



Draft Minutes

Community Advisory Committee Meeting

Monday, September 18, 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
- Castro Valley Starbucks - 2720 Castro Valley Blvd. Castro Valley, CA 94546
- Mountain House Library - 201 E. Main Street Mountain House, CA 95391
- 1743 140th Ave. San Leandro, CA 94578

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

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.

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, Liu, Lakshman, Pacheco, Souza, Kaur, Lutz, Vice-Chair Hernandez and Chair Eldred

Excused: Members Hu and Swaminathan

Member Lakshman joined the meeting at 6:16pm

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.

The clerk read the following written public comment from Jessica Tovar into the record:

(3:26) Jessica Tovar of the East Bay Clean Power Alliance addressed the EBCE Board of Directors, raising concerns over transparency and equity at EBCE. She emphasized the necessity for thorough public accountability and transparent decision-making. Specific issues highlighted include: the lack of performance data, especially concerning workforce standards in RFPs; the need for closer collaboration in the resilience and virtual power plant program, emphasizing proper fund allocation to benefit community-based organizations (CBOs); concerns about the Community Innovation Grants' focus and accessibility, particularly its current emphasis on induction cooktop education; and the need for clarity on the reallocation of a \$15 million gift to UCSF Benioff Children's Hospital. Jessica Tovar advocated for measures that prioritize public accountability, resource access for disadvantaged communities, and robust collaborations with CBOs.

The clerk read the following public comment from Tom Kelly into the record:

(6:57) Tom Kelly commented on the comparison of greenhouse gas (GHG) emissions between charging electric vehicles (EVs) using Bright Choice and PG&E. He highlighted that EBCE's emissions are higher, suggesting that those using EVs under the assumption of promoting environmental welfare might inadvertently contribute to climate change. He urged for corrective measures and provided a spreadsheet comparing Bright Choice and PG&E's EV charging emissions.

(8:21) Tim Frank represents the Alameda County Building and Construction Trades Council, other Bay Area Building Trades councils, and the CCA Workforce and Environmental Justice Alliance—a coalition of labor and environmental justice groups. They initially approached CC Power, a Joint Powers Authority overseeing multiple Community Choice Aggregations (CCAs), with a set of environmental, environmental justice, and labor standards. Despite support from some members, the standards were not adopted by a majority. Consequently, they shifted their efforts to engage individual CCAs within the CC Power territory to adopt these standards. Tim Frank presented a draft of these recommendations to the CAC and plans to approach the Board for consideration. This draft, available as Exhibit A in these minutes, contains specific data that they anticipate will be supplemented by the staff and acknowledges ongoing conversations with local partners about the recommendations.

(13:24) Jessica Tovar raised concerns about the application process for the Community Innovation Grants, emphasizing that the complexity of the application hinders community organizations from accessing the funds. She stressed the need to simplify the application to cater more to equity-focused community organizations. Jessica Tovar pointed out that when applications are intricate, larger organizations with more resources tend to benefit, overshadowing smaller entities. While recognizing the value of larger grants, she highlighted the importance of smaller grants for community organizing and education.

Jessica Tovar also expressed concern about EBCE's priority setting, noting that while there's a push for induction cooktops, the community has been seeking investments in resiliency for years. She urged EBCE to release funds allocated over a year ago. Lastly, she suggested that EBCE might benefit from consulting with specific non-profits, such as the Justice 40 Accelerator, to aid in the release of these funds, emphasizing that the goal should be to enhance accessibility for marginalized organizations and disadvantaged communities.

(16:57) Tom Kelly discussed his primary interest in EBCE, emphasizing climate change and the reduction of greenhouse gas (GHG) emissions. He expressed disappointment that EBCE has not met its objectives in this area. Highlighting the broader push towards electrification, he pointed out the urgency of transitioning from gas-powered to electric cars. Tom Kelly presented a spreadsheet comparing GHG emissions from electric cars charged using a PG&E account versus an EBCE Bright Choice account. Electric car owners under the Bright Choice plan have emissions approximately five times higher than those using PG&E. He urged EBCE to prioritize environmental concerns, referencing recent natural disasters as a call to action.

