Regular Meeting of the Executive Committee of the Peninsula Clean Energy Authority (PCEA)

AGENDA

Monday, November 8, 2021
10:00 a.m.

Zoom Link: https://pencleanenergy.zoom.us/j/83834724993
Meeting ID: 838-3472-4993 Passcode: 2075 Phone: +1(253)215-8782

NOTE: Please see attached document for additional detailed teleconference instructions.

In accordance with AB 361, the Committee will adopt findings that meeting in person would present imminent risks to the health or safety of attendees of in-person meetings. Consistent with those findings, this Committee Meeting will be held remotely. PCEA shall make every effort to ensure that its video conferenced meetings are accessible to people with disabilities as required by Governor Newsom’s March 17, 2020 Executive Order N-29-20. 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 Nelly Wogberg, Board Clerk, at least 2 working days before the meeting at nwogberg@peninsulacleanenergy.com. Notification in advance of the meeting will enable PCEA to make best efforts to reasonably accommodate accessibility to this meeting and the materials related to it.

If you wish to speak to the Executive Committee, please use the “Raise Your Hand” function in the Zoom platform or press *6 if you phoned into the meeting. If you have anything that you wish to be distributed to the Executive Committee and included in the official record, please send to nwogberg@peninsulacleanenergy.com.

CALL TO ORDER / ROLL CALL

PUBLIC COMMENT
This item is reserved for persons wishing to address the Committee on any PCEA-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. Members of the public who wish to address the Committee are customarily limited to two minutes per speaker. The Committee Chair may increase or decrease the time allotted to each speaker.

ACTION TO SET AGENDA AND TO APPROVE CONSENT AGENDA ITEMS

1. Approval of the Minutes for the September 13 and October 12, 2021 Meetings

2. Adopt Findings Pursuant to AB 361 to Continue Fully Teleconferenced Committee Meetings Due to Health Risks Posed by In-Person Meetings

REGULAR AGENDA

3. Chair Report (Discussion)

4. CEO Report (Discussion)
5. Executive Committee Debrief on Peninsula Clean Energy Board Retreat held on September 25, 2021 (Discussion)

6. Approval of 2022 Executive Committee Schedule of Meetings (Action)

7. Committee Members’ Reports (Discussion)

ADJOURNMENT

Public records that relate to any item on the open session agenda are available for public inspection. The records are available at the Peninsula Clean Energy offices or on PCEA’s Website at: https://www.peninsulacleanenergy.com.
Instructions for Joining a Zoom Meeting via Computer or Phone

Best Practices:
- Please mute your microphone when you are not speaking to minimize audio feedback
- If possible, utilize headphones or ear buds to minimize audio feedback
- If participating via videoconference, audio quality is often better if you use the dial-in option (Option 2 below) rather than your computer audio

Options for Joining
A. Videoconference with Computer Audio – see Option 1 below
B. Videoconference with Phone Call Audio– see Option 2 below
C. Calling in via Telephone/Landline – see Option 3 below

Videoconference Options:
Prior to the meeting, we recommend that you install the Zoom Meetings application on your computer by clicking here https://zoom.us/download.

If you want full capabilities for videoconferencing (audio, video, screensharing) you must download the Zoom application.

Option 1 Videoconference with Computer Audio:

1. From your computer, click on the following link that is also included in the Meeting Calendar Invitation : https://pencleanenergy.zoom.us/j/99823324713
2. The Zoom application will open on its own or you will be instructed to open Zoom.
3. After the application opens, the pop-up screen below will appear asking you to choose ONE of the audio conference options. Click on the Computer Audio option at the top of the pop-up screen.

