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

**Thursday, September 8, 2022**

**6:30pm**

**Zoom Link:** <https://pencleanenergy.zoom.us/j/84975390654>

**Meeting ID:** 849-7539-0654 **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 Vanessa Shin at least 2 working days before the meeting at [vshin@peninsulacleanenergy.com](mailto:vshin@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 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 Committee and included in the official record, please send to [vshin@peninsulacleanenergy.com](mailto:vshin@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 August 11, 2022 Regular Meeting
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, est. 5 minutes)
4. Public Workshop on Proposed Diversity, Equity, Accessibility, and Inclusion Policy for Peninsula Clean Energy (Discussion, est. 60 minutes)

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>.

5. Brief Overview of Local Impacts of the Inflation Reduction Act (Discussion, est. 15 minutes)
6. Working Group Reports (Discussion, est. 10 minutes)
7. Marketing and Community Liaison Update (Discussion, est. 5 minutes)
8. Upcoming Topics for Discussion (Discussion, est. 5 minutes)
9. Committee Members' Reports (Discussion, est. 5 minutes)

## **ADJOURNMENT**

## 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

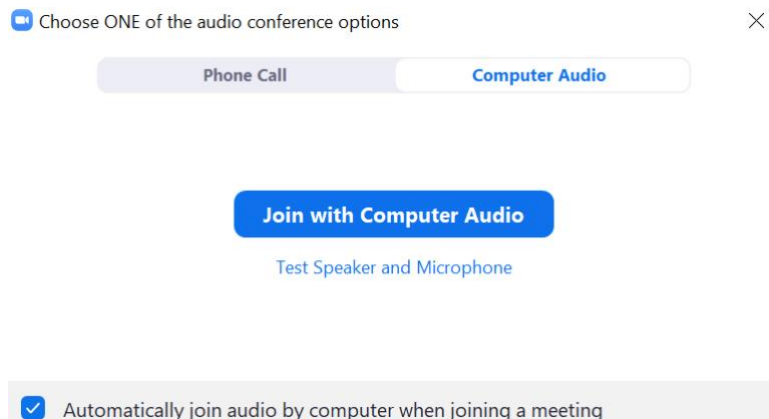
### Videoconference Options:

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/84975390654?pwd=RWZwOUdHMFR3a0R0VmJtemttmIrdz09>
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.

