

EBCE Public Comment received for 7/19/23 Executive Committee Meeting

Letter #	Name	Date
1	Jessica Tovar	7/18/2023
2	Jane Kelly	7/18/2023



To: EBCE Board of Director, Staff and Community Advisory Committee

LCEA Comment: EBCE Agenda Consent Item #9

Local Clean Energy Alliance would like to comment on what is currently consent item # 9 on the EBCE Board agenda for Wednesday, July 19, 2023. We ask EBCE Board members to remove this item from the consent agenda, so that it can be commented on by the public and debated by the Board.

The item calls for a \$85,000 investment in a Drive and Charge Research and Development Program, as part of what will be a \$6 million investment in increasing electric vehicle (EV) adoption, particularly in areas around affordable multifamily housing. The program proposes to lease 6 different types of EVs, which would be lent to EBCE staff for a 2 week period. Staff and passengers would be required to complete surveys on their experiences. Completed surveys would provide data to be used by the local development team in developing the \$6 million program.

We think this program is unlikely to achieve its goals as described, and could be much more effective if certain changes were made. This pilot program will be carried out with an EV leasing company, Zevvy, which already provides short term leasing of EVs to customers. Wouldn't it be more effective to provide Zevvy with funds (\$85,000) to offer free short-term leases to people in communities with affordable multifamily housing, in return for getting feedback on those experiences? Wouldn't the data collected from people who actually live in those communities be more pertinent to developing the \$6 million EV adoption program?

The notion that a major obstacle to EV adoption in low income communities is not having a "good" first time experience, belies the kind of privileged outlook that might be expected of people with very good paying jobs, such as EBCE staff. The major reason there is not more adoption of EVs in low income communities is the "low income," due to the lack of private investment in those communities, as cited in the description. New EVs are expensive and tend to have much shorter life spans than combustion engine vehicles. Wouldn't it make more sense for EBCE to invest \$85,000 in low income areas where the agency has already installed fast charging, so that folks who live in these communities can try out these vehicles and become

familiar with them. This would also give EBCE more authentic feedback to use in developing the \$6 million program.

There may be good EBCE Staff responses to these concerns, but the public will not hear those responses as long as the item is on consent. Please take item #9 off the consent agenda so that the public and the Board can hear more about it and make comments.

Sincerely,

Jessica Tovar
Local Clean Energy Alliance

July 18, 2023

Board of Directors and Community Advisory Committee
East Bay Community Energy

Re: Community Concerns Regarding the Management of EBCE and Requested Action

Dear EBCE Chair Márquez, Board of Directors, and Community Advisory Committee:

I respectfully request that you deny the proposed salary increase to \$495K along with a 10% bonus for EBCE's Chief Executive Officer, Nick Chaset.

Many of us who advocated for the creation on an Alameda County Community Choice program did so to combat climate change. The proof lies in the agency's founding documents that state clearly and unequivocally that EBCE must do better on greenhouse gas emissions than PG&E. It is apparent that since Mr. Chaset was hired he has had little interest in meeting those obligations. It seems that Mr. Chaset (and previous Boards of Directors) have consciously ignored the existential crisis we are already facing and have made the accumulation of windfall profits their primary focus.

In addition, Mr. Chaset has been responsible for conflict of interest and a series of costly missteps that have called into question his competency to lead EBCE.

1. Conflict of Interest re Proposed Gift of \$15M of Ratepayer Funds to UCSF Benioff Children's Hospital

In the summer of 2022, Mr. Chaset proposed to "gift" ratepayer funds to UCSF Benioff Children's Hospital. The offer came as a surprise to community advocates for a number of reasons, i.e. no "nexus" to EBCE's mission, lack of public announcements until after Mr. Chaset privately polled the Board on the proposal (a potential Brown Act violation). And now, information surfaces that Mr. Chaset had a long term relationship with UCSF Benioff Childrens Hospital that had not been made known to the public. On May 5, 2018, Mr. Chaset appeared as an "Ambassador" for a fundraiser for UCSF Benioff Children's Hospital – see https://drewaltizer.com/event/11171-ambassadors-ucsf-benioff-children-hospital-san-francisco-kentucky-derby-party/photo/3808506-nick_chaset

Was EBCE's Board aware of Mr. Chaset's long-term involvement with Benioff and his conflict of interest in his proposed gift to the Hospital of \$15M of ratepayer funds? To prevent this gift, the community that is served by EBCE was forced to initiate a Public Records Act (PRA) request, to review countless messages, to engage attorneys, to communicate with UCSF Benioff, and to determine that the proposed gift originated from Mr. Chaset's family concerns. EBCE is not a philanthropic agency, Mr. Chaset is not authorized to use ratepayer funds for his personal interests, and the gift was finally withdrawn.

2. Lack of Follow Through on Alternative Plan for a \$15M Project

The \$15M proposed to UCSF Benioff's Childrens Hospital was going to be redirected to a program to provide induction cooking devices to low-income communities who had family members affected by poor respiratory health. We provided key contacts to Mr. Chaset to facilitate that program but, after months of delay, there is apparently still no confirmation that the program is underway.

3. Purchase of Dilapidated Office Building

EBCE purchased a building in Oakland for \$8.5M, receiving Board approval for an additional \$7M for building upgrades. When the upgrade costs shot up to \$14M the plan to move into the building was abandoned and left EBCE with a dilapidated building that may no longer be worth the purchase price.

4. Repeated Failure to Meet EBCE's Resource Adequacy (RA) Obligations

For the past four (4) years (2019-2022), EBCE failed to meet its Resource Adequacy (RA) obligations. The response from EBCE management staff that "EBCE customers were better off" by paying the penalties rather than acquiring the RA, reveals that EBCE does not acknowledge the need to ensure the reliability of the electric grid in California. In addition, management failed to fully appreciate the consequences of its lack of action. As a result, the enrollment of the City of Stockton was delayed for at least a year at significant cost to Stockton ratepayers and EBCE's bottom line. It has also resulted in a scramble for RA contracts that led to a contract for RA from a "peaker" plant in south Fresno, adding to the further degradation of air quality in that area.

Bear with me when I repeat that we are already in an existential crisis. On July 12, 2023 The Washington Post issued an article entitled **“Floods, fires and deadly heat are the alarm bells of a planet on the brink”**. See: <https://www.washingtonpost.com/climate-environment/2023/07/12/climate-change-flooding-heat-wave-continue/> It includes this sentence **“The only question, scientists say, is when the alarms will finally be loud enough to make people wake up.”**

EBCE was formed in December 2016 by Bay Area community members who had already woken up to the threat our planet and its people were facing. I urge you not to reward EBCE’s CEO for the management failures of our CCA, but to direct him to act with utmost urgency to combat climate change. Alternatively, find a management team for EBCE that will result in the achievement of the community’s goals as outlined in the Joint Powers Agreement.

Sincerely,

Jane Kelly
Berkeley

cc: Jessica Tovar