4. Click the blue, “Join with Computer Audio” button.
5. In order to enable video, click on “Start Video” in the bottom left-hand corner of the screen. This menu bar is also where you can mute/unmute your audio.
Option 2 Videoconference with Phone Call Audio:

1. From your computer, click on the following link that is also included in the Meeting Calendar Invitation: https://pencleanenergy.zoom.us/j/99823324713
2. The Zoom Application will open on its own or you will be instructed to Open Zoom.
3. After the application opens, the pop-up screen below will appear asking you to choose ONE of the audio conference options. Click on the Phone Call option at the top of the pop-up screen.

![Choose ONE of the audio conference options]

4. Please dial +1 (669) 900-9128
5. You will be instructed to enter the meeting ID: 998-2332-4713 followed by #
6. You will be instructed to enter in your participant ID. Your participant ID is unique to you and is what connects your phone number to your Zoom account.
7. After a few seconds, your phone audio should be connected to the Zoom application on your computer.
8. In order to enable video, click on “Start Video” in the bottom left hand corner of the screen. This menu bar is also where you can mute/unmute your audio.

Audio Only Options:

Please note that if you call in/use the audio only option, you will not be able to see the speakers or any presentation materials in real time.

Option 3: Calling in via Telephone/Landline:

1. Dial +1 669 900 9128.
2. You will be instructed to enter the meeting ID: 998-2332-4713 followed by #.
3. You will be instructed to enter your Participant ID followed by #. If you do not have a participant ID or do not know it, you can press # to stay on the line.
4. You will be instructed to enter the meeting passcode 774118 followed by #.
Regular Meeting of the Executive Committee of the Peninsula Clean Energy Authority (PCEA) Minutes

Monday, September 13, 2021
10:00 a.m.
Zoom Video Conference and Teleconference

CALL TO ORDER

Meeting was called to order at 10:01 a.m. in virtual teleconference.

ROLL CALL

Participating Remotely:

Rick DeGolia, Atherton, Chair
Donna Colson, Burlingame, Vice Chair
Dave Pine, County of San Mateo
Julia Mates, Belmont
Jeff Aalfs, Portola Valley
Giselle Hale, Redwood City; joined at 10:03 a.m.
Marty Medina, San Bruno; joined at 10:02 a.m.
Laura Parmer-Lohan, San Carlos
Rick Bonilla, San Mateo

Pradeep Gupta, Director Emeritus
John Keener, Director Emeritus

Absent:

Staff: Jan Pepper, Chief Executive Officer
      Andy Stern, Chief Financial Officer
      Phillip Kobernick, Programs Manager
      Sally Chen, Energy Contracts Manager
      Chelsea Keys, Power Resources Manager
      Rafael Reyes, Director of Energy Programs
      Dave Fribush, DER Technical Advisor
      Kim Le, Senior Manager of Data & Technology
      Leslie Brown, Director of Customer Care
      Marc Hershman, Director of Government Affairs
      KJ Janowski, Director of Marketing and Community Relations
      Siobhan Doherty, Director of Power Resources
      Jennifer Stalzer Kraske, Deputy County Counsel
      Hailey Wu, Senior Financial Analyst
      Shayna Barnes, Operations Specialist
      Nelly Wogberg, Board Clerk

A quorum was established.
PUBLIC COMMENT

None

ACTION TO SET AGENDA AND TO APPROVE CONSENT AGENDA ITEMS

Motion: Director Bonilla moved, seconded by Director Colson to set the Agenda and approve Agenda Item Number 1.

1. Approval of the Minutes for the August 9, 2021 Meeting

MOTION PASSED: 8-0 (Absent: Redwood City)

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REGULAR AGENDA

2. Chair Report

None

3. CEO Report

Jan Pepper, CEO, gave an update on staffing update for three open positions, the upcoming board retreat on Saturday, September 25th, and that staff is working on an internal work from home policy. Jan answered questions from the Committee on the CC Power Request for Proposal, Tesla’s battery storage program supply chain issues with computer chips, and a summary on projects that are being considered for long-term power.