(19:32) Jason Gumataotao, a member of IBEW Local 595 and delegate with the Alameda County Building and Construction Trades Council, thanked East Bay Clean Power Alliance, San Luis Obispo Climate Coalition, Sierra Club, and others in the environmental justice sector for collaborating with them. Their goal is to improve environmental standards and conditions for workers. While acknowledging that current efforts are in the draft phase and more work lies ahead, Jason Gumataotao welcomed feedback and anticipates support as they continue to advance their initiatives.

(20:39) Melissa Yu, representing the Sierra Club and East Bay Clean Power Alliance, addressed the CAC members to advocate for the inclusion and discussion of policy standards for clean energy projects, as presented in the working draft by Tim Frank. She emphasized the desire for procurement projects to address potential environmental and environmental justice impacts and uphold strong labor and environmental justice policies. While the resolution is still being refined in collaboration with labor and environmental justice partners, Melissa Yu hopes for it to be a discussion point at both the CAC and the board in the coming month. She highlighted the scope of this initiative, extending beyond just Alameda and San Joaquin County, and expressed hope for continued leadership from the committee to advance this draft to the California Community Power board.

(21:48) Elsa Wefes-Potter, representing the Local Clean Energy Alliance, raised concerns about the narrow focus of the Community Innovation Grants, emphasizing that they should cover a broader range of community issues beyond induction cooktops. She advocated for smaller grants to ensure accessibility for more community-based organizations. Elsa Wefes-Potter also highlighted transparency issues regarding the reallocation of \$15 million initially intended as a charitable gift to UCSF Benioff Children's Hospital and stressed the potential use of the \$14.75 million, previously diverted from bill credits, to fund resilience hubs within the Municipal Critical Facilities program.

C3. (25:48) Approval of Minutes from July 17, 2023

Member Landry motioned to approve the minutes. Member Pacheco seconded the motion which failed 6/0/2/1

Yes: Members Landry, Pacheco, Souza, Lutz, Vice-Chair Hernandez and Chair Eldred

Abstain: Members Liu and Kaur

Excused: Member Lakshman

C4. CAC Chair Report

- Al Weinrub, a longtime EBCE advocate and community leader, passed away. A memorial service will be held on September 23 that can be attended in-person or virtually. The chair shared about Al's impressive accomplishments as a founder of Science for the People, labor and anti-racist activist, published author, and leader in the fight for climate and energy justice. His papers were accepted into the UMass Amherst archives.
- Staff prepared a response to the sustainability and climate action plan report presented at the last meeting. The chair encouraged reviewing the response in the packet. Member Susan Levenson expressed disappointment that the cities were not contacted directly by staff.
- The chair sent information on a recent CalCCA filing at the CPUC regarding Diablo Canyon. Two members of the public raised concerns that the filing did not resist the shifting of costs onto EBCE ratepayers. More research is needed, but EBCE may have grounds to argue its customers should not bear the burden. The chair encouraged reading the filing and submitting questions.
- Two items are not being discussed tonight despite the board chair's request: the energy prepay presentation and Kings/Fresno battery storage project. The chair summarized them briefly and encouraged input.
- At the end of the meeting, there will be a moment to honor Al Weinrub.

Action items:

- Add CalCCA Diablo filing to future agenda for discussion.
- Clarify conflicting information about location of battery storage project.

C5. 2022 Power Source Disclosure Annual Report and Power Content Label (CAC Informational Item)

Requesting the Board to accept and attest to the 2022 Power Source Disclosure Report and Power Content Label

- Izzy Carso presented the 2022 Power Source Disclosure report (PSDR) and Power Content Label which are required annual filings to the California Energy Commission.
- The PSDR shows the resource mix and emissions data for electricity purchased and sold to EBCE customers in 2022. The Power Content Label presents this data in an easy to understand format for customers.

- The board needs to adopt a resolution attesting to the accuracy of the data in the PSDR and Power Content Label by the October 2nd deadline before submitting to the CEC.
- Izzy Carson outlined the process EBCE goes through to prepare, review and validate the data, including reconciling contracted amounts to billing data and verifying renewable energy certificates.
- The Power Content Label shows emissions factors and resource mix percentages for each EBCE rate plan, as well as the statewide California power mix averages to compare against.
- In 2022, Bright Choice power was made up of 49.4% renewable, 28.4% unspecified power, and 21.9% large hydro. Renewable 100 was 100% renewable. Brilliant 100 is now closed.
- Questions were raised about the unspecified power and emissions associated with Bright Choice. Izzy Carson clarified the main factors are unspecified power and PCC2 renewables like solar and wind that are assigned an emissions factor. Together these account for most of the 496 emissions intensity shown for Bright Choice.
- More detailed emissions data will be presented at the October meeting. Staff will also provide the overall Megawatt hours and percentages for EBCE's total retail sales across all rate plans.

