

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

AGENDA

Wednesday, October 12, 2022

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. Adopt Findings Pursuant to AB 361 to Continue Fully Teleconferenced Committee Meetings Due to Health Risks Posed by In-Person Meetings
2. Approval of the Minutes for the September 12, 2022 Executive Committee Meeting

REGULAR AGENDA

3. Chair Report (Discussion)

4. CEO Report (Discussion)
5. Debrief of the September 22, 2022 Board Retreat (Discussion)
6. Preview of Peninsula Clean Energy Integrated Resource Plan (IRP)(Discussion)
7. Update on GovPV Solar + Storage Program (Discussion)
8. Discussion on Return to In-Person Meetings (Discussion)
9. 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

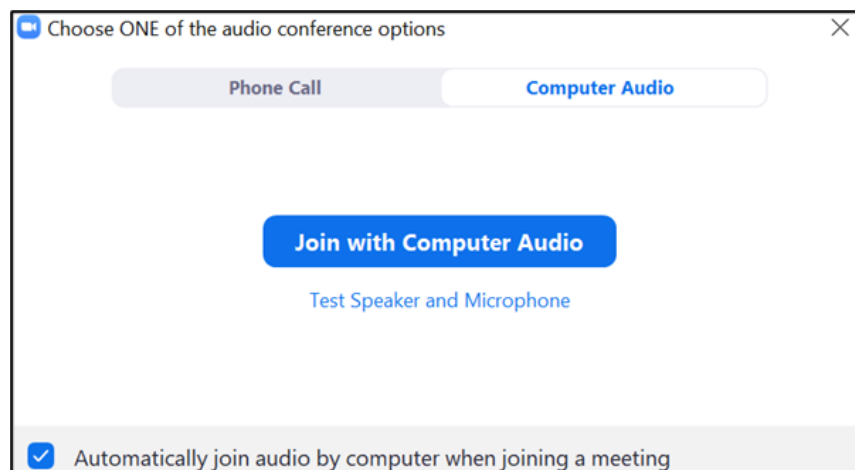
Videoconference Options:

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/83834724993>.
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/83834724993>.
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.

Phone Call		Computer Audio
Country/Region	United States	
Dial	+1 253 215 8782 +1 346 248 7799 +1 720 707 2699 +1 301 715 8592 +1 312 626 6799	
Meeting ID	838 3472 4993	
Participant ID		
Passcode	2075	

4. Please dial +1 (253) 215-8782.
5. You will be instructed to enter the meeting ID: **838-3472-4993 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 (253) 215-8782.
2. You will be instructed to enter the meeting ID: **838-3472-4993 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 **2075 followed by #.**

**PENINSULA CLEAN ENERGY AUTHORITY
JPA Board Correspondence**

DATE: October 7, 2022
COMMITTEE MEETING DATE: October 12, 2022
SPECIAL NOTICE/HEARING: None
VOTE REQUIRED: Majority Present

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.

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 requires that, if the state of emergency remains active for more than thirty (30) days, the agency must make findings by majority vote 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 and make findings regarding the circumstances of the emergency on a thirty (30) day basis. If at least thirty (30) days have transpired since its last meeting,**

the Boards must vote whether to continue to rely upon the law's provision for teleconference procedures in lieu of in-person meetings.

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 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.

On November 8, 2021, the Peninsula Clean Energy Executive Committee approved a thirty (30) day extension of remote meetings in accordance with AB 361.

On December 6, 2021, the Peninsula Clean Energy Executive Committee approved a thirty (30) day extension of remote meetings in accordance with AB 361.

On January 10, 2022, the Peninsula Clean Energy Executive Committee approved a thirty (30) day extension of remote meetings in accordance with AB 361.

On February 14, 2022, the Peninsula Clean Energy Executive Committee approved a thirty (30) day extension of remote meetings in accordance with AB 361.

On March 14, 2022, the Peninsula Clean Energy Executive Committee approved a thirty (30) day extension of remote meetings in accordance with AB 361.

On April 11, 2022, the Peninsula Clean Energy Executive Committee approved a thirty (30) day extension of remote meetings in accordance with AB 361.