4. Audio/Visual Update to the PCE Board Room

Andy Stern, Chief Financial Officer, gave an update on the technology updates needed for the Peninsula Clean Energy Board Room. Andy recapped past meeting process including the lack of recording equipment and challenges with microphones with a large number of speakers.

Committee Members discussed waiting to see if the Brown Act is modified to include a hybrid meeting model and determine how many board members would physically come in if the Brown Act were changed to allow remote meeting
access. Options were discussed including renting suitable meeting spaces throughout the county versus upgrading the Peninsula Clean Energy meeting room, including the landlord in any update plans, and the challenges the public may face interacting in a virtual format. Committee Members also discussed the possibility of reducing the office space currently leased.

5. Disadvantages Communities Green Tariff (DAC-GT) Update

Dave Fribush, DER Technical Advisor, gave an update on the Disadvantaged Communities Green Tariff (DAC-GT) and the Community Solar Green Tariff (CSGT) including program objectives, next steps of obtaining CPUC approval, executing the contract for interim resource with MCE, continuing customer identification activities, and obtaining confirmation from CalPine that necessary changes have been made to accommodate the program discount.

Committee Members discussed customer enrollment. Leslie Brown, Director of Account Services, explained the relationship with El Concilio is to help identify customers who are most at-risk and can enroll in the program. Jan Pepper, CEO, noted that Peninsula Clean Energy filed a joint advice letter with PG&E, which was the first time a CCA has filed a joint advice letter with an Investor Owned Utility (IOU).

Committee Members discussed the importance of capturing Los Banos and for ways Board Member can support in locating customers in San Mateo County or Los Banos who can participate in these programs.

6. Committee Members’ Reports

Rick DeGolia gave an update on the remodel of the Atherton Town Center and Library.

ADJOURNMENT

Meeting was adjourned at 10:58 a.m.
Regular Meeting of the Executive Committee of the Peninsula Clean Energy Authority (PCEA) Minutes

Monday, October 12, 2021
10:00 a.m.
Zoom Video Conference and Teleconference

CALL TO ORDER

Meeting was called to order at 10:01 a.m. in virtual teleconference.

ROLL CALL

Participating Remotely:

Dave Pine, San Mateo County
Rick DeGolia, Atherton, Chair
Julia Mates, Belmont
Donna Colson, Burlingame, Vice Chair, joined at 10:06 a.m.
Marty Medina, San Bruno
Rick Bonilla, San Mateo
Jeff Aalfs, Portola Valley

Pradeep Gupta, Director Emeritus
John Keener, Director Emeritus

Absent:
Giselle Hale, Redwood City
Laura Parmer-Lohan, San Carlos

Staff:
Jan Pepper, Chief Executive Officer
Andy Stern, Chief Financial Officer
Siobhan Doherty, Director of Power Resources
Jeremy Waen, Director of Regulatory Policy
Jennifer Stalzer, Deputy County Counsel
Sally Chen, Energy Contracts Manager
Shayna Barnes, Operations Specialist
Nelly Wogberg, Board Clerk

A quorum was established.

PUBLIC COMMENT

Mr. Wonderful
ACTION TO SET AGENDA AND TO APPROVE CONSENT AGENDA ITEMS

MOTION: Director Mates moved, seconded by Director Medina to set the Agenda and approve Agenda Item Numbers 1-2.

1. Approval of the Minutes for the September 29, 2021 Meeting

2. Adopt Findings Pursuant to AB 361 to Continue Fully Teleconferenced Board Meetings Due to Health Risks Posed by In-Person Meetings

MOTION PASSED: 7-0 (Absent: Redwood City, San Carlos)

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REGULAR AGENDA

3. Chair Report

Chair DeGolia provided a recap of the September 29, 2021 Board Retreat Meeting and commended staff on a series of informative and well-done presentations.

