



Draft Minutes

Community Advisory Committee Meeting

Tuesday, January 16, 2024

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 remote locations:

3602 Thornton Ave. Fremont, CA 94536
Castro Valley Starbucks: 2720 Castro Valley Blvd. Castro Valley, CA 94546
Starbucks at 1857 11th St. Tracy, CA 95376
500 metros Este del Canopy, Calle, Montezuma-Delicias Rd, Provincia de
Puntarenas, Montezuma, 60111, Costa Rica

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@avaenergy.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. (12:00) Welcome & Roll Call

Present: Members: Landry, Lakshman, Souza, Kaur, Vice-Chair Hernandez and Chair Eldred

Not Present: Members Hu, Swaminathan, Pacheco, and Lutz

Please note that Joel Liu is no longer a member of the CAC.

C2. Public Comment

This item is reserved for persons wishing to address the Committee on any Ava Community Energy-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.

(17:16) Public Comment – Jessica Tovar noted that the Ava has provided notice on the website that applications to join the Community Advisory Committee are being accepted. She stated that the February 2nd application deadline should be extended to accommodate applicants who are returning from the holidays.

C3. (37:07) Approval of Minutes from December 18, 2023

Member Landry moved to approve the minutes. Vice-Chair Hernandez seconded the motion, which was approved 6/0/4:

Yes: Members: Landry, Lakshman, Souza, Kaur, Vice-Chair Hernandez and Chair Eldred

Not Present: Members Hu, Swaminathan, Pacheco and Lutz

C4. (18:50) CAC Chair Report

CAC Chair Eldred reported on the following:

- At the December 20, 2023 BOD meeting, the Board supported the Community Choice Aggregation Workforce and Environmental Justice Alliance resolution, although concerns were raised about the removal of language from the original resolution related to community engagement and environmental stewardship, and about shortcomings with engagement with underserved communities.
- At the December 20, 2023 BOD meeting, a motion in support of the staff recommendation for CAC reappointments was approved with the following changes:
 - a) CAC members who move out of Ava's service area may continue serving on the CAC if they return and re-establish residency in the service area within six (6) months.
 - b) In accordance with the CAC's regional seat allocation structure, the Board of Directors authorize the transition of the City of Stockton's

interim seat to an additional, allocated seat of the San Joaquin Service Area Region, resulting in the South Service Area losing an allocated seat.

- c) To facilitate the efficient appointment of the CAC's At-Large members, and to ensure they represent Ava's growing service area in San Joaquin County, the CAC Guide will be updated so At-Large member appointments will be made by Ava's Board of Directors, instead of the Alameda County Mayors' Conference; individual members/Service Area Regions may not serve more than two (2) consecutive terms; and current At-Large member reappointments will re-start at the first term;
 - d) To fill vacant CAC seats in a timely and efficient manner, the CAC Guide will be updated to require vacancies be filled on a semi-annual basis, unless required to achieve a quorum
 - e) To stagger the CAC's appointment cycle, approximately half of the Committee's seats will be assigned to be one (1)- or two (2)-year terms. Current members whose seats are assigned a one (1)-year term will be eligible to serve for an additional two (2)-year term.
 - f) To reflect updates to Ava staff contacts and previous decisions by the Board of Directors, such as the name/brand transition from EBCE to Ava Community Energy, corresponding administrative updates will be made to the CAC Guide.
 - g) The Board invites the Community Advisory Committee to provide an evaluation of this resolution for future policy alteration or improvement.
- At the December 20, 2024 BOD meeting, sponsorship of Oakland Roots and Soul was discussed and passed.
 - **Chair Eldred** announced that she would of stepping down from the Community Advisory Committee. This would mean that, in addition to selecting a new Chair, recruitment will need to begin for a candidate for the North region.

Vice-Chair Hernandez (26:49) and **Member Landry (29:30)** thanked **Chair Eldred** for her service and contribution to the Community Advisory Committee.

C5. (38:37) Long-Term Contracts for Approval (CAC Action Item)

Approval of multiple long-term contracts/offtake agreements from 2023 RFO and bilateral negotiations

Marie Fontenot, Ava's VP of Power Resources, presented 5 potential long-term electricity procurement contracts for approval - one from Ava's 2023 RFO and four offered bilaterally outside that process. The contracts aim to help new renewable generation and storage projects gain deliverability status and grid

interconnection through CAISO before the February 14 deadline.