C6. CAC Structure per Ad Hoc Board Committee Recommendation (CAC Discussion Item)

Discussion of Restructure of CAC per Ad Hoc recommendation

- Staff presented that as new jurisdictions join EBCE, the CAC regional seat allocation shifts based on energy load share. This recently caused the South region to lose a seat when Stockton joined.
- An ad hoc committee of the board was formed to address this issue and consider potential CAC structure changes as EBCE expands. They considered retaining the regional structure, switching to a jurisdictional structure like the board, or having all at-large seats.
- The ad hoc committee recommended keeping the regional structure but removing the 5 at-large seats, as those disrupt the regional balance.

- The CAC chair was surprised this was presented as a recommendation rather than just starting a discussion, as originally conveyed.
- Extensive public and CAC discussion expressed concerns about transparency, community engagement, and retaining diversity of representation on the CAC. There were requests to slow down the process and allow more input.
- Other ideas suggested were expanding CAC seats as EBCE expands, keeping at-large seats or having constituent-based seats, establishing a nomination process, improving alternate member engagement, considering direct election of some seats, and allowing time to flesh out details.
- The CAC chair summarized a recommendation to the board: keep regional structure for now with consideration of expanding seats later, have CAC work on constituent seat details, keep but improve utilization of alternate seats, and take time to fully discuss CAC structure.

C7. Update on Planning for Net Billing Tariff (NBT) (CAC Informational Item)

Brief review of NBT planning and overview of status

- This item provided an update on the successor to net energy metering called the net billing tariff (NBT) that was recently approved by the CPUC.
- NBT will affect compensation rates for rooftop solar customers. It aims to better align compensation with the actual value solar provides to the grid.
- Current solar customers keep their existing NEM rates for 20 years. NBT will impact systems installed after April 2022, and NEM 1/2 customers after 20 years.
- Under NBT, on-site solar use is valued the same as NEM, but excess generation compensation is lower, varying by time of day. Exports and imports are separately valued rather than netted.
- By 2037, about half of EBCE's 60,000 NEM customers will be eligible for NBT.
- EBCE staff are exploring how NBT will affect solar customers and the agency. They aim to support storage, low-income customers, and find ways to continue encouraging solar adoption.

- CAC and public questions focused on the reduced solar compensation, whether EBCE must follow the CPUC's NBT, requests for data on current over-generation, and ideas like batteries, local storage, and separate solar buyback rates to mitigate negative impacts.
- Staff are still evaluating options and not ready to discuss in detail but are considering ways to improve on simply mirroring the CPUC's NBT.

C8. Inclusion of New Communities: City of Lathrop (CAC Action Item)

Consider City of Lathrop EBCE/JPA membership

- The City of Lathrop has completed all steps to join EBCE, including passing a resolution and ordinance and signing the JPA agreement.
- Lathrop's city council voted unanimously to join. The anticipated enrollment date is January 2025, along with the City of Stockton.
- Lathrop is located between Tracy and Stockton in San Joaquin County. It is one of the fastest growing cities in California.
- Lathrop has a small municipal utility district that serves some residential customers who would not be eligible for EBCE service.
- The city has a high percentage of large commercial and industrial accounts compared to other EBCE cities.
- Lathrop is young, having incorporated in 1989, and has warehouse and agricultural commerce which contributes to its large energy load for its size.
- Questions were raised about solar potential in Lathrop, the importance of transportation electrification along the major transportation corridor, and ensuring resource adequacy if Lathrop joins EBCE.

C9. Update on Brand (CAC Informational Item)

Share logo, updated timeline, list of items that will change on 10/24, overview of how staff is supporting Muni-Pals

- Annie Henderson, VP of Marketing, provided an update on EBCE's rebranding to Ava Community Energy.