4. CEO Report

Jan Pepper, CEO, gave a report including a staffing update with open positions for the Account Services Specialist and Building Electrification Program Manager, a hire for the Los Banos Community Outreach position, and a promotion for Shayna Barnes to Account Services, a note that the official debrief from the Board Retreat will occur at the November Executive Committee, and an overview of Board Subcommittee members.

Committee Members gave feedback on the board subcommittees noting that the Procurement Subcommittee and the Long Duration Storage Subcommittee share similar areas and should be consolidated as one meeting group. Committee Members also expressed their enthusiasm for Board Alternates to serve on subcommittees.

Jan continued with an update on the Diversity, Equity, Accessibility, and Inclusion (DEAI) Subcommittee recommendation for a consultant which will be presented to the board at the October Board Meeting.
5. Update on California Community Power (CC Power) Long Duration Storage Project

Siobhan Doherty, Director of Power Resources, gave a presentation on California Community Power’s (CC Power) RFO, evaluation, shortlisting and negotiation process to support approval of an Energy Storage Service Agreement, and ancillary agreements with LS Power for Tumbleweed Long Duration Energy Storage.

Committee Members discussed if CC Power would hire a scheduling coordinator, a possibility for additional projects stemming from this RFO, the timing of overall procurement, our current position in capacity requirements, and the location of storage facilities. Committee Members also discussed resource adequacy obligations from the California Public Utilities Commission.

6. Update on California Community Power (CC Power) Labor and Environmental Policy

Jan Pepper, CEO, gave an update on the California Community Power (CC Power) Labor and Environmental Policy which includes a set of “Enhanced Conditions” that were adopted by CC Power on April 14, 2021. An ad hoc committee was formed to work on a policy for labor and environmental conditions which was to be brought to the CC Power Board on September 15, 2021 but was revised and will be presented at the October 20, 2021 CC Power Board Meeting. Jan reviewed the changes in the policy that will be presented.

Committee Members discussed Peninsula Clean Energy’s Diversity, Equity, Accessibility, and Inclusion (DEAI) work and if this will line up smoothly with the CC Power policy work, the apprenticeship program and local minimum wage laws, the potential of a Citizens Advisory Committee as part of CC Power, and revisions to the language for the labor and environmental policy.

7. Committee Members’ Reports

None

**ADJOURNMENT**

Meeting was adjourned at 12:00 p.m.
TO: Honorable Peninsula Clean Energy Authority Executive Committee  
FROM: Jan Pepper, Chief Executive Officer, Peninsula Clean Energy Authority  
SUBJECT: Resolution to Make Findings Allowing Continued Remote Meetings Under Brown Act  

RECOMMENDATION:  
Adopt a resolution finding that, as a result of the continuing COVID-19 pandemic state of emergency declared by Governor Newsom, meeting in person would present imminent risks to the health or safety of attendees.

BACKGROUND:  
On June 11, 2021, Governor Newsom issued Executive Order N-08-21, which rescinded his prior Executive Order N-29-20 and set a date of October 1, 2021 for public agencies to transition back to public meetings held in full compliance with the Brown Act. The original Executive Order provided that all provisions of the Brown Act that required the physical presence of members or other personnel as a condition of participation or as a quorum for a public meeting were waived for public health reasons. If these waivers fully sunset on October 1, 2021, legislative bodies subject to the Brown Act would have to contend with a sudden return to full compliance with in-person meeting requirements as they existed prior to March 2020, including the requirement for full physical public access to all teleconference locations from which committee members were participating.

On September 16, 2021, the Governor signed AB 361, a bill that formalizes and modifies the teleconference procedures implemented by California public agencies in response to the Governor’s Executive Orders addressing Brown Act compliance during shelter-in-place periods. AB 361 allows a local agency to continue to use teleconferencing under the same basic rules as provided in the Executive Orders when certain circumstances occur or when certain findings have been made and adopted by the local agency.