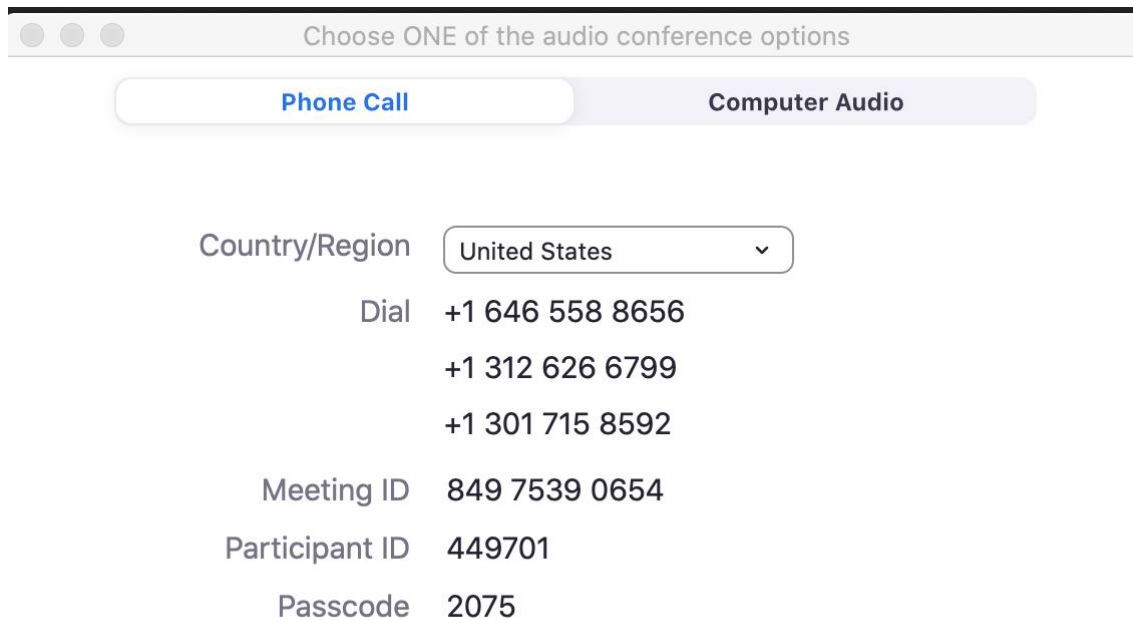


4. Click the blue, “Join with Computer Audio” button

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/84975390654?pwd=RWZwOUdHMFR3a0R0VmJtemttbmIrdz09>
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 audioconference options. Click on the Phone Call option at the top of the pop-up screen.



1. Please dial +1 (253) 215-8782
2. You will be instructed to enter the meeting ID: **849-7539-0654 followed by #**
3. 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.
4. After a few seconds, your phone audio should be connected to the Zoom application on your computer.
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.

### **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:**

Dial +1 (253) 215-8782

You will be instructed to enter the meeting ID: **849-7539-0654 followed by #**

You will be instructed to enter the meeting passcode **2075 followed by #**

**REGULAR MEETING of the Citizens Advisory Committee  
of the Peninsula Clean Energy Authority (PCEA)  
Thursday, August 11, 2022  
MINUTES**

Video conference and teleconference  
6:30 p.m.

**CALL TO ORDER**

Meeting was called to order at 6:33 p.m.

**ROLL CALL**

**Present:**

Daniel Baerwaldt, Los Banos arrived at 7:32 p.m.  
Steven Booker, Half Moon Bay  
Brandon Chan, South San Francisco  
Michael Closson, Menlo Park  
Michael Garvey, San Carlos  
Kathleen Goforth, San Carlos  
Katie Green, San Mateo  
Edward Love, Half Moon Bay  
Jason Mendelson, Redwood City, *Vice Chair*  
Cheryl Schaff, Menlo Park, *Chair*  
Desiree Thayer, Burlingame  
Bryan Tran, South San Francisco

**Absent:**

Diane Bailey, Belmont  
Joe Fullerton, Half Moon Bay  
Margaret Li, South San Francisco

**A quorum was established.**

**PUBLIC COMMENT**

No public comment

**ACTION TO SET THE AGENDA AND APPROVE CONSENT AGENDA**

- 1. Approval of the Minutes for July 14, 2022 Regular Meeting**
- 2. Adopt Findings Pursuant to AB 361 to Continue Fully Teleconferenced  
Committee Meetings Due to Health Risks Posed by In-Person Meetings**

Motion Made / Seconded: Garvey / Chan

**Motion passed 11-0 (Absent: Baerwaldt, Bailey, Fullerton, Li)**

## **REGULAR AGENDA**

### **3. Chair Report (Discussion)**

No Chair Report

### **4. 24/7 Renewable Goal and Modeling Discussion (Discussion)**

Mehdi Shahriari, *Senior Renewable Energy Analyst*, overviewed Peninsula Clean Energy's goal to deliver 100% renewable energy each and every hour of the day by 2025. After introducing the current framework of clean energy procurement, in which Peninsula Clean Energy purchases supplies to meet customer demand on an annual basis, Mehdi described how Peninsula Clean Energy's 24/7 renewable goal advances the decarbonization of the electricity grid. Mehdi also reviewed the use of modeling to identify the least-cost portfolio of energy resources that achieve this goal.

Sara Maatta, *Senior Renewable Energy and Compliance Analyst*, introduced the purpose and timeline of Peninsula Clean Energy's Integrated Resource Planning process. Sara also reviewed the goals and principles guiding Peninsula Clean Energy's planned procurement, such as preference for projects with environmental benefits or the use of competitive solicitations to identify the most cost-effective resources.

