

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

Monday, December 5, 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 November 7, 2022 Executive Committee Meeting
3. Approval of 2023 Executive Committee Schedule of Meetings

REGULAR AGENDA

4. Chair Report (Discussion)
5. CEO Report (Discussion)
6. Discussion on Annual PG&E Rate Change
7. Discussion on Net Energy Metering (NEM) 3.0 Proposed Decision
8. 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

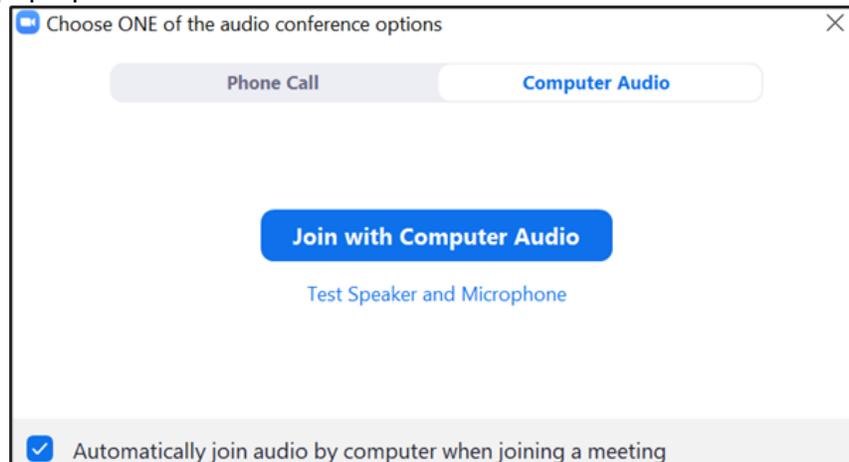
Videoconference Options:

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: December 2, 2022
COMMITTEE MEETING DATE: December 5, 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.

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

On November 7, 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;

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

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

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

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, 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, on November 7, 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, November 7, 2022
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*
 Julia Mates, Belmont
 Donna Colson, Burlingame, *Vice Chair*, arrived at 10:05 a.m.
 Giselle Hale, Redwood City
 Marty Medina, San Bruno
 Laura Parmer-Lohan, San Carlos
 Rick Bonilla, San Mateo
 Jeff Aalfs, Portola Valley, arrived at 10:03 a.m.

Pradeep Gupta, Director Emeritus
 John Keener, Director Emeritus

Absent:

Dave Pine, San Mateo County

A quorum was established.

PUBLIC COMMENT

None

ACTION TO SET AGENDA AND TO APPROVE CONSENT AGENDA ITEMS

MOTION: Director Hale moved, seconded by Director Parmer-Lohan to set the Agenda and approve Agenda Item Numbers 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 October 12, 2022 Executive Committee Meeting

MOTION PASSED: 7-0 (Absent: San Mateo County, Burlingame)

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	7			2

REGULAR AGENDA

3. Chair Report

Chair DeGolia noted that meetings in November and December are moved up one week earlier than the normal cadence.

4. CEO Report

Jan Pepper, Chief Executive Officer, gave a presentation covering staffing updates, a recap of the October all-staff meeting, the upcoming Public Fleets Webinar on November 16th, information on the 2023 All-Electric Leadership Awards, and information on sites for round 2 of the Solar + Storage program.

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

Chair DeGolia introduced the item and explained that Michael Closson, a prior Chair of the Citizens Advisory Committee, was contacted by the California Public Utilities Commission (CPUC) regarding the expansion of Distributed Energy Resources (DER) programs in California communities led by the Investor-Owned Utilities (IOUs). Mr. Closson was concerned that the presentation didn't appear to include Community Choice Aggregators (CCAs).

Michael Closson explained that he joined the meeting on October 19, 2022 and shared updates on Peninsula Clean Energy regarding building electrification, electric vehicles and developing local solar. Michael explained that it seemed as though the IOUs were considering developing a program that would compete with work Peninsula Clean Energy and other CCAs were already doing.

Jan Pepper, Chief Executive Officer, noted that Peninsula Clean Energy is engaged in the High DER Grid Planning Proceeding with the CPUC and that it would be concerning if the IOUs were planning on doing the DER installations themselves.

Jeremy Waen, Director of Regulatory Policy, added that this is related to the High DER docket on what structural changes need to take place within the utilities to enable a distribution grid that supports high DER deployment including changes to business model and market structure for the utility as well as rates and other components to accelerate the deployment of DER. Jeremy added that Peninsula Clean Energy is a party in the case as part of a joint effort with a number of CCAs.

Chair DeGolia noted that it is important that the CPUC ensures the energy grid can support DER and support high DER planning. Chair DeGolia explained that DER is both a grid management issue and a generation issue which directly involves Peninsula Clean Energy.

