



**Draft Minutes**  
**Board of Directors Meeting**

Wednesday, September 18, 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:

- Clipper Club - 5 Captain Dr. Emeryville, CA 94608
- Dublin City Hall - 100 Civic Plaza, Dublin, CA 94568
- Conference Room - Irvington Community Center 41885 Blacow Rd. Fremont, CA 94538
- 1755 Harvest Landing Lane, Tracy, CA 95376
- C. Baldwin (Lobby), Curio Collection by Hilton, 400 Dallas St, Houston, TX 77002
- 24015 Wilcox Ln, Hayward, CA 94541

Via Zoom:

<https://ebce-org.zoom.us/j/87023071843>

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 888 475 4499 (Toll Free) or 877 853 5257 (Toll Free)

Webinar ID: 870 2307 1843

*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](mailto:cob@avaenergy.org).*

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

**Igor Tregub was sworn in as the Member for the City of Berkeley.**

**1. Welcome & Roll Call**

**Present: Members:** Marquez (Alameda County), Tregub (Berkeley), Hu (Dublin), Kaur (Emeryville), Cox (Fremont), Roche (Hayward), Barrientos (Livermore), Hannon (Newark), Kalb (Oakland), Andersen (Piedmont), Gonzalez (San Leandro), Wright (Stockton), Bedolla (Tracy), Patino (Union City), CAC Vice-Chair Souza (Community Advisory Committee), Vice-Chair Tiedemann (Albany) and Chair Balch (Pleasanton)

**Alternate Member Hannon** served as the alternate for Member Jorgens (Newark).

**Not Present: Member Diallo** (Lathrop)

**2. Pledge of Allegiance**

**Member Tregub led the body in the Pledge of Allegiance.**

**3. Public Comment**

*This item is reserved for persons wishing to address the Board 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 Board are customarily limited to two minutes per speaker and must complete an electronic speaker slip. The Board Chair may increase or decrease the time allotted to each speaker.*

**(5:29) Public Comment - Barbara Stebbins** from the Local Clean Energy Alliance (LCEA) clarified that LCEA did not initiate the 95-email write-in campaign opposing PG&E's nuclear allocation. Barbara Stebbins stated that the East Bay Clean Power Alliance submitted a separate petition in opposition to the allocation.

**4. Closed Session Public Comment**

**5. Closed Session**

- A.** Conference with Real Property Negotiators pursuant to Government Code § 54956.8: 251 8th Street (Negotiators: CEO Howard Chang, General Counsel Inder Khalsa) (price and terms of payment).

**6. General Report Out of Closed Session**

**There were no items to report out of Closed Session.**

**CONSENT AGENDA**

**7. Approval of Minutes from July 17, 2024**

**8. Contracts Entered into (Informational Item)**

**9. EV Charging Community Investment Grant**

Consider authorizing the CEO to negotiate and execute two grant agreements for the purpose of installing community-owned Electric Vehicle ("EV") charging sites.

**10. Solar and Storage Program Design Consultant**

Consider contracting with consultant to support Ava's Solar & Storage program design

process

**11. Ballot Initiative Discussion**

Consider taking a position on Proposition 4

**12. Hourly Pricing Pilots**

Consider resolution to participate in hourly flex pricing pilots with PG&E.

**(1:06:47) Member Tregub noted that the Susan Silber's name is spelled incorrectly in the July 17, 2024 minutes.**

**(1:07:47) Public Comment – Jim Lutz** noted that the Community Advisory Committee discussed Consent Item 11 but did not vote on it.

**(1:09:33) Member Kalb motioned to approve the Consent Agenda including Member Tregub's correction to the minutes. Member Marquez seconded the motion, which was approved 15/0/0/0/2 (Yes/No/Abstain/Recuse/Not Present): Yes: Members: Marquez, Tregub, Kaur, Cox, Roche, Barrientos, Hannon, Kalb, Andersen, Gonzalez, Wright, Bedolla, Patino, Vice-Chair Tiedemann and Chair Balch**

**No: none**

**Abstain: none**

**Recuse: none**

**Not Present: Members: Hu and Diallo**

**REGULAR AGENDA**

**13. (1:11:14) CEO Report**

**CEO Howard Chang** provided an update on various activities and developments within the organization. He highlighted discussions from recent subcommittee meetings, including resilience initiatives and fiscal updates, and introduced a new Director of Clean Energy Structured Finance. He detailed ongoing community grant programs, a Habitat for Humanity project supporting all-electric homes, the launch of a revamped website with city-specific resources, and outreach efforts through community events. Additionally, CEO Chang noted mid-year rate adjustments that reduced generation costs while pointing out significant increases in PG&E delivery rates.

**(1:24:28) Public Comment: Jim Lutz** shared his analysis of a decade's utility bills, noting that while Ava's generation rates have remained stable, total electricity costs have tripled since 2018.

**14. (1:22:50) CAC Chair Report**

**Vice-Chair Souza** reported that the CAC unanimously supported the hourly pricing pilot program. Vice-Chair Souza also stated that the CAC did not take a position on Proposition 4.