- The new visual identity was developed based on feedback during the naming process. The logo aims to be inclusive, welcoming, and representative of the community coming together.
- The color palette is gender-neutral. The website mockup demonstrates how the branding will be applied across materials.
- **Timeline:**
 - October - Power content label mailers will include a panel teasing the rebrand to Ava.
 - November - Soft launch of rebrand on website, emails, call center scripts, public facing materials, etc.
 - January - Full launch with advertising and PR campaigns.
 - Transitional messaging will be used for 6-12 months to link EBCE with Ava.
 - In October, a JPA amendment will formally change the name. This is largely for banking and regulatory needs.
 - CAC feedback included interest in the name Ava (pronounced aaa-va) which sounds similar to Ava but does not specify a gender.

C10. Memorial Comments in Honor of Al Weinrub

(2:49:43) Jessica Tovar remembered Al Weinrub as a mentor and visionary who was deeply committed to equity and democratizing energy. Jessica Tovar stated that Al Weinrub focused on giving a voice to communities disproportionately impacted by dirty energy, helping those who understood the problems but struggled to find solutions. Jessica Tovar stated that merely mirroring offers like PG&E's or net billing tariffs doesn't achieve enough and urged the board to ensure that resources reach the most affected communities. In order to honor Al Weinrub's legacy, Jessica Tovar called for continued efforts to democratize energy and ensure that community grants benefit the communities directly.

(2:54:05) Member Lutz honored Al Weinrub's pivotal role in EBCE's founding, crediting his persistence and vision for the creation of the agency. Member Lutz reminisced about first meeting Al during the "Clean Power, Healthy Community" conferences, which laid the groundwork for EBCE's formation. While Al was instrumental in the "energy democracy" phase, it was just a part of his half-century of socio-economic activism. Al was renowned for his writing skills, producing well-researched white papers and challenging assumptions with a practical approach. Despite his serious demeanor, he was known to have a dry wit and enjoyed telling tall tales. Member Lutz stated that in recent years, Al Weinrub grew disappointed with EBCE's direction, feeling it veered

away from its mission of local clean energy in service of community health and economic justice. He was particularly critical of EBCE's distant energy projects and their attempts to buy nuclear power or fund specific charities. Despite his numerous accomplishments, Al Weinrub was always striving for more, pushing initiatives that have grown over time.

Member Lutz's written statement is included in these minutes as Exhibit B

(2:58:20) Member Pacheco admired Al Weinrub's determined nature, describing him as an "academic organized bulldog." He emphasized that the existence of the EBCE agency was largely due to Al Weinrub's tireless organizing efforts, highlighting the thousands of hours and resources Al invested in advocating for energy democracy. Member Pacheco stated that Al Weinrub also played a pivotal role in bridging the gap between various community groups, such as environmental justice advocates, environmentalists, and labor. Despite occasional disagreements, Al Weinrub's influence brought these groups closer together to share a unified vision for the agency. Member Pacheco candidly mentioned that Al Weinrub could be challenging at times, but his tenacity and firmness inspired others, including Member Pacheco, to remain steadfast in their convictions. Member Pacheco expressed deep respect for Al Weinrub and committed to upholding the shared vision of emphasizing local initiatives and ensuring maximum community benefits.

(3:00:37) Member Landry described Al Weinrub as a visionary who significantly contributed to the establishment of community choice aggregation programs across the country. Member Landry highlighted Al Weinrub's commitment to fairness and his dedication to ensuring representation for all population groups, not just the affluent.

(3:02:32) Chair Eldred fondly remembered Al Weinrub as a passionate advocate against injustice, emphasizing his fervor and dedication. She recounted her initial meetings with him, noting the tension in the room and Al Weinrub's unique ability to channel his anger towards meaningful causes. She highlighted Al Weinrub's extensive social justice work, particularly related to labor in Latin America, and urged the importance of reading the local development business plan. Chair Eldred spoke of the valuable lessons she learned from him about persistence, accountability, and fearlessness in the pursuit of justice..

C11. CAC Member and Staff Announcements including requests to place items on future CAC agendas

There were no CAC Member or staff announcements.

C12. Adjourn at 9:09pm in honor of Al Weinrub

The next Community Advisory Committee meeting will be held on Monday, October 16, 2023 at 6:00 pm.