Committee members asked questions about Peninsula Clean Energy's current energy sources and discussed the role of various resources, including energy storage, large hydro, and nuclear, in meeting the 24/7 renewable goal.

### **5. Gov PV Solar Program Discussion (Discussion)**

Peter Levitt, *Programs Manager*, described the purpose of Peninsula Clean Energy's Gov PV Solar Program: to accelerate local renewable energy development at local government facilities in the agency's service territory. Peter explained how the innovative financial model employed by this program lowers the cost and complexity of installing solar and storage for local public agencies.

Committee members asked questions about the timeline of the program and number of projects that include storage. Committee members also inquired about the geographic distribution of participating jurisdictions as well as the plans to expand the program to serve other public entities.

### **6. Marketing and Community Liaison Update (Discussion)**

Vanessa Shin, *Community Outreach Specialist*, acknowledged Committee members for participating in user testing for the Zero-Percent Financing program

and highlighted the planned launch date of October 2022. Vanessa also announced that the Youth Climate Ambassadors Program is currently accepting applications from high school students in San Mateo County.

**7. Working Group Reports (Discussion)**

Jason Mendelson, *Vice Chair*, shared that the Building Electrification Education working group convened to coordinate outreach for the upcoming reach code adoption cycle. Desiree Thayer, *Committee member*, communicated that the Education Initiatives working group met to discuss existing education initiatives and brainstorm new ideas for engaging with schools, especially in Los Banos.

Jason Mendelson signed up for the Demand-Side Strategies for 24/7 Grid Decarbonization working group.

**8. Planning Diversity, Equity, Accessibility, and Inclusion Policy Workshop (Discussion)**

Kirsten Andrews-Schwind, *Senior Manager of Community Relations*, provided an update on Peninsula Clean Energy's community workshop on Diversity, Equity, Accessibility, and Inclusion. The workshop is scheduled for the next Citizens Advisory Committee (CAC) meeting on September 8, 2022.

**9. Upcoming Topics for Discussion (Discussion)**

Kirsten Andrews-Schwind reviewed the topics planned for the Peninsula Clean Energy Board of Directors retreat on September 22, 2022 and reviewed the opportunities for CAC members to participate.

Michael Closson, *Committee member*, requested a discussion on Peninsula Clean Energy's goal of creating a minimum of 20 megawatts of new local power by 2025.

**10. Committee Members' Reports (Discussion)**

Desiree Thayer shared information about the Youth for Climate Action Rally in San Mateo on August 23, 2022.

**ADJOURNMENT**

Meeting was adjourned at 8:34 p.m.





**PENINSULA CLEAN ENERGY AUTHORITY**  
**JPA Board Correspondence**

**DATE:** September 1, 2022  
**COMMITTEE MEETING DATE:** September 8, 2022  
**SPECIAL NOTICE/HEARING:** None  
**VOTE REQUIRED:** Majority Present

**TO:** Honorable Peninsula Clean Energy Citizens Advisory 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. On January 5, 2022, Governor Newsom extended the sunset provision of AB361 and Government Code Section 11133(g) from January 31, 2022 to April 1, 2022 due to the surge in Omicron variant related COVID-19 cases and hospitalizations.

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 agendaize 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 now sunset on January 1, 2024.

On September 30, 2021, the Peninsula Clean Energy Citizens Advisory Committee 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 Citizens Advisory Committee.

On October 14, 2021, the Peninsula Clean Energy Citizens Advisory Committee approved a thirty (30) day extension of remote meetings in accordance with AB 361.

On November 4, 2021 the Peninsula Clean Energy Citizens Advisory Committee approved a thirty (30) day extension of remote meetings in accordance with AB 361.

On December 2, 2021 the Peninsula Clean Energy Citizens Advisory Committee approved a thirty (30) day extension of remote meetings in accordance with AB 361.

