of Stockton via Resolution at the June 21 Board of Directors meeting

In March 2023, EBCE received the California Public Utility Commission’s (CPUC) certification recognizing the City of Stockton (“Stockton”) as a member of EBCE’s Joint Powers Authority (“JPA”). This came in response to EBCE’s timely filing of an updated Implementation Plan to include Stockton within EBCE’s service area. Shortly thereafter, Stockton City Council Member Dan Wright was sworn in to represent Stockton among EBCE’s Board of Directors.

Per Sec.4.9 of EBCE’s Joint Powers Agreement, the Board is entitled to establish a Community Advisory Committee (CAC) to advise Board members on a wide range of subjects. As EBCE’s service area has expanded to include new jurisdictions, the CAC’s size and structure has been adjusted by the Board to accommodate appointments by incoming Board members representing these new communities.

In anticipation of EBCE's inclusion of Stockton, and since Stockton’s JPA membership became certified by the CPUC, Stockton’s elected officials and community members have requested that a seat be created on the CAC to represent Stockton’s interests and perspective (please refer to the attached 5/19/23 email from Councilmember Wright to EBCE staff). In response, staff proposes the Board consider approving an additional, interim seat to be filled by a representative appointed by Stockton through whatever process Stockton’s staff and elected leaders deem appropriate.

The additional seat is proposed to be interim because current CAC members have previously been appointed on a regional basis (aside from the two At-Large members), rather than by individual jurisdictions. As discussed below, EBCE staff intend to consider proposing additional structural adjustments, and/or expansions of the CAC, in anticipation of future service area expansion (e.g., staff may recommend each individual EBCE jurisdiction is entitled to appointment a CAC member, instead of regional appointments). Any future adjustments to the size and/or structure of the CAC will regard the City of Stockton’s representation as a high priority and will be undertaken with the involvement of Stockton’s Board member/Alternate.

Recommendation 2: Approve a six-month term extension for the CAC’s current Regional members via Resolution at the June 21 Board of Directors meeting

As mentioned above, staff also propose to extend the terms of current Regional CAC members by at least six months (i.e., through December 2023). The terms of current Regional members are set to end on June 30th. EBCE staff have communicated with the current CAC Chair and every Regional Member to confirm their desire to continue serving in their current capacities through December 2023. All but one of the current Regional members have expressed their desire to continue serving on the CAC should a six-month extension be approved by the Board of Directors. That member (from the South region) is no longer active on the CAC.

As proposed, a six-month term extension would provide the following benefits:

1. **Consistency and continuity during EBCE's name change and rebrand exploration.** In response to EBCE's expanding service area and inclusion of new communities, EBCE is currently evaluating the possibility of changing EBCE's name and updating its brand identity. The CAC has provided valuable feedback and insight throughout this process to date. To help ensure robust community input, staff recommends maintaining the same CAC representation until the rebranding exploration is complete.
2. **Aligning the service terms of the CAC's Regional members with At Large members.** Unlike the CAC's Regional members, the Committee's two At Large members are appointed by the Alameda County Mayors' Conference. As a result, the timing of these appointments is currently misaligned by six months. By approving a six-month term extension, all CAC members will have terms ending on the same term cycle. These terms can be staggered by future Board action along with any additional adjustments considered by the Board.
3. **Providing more time to consider future adjustments to the CAC's size and structure.** By December 2023, EBCE staff anticipate having a clearer sense of what additional cities and/or counties (if any) intend to join EBCE's JPA. This will help staff advise the Board on how best to restructure the CAC (if at all) so that it continues to effectively represent and accurately reflect the communities EBCE serves.

Fiscal Impact

The addition of one new interim seat for Stockton will increase the CAC stipend budget from \$20,400 to approximately \$30,000. The additional stipend will be disbursed once the new interim CAC member is sworn-in and begins serving at regular monthly meetings.

Committee Recommendation

EBCE's Executive Committee considered the staff recommendations above at their June 6, 2023, meeting as a discussion item. All current/active Regional CAC members have communicated to staff their desire to remain on the Committee if a six month term extension is approved by the Board.