Proposed by CCA Workforce and EJ Alliance

<https://action.greencal.org/action/wej>

September 18, 2023

DRAFT: East Bay Community Energy (EBCE) Workforce, Environmental, and Environmental Justice Standards for Clean Energy Project Selection Policy

PREAMBLE

WHEREAS, EBCE, as a Community Choice Aggregation, is a mission-driven public agency, collectively financed by constituent public ratepayers, with an obligation and opportunity to support and protect workers and the communities hosting EBCE's clean energy projects.

WHEREAS, EBCE, a mission-driven public agency committed to diversity, equity, and inclusion, has the opportunity to align with and support the values and mission of high-road union construction trade labor and environmental justice organizations striving to create sustainable and equitable communities.

WHEREAS, Central Coast Community Energy (3CE), a peer CCA to EBCE, adopted similar standards to the recommended standards below in June 2023 after extensive deliberation by its Board of Directors and Citizens Advisory Committee,

WHEREAS, 3CE'S procurement standards serve as a foundation for best practices and build on similar standards adopted earlier by Peninsula Clean Energy and the San Francisco Public Utilities Commission (CleanPowerSF)

Exhibit A

WHEREAS x% of customers in existing service territory are CARE, FERA, or Medical baseline customers, and x% in San Joaquin Counties (staff support requested to advise on these values).

WHEREAS, rate payer dollars can create local benefits through the creation of jobs and supporting local, small local, and emerging businesses in our service territory by keeping dollars in circulation

WHEREAS, EBCE's Joint Powers Agency Agreement, dated effective November 1, 2016, as amended by Resolution No. 2018-23 dated June 20, 2018, declares the agency's purpose as follows:

- Provide electricity rates that are lower or competitive with those offered by PG&E for similar products;
- Develop an electric supply portfolio with a lower greenhouse gas (GHG) intensity than PG&E, and **one that supports the achievement of the parties' greenhouse gas reduction goals** and the comparable goals of all participating jurisdictions;
- Establish an energy portfolio that **prioritizes the use and development of local renewable resources** and minimizes the use of unbundled renewable energy credits;
- Promote an energy portfolio that **incorporates energy efficiency and demand response programs and has aggressive reduced consumption goals**;
- **Demonstrate quantifiable economic benefits to the region (e.g. union and prevailing wage jobs, local workforce development, new energy programs, and increased local energy investments)**;
- **Recognize the value of workers in existing jobs that support the energy infrastructure of Alameda County and Northern California.** The Authority, as a leader in the shift to a clean energy, commits to ensuring it will **take steps to minimize any adverse impacts to these workers to ensure a "just transition" to the new clean energy economy**;
- Deliver clean energy programs and projects **using a stable, skilled workforce through such mechanisms as project labor agreements or other workforce programs that are cost effective, designed to avoid work stoppages, and ensure quality**;
- Promote personal and community ownership of renewable resources, spurring **equitable economic development and increased resilience, especially in low income communities**;
- Provide and manage lower cost energy supplies in a manner that **provides cost savings to low-income households and promotes public health in areas impacted by energy production**; and
- Create an administering agency that is financially sustainable, responsive to regional priorities, well managed, and a leader in fair and equitable treatment of employees through **adopting appropriate best practices employment policies, including, but not limited to, promoting efficient consideration of petitions to unionize and providing appropriate wages and benefits.**

THEREFORE, BE IT RESOLVED THAT,

In support of competitive, clean, and renewable power supply, as well as the development of a local and diverse workforce, the Governing Board of East Bay Community Energy (EBCE) shall adopt the following **Workforce, Environmental, and Environmental Justice Standards for Clean Energy Project Selection Policy** asserting a preference for enhanced workforce, environmental, and environmental justice standards for all EBCE's clean energy programs and projects.