On January 13, 2022 the Peninsula Clean Energy Citizens Advisory Committee approved a thirty (30) day extension of remote meetings in accordance with AB 361.

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

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

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

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

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

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

On August 11, 2022 the Peninsula Clean Energy Citizens Advisory 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 Citizens Advisory 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 amend 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 CITIZENS ADVISORY COMMITTEE WOULD PRESENT IMMINENT RISKS TO THE HEALTH OR SAFETY OF ATTENDEES**

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**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 30, 2021, the Peninsula Clean Energy Citizens Advisory Committee 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 Citizens Advisory Committee, and;

**WHEREAS**, on October 14, 2021, the Peninsula Clean Energy Citizens Advisory Committee approved a thirty (30) day extension of remote meetings in accordance with AB 361, and;

**WHEREAS**, on November 4, 2021, the Peninsula Clean Energy Citizens Advisory Committee approved a thirty (30) day extension of remote meetings in accordance with AB 361, and;

**WHEREAS**, on December 2, 2021, the Peninsula Clean Energy Citizens Advisory Committee approved a thirty (30) day extension of remote meetings in accordance with AB 361, and;

**WHEREAS**, on January 13, 2022, the Peninsula Clean Energy Citizens Advisory Committee approved a thirty (30) day extension of remote meetings in accordance with AB 361, and;

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

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

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

**WHEREAS**, on May 12, 2022, the Peninsula Clean Energy Citizens Advisory Committee approved a thirty (30) day extension of remote meetings in accordance with AB 361, and;

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

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

**WHEREAS**, on August 11, 2022, the Peninsula Clean Energy Citizens Advisory 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.

\* \* \* \* \*





**PENINSULA CLEAN ENERGY AUTHORITY  
JPA Board Correspondence**

**DATE:** August 26, 2022  
**BOARD MEETING DATE:** September 8, 2022  
**SPECIAL NOTICE/HEARING:** None  
**VOTE REQUIRED:** None

**TO:** Peninsula Clean Energy Citizens Advisory Committee

**FROM:** Jan Pepper, CEO  
Shayna Barnes, Operations Specialist  
Kirsten Andrews-Schwind, Senior Manager of Community Relations

**SUBJECT:** Diversity, Equity, Accessibility, and Inclusion (DEAI) Policy Workshop

**BACKGROUND:**

In July 2020, the Citizens Advisory Committee (CAC) formed an Equity Working Group with the primary task of “ensur[ing] [that] equity is a priority across all working groups and built into PCE strategic priorities.” The CAC’s equity working group created a draft equity statement and brought the draft statement to Peninsula Clean Energy’s Board of Directors at their January 28, 2021 meeting. The draft equity statement is provided below:

*In light of the community’s focus on anti-racism and the Black Lives Matter Movement following the death of George Floyd in May of 2020 and other continuing instances of systemic racism and institutional violence against black people, the Peninsula Clean Energy CAC Equity Working Group has worked over the past few months on a statement that would embody the commitment of the organization to ensure equity and inclusion in their work. The working group recognizes that there are many forms of discrimination that impact people from different backgrounds but the growing awareness of significant violence and discrimination against people of color (BIPOC) is our current focus, and we are committed to developing a framework that will eventually address discrimination in all its forms.*

***Peninsula Clean Energy Citizens Advisory Committee Draft Statement on Equity and Inclusion***

- *Peninsula Clean Energy commits to making anti-racism top of mind during decision making.*
- *Will follow best practices in hiring, vendor selection and project selection*
- *Will use a racial equity lens when developing the community impact report*
- *Develop a means of tracking revenue and formulating a mechanism (qualitative and quantitative) that ensures accountability.*
- *Current board goals - 20% of programs funding going to low-income communities (working on definition)*
- *Pursue equity in energy generation and programs*

- *Low-income households, as well as Black, Hispanic, and Native American households, pay a much larger share of their income on energy bills, straining budgets and putting them at heightened risk of utility shutoffs during the COVID-19 pandemic and recession (<https://www.aceee.org/press-release/2020/09/report-low-income-households-communities-color-face-high-energy-burden>)*

At the Board of Directors Meeting on January 28, 2021, the Board accepted the above draft equity statement and formed a Diversity, Equity, Accessibility, and Inclusion Subcommittee to build on the statement and create a DEAI organizational policy and action plan for Peninsula Clean Energy. Board members on this subcommittee include Directors Donna Colson, Michael Smith, Sam Hindi, Carlos Romero, and Roderick Daus-Magbual.