AB 361 also requires that, if the state of emergency remains active for more than 30 days, the agency must make findings by majority vote every 30 days to continue using the bill's exemption to the Brown Act teleconferencing rules. The findings are to the effect that the need for teleconferencing persists due to the nature of the ongoing public...
health emergency and the social distancing recommendations of local public health officials. **Effectively, this means that agencies, including PCEA, must agendize a Brown Act meeting once every thirty days to make findings regarding the circumstances of the emergency and to vote to continue relying upon the law’s provision for teleconference procedures in lieu of in-person meetings.**

AB 361 provides that Brown Act legislative bodies must return to in-person meetings on October 1, 2021, unless they choose to continue with fully teleconferenced meetings because a specific declaration of a state or local health emergency is appropriately made. AB 361 allows for meetings to be conducted virtually **as long as** there is a gubernatorially-proclaimed public emergency in combination with (1) local health official recommendations for social distancing or (2) adopted findings that meeting in person would present risks to health. AB 361 is effective immediately as urgency legislation and will sunset on January 1, 2024.

On September 25, 2021, the Peninsula Clean Energy Board of Directors approved a thirty (30) day extension of remote meetings in accordance with AB 361. Out of an abundance of caution given AB 361’s narrative that describes each legislative body’s responsibility to reauthorize remote meetings, staff and counsel brings this memo and corresponding resolution to the attention of the Executive Committee.

On September 29, 2021, the Peninsula Clean Energy Executive Committee approved a thirty (30) day extension of remote meetings in accordance with AB 361.

On October 12, 2021, the Peninsula Clean Energy Executive Committee approved a thirty (30) day extension of remote meetings in accordance with AB 361.

**DISCUSSION:**
Because local rates of transmission of COVID-19 are still in the “substantial” tier as measured by the Centers for Disease Control, it is recommended that the Peninsula Clean Energy Executive Committee avail itself of the provisions of AB 361 allowing continuation of online meetings by adopting findings to the effect that conducting in-person meetings would present an imminent risk to the health and safety of attendees. A resolution to that effect, and directing staff to return each 30 days with the opportunity to renew such findings, is attached hereto.
RESOLUTION NO. _____________

PENINSULA CLEAN ENERGY AUTHORITY, COUNTY OF SAN MATEO,

STATE OF CALIFORNIA

* * * * * *

RESOLUTION FINDING THAT, AS A RESULT OF THE CONTINUING COVID-19 PANDEMIC STATE OF EMERGENCY DECLARED BY GOVERNOR NEWSOM, MEETING IN PERSON FOR MEETINGS OF THE PENINSULA CLEAN ENERGY EXECUTIVE COMMITTEE WOULD PRESENT IMMINENT RISKS TO THE HEALTH OR SAFETY OF ATTENDEES

WHEREAS, on March 4, 2020, the Governor proclaimed pursuant to his authority under the California Emergency Services Act, California Government Code section 8625, that a state of emergency exists with regard to a novel coronavirus (a disease now known as COVID-19); and

WHEREAS, on June 4, 2021, the Governor clarified that the “reopening” of California on June 15, 2021 did not include any change to the proclaimed state of emergency or the powers exercised thereunder, and as of the date of this Resolution, neither the Governor nor the Legislature have exercised their respective powers pursuant to California Government Code section 8629 to lift the state of emergency either by proclamation or by concurrent resolution in the state Legislature; and

WHEREAS, on March 17, 2020, Governor Newsom issued Executive Order N-29-20 that suspended the teleconferencing rules set forth in the California Open Meeting law, Government Code section 54950 et seq. (the “Brown Act”), provided certain requirements were met and followed; and
WHEREAS, on September 16, 2021, Governor Newsom signed AB 361 that provides that a legislative body subject to the Brown Act may continue to meet without fully complying with the teleconferencing rules in the Brown Act provided the legislative body determines that meeting in person would present imminent risks to the health or safety of attendees, and further requires that certain findings be made by the legislative body every thirty (30) days; and,