I. DEFINITIONS

1. **Regulatory Value:** The project's anticipated ability to satisfy EBCE's regulatory compliance requirements, such as Resource Adequacy, Renewable Portfolio Standard, integrated resource planning, and other binding orders or directives received from regulatory bodies.
2. **Market Value:** The project's projected revenues across all relevant day-ahead, real-time and ancillary markets. Market Value shall also assess a project's ability to manage, shift, or arbitrage existing EBCE generation to maximize revenue and renewable energy generation on behalf of EBCE and its customers.
3. **Counterparty Risk:** The risk that a counterparty will fail to perform, or adequately remedy, its obligations. Counterparty Risk is inclusive of Development Risk.
4. **Development Risk:** The risk that the project is unable to obtain interconnection, deliverability, site control, entitlements, financing, or other necessary development milestones required to deliver the project on or ahead of the anticipated online date.
5. **Energy Offtake Agreement:** Includes Power Purchase Agreements, Energy Storage Agreements, Resource Adequacy Only Agreements, or other energy-related products where EBCE does not own, develop, or construct the generation or storage facility. Instead, EBCE's participation in the Project is limited to receiving energy and any applicable attributes at a set price and term.
6. **Journey person:** Is a worker who either:
 1. Graduated from a California state-approved apprenticeship program for the applicable occupation or, when located outside California, approved for federal purposes pursuant to apprenticeship regulations adopted by the Secretary of Labor, or
 2. Has at least as many hours of on-the-job experience in an applicable occupation as would be required to graduate from an apprenticeship

Exhibit A

program for the applicable occupation that is approved by the California Division of Apprenticeship Standards.

7. **Local Hire:** A stated preference for project employment opportunities for qualified workers in descending priority:
 1. A resident within the nearest communities in proximity to the project, by radius as reasonably determined on a project-by-project basis;
 - a) Additional preference shall be given, where the radius includes a city, town, or census-designated location within EBCE's service territory, to the workers within those portions of the service territory.
 2. A resident within the county where the project is being constructed;
 3. A resident within EBCE's service territory.

8. **Skilled and Trained Workforce:** A Skilled & Trained Workforce consists of all workers performing work in an apprenticeable occupation in the building and construction trades who are either skilled journeypersons or apprentices registered in an apprenticeship program approved by the chief of the Division of Apprenticeship Standards, as defined in Chapter 2.9 (commencing with Section 2600) of Part 1 of Division 2 of the California Public Contract Code.

9. **Targeted Hire Program:** A pipeline program which creates opportunities for Under-Represented Workers to (a) enter Registered Apprenticeship Programs and (b) obtain work hours needed to successfully complete their apprenticeship, through partnering with a Multi-Craft Core Curriculum (MC3) pre-apprenticeship program or programs, or equivalent industry and union-recognized certificated career training and placement program, that recruits, supports, and prepares Under-Represented Workers to succeed in skilled construction trades apprenticeships.

10. **Under-Represented Worker:** A jobseeker who, at the time of hiring or within the last twelve months, satisfies at least one of the following categories:
 1. Experiencing or at risk of homelessness
 2. Being a custodial single parent
 3. Currently receiving public assistance
 4. Lacking a GED or high school diploma
 5. Having been continuously unemployed or underemployed for the past 6 months
 6. Having been emancipated from the foster care system

Exhibit A

7. Being a veteran of the United States Military
8. Being a member of a tribal community
9. Having a previous incarcerated or justice involvement history
10. At-Risk Youth: a person 18-24 years old who is disconnected from school and/or work
11. Low income (household income is below the current HUD threshold for Low Income Households in their county of residence)

II. PROJECT SELECTION METHODOLOGY

Projects will be prioritized for selection based on EBCE's evaluation of the criteria set forth below.

A. Contributions to EBCE's 100% Renewable Energy by 2030 Goal

1. Assessment and evaluation of proposed projects' operational performance and market economics to ensure selected projects maximize regulatory and market value to EBCE and its customers.
2. Assessment and evaluation of Counterparty and Development Risk.
3. Avoids unbundled or Category 3 RECs and non-RPS carbon-free attributes

B. Workforce and Local Workforce Development

EBCE is committed to stimulating our local economy through, among other measures, supporting Projects committing to apply prevailing wage rates, supporting participants and/or graduates of apprenticeship and pre-apprenticeship programs, supporting a local Skilled and Trained Workforce, and to achieve EBCE's local and targeted hire objectives.