### **Senate Bill 255 and Utility Supplier Diversity**

In addition to the CAC Draft Statement on Equity and Inclusion serving as a catalyst for undertaking the DEAI work, Peninsula Clean Energy has new regulatory compliance reporting obligations regarding DEAI under Senate Bill (SB) 255 (Bradford). SB 255 is a bill signed by Governor Newsom in October 2019 that amended the Public Utilities Code Sections 366.2 and 8283 and brought Community Choice Aggregators into the California Public Utilities Commission's (CPUC's) Utility Supplier Diversity Program. The Utility Supplier Diversity Program's framework and guidelines are laid out in the CPUC's General Order (GO) 156. To comply with SB 255 and GO 156, CCAs like Peninsula Clean Energy must annually submit a detailed and verifiable plan for increasing procurement from small, local, and diverse business enterprises, and a report that details our activities supporting diverse business enterprises and the amount of our procurement spend going towards these businesses in the prior year. This program focuses on the positive downstream economic effects of including diverse suppliers in utilities' supply chains. Compliance with SB 255 and GO 156 is another consideration that staff and the Board subcommittee contemplated when drafting the Request for Proposals and selecting the consultant team to carry out the DEAI work.

### **Selection of DEAI Consultant**

To create the DEAI organizational statement/policy and action plan, Peninsula Clean Energy staff drafted a Request for Proposals (RFP) for DEAI consulting services under direction from the DEAI subcommittee to be released as a competitive solicitation. The Request for Proposals was released in early May 2021 with responses due in mid-June 2021. Staff received eight responses to this RFP and interviewed three top consultants with the Board subcommittee in early July. The Board subcommittee recommended that the consultant team from GCAP Services, Inc. be selected to carry out the DEAI work as they were the best fit for Peninsula Clean Energy's range of needs, including regulatory compliance with SB 255 and GO 156. The full Peninsula Clean Energy Board approved the contract with GCAP Services, Inc. at the Board meeting on October 28, 2021.

### **Project Background and Status**

The DEAI work began in mid November 2021, with a kickoff meeting with the selected consultant, GCAP, on November 15, 2021. GCAP and Peninsula Clean Energy staff covered the following items in the kickoff meeting:

- Introductions
- Data Collection and Discovery Process
- Project Management Meetings/Calls Schedule

- Project Schedule

Task 1 of the Scope of Work called for GCAP to conduct a regulatory review of General Order 156, Senate Bill 255, and Proposition 209 and to identify best practices to improve performance on required metrics. At the kickoff meeting, staff and the consultant team agreed that it made sense to conduct this regulatory review in conjunction with subsequent tasks on the project schedule (allowing us to proceed to other tasks before the regulatory review was complete). Staff also agreed to move the deliverable for Task 1 (brief report identifying organization-specific areas for improvement and recommendations, and best practices), to later in the project schedule so that the recommendations could be informed by the DEAI needs assessment phase of the project (the survey phase). With these considerations in mind, staff and the consultant team met on November 17, 2021 to start brainstorming a list of stakeholders to whom we would send the DEAI survey. The initial list of stakeholders was further built out by staff over the following month and a half and ultimately included the following groups:

- Staff, including consultants and prior staff
- Peninsula Clean Energy Board Members and Alternates
- Peninsula Clean Energy Citizens Advisory Committee Members
- City Managers and City Sustainability Staff
- Outreach Grantees, Applicants, and Contractors
- Business Organizations, including Ethnic Chambers of Commerce
- Trade Organizations
- Other key community stakeholders (including core social service agencies, other nonprofit organizations, county contacts)

In the first month of the project (mid-November to mid-December, 2021), GCAP started their review of Proposition 209, Senate Bill 255, and General Order 156. They also started their initial review of other Peninsula Clean Energy policies and documents that would be updated as part of Task 4 of the project. These documents include Peninsula Clean Energy's Strategic Plan, Employee Handbook, and Policy #9 Ethical Vendor Standards, and Policy #10 Inclusive and Sustainable Workforce Policy. They also started drafting questions for the survey in Task 2, the organizational needs assessment phase of the project.

The majority of the second month of the project (mid-December 2021 to mid-January 2022) was spent on development of the DEAI needs assessment survey. GCAP provided the initial draft of survey questions for internal and external stakeholders to Peninsula Clean Energy staff on January 4, 2022. Staff and the consultant team decided to have two survey types: internal (for staff, former staff, and contractors), and external (all other stakeholders). Peninsula Clean Energy staff conducted an internal review of the questions and provided comments to GCAP. GCAP and Peninsula Clean Energy then reviewed the survey questions and feedback together on January 7, 2022. Peninsula Clean Energy staff asked GCAP to add in more questions about environmental justice to the external-facing survey. Staff provided GCAP with the report *Building a Just Energy Future: A Framework for Community Choice Aggregators to Power Equity and Democracy in California* from the California Environmental Justice Alliance (CEJA) to use as a resource when coming up with questions that centered environmental justice, energy equity, and democracy.

In the third month of the project (mid-January to mid-February 2022), Peninsula Clean Energy staff and the consultant team continued working on refining the survey questions. GCAP provided another draft of the survey questions that included assessment questions from the CEJA report mentioned above. Peninsula Clean Energy staff then added additional questions

from this report. The questions added from the CEJA report focused on the following five subject areas:

1. Coordination with Local Community-Based Organizations (CBOs)
2. Accessible Information and Outreach
3. Community-Driven Local Program Design
4. Transparent Decision-Making
5. Local and State Accountability

Staff and the consultant team also started to prepare to meet with the DEAI subcommittee to review the survey. The team met with the Board DEAI subcommittee on January 27, 2022 to review the definitions of Diversity, Equity, Accessibility, and Inclusion, the survey questions, and survey stakeholder groups to be interviewed. At this meeting, the consultant team also reviewed the survey goals, objectives, design, format, and process. GCAP and Peninsula Clean Energy staff incorporated feedback from the Board subcommittee into the survey definitions and questions. Peninsula Clean Energy staff did two more reviews of the survey: one with GCAP on February 4, 2022, and one with just internal staff on February 8, 2022. GCAP incorporated final comments from staff and the survey went live on February 9, 2022. The survey was open until mid-March 2022.

After the survey closed, GCAP started analyzing the survey responses and drafting a survey report and appendices. There was a total of 34 submissions for the internal survey and 117 submissions for the external survey. The consultant team also started preparing for the second part of the needs assessment phase of the project: interview of key stakeholder groups. Peninsula Clean Energy staff suggested several stakeholders to interview and then asked GCAP to suggest the remainder based off the open text responses to the survey. Ultimately, 13 stakeholders were chosen for interviews: 5 internal (staff and former staff) and 8 external (Board members, CAC members, program participants and outreach grantees). Stakeholders were interviewed in April and May 2022. GCAP provided a draft survey report to Peninsula Clean Energy staff in early May 2022 and presented the preliminary key findings from the survey to the Citizens Advisory Committee at their meeting on May 12, 2022. GCAP incorporated comments from both staff and the CAC into the final survey report and disaggregated the survey responses for each key finding by demographics at Peninsula Clean Energy's staff suggestion. The final survey report and appendices were provided to the Board DEAI subcommittee on June 30, 2022 and the subcommittee met on July 7, 2022. GCAP provided a project status update to the Board subcommittee at the July 7 meeting and Peninsula Clean Energy staff asked for any questions or comments from the Board subcommittee on the survey report, appendices, and key observations from the survey at that meeting. At that meeting, subcommittee members decided to have staff share the survey report and appendices with the full Board. The survey report and its 6 appendices were included in the Board packet for the July 28, 2022 Board meeting. At the Board meeting on July 28, the consultant team from GCAP presented a status update on the DEAI project and PCE Staff member Shayna Barnes presented on the high-level takeaways from the needs assessment phase of the project.