Director Emeritus Gupta noted that the presentation from the CPUC included integration and optimization as broad objectives, which could impinge on programs that Peninsula Clean Energy is already involved in. Director Emeritus Gupta also noted that electric vehicle charging, and storage of clean energy will affect the grid use and that changes to the grid should be studied carefully.

Director Aalfs asked if two regulatory mechanisms, Federal Energy Regulatory Commission (FERC) Order 1000 and transmission access charge (TAC) reform, are part of the proceeding.

Jeremy responded that he didn't believe these two items were at the core of the proceeding. Jeremy added that this proceeding has a very broad scope and has been moving at a slow pace, with a section of the case looking at utility market structure and business roles while the FERC model focuses on distribution. Jeremy also added with the uptick of electric vehicles, there is a chance to deploy more resources to have control over distributed generation and storage to help provide some smoothing and optimization of the grid.

Chair DeGolia responded that his concern is that the CPUC's language is focusing on the IOUs. Chair DeGolia suggested that this item could provide awareness and encouraged Board members to be involved in the proceedings. He also hoped to see more involvement from municipal utilities and other CCAs.

Director Bonilla shared that there are 26 CCAs in California and that is it important they are not left out of the equation. Director Bonilla asked about CalCCA's position.

Jan shared that 30% of the electric customers in California are CCA customers. Jeremy added that this is a joint CCA venture, but that CalCCA has kept some distance from the case, though as things progresses there can be a renewed push for a trade organization level engagement.

Doug Karpa, Senior Regulatory Analyst, added that 6 CCAs are working together including San Diego Community Power, Peninsula Clean Energy, Silicon Valley Clean Energy, Marin Clean Energy, Sonoma Clean Power and San Jose Clean Energy.

Chair DeGolia asked staff to return with direction to get Board members and CAC members involved in the public meetings that the CPUC is holding.

6. Discussion on Potential Need for a Policy Regarding Emeritus Board Members

Jan Pepper, Chief Executive Officer, provided background on the Emeritus Directors positions and noted that there will be several changes in Board composition for 2023.

Vice Chair Colson asked: if there are term limits, a certain number of directors emeritus, and a fairness element as talking points and pointed out that it is good governance to have established processes and procedures.

Chair DeGolia noted that this business is very technical and challenging and suggested reprising the classes Pradeep Gupta provided 4 or 5 years ago.

Director Bonilla shared that it would be good governance to have a policy for director emeriti, including how many emeriti are included in an already large Board meeting group.

Vice Chair Colson suggested a Board subcommittee to discuss this topic in a smaller context and make a recommendation to the Board. Vice Chair Colson noted that an option of creating a subcommittee comprising of directors' emeritus creates additional work for Staff.

Director Hale suggested exploring options like the Citizens Advisory Committee and noted that one of the most valuable uses with these experienced members is on subcommittees doing the deep work.

Chair DeGolia agreed with creating a subcommittee and asked for volunteers. Vice Chair Colson, Director Hale, and Director Bonilla offered to assist.

Vice Chair Colson suggested additional members on the subcommittee who are not leaving the Peninsula Clean Energy Board in 2023.

Jan suggested that the current Directors Emeriti: Pradeep Gupta or John Keener, also be included.

Director Mates suggested to put this request out to the full Board so others can participate, including some who haven't participated in other committees.

Jennifer Stalzer, Associate General Counsel, asked for clarification on the duration of this subcommittee.

Chair DeGolia suggested this be a one-off discussion with no majority on the Board as to not create a Brown Act violation.

Director Emeritus Keener noted that he would be happy to assist on the subcommittee.

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

Jeremy Waen, Director of Regulatory Policy, explained the outlook for the 2023 rate change including high gas prices and the power charge indifference adjustment (PCIA) being an integral part of rate setting. Jeremy explained that PCIA rates have been low and that the forecast for brown power prices versus actual market prices did not predict the high level of market prices. Jeremy explained that a credit will offset rates in the coming year and that brown power prices continue to be high, so the forecast is expected to keep them high. Jeremy explained that in 2024 the rates may swing upward due to discrepancies in the forecast and that in previous years the California Public Utilities Commission directed the utilities to update their forecasts and he could foresee that happening again. Jeremy explained that due to the high brown power prices, the PCIA rates could be close to zero or slightly negative, which is the first time these rates have gone negative.

Director Aalfs asked if Southern California Edison (SCE) departees are seeing a larger PCIA credit. Jeremy explained that SCE's rates went negative earlier in the year.

Chair DeGolia suggested doing a deeper dive on how to deal with the variance from budget generated by the lower PCIA and suggested that a discount or one-time refund might generate positive press.

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

Jan Pepper, Chief Executive Officer, explained that Governor Newsom plans to end the COVID-19 State of Emergency on February 28, 2023 which will end fully remote meetings through AB 361. This would mean that all electeds would be required to show up in-person for meetings. Jan mentioned that available meeting spaces should also be something to be considered.