1. EBCE will prioritize Energy Offtake Agreements where the developer is committed to:
 - a. Highest priority projects will commit to:
 - i. A multi-trade project labor agreement that incorporates EBCE's Local and Targeted Hire objectives as follows:
 1. A goal of 30% of all project labor hours performed by Local Hires, and;
 2. Participation in a Targeted Hire Program with a goal of 10% of all project hours performed by Under-Represented Worker apprentices.
 - b. Medium-priority projects will commit to:
 - i. Utilization of a Skilled and Trained Workforce and commitment that construction work will be performed by appropriate Journeypersons and apprentices from a state-approved apprenticeship training program; and
 - ii. Utilization of prevailing hourly wage and benefit rates as determined by the California Department of Industrial Relations.

Exhibit A

- iii. Demonstrated commitment to Local and Targeted Hire, including utilization of a multi-craft core curriculum (MC3) pre-apprenticeship program, or equivalent industry and union-recognized pre-apprenticeship certification, for outreach, preparation, support and referral of Targeted Hires.
 - c. Low-priority projects would fail to meet II.B.1.a or II.B.1.b above but may demonstrate other commitments to local workforce development.
2. When considering contractors or developers for EBCE-owned energy generation or storage projects requiring a Large Generator Interconnection Agreement from the California Independent System Operator (currently 20MW and above, but subject to change from time to time), EBCE shall commit to:
 - a. Negotiate a multi-trade project labor agreement that will incorporate EBCE's local and targeted hire objectives as follows:
 - i. A goal of 30% of all project labor hours performed by Local Hires, and;
 - ii. Participation in a Targeted Hire Program with a goal of 10% of all project hours performed by Under-Represented Worker apprentices..
3. When considering contractors or developers for EBCE-owned energy generation or storage projects requiring a Small Generator Interconnection Agreement from the California Independent System Operator (currently applies to projects under 20MW, but subject to change from time to time), EBCE will commit to:
 - a. Utilization of a Skilled and Trained Workforce and a commitment that construction work will be performed by appropriate Journeypersons and Apprentices from a state-approved apprenticeship training program.
 - b. Utilization of prevailing hourly wage and benefit rates as determined by the California Department of Industrial Relations.
 - c. Demonstrated commitment to Local and Targeted Hires.
 - i. A goal of 30% of all project labor hours performed by Local Hires while incenting, through a negotiated contract structure, the contractor or developer to achieve a minimum of 60% of all project labor hours performed by Local Hires, and;
 - ii. Participation in a Targeted Hire Program with a goal of 10% of all labor hours performed by Under-Represented Worker apprentices, while incenting, through a negotiated contract structure, the contractor or developer to achieve the 10% goal.

C. Innovation

EBCE recognizes that reaching 100% Renewable Energy by 2030 will require significant improvements and innovation in battery technologies, renewable baseload, dispatchable renewable resources, and renewable generation technologies, among other opportunities.

1. EBCE will prioritize projects that accelerate decarbonization, provide local resiliency, provide EBCE a competitive advantage, and/or reduce costs

Exhibit A

for EBCE customers while remaining cost competitive with established market alternatives. Innovation will be recognized among projects that:

- a. Include new or improved technologies or methodologies with a demonstrated potential feasibility;
- b. Achieve scale for existing technologies to benefit EBCE customers; or
- c. Reduce or eliminate barriers to adoption of local scaled technologies.

D. Location

EBCE prioritizes projects in the following order:

1. Projects located within EBCE's service territory
2. Projects located within California.
3. Out-of-state projects

E. Environmental Stewardship

EBCE is committed to leading by providing customers with energy that delivers benefits for air, water, and the natural environment while avoiding impacts to important lands, species, and waters.

1. EBCE will prioritize projects that:
 - a. Avoid sensitive habitats for any endangered plant or animal species or other environmentally sensitive areas¹ and comply with conservation plans such as the Desert Renewable Energy Conservation Plan (DRECP)²;
 - b. The developer and local land use authority have established an enforceable development agreement which, in part, sets forth measures to mitigate impacts to sensitive habitat or environmentally sensitive area; then
 - c. The developer commits to measurable offset efforts within the vicinity of the proposed project.

F. Benefits Accruing to Underserved Communities

EBCE seeks to deliver economic, environmental, and social benefits to the communities that it serves by providing cleaner electricity at competitive rates, developing local resources that drive new investments, and creating increased demand for high-paying jobs. EBCE is committed to helping low-income and environmental justice communities overcome barriers to their access to public investments, resources, education, and information about energy service and policy.