With the needs assessment phase of the project complete, GCAP and the Peninsula Clean Energy project team have begun progressing to other tasks in the project schedule. GCAP provided Peninsula Clean Energy staff with a first draft of the regulatory and legislative analysis of Proposition 209, Senate Bill 255, and General Order 156 as Task 1 of the project. This report has been reviewed by PCE staff and counsel and returned to GCAP for final edits.

GCAP has completed drafting Peninsula Clean Energy's future DEAI policy, incorporating edits from Peninsula Clean Energy executives and the DEAI project team. The draft DEAI policy uses

the CAC's equity statement as a foundation and incorporates themes gleaned from the DEAI needs assessment phase of the project (survey and interviews), references elements of other Peninsula Clean Energy policies (like Policy #10: Inclusive and Sustainable Workforce) and incorporates industry best practices. Peninsula Clean Energy staff and GCAP have scheduled 3 workshops during the months of August and September to get stakeholder feedback on the draft DEAI policy. Two of the workshops have already been held during August:

1. Peninsula Clean Energy staff, August 16
2. Peninsula Clean Energy Board DEAI Subcommittee, August 19

The final workshop will be held at the CAC meeting on September 8 with the following groups:

3. Citizens Advisory Committee and Community Based Organizations, September 8th

After feedback is received from these stakeholder groups, GCAP will edit the draft DEAI policy to incorporate the feedback received, and we will have the Peninsula Clean Energy Board approve the final policy at the September Board meeting.

GCAP is working on several outstanding deliverables in addition to the DEAI policy. This includes a DEAI action plan for Peninsula Clean Energy that will be used to create and implement DEAI practices and metrics throughout our organization. GCAP is also working on suggesting edits to the organizational policies and documents mentioned above (strategic plan, employee handbook, policies #9 and #10) in addition to employee handbook attachments, family leave policy, standard contract, and solicitation documents. At the end of their engagement, GCAP will provide a final presentation to the Peninsula Clean Energy Board on the entire DEAI project.

### **DISCUSSION:**

As described earlier in this memo, Peninsula Clean Energy and the GCAP project team are seeking input from a range of stakeholders on our draft DEAI policy for our organization. The intent of the September 8 workshop that will be held at the CAC meeting is to receive feedback on the draft policy from the Citizens Advisory Committee, community partners, and the broader community. Peninsula Clean Energy staff is conducting outreach with our community partners to help ensure robust participation in the DEAI policy workshop. Our consultant GCAP Services will be taking notes at the scheduled workshop to capture any verbal feedback given at that time. Staff have also created a webpage: <https://www.peninsulacleanenergy.com/deai/> where written feedback on the policy can be received in multiple languages up until September 8 at 11:59pm. **Prior to the workshop start on September 8, we are asking CAC members and community partners to read the draft DEAI policy that is included in this agenda packet and on the aforementioned webpage and to prepare initial answers to the following prompts/pre-work:**

### **Discussion Prompts**

1. Conceptual / High Level Feedback
  - a. Is the purpose of the policy clear and complete?
  - b. Is the scope of the policy accurate and complete?
  - c. Is the content relevant?
  - d. Are all known audiences/customers/users of the policy described thoroughly and accurately?
2. Detailed / Low-level feedback

- a. Is the flow and structure of the policy logical to follow?
- b. Is the document concise and clear?
- c. Is the terminology understandable by all audiences/customers/users of the policy?
- d. What relevant content is missing and should be added?**
- e. What content is inaccurate, incomplete, or unclear and should be modified?**
- f. What content is inappropriate and should be removed?**

I have bolded the three discussion prompts above that we will focus on during the community workshop on September 8. We look forward to receiving feedback from the CAC, our community partners, and the broader community at the workshop.