Attachments

- A. Resolution
- B. May 19, 2023, email to EBCE staff from Stockton City Councilmember and EBCE Board Member Dan Wright requesting Stockton's representation on the Community Advisory Committee (CAC)

RESOLUTION NO. R-2023-XX

A RESOLUTION OF THE BOARD OF DIRECTORS OF THE EAST BAY COMMUNITY ENERGY AUTHORITY TO APPROVE THE ADDITION OF AN INTERIM SEAT FOR THE CITY OF STOCKTON ON THE COMMUNITY ADVISORY COMMITTEE AND TO EXTEND THE CURRENT TERMS OF ALL REGIONAL MEMBERS BY SIX MONTHS

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. The City of Stockton, located in San Joaquin County, was added as a member of EBCE and a party to the JPA in March of 2022.

WHEREAS, the Board of Directors approved the Community Advisory Committee Guide and Appointment Process (“Guide”) on November 10, 2019, which outlines the committee seats, qualifications, and appointment process; and

WHEREAS, at the October 21, 2020, meeting, the Board of Directors approved updates to the Guide language to include the new service area, assign seats based on EBCE Service Area Regions, shorten current and future member terms to two years, increase the size of the Committee Advisory Committee (“CAC”) by two (2) additional at-large seats, allocate one (1) alternate seat for each Service Area Region, and request the Mayors’ Conference fill the two (2) at-large seats; and

WHEREAS, from December 15, 2020, to February 15, 2021, EBCE staff facilitated an online application process through which members of the public could apply to be considered for appointment to the CAC by the Board Members representing the jurisdictions within their respective EBCE Service Area Regions.

WHEREAS, twenty-six applications were received during the application period, with at least two applicants from every EBCE Service Area Region, and

WHEREAS, the Board Members from each EBCE region reviewed the applications from their respective planning areas and recommended the applicants to be considered for appointment by the Board of Directors; and

WHEREAS, two new Regional CAC Members and three Alternate Members were appointed at the April 21, 2021, Board meeting; and three new Regional CAC Members and one Alternate Member were appointed at the May 19, 2021, Board meeting; and

WHEREAS, in November 2021, the Alameda County Mayors’ Conference confirmed the appointment of the CAC’s two at-large Members; and

WHEREAS, on May 19, 2023, the City of Stockton's EBCE Board Member communicated in writing to staff their request to create an additional seat on the CAC to represent Stockton; and

WHEREAS, the current terms for the CAC's Regional Members end June 30, 2023; and

WHEREAS, EBCE's staff and Board of Directors are currently engaged in a CCA name and brand change exploration; and the CAC's consultation and feedback has been helpful in that effort to date; and

WHEREAS, EBCE's staff expects the CCA name and brand change exploration and/or implementation process to continue for at least several more months; and the loss of continuity with a change in CAC membership would undermine these efforts; and

WHEREAS, by June 2023, all current Regional CAC members confirmed their intentions of continuing to serve on the CAC if a six-month term extension were to be approved by the Board of Directors;

WHEREAS, on June 6, 2023, EBCE staff sought direction from the Executive Committee, regarding the prospect of creating an additional, interim CAC seat for Stockton; and extending the current terms for Regional CAC Members by six months (i.e., through December 31, 2023); and

WHEREAS, in anticipation of potential future expansion of EBCE's service area and JPA membership, EBCE staff intend to provide recommendations to the Board regarding any adjustments to the CAC's size and structure by December 2023.

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

Section 1. The Board of Directors hereby authorizes the creation of an interim CAC seat for the City of Stockton; and

Section 2. The Board of Directors hereby authorizes a six-month term extension (through December 31, 2023) for the current Regional CAC members outlined below:

EBCE Service Area Region	Current CAC Representation
NORTH Albany, Berkeley, Oakland, Emeryville, and Piedmont	Anne Olivia Eldred (Chair) Cynthia Landry (Member) Lisa Hu (Member)
EAST Dublin, Livermore, and Pleasanton	Joel Liu (Member);
SOUTH	Shiva Swaminathan (Member) Vijay Lakshman (Member)

Fremont, Union City, and Newark	
CENTRAL Hayward, San Leandro, and Alameda County Unincorporated	Ernie Pacheco (Member) Lorraine Souza (Member)
SAN JOAQUIN COUNTY Tracy	Harman Ratia (Member)

ADOPTED AND APPROVED this 21st day of June, 2023.

