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

AGENDA

Monday, November 7, 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 October 12, 2022 Executive Committee Meeting

REGULAR AGENDA

3. Chair Report (Discussion)
4. CEO Report (Discussion)

5. Discussion on Distributed Energy Resources (DER) Discussion at the California Public Utilities Commission (CPUC)

6. Discussion on potential need for a Policy regarding Emeritus Board Members

7. Discussion on Negative Power Charge Indifference Adjustment (PCIA) Rates

8. Discussion on Remote Meetings Following the Proposed End to the Covid-19 Pandemic in February 2023

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.

![Zoom Audio Call Options](image.png)

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:**

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 #**.
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.
On October 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;

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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, on October 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.

    *   *   *   *   *   *
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 arrived at 10:03 a.m.
- Rick Bonilla, San Mateo
- Jeff Aalfs, Portola Valley

Pradeep Gupta, Director Emeritus, arrived at 10:37 a.m.
John Keener, Director Emeritus

Absent:

A quorum was established.

PUBLIC COMMENT

None

ACTION TO SET AGENDA AND TO APPROVE CONSENT AGENDA ITEMS

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

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

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

<table>
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<th>JURISDICTION</th>
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<td>Director Pine</td>
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REGULAR AGENDA

3. Chair Report

Chair DeGolia reported that the CEO Review Subcommittee has met and will be meeting with Jan before the October 27, 2022 Board of Directors meeting where a closed session will be held.

4. CEO Report

Jan Pepper, Chief Executive Officer, provided a report that covered a staffing update, the upcoming CalCCA Board Retreat, the upcoming all-staff in-person meeting, and the PG&E Generation subsidiary.

Director Bonilla asked what PG&E is proposing to do with the funds raised. Jan explained that it appears the funds may be used for operating costs, hardening the grid for wildfire costs, and avoiding dilution of the stock value of the current company.

Chair DeGolia asked for information on the CalCCA Retreat agenda. Jan shared that some of the items on the agenda including jurisdictional issues, a ruling from the California Energy Commission (CEC), and issues related to the California Public Utilities Commission (CPUC).

5. Debrief of the September 22, 2022 Board Retreat (Discussion)

Chair DeGolia shared that Peninsula Clean Energy staff did an excellent job in focusing on our two strategic goals. In the future he would like to target the discussion to draw out more strategic discussion from the Board. Chair DeGolia would like to see more time for Board Members to discuss the potential ability to influence and educate other load-serving entities on the 24x7 goal and the possibilities around decarbonization. He suggests possibly spending more time on these goals throughout the year or getting staff reports earlier to have a more strategic discussion.

Director Parmer-Lohan noted that it was a heavy lift to determine feasibility of decarbonization by 2035 and believes the next step would be to drill down on certain areas of that goal and determine where Peninsula Clean Energy has control versus where they don’t. Director Parmer-Lohan noted that it is difficult to share ideas in a virtual format and hopes for an in-person meeting next year.
Director Bonilla noted that the retreat went really well and agrees that an in-person meeting would be better. Director Bonilla noted the importance of a one-stop-shop for electrification and reach-code information.

Director Aalfs noted that staff spends a lot of time focusing on the areas that make sense to target for decarbonization including discussions with the subcommittee and other smaller groups. Director Aalfs added that it is difficult to have a meaningful strategic discussion with such a large Board and that the retreat did a good job of updating the Board on current status, but if Board Members want to get more involved, participation in the smaller meeting groups or some other format would be beneficial.

Director Hale noted that she feels good about where Peninsula Clean Energy is in terms of the adopted strategic plan. Director Hale added that Redwood City will be working on another round of reach codes, and that Peninsula Clean Energy should continue to be the backbone of information for cities as they continue advancing these goals.

Director Pine noted that while the retreat was well done, the 24x7 presentation with the heavy dive into the modeling approaches was difficult to take in.

Vice Chair Colson noted that staff did a great job with the presentations and agreed with Director Aalfs that the hard work must occur in smaller working groups. Vice Chair Colson believes the retreat is a great way to showcase the work Peninsula Clean Energy has been doing, check-in against benchmarks, and self-reflect. She added that if these things can be accomplished while also creating a benchmark from which to move forward, then the retreat is valuable. Vice Chair Colson agreed with Director Pine that the high level or detail is difficult. Vice Chair Colson would like to more formally invite partners to attend the retreat to get a read out on Peninsula Clean Energy’s progress including organizations such as Thrive, Sustainable San Mateo County or OneShoreline, and city managers, and green initiative leaders of the cities. Vice Chair Colson believe it is important for Jan to make presentations at the cities, but this is a great way for the community to come together to learn what Peninsula Clean Energy has been doing.

Director Mates noted that the retreat presentation could be used as a tool for new Board Members or refreshing Board Members with different levels of understanding.

Director Bonilla added that more should be said about the efforts taken to avoid blackouts during the September 2022 heat storm, especially as there is pushback from people on the reliability of the electrical system.

Director Emeritus Keener agreed with Director Pine that the level of detail was too high and, in the future, helping new Board Members draw conclusions instead of showing all the work may be the way to go.