WHEREAS, California Department of Public Health ("CDPH") and the federal Centers for Disease Control and Prevention ("CDC") caution that the Delta variant of COVID-19, currently the dominant strain of COVID-19 in the country, is more transmissible than prior variants of the virus, may cause more severe illness, and that even fully vaccinated individuals can spread the virus to others resulting in rapid and alarming rates of COVID-19 cases and hospitalizations (https://www.cdc.gov/coronavirus/2019-ncov/variants/delta-variant.html); and,

WHEREAS, the CDC has established a “Community Transmission” metric with 4 tiers designed to reflect a community’s COVID-19 case rate and percent positivity; and,

WHEREAS, the County of San Mateo currently has a Community Transmission metric of “substantial” which is the second most serious of the tiers; and,

WHEREAS, the Committee has an important governmental interest in protecting the health, safety and welfare of those who participate in its meetings;

WHEREAS, on September 25, 2021, the Peninsula Clean Energy Board of Directors approved a thirty (30) day extension of remote meetings in accordance with
AB 361. Out of an abundance of caution given AB 361’s narrative that describes each legislative body’s responsibility to reauthorize remote meetings, staff and counsel bring this resolution to the attention of the Executive Committee, and;

WHEREAS, on September 29, 2021, the Peninsula Clean Energy Executive Committee approved a thirty (30) day extension of remote meetings in accordance with AB 361, and;

WHEREAS, on October 12, 2021, the Peninsula Clean Energy Executive Committee approved a thirty (30) day extension of remote meetings in accordance with AB 361, and;

WHEREAS, in the interest of public health and safety, as affected by the emergency caused by the spread of COVID-19, the Committee deems it necessary to find that meeting in person would present imminent risks to the health or safety of attendees, and thus intends to invoke the provisions of AB 361 related to teleconferencing.

NOW, THEREFORE, IT IS HEREBY DETERMINED AND ORDERED that

1. The recitals set forth above are true and correct.

2. The Committee finds that meeting in person would present imminent risks to the health or safety of attendees.

3. Staff is directed to return no later than thirty (30) days after the adoption of this resolution with an item for the Committee to consider making the
findings required by AB 361 in order to continue meeting under its provisions.

4. Staff is directed to take such other necessary or appropriate actions to implement the intent and purposes of this resolution.

*   *   *   *   *   *
TO: Honorable Peninsula Clean Energy Authority Executive Committee  
FROM: Jan Pepper, Chief Executive Officer, Peninsula Clean Energy Authority  
SUBJECT: Executive Committee Debrief on Peninsula Clean Energy Board Retreat held on September 25, 2021  

BACKGROUND:  
On September 25, 2021, Peninsula Clean Energy held its annual board retreat. At the retreat, staff presented the first annual update to the strategic plan dashboard, and then did a deep dive on the two strategic priorities: 1) delivering 24/7 renewable energy by 2025, and 2) focusing energy programs on the 2045 state goal of 100% greenhouse-gas free. The board received a presentation from Peninsula Clean Energy staff on these two strategic priorities. With regard to the second strategic priority, the board directed staff to adopt a goal of 100% greenhouse gas free by 2035 versus 2045 and to return to the board with a plan for achieving that goal.  

As a refresher, the presentation slides from that meeting can be found here: https://www.peninsulacleanenergy.com/wp-content/uploads/2021/04/09-25-2021-BOD-Retreat-Presentation-1.pdf  

The minutes from the meeting can be found on pages 6 to 12 here: https://www.peninsulacleanenergy.com/wp-content/uploads/2021/04/10-28-2021-BOD-REVISED-Agenda-Packet.pdf  

DISCUSSION:  
This agenda item is to provide an opportunity for members of the Executive Committee to share their thoughts about the topics discussed at the retreat.
# Executive Committee Meeting Schedule 2021

**Location:** Please see posted Agenda for location or teleconference options

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