Elisa Márquez, Chair

ATTEST:

Adrian Bankhead, Assistant Clerk of the Board



Alex DiGiorgio <adigiorgio@ebce.org>

CAC Representative

4 messages

Dan Wright <Dan.Wright@stocktonca.gov>

Fri, May 19, 2023 at 2:44 PM

To: Alex DiGiorgio <adigiorgio@ebce.org>

Cc: Adrian Bankhead <abankhead@ebce.org>, Nick Chaset <nchaset@ebce.org>, Eliza Garza <Eliza.Garza@stocktonca.gov>, Kevin Lincoln <Kevin.Lincoln@stocktonca.gov>, Kimberly Warmsley <Kimberly.Warmsley@stocktonca.gov>

Alex,

It was great running into you at the Hydrogen event in Dublin on Wednesday. I'm excited about adding a Stockton representative to the EBCE Citizens Advisory Council. When you folks send the official request for a representative, please send it to our City Clerk, Eliza Garza (eliza.garza@stocktonca.gov) with a cc to Mayor Lincoln, Vice Mayor Warmsley, and me. She will be the person to organize the selection process that the Council will utilize to make the selection.

Thanks!

Dan Wright

Council Member, District 2

City of Stockton

dan.wright@stocktonca.gov

(209) 937-8244

<https://www.facebook.com/CouncilmemberDanWright><https://www.instagram.com/vicemayorwright/><https://twitter.com/danwrightca>

Eliza Garza <Eliza.Garza@stocktonca.gov>

Sat, May 20, 2023 at 3:52 PM

To: Dan Wright <Dan.Wright@stocktonca.gov>, Alex DiGiorgio <adigiorgio@ebce.org>

Cc: Adrian Bankhead <abankhead@ebce.org>, Nick Chaset <nchaset@ebce.org>, Kevin Lincoln <Kevin.Lincoln@stocktonca.gov>, Kimberly Warmsley <Kimberly.Warmsley@stocktonca.gov>

Received. I'll be on the lookout.

Eliza

From: Dan Wright <Dan.Wright@stocktonca.gov>**Sent:** Friday, May 19, 2023 2:44:54 PM**To:** Alex DiGiorgio <adigiorgio@ebce.org>**Cc:** Adrian Bankhead <abankhead@ebce.org>; Nick Chaset <nchaset@ebce.org>; Eliza Garza <Eliza.Garza@stocktonca.gov>; Kevin Lincoln <Kevin.Lincoln@stocktonca.gov>; Kimberly Warmsley <Kimberly.Warmsley@stocktonca.gov>**Subject:** CAC Representative

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Alex DiGiorgio <adigiorgio@ebce.org>

Mon, May 22, 2023 at 4:28 PM

To: Eliza Garza <Eliza.Garza@stocktonca.gov>

Cc: Dan Wright <Dan.Wright@stocktonca.gov>, Adrian Bankhead <abankhead@ebce.org>, Nick Chaset <nchaset@ebce.org>, Kevin Lincoln <Kevin.Lincoln@stocktonca.gov>, Kimberly Warmsley <Kimberly.Warmsley@stocktonca.gov>

Thank you, Councilmember Wright! It was great to see you last week as well.

Re the City's CAC appointment: I'll be sure to proceed as you describe below.

Eliza, it's a pleasure to be connected with you. I'll be sure to reach out once EBCE's Board takes action and we're ready to coordinate Stockton's CAC appointment.

Many thanks again,

Alex

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Alex DiGiorgio, JD (he/him) | Public Engagement Manager

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Eliza Garza <Eliza.Garza@stocktonca.gov>

Mon, May 22, 2023 at 8:43 PM

To: Alex DiGiorgio <adigiorgio@ebce.org>

Cc: Dan Wright <Dan.Wright@stocktonca.gov>, Adrian Bankhead <abankhead@ebce.org>, Nick Chaset <nchaset@ebce.org>, Kevin Lincoln <Kevin.Lincoln@stocktonca.gov>, Kimberly Warmesley <Kimberly.Warmsley@stocktonca.gov>

Sounds good. Thank you.

Eliza

From: Alex DiGiorgio <adigiorgio@ebce.org>

Sent: Monday, May 22, 2023 4:28:36 PM

To: Eliza Garza <Eliza.Garza@stocktonca.gov>

Cc: Dan Wright <Dan.Wright@stocktonca.gov>; Adrian Bankhead <abankhead@ebce.org>; Nick Chaset <nchaset@ebce.org>; Kevin Lincoln <Kevin.Lincoln@stocktonca.gov>; Kimberly Warmesley <Kimberly.Warmsley@stocktonca.gov>

Subject: Re: CAC Representative

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