EBCE will prioritize projects that:

1. Invest in low-income and environmental justice communities

¹ Refer to Nature Conservancy's [Power of Place West](#) Report (2022).

² Refer to [Desert Renewable Energy Conservation Plan \(2016\)](#).

Exhibit A

2. Demonstrate contact and collaboration with local community organizations and stakeholder groups representing a broad diversity of demographics and interests, particularly low income and environmental justice communities, to identify and address benefits and impacts of projects and ensure project benefits are communicated and accessible to the local community.
3. Commit to meaningful engagement³ with local communities throughout the entitlement and construction processes to identify and address benefits and impacts of projects and ensure project benefits are communicated and accessible to the local community.

III. EVALUATION, SELECTION AND REPORTING

- A. EBCE will assess and select project proposals in accordance with this Project Selection Methodology and report detailed results of such assessment at the time of the project approval.
- B. EBCE's annual report will compile and report information regarding the impact of the Project Selection Methodology.

IV. CA COMMUNITY POWER

- A. EBCE's representative to the CA Community Power Board shall advocate for adoption of a CA Community Power Workforce, Environmental, and Environmental Justice Standards for Clean Energy Project Selection Policy consistent with the terms of this resolution.
- B. EBCE's representative to the CA Community Power Board shall advocate to form a public advisory committee, including labor, environmental and equity representatives, to ensure transparency and public engagement in CA Community Power's operations and procurement practices.

³ Meaningful engagement means implementing five recommendations for best practices from [Building a Just Energy Future - A framework for community choice aggregators to power equity and democracy in California, 2020 report by the California Environmental Justice Alliance](#)

Exhibit B

Member Lutz memorial comments for Al Weinrub

As Anne Olivia said earlier Al Weinrub died last month. I would like to say a few words of tribute to him.

I don't know how many of you knew him, but Al is one of the main reasons we have EBCE in Alameda county today. His persistence and vision were crucial to the campaign to create EBCE, and one of the reasons the CAC is an integral part of it.

I first met Al Weinrub when he was one of the organizers of the amazing series of Clean Power, Healthy Community conferences starting more than a decade ago at the end of the oughts. I think it's fair to say those conferences were the genesis of vision and organizing that led to EBCE. Back then he was key to setting the theme of the conferences and recruiting speakers.

I didn't realize until the very recently that the Energy democracy phase was just a part of his 50 years of social and economic justice activism. Maybe as consequence of this long activism, he had an ability to find inspiring organizers and speakers, challenge them to do more, to think more clearly and then help them thoughtfully work together to create powerful campaigns and movements.

Al was a prolific writer of well documented essays, white papers he called them, using his long experience and keen insight to point out when something was wrong and how to fix it. Practical, but not bound to staying in the accepted channels, he was not at all shy about calling bullshit when he saw it. Most often that would when someone was trying to hide something with confusing jargon or misapplied assumptions.

Al was not all serious. He certainly had a dry wit. In relaxed moments, a side of him I enjoyed watching, was his occasional propensity to tell tall tales. These tales would start out based in reality. Then he would see how far along he could string you as the stories got more and more fantastical.

In the past couple years Al had been particularly disappointed by EBCE, and had turned more to other efforts. As he saw it, the vision of local clean energy in the service of community health and economic justice was being repeatedly thwarted by EBCE's unrelenting efforts to become an acquiescent lapdog of the CPUC/PG&E vision of centralized for-profit electricity. Instead of the LCEA pushing EBCE to go faster and deeper on local clean energy, most of it's effort were instead being used up just trying to keep EBCE from going completely off track. For example, very little of EBCE's generation is purchased from inside our territory. Most of the big projects are hundreds of miles away. Some are even out of state. EBCE also keeps trying to covertly purchase nuclear power from Diablo Canyon and more recently has been trying donate money to the wealthy Salesforce owner's favorite children's hospitals.

I don't think Al was ever satisfied with what he had accomplished. He was always looking to expand efforts and start new campaigns, many of which have grown and changed over the years.

Al your example of thoughtful, inclusive, persistent efforts to make the world a better place for everyone have been an inspiration to me. And I will try my best to live up to your example.

Al, we miss you