Sara Maatta, Senior Renewable Energy and Compliance Analyst, gave a presentation on the Peninsula Clean Energy Integrated Resource Plan (IRP) including regulatory background, assigned greenhouse gas emissions targets, the timing of the California Public Utilities Commission (CPUC) Integrated Resource Plan (IRP) process, the CPUC preferred system plan for 2021, and the 2022-2023 filing requirements. She also explained how we used our 24x7 analysis approach for this year’s IRP submission, as well as the
sections on community outreach, and Peninsula Clean Energy’s modeling approach and results.

Director Emeritus Gupta asked if high EV adoption and low building electrification would change the volume in the forecast that would cause higher load? Sara explained that yes, the IRP load forecasts that we are required to use in this filing for these measures are lower than what we eventually expect.

Chair DeGolia asked about San Mateo County’s rooftop solar adoption in comparison to the state. Sara explained that most solar additions come from new construction, and in San Mateo County the land area that has been developed will go up and not out, which will not add new rooftop area.

Director Emeritus Gupta asked for further clarification on why the geothermal portfolio is decreasing to 49 MW in 2035 compared to 2030. Sara explained that Peninsula Clean Energy is projecting to add geothermal projects to the portfolio through 2026 with the Geysers project ending in 2032, and that by 2035 offshore wind is predicted to be a better fit and more cost effective than adding more geothermal.

Director Aalfs asked how Peninsula Clean Energy’s IRP looks in comparison to other Community Choice Aggregators (CCAs) and if Peninsula Clean Energy is setting a different goal for themselves that get reflected in the IRP document. Sara explained that in 2020 the 24x7 goal was not incorporated but there was good feedback from the CPUC on Peninsula Clean Energy’s modeling approach and analysis, and that there is hope for similar feedback this year.

Chair DeGolia asked why large hydro is not shown on the graphs. Sara explained in 2024 there will be large hydro in the portfolio procuring under an energy only contract structure which is why it is not displayed on slide 34 of the presentation.

Director Emeritus Keener asked where natural gas power is shown on the Preferred System Plans. Sara explained that she would need to double check but believes that SB 100 resources could be shown and that natural gas resources are being reserved for load that is outside the scope of SB 100.

Director Emeritus Gupta asked for a summary on what role demand side planning has played in the IRP. Sara explained that the 24x7 analysis looked at the demand side but that it was a little early to model because there is a lack of data, so for this IRP model demand response programs were not included. Sara added that once there is more data on those programs then future IRPs will include that data.

7. Update on GovPV Solar + Storage Program (Discussion)

Dave Fribush, Distributed Energy Resources Consultant, gave a presentation with an update on the GovPV Solar + Storage Program including information on the Inflation Reduction Act and direct pay, installation procurement update, key details on the EPC contract, information on customer PPA details, and a projected timeline.

Chair DeGolia asked about delay schedules for cities without complications. Dave explained that cities without complications would move forward.

Public Comment: Dave Mauro
8. Discussion on Return to In-Person Meetings (Discussion)

Jennifer Stalzer, Associate General Counsel, explained that at this point there is not an expiration on remote meetings as long as there is a continued state of emergency pursuant to AB 361. The current rules remain in effect until January 2024 unless the State of Emergency expires or is ended by the Governor prior to that date. Jen explained that this does not prevent the organization from moving forward with plans to reconvene in person meetings or hybrid – partially remote, partially in-person – meetings.

Chair DeGolia clarified that a decision needs to come from the state level. Chair DeGolia also added that staff felt that the conference room at 2075 Woodside Road did not have a sufficient amount of space.

Jan Pepper, Chief Executive Officer, explained that the Executive Committee and Audit and Finance Committee would be able to have hybrid meetings at 2075 Woodside Road, and that the room has technology to accomplish that. However, Jan noted there are 29 participants at today’s Executive Committee and if everyone were in person, this group would be too large for the current meeting room. Jan explained that a space has been identified at the Office of Emergency Services at San Mateo County center to potentially hold Peninsula Clean Energy Board Meetings.

Director Pine explained that a new regional operations center was built that includes a meeting room with hybrid technology in Redwood City.

Director Bonilla noted that in-person meetings would be optimal although he would continue to wear a mask. Director Bonilla also added that having a hybrid choice is valuable and we should explore it.

Jennifer noted that the Peninsula Clean Energy Board semi-mirrors the Board of Supervisors and they are currently in a hybrid mode. Jennifer also noted that the State of Emergency could theoretically end at any time and Peninsula Clean Energy should come up with a plan to not be caught off guard in the future.

Vice Chair Colson added that she appreciates how many people show up on Zoom, and how efficient and green it is. Vice Chair Colson noted that she is amenable to a hybrid solution but would be sad if participation falls, as she enjoys hearing from and seeing everyone.

Chair DeGolia added that a hybrid format is very important and has increased attendance and noted that many participants would join online in hybrid format with a guess of having less than 10 in-person. Chair DeGolia noted that many people join online and there will be a serious disappointment if meetings aren’t able to continue in a hybrid format.

9. Committee Members’ Reports

Director Medina shared that reach codes were adopted in San Bruno.

**ADJOURNMENT**

Meeting was adjourned at 11:47 a.m.