Jennifer Stalzer, Associate General Counsel, explained the Governor's decision to lift the State of Emergency reverts the Brown Act to pre-March 2020 as there has been no legislation crafted or approved to allow for hybrid meetings. Jennifer added that to be remote under the Brown Act requires posting an agenda outside your meeting place and allowing the public inside, which limits hybrid options.

Chair DeGolia asked about non-Board members and the general public's participation. Jennifer explained that we have to have the modality for everyone to participate in person, but remote participation is allowed.

Director Hale shared that bills proposed by Redwood City were blocked by the Local Government Committee but emphasized that keeping track of both Board member and members of the public attendance at our public meetings. Director Hale also shared that keeping this item as part of our legislative agenda is important to come up with a solution for remote meetings, especially for a group that draws from a large geography.

Chair DeGolia shared that posting addresses on the agenda and opening up your home to attend public meetings from your home is challenging and hopes that meetings can remain hybrid. Chair DeGolia also noted that attendance since transitioning to remote meetings has been high and he hopes to retain that.

Director Mates shared that as Mayor, she was mindful of encouraging anyone who is sick to rest and not attend meetings where they can get others sick as well.

Director Bonilla shared that it is important to appoint an alternate and share with each alternate if the primary Board member cannot attend.

Vice Chair Colson added that varying the meeting location is something to consider since the Peninsula Clean Energy offices are too small to space out. Vice Chair Colson also added that the number of meetings and odd meeting dates around the holidays are tough, and to consider the efficiency of how often the groups meet.

Nelly Wogberg, Board Clerk, noted that spaces such as the San Mateo County Office of Emergency Services in Redwood City are being considered for the Board of Directors meetings, but that for the Executive Committee and Audit and Finance Meetings, using the Peninsula Clean Energy lobby would probably work well.

Jan Pepper added that Los Banos will be another consideration as they were added during the Covid Pandemic.

Vice Chair Colson added that it would be nice to consider locations in Mid and North San Mateo County to encourage those local constituents as well as making sure that the meeting place is close to public transit. Vice Chair Colson suggested to have the meeting on a location on the coast once a year to encourage people to join in person.

Director Hale encouraged keeping staff remote to promote a healthy work-life balance and to discourage driving, especially late at night.

Chair DeGolia shared that holding meetings on the coast side may discourage the Board from fully attending and that holding meetings simultaneously in multiple locations may be difficult for staff to manage. Chair DeGolia suggested a subcommittee to address these meetings.

Jennifer Stalzer included language from AB 2449 which provides emergency circumstances for allowing remote meetings.

“Note that AB2449 does allow for remote meetings by participants a few times a year in very specific circumstances. A quorum must be met in person. The bill defines "just cause" and "emergency circumstances" for the purposes of teleconferencing. "Just cause" is limited to one or more of the following: (i) a childcare or caregiving need of a child, parent, grandparent, grandchild, sibling, spouse, or domestic partner that requires them to participate remotely; (ii) a contagious illness that prevents a member from attending in person; (iii) a need related to a physical or mental disability as defined by statute; or (iv) travel while on official business of the legislative body or another state or local agency. "Emergency circumstances" means a physical or family medical emergency that prevents a member from attending in person.”

Nelly Wogberg shared that holding meetings in multiple locations at the same time would be challenging.

Director Hale noted that meeting groups such as the Association of Bay Area Governments (ABAG) which are geographically disparate would make good partners in creating legislation.

Vice Chair Colson clarified that her suggestion was to hold meetings in different locations throughout the year and not simultaneously.

Chair DeGolia shared that more discussion should continue in a subcommittee, including Jan Pepper, and that this item should go to the full Board. Chair DeGolia also added that organized efforts will be needed to create legal change.

Jan Pepper noted that Staff will work on this internally and put this on the agenda for an upcoming Board meeting.

9. Committee Members' Reports

None

ADJOURNMENT

Meeting was adjourned at 11:39 a.m.

2023 Executive Committee Meeting Schedule

Location: Please see posted Agenda for location or teleconference options

Meeting Date:	Time:	Location:
January 9, 2023	10:00 am	Video/Teleconference
February 13, 2023	10:00 am	Video/Teleconference
March 13, 2023	10:00 am	Video/Teleconference/TBD
April 10, 2023	10:00 am	Video/Teleconference/TBD
May 8, 2023	10:00 am	Video/Teleconference/TBD
June 12, 2023	10:00 am	Video/Teleconference/TBD
July 10, 2023	10:00 am	Video/Teleconference/TBD
August 14, 2023	10:00 am	Video/Teleconference/TBD
September 11, 2023	10:00 am	Video/Teleconference/TBD
October 16, 2023	10:00 am	Video/Teleconference/TBD
November 6, 2023	10:00 am	Video/Teleconference/TBD
December 11, 2023	10:00 am	Video/Teleconference/TBD