On May 9, 2022, the Peninsula Clean Energy Executive Committee approved a thirty (30) day extension of remote meetings in accordance with AB 361.

On August 8, 2022, the Peninsula Clean Energy Executive Committee approved a thirty (30) day extension of remote meetings in accordance with AB 361.

On September 12, 2022, the Peninsula Clean Energy Executive Committee approved a thirty (30) day extension of remote meetings in accordance with AB 361.

DISCUSSION:

Because of continuing concerns regarding COVID-19 transmission, especially when individuals are grouped together in close quarters, 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 risk to the health and safety of attendees. A resolution to that effect and directing staff to agendize the renewal of such findings in the event that thirty (30) days has passed since the Committee's last meeting, 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, on January 5, 2022, Governor Newsom extended the sunset provision of AB361 and Government Code Section 11133(g) to January 1, 2024 due to surges and instability in COVID-19 cases; and,

WHEREAS, California Department of Public Health (“CDPH”) and the federal Centers for Disease Control and Prevention (“CDC”) caution that COVID-19 continues to be highly transmissible and that even fully vaccinated individuals can spread the virus to others; 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, on November 8, 2021, the Peninsula Clean Energy Executive Committee approved a thirty (30) day extension of remote meetings in accordance with AB 361, and;

WHEREAS, on December 6, 2021, the Peninsula Clean Energy Executive Committee approved a thirty (30) day extension of remote meetings in accordance with AB 361, and;

WHEREAS, on January 10, 2022, the Peninsula Clean Energy Executive Committee approved a thirty (30) day extension of remote meetings in accordance with AB 361, and;

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WHEREAS, on May 9, 2022, the Peninsula Clean Energy Executive Committee approved a thirty (30) day extension of remote meetings in accordance with AB 361, and;

WHEREAS, on August 8, 2022, the Peninsula Clean Energy Executive Committee approved a thirty (30) day extension of remote meetings in accordance with AB 361, and;

WHEREAS, on September 12, 2022, 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, or, alternatively, at the next scheduled meeting of the Committee, 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.

* * * * *

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

Monday, September 12, 2022
10:00 a.m.
Zoom Video Conference and Teleconference

CALL TO ORDER

Meeting was called to order at 10:00 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*
Giselle Hale, Redwood City
Marty Medina, San Bruno
Laura Parmer-Lohan, San Carlos
Jeff Aalfs, Portola Valley

Pradeep Gupta, Director Emeritus
John Keener, Director Emeritus

Absent:

Rick Bonilla, San Mateo

A quorum was established.

PUBLIC COMMENT

None

ACTION TO SET AGENDA AND TO APPROVE CONSENT AGENDA ITEMS

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

1. Adopt Findings Pursuant to AB 361 to Continue Fully Teleconferenced Committee Meetings Due to Health Risks Posed by In-Person Meetings
2. Approval of the Minutes for the August 8, 2022 Executive Committee Meeting

MOTION PASSED: 8-0 (Absent: San Mateo)

JURISDICTION	BOARD MEMBER	YES	NO	ABSTAIN	ABSENT
San Mateo County	Director Pine	X			

Atherton	Director DeGolia	X			
Belmont	Director Mates	X			
Burlingame	Director Colson	X			
Redwood City	Director Hale	X			
San Bruno	Director Medina	X			
San Carlos	Director Parmer-Lohan	X			
San Mateo	Director Bonilla				x
Portola Valley	Director Aalfs	X			
	Totals	8			1

REGULAR AGENDA

3. Chair Report

Chair DeGolia reported that the CEO Review Committee has continued to meet and asked, since the next Board Meeting is the Retreat, if this item should proceed without a closed session?

Supervisor Pine replied that it is typical to have a closed session to hear about the review and how everything went. Chair DeGolia shared that in the past the process was to have a closed session and then in the next meeting, vote. Director Medina stated that there should be a closed session as it is an opportunity to go through the review with Jan.

Chair DeGolia concluded that he will plan to schedule a closed session for October and will ask David Silberman to prepare a contract amendment so it can be approved at the October Board meeting.