(1:05:48) CAC Chair Eldred inquired about the specifics of prevailing wage payments related to the construction of a Mexico wind farm and a transmission line, to which **Marie Fontenot** clarified that Mexican local prevailing wages would be paid for the wind farm construction, and IBW prevailing wages for the transmission line construction, potentially based on San Diego local standards.

(1:11:58) Public Comment – Jessica Tovar, representing East Bay Clean Power Alliance, spoke in opposition to contracting clean energy in Mexico, stating that the project was not in alignment with Ava's mandate to produce local, community-based renewable energy. Jessica Tovar stated that Ava should refocus its efforts on local opportunities like rooftop solar rather than expand outside of California.

(1:14:17) Member Souza inquired about the continuation of project processes halted in December 2021 and how current projects contribute towards achieving 100% clean energy by 2025. **Marie Fontenot** explained the challenges with the CAISO interconnection process, citing a significant backlog of projects nationwide and efforts to improve the process, but acknowledged ongoing issues. She also detailed the strategic importance of diversifying energy resources and incorporating storage to shift clean energy use, while noting that increasing demand from community electrification efforts complicates the calculation towards 100% clean energy goals.

(1:19:54) Member Landry spoke in favor of focusing on local energy projects in Alameda County and asked about the challenges of finding more local renewable energy projects. **Marie Fontenot** explained the loss of a local Alameda County wind farm project due to land ownership issues with another entity and described the difficulties of developing wind farms in the Altamont Pass. She also noted the challenges and opportunities for solar development in Ava's service territory, including new areas like Stockton and San Joaquin County.

(1:28:27) Vice-Chair Hernandez summarized Marie Fontenot's presentation and discussed the importance of bridging the gap between local job creation and energy procurement from distant projects. **Marie Fontenot** agreed with Vice-Chair Hernandez's summary and added that diversity in energy sources is crucial for grid reliability, the creation of varied and complementary generation profiles and the ability to obtain competitive prices in the CAISO system.

(1:33:35) Chair Eldred asked about the total number of procurement projects, including those planned for the future. **Marie Fontenot** confirmed 15 executed contracts with more expected to be presented to the board. Chair Eldred then expressed concern about the level of investment in local projects versus those abroad. Chair Eldred also criticized the prevailing wage standards in Mexico and

discussed the ethical implications of resource extraction in the context of bilateral and regional trade agreements.

(1:50:21) Public Comment – Lisa Hu commended Marie Fontenot for her presentation and spoke in support of Marie's comments about prevailing wages and the strategic navigation of CAISO deliverability challenges. However, she voiced concerns that the proposal diverges from Ava's core mission of prioritizing local benefits, decision-making, and community needs. Lisa suggested that even if local generation is costlier, it warrants exploration to fulfill Ava's commitment to its local communities. She encouraged the exploration of creative options to support local generation such as providing seed funding to help local projects compete.

(1:49:22) Vice Chair Hernandez moved to approve the staff recommendation but to exclude the Mexico project until further notice. Member Lakshman seconded the motion, which failed 3/2/1/4: Yes: Members Lakshman, Kaur and Vice-Chair Hernandez No: Member Souza and Chair Eldred Abstain: Member Landry Not Present: Members Hu, Swaminathan, Pacheco and Lutz

C6. (1:58:03) Workforce and EJ Project Selection Criteria (CAC Action Item)

Approval of a Policy regarding Workforce and Environmental Justice Project Selection Criteria

The CAC discussed the Workforce and Environmental Justice (EJ) Project Selection Criteria, with **Cait Cady** presenting Ava's proposed criteria developed in collaboration with the CCA Workforce and Environmental Justice Standards Alliance. This document outlines Ava's commitment to workforce and environmental justice in project selection, including goals for local workforce development, innovation, project location preferences, and environmental stewardship.

(2:04:32) Public Comment – Jessica Tovar spoke in support of the Workforce and Environmental Justice Project Selection Criteria, stating that the policy is in alignment with the values and priorities of the State Environmental Justice Alliance, particularly around community engagement. She advocated for not allowing solar projects to be built on undeveloped desert lands and spoke in support of alternative methods of incorporating solar energy. Jessica Tovar also called for ongoing collaboration between Ava Community Energy, the East Bay Clean Power Alliance, and other environmental justice organizations to further address energy equity and investment in historically underserved communities.