**(1:28:43) Public Comment – Eric Brooks** spoke in opposition to Proposition 4, stating that it lacks accountability and contains language in its wildfire and forest management

sections that could promote harmful logging practices.

## **15. Nuclear Allocation Decision (Action Item)**

Consider Diablo Canyon Nuclear Allocation

**CEO Howard Chang** outlined the extension of the Diablo Canyon Nuclear Power Plant's operations to 2029/2030 and presented three scenarios for Ava Community Energy to consider: rejecting the nuclear allocation, accepting it with cost-saving adjustments, or using it to offset system power while achieving greater GHG reductions.

The **Board of Directors** engaged in a thorough discussion about whether to accept the nuclear allocation from Diablo Canyon.

### **Board members discussed:**

- The potential for significant cost savings;
- Nuclear safety and waste disposal;
- Reductions in greenhouse gas emissions, and decreased reliance on fossil fuels, particularly benefiting frontline communities exposed to pollution from gas power plants;
- The potential delay in investments in local renewable energy;
- Nuclear power's role as a transitional solution to meet clean energy goals;
- The risk of undermining Ava's reputation as a leader in clean, renewable energy; public opposition;
- Alignment with PCIA charges already paid by customers;
- The need for transparency in the energy mix, and
- The broader environmental justice impacts on vulnerable communities.

### **Public comment was provided by 22 members of the public:**

- (2:21:43) Public Comment – Jesse Gutierrez**
- (2:24:06) Public Comment – Nick Pilch**
- (2:25:54) Public Comment – Colin Cook Miller**
- (2:27:37) Public Comment – Emi Yoko.**
- (2:29:32) Public Comment – Cynthia Landry**
- (2:31:25) Public Comment – Ryan Pickering**
- (2:33:24) Public Comment – Brenden Pittman**
- (2:35:12) Public Comment – Diego Juarez.**
- (2:36:55) Public Comment – Ayla Peters Paz**
- (2:38:37) Public Comment – Hernando Sanchez**
- (2:40:39) Public Comment – Howard Matis**
- (2:42:07) Public Comment – Beth Weinberger**
- (2:43:17) Public Comment – Eric Brooks**
- (2:45:03) Public Comment – James Hopf Byrne**
- (2:46:13) Public Comment – Imari Mars Keith**
- (2:47:50) Public Comment – Guido Núñez-Mujica**
- (2:49:24) Public Comment – Emily Ross**
- (2:51:04) Public Comment – Eva Byrne**
- (2:52:35) Public Comment – Alice Sung**

- (2:54:25) Public Comment – Nia Tisdell**  
**(2:55:57) Public Comment – Paris Ortiz-Wines**  
**(2:57:18) Public Comment – Timothy Smith**

**Topics addressed in nuclear allocation decision public comment:**

- Potential cost savings from accepting the nuclear allocation
- Health and environmental risks
- Emissions reduction from decreased use of unspecified power;
- Nuclear is not truly carbon-free – nuclear energy’s lifecycle includes carbon emissions during construction, operation and waste management
- Reliability of nuclear energy
- Community opposition
- Energy portfolio transparency - by reducing reliance on out-of-state, carbon-intensive energy sources.
- Shifting public support towards nuclear
- Public perception of support for PG&E’s practices
- Economic accessibility for low-income and immigrant communities
- Safety concerns
- Distraction from focus on investment in local renewables

**Member Roche motioned to accept the nuclear allocation and Scenario Two.**

**Member Tiedemann seconded the motion, which was approved 10/5/0/0/2**

**(Yes/No/Abstain/Recuse/Not Present):**

**Yes: Members: Cox, Roche, Barrientos, Hannon, Andersen, Gonzalez, Wright, Patino, Vice-Chair Tiedemann and Chair Balch**

**No: Members: Marquez, Tregub, Kaur, Kalb and Bedolla**

**Abstain: none**

**Recuse: none**

**Not Present: Members Hu and Diallo**

**16. Board Member and Staff Announcements including requests to place items on future Board agendas**

- **Member Wright** requested to agendize taking a position on the continued operation of Diablo Canyon.
- **Chair Balch** stated the October Board of Directors meeting may be canceled due to a scheduling conflict with the League of California Cities Conference.
- **Member Tregub** requested to agendize discussions with staff about options to accelerate transition to 100% renewable energy.
- **Member Kalb** requested to agendize a 2024 legislative review at the October or November meeting.
- **Member Kalb** also requested to agendize a “sneak peek” discussion about key energy issues for CCAs in 2025, including opportunities for Ava to collaborate with key stakeholders.
- **Member Barrientos** thanked Ava for being a sponsor of the Livermore Lion’s Club 100<sup>th</sup> year anniversary.
- **Member Barrientos** also requested to follow up with staff about grant opportunities from the City of Livermore.

- **Member Tregub** spoke in support of SP 1374.
- **Member Gonzalez** thanked Ava for its presence at San Leandro's OkDROberfest on September 14.
- **Member Marquez** spoke about "Science in the Park", a free family event at Cal State East Bay on October 5, 2024 from 9am-3pm.

**17. Adjourned at 9:48pm.**

The next Board of Directors meeting will be held on Wednesday, October 16, 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