4. CEO Report

Jan Pepper, Chief Executive Officer, provided a report covering a staffing update and information on the July billing error including that rebilling for amounts over \$1 on any individual bill has begun.

5. Review of September Board Retreat Agenda and Schedule (Discussion)

Jan Pepper, Chief Executive Officer, gave an update to the September Board Retreat Agenda including an update with the Diversity, Equity, Accessibility, and Inclusion (DEAI) item being moved to October to allow more time to discuss this item. In addition, a Power Purchase Agreement has been added to the Agenda.

Vice Chair Colson asked for clarification on if the DEAI item is being removed entirely. Jan explained that yes, to allow more time to discuss this item and to allow the consultant more time to review the item before the meeting.

Shayna Barnes, Operations Specialist, further explained that with the timing of the workshop with the Citizens Advisory Committee (CAC) and Community Based Organizations (CBOs), October works a little bit better to gather feedback from our community groups and incorporate it into the Board packet.

Vice Chair Colson asked if the Retreat packet can have an explanation of why the DEAL item was moved off and that this will allow more time to review in October.

Director Parmer-Lohan noted that she hasn't heard from members on the subcommittee yet and asked if this was part of the plan. Vice Chair Colson explained that the subcommittee has worked diligently but has had some difficulty in coordinating schedules. They are working to include their voices and still engaging Michael Smith even though he is no longer holding a Council seat. Staff is working on presentations and the subcommittee is overseeing the process. The CAC has also been incredibly engaged.

6. Discussion of September 2022 Heat Storm and Response (Discussion)

Jan Pepper, Chief Executive Officer, gave a presentation on the Heat Storm during the span of August 31st – September 9, 2022 including information on the terminology of alerts used during that span, and a summary of events for the week.

Director Hale expressed gratitude at the success of the response and at the ability to avoid disruption. Director Hale also noted this as an opportunity to educate residents so next round they have some tools for resilience. Director Hale also noted the marketing opportunity. Jan added that on the marketing side an email was sent to customers on the 6th and encouraged the power saver rewards program, strategic accounts were called directly, staff posted on Twitter, Facebook and Nextdoor almost daily, as well as posting a notice on the PCE home page, and finally publishing a Q&A on power outages on September 1st.

KJ Janowski, Director of Marketing and Communications, added that our partner, Sunrun, promotes solar with storage as a means of avoiding power outages.

Chair DeGolia commented that the OhmConnect program sent multiple messages daily for demand response and noted that most solar installations have not been with Sunrun. Chair DeGolia added that Peninsula Clean Energy needs a more robust program encouraging and incentivizing people to deploy batteries and noted there are Inflation Reduction Act tax benefits for deploying solar and batteries.

Director Emeritus Gupta added that he personally didn't experience a black out but did experience a brown out. This incident is illustrated by 95% reliability versus 100% reliability plans and is a clear indication on why reliability indexes are so important. Director Emeritus Gupta also noted a negative impact with respect to electrification messaging.

Director Hale added that there is an opportunity with the Inflation Reduction Act, but there is confusion on how to qualify, what you get, and where to go. Giselle noted that there are incentives from Redwood City, Peninsula Clean Energy, BayREN, the State, and the Federal government and that a one stop shop summarizing these programs for residents would help fill in a missing piece.

Director Medina shared that Peninsula Clean Energy should be the most trusted organization and viewed as supportive to the community, and a one stop shop would be beneficial.

Chair DeGolia seconded that a comprehensive summary of all benefits rebates and items related to decarbonization which includes batteries, solar, and electrification is something

that Peninsula Clean Energy could provide and would cause a differentiation from everyone else in the decarbonization world.

Public Comment: David Mauro

7. Committee Members' Reports

Director Medina shared that San Bruno will hopefully have Reach Codes on the agenda at their next City Council Meeting.

Director Hale shared that Redwood City will do a review of Reach Codes to see if a deeper look is needed. Director Hale also shared information on the bond for school districts and wondered if Peninsula Clean Energy will be working with legislators.

Director Parmer-Lohan suggested aligning reach code updates around specific types of appliances and incentivizing community members to do so.

ADJOURNMENT

Meeting was adjourned at 10:48 a.m.