(2:07:43) Public Comment – Lisa Hu expressed strong support for the intent and specific language of the Workforce and Environmental Justice (EJ) Project

Selection Criteria, stating that it demonstrates meaningful community engagement as outlined by Ava's commitments. Lisa Hu spoke about the need for Ava to actively help low-income and environmental justice communities overcome barriers to accessing public investments, resources and education. She also spoke in support of the creation for accessible, relevant and creative opportunities for community engagement in the energy transition.

(2:09:46) Member Landry moved to approve the Workforce and Environmental Justice (EJ) Project Selection Criteria. Member Souza seconded the motion which passed 6/0/4:

Yes: Members: Landry, Lakshman, Souza, Kaur, Vice-Chair Hernadez and Chair Eldred

Not Present: Members Hu, Swaminathan, Pacheco and Lutz

C7. (2:11:53) Fiscal Year Budget Surplus (CAC Action Item)

Approve allocation of Budget surplus among a few options

Jason Bartlett presented options for allocating Ava Community Energy's fiscal year budget surplus. The options included retaining the original 50/50 split between renewables and on-bill credits, allocating the entire surplus to renewable development, or supporting incentives for the net billing tariff to stimulate rooftop solar development. The Financial, Administrative and Procurement subcommittee recommended a new split, with 60% for on-bill credits (further divided between residential and CARE/FERA customers) and 40% for net billing tariff projects.

(2:22:36) Public Comment – Jessica Tovar, on behalf of the Eastbay Clean Power Alliance, spoke in support of allocating budget surplus funds to local development, specifically for resilience hubs with microgrids. She stated that the request for local investment in energy resilience dates back at least to September 9, 2020, a day marked by power shut offs caused by heat waves and large fires. Jessica Tovar stated that the current discussion about the budget surplus allocation overlooks the needs of a large community in Ava's service territory.

(2:26:05) Public Comment – Lisa Hu praised the presentation on Ava's budget surplus and encouraged strategic decision-making to benefit local communities. She expressed support for investing in local generation projects even at higher costs and sought clarification on which groups qualify as customers for on-bill support. Lisa also proposed using the surplus as seed funding for local partners to leverage federal investments and to support demonstration projects such as resilience hubs.

(2:32:02) Member Souza spoke in support of Option C and for investing in storage, microgrids and initiatives for community education and resilience.

(2:39:49) Member Landry spoke in support of reallocating \$15 million of the budget surplus towards community resilience hubs for environmental justice and low-income communities. She also suggested the need for a more permanent investment in resilience and requested that this proposal be considered at a future meeting.

(2:38:36) Vice-Chair Hernandez asked about the distribution of Ava's budget surplus between business and residential accounts, and whether funds previously allocated to a specific project were still available. Jason Bartlett clarified that the surplus funds from the previous fiscal year were either added to the renewable energy balance or returned to customers via on-bill credits. Vice-Chair Hernandez suggested exploring the allocation's impact on business versus residential accounts and potentially adjusting the distribution to support resilience hubs.

Member Lakshman left the meeting at 8:43pm.

(2:46:52) Chair Eldred motioned to support the following:

- **the 20% allocation to CARE/FERA and medical baseline customers;**
- **the investment of at least \$15 million into resilience hubs and limited to the criteria provided in the Local Clean Energy Alliance letter¹;**
- **either Option B - with funding restricted to local development only, or Option C.**

Member Landry seconded the motion, which did not pass for lack of quorum (5/0/5):

Yes: Members Landry, Souza, Kaur, Vice-Chair Hernandez and Chair Eldred.

Not Present: Members: Hu, Swaminathan, Lakshman, Pacheco, Lutz

C8. Selection of CAC Chair and Vice-Chair, and Term Assignments

(2:56:00) Due to the loss of quorum, the Selection of the CAC Chair and Vice-Chair was moved to the February 20, 2024 CAC meeting.

The clerk stopped recording minutes at 8:56pm.

C9. CAC Member and Staff Announcements including requests to place items on future CAC agendas

¹ Please note that the Local Clean Energy Alliance letter is attached as Exhibit 1. The letter is also available on the Ava Community Energy website at <https://cdn.sanity.io/files/pc49kbjr/production/3764262c2bc3acea9310978d0f73098d71fddfa5.pdf>

C10. Adjourn

The next Community Advisory Committee meeting will be held on Tuesday, February 20, 2024 at 6:00 pm.

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