### **STRATEGIC PLAN:**

The DEAI Initiative supports the Organizational Excellence pillar of the strategic plan to *ensure organizational excellence by adhering to sustainable business practices and fostering a workplace culture of innovation, diversity, transparency, and integrity*. This initiative seeks to support the following objectives and key tactics under this pillar:

Objective A: Culture and People: Foster a workplace culture that attracts and develops exceptional talent and values all people

- Key Tactic 3: Ensure that our recruitment processes are designed to attract high caliber and diverse applicants

Objective D: External Vendor Partners: Implement Vendor Policies that embrace diversity and inclusion and that optimize engagement results

- Key Tactic 1: Develop methods to ensure adherence to the organization's Inclusive and Sustainable Workforce Policy
- Key Tactic 2: Develop methods to ensure adherence to the organization's Ethical Vendor Standards Policy

This initiative also supports the Community Energy Programs pillar of the strategic plan to *implement robust energy programs that reduce greenhouse gas emissions, align energy supply and demand, and provide benefits to community stakeholder groups*. The DEAI initiative seeks to support the following objectives and key tactics under this pillar:

Objective B: Community Benefits: Deliver tangible benefits throughout our diverse communities

- Key Tactic 1: Invest in programs that benefit underserved communities
- Key Tactic 3: Support workforce development programs in the County

**Subject:** Diversity, Equity, Accessibility, and Inclusion (DEAI) Policy

## 1. Commitment to DEAI

Peninsula Clean Energy (PCE) has a vision of a sustainable world with clean energy for everyone. We recognize there are longstanding systemic barriers that impede the advancement of fair and inclusive policies and limit the full participation of historically underserved and disadvantaged communities. This includes our stakeholders that face the most adverse impacts from economic, health, and environmental burdens. PCE recognizes that we have an obligation to maximize our efforts to eliminate disparities and ensure that our programs, policies, and practices are accessible, inclusive, and safe for everyone in the geographic markets we serve.

PCE commits to making diversity, equity, accessibility, and inclusion a priority during decision making. We firmly uphold diversity, equity, accessibility, and inclusion as core values. The PCE team, including all staff, Board of Directors, committees, and community groups, is committed to this DEAI policy. This policy is a foundation for operating our business and PCE’s goals as detailed in the [Strategic Plan 2020-2025](#).

The PCE DEAI Policy XX will help guide our work in the DEAI space. This document outlines the definitions, application, details, responsibility, enforcement, and communication of the policy and is in compliance with PCE’s [Policy 10: Inclusive and Sustainable Workforce](#). It will help establish objectives and measure progress as we integrate DEAI initiatives into our programs, policies, and practices and strive towards our mission to reduce greenhouse gas emissions by expanding access to sustainable and affordable energy solutions.

## 2. Definitions

- a. **Diversity:** Diversity is the presence of differences in people within a community, school or other organization that may include race, gender, religion, sexual orientation, ethnicity, nationality, socioeconomic status, language, (dis)ability, age, or religious commitment. An intersectional approach to diversity goes beyond merely counting different kinds of representation in a group, but also recognizes differences in power dynamics between different identities, and how to equitably include and empower individuals from different backgrounds to participate within groups, decision making processes, and social justice movements.

- b. **Equity:** Equity acknowledges historical factors that created oppressive societal structures and recognizes that we do not all start from the same place and must make adjustments to imbalances by providing power or resources to historically oppressed groups and persons. Equity promotes justice, impartiality, and fairness within the procedures, processes, and distribution of resources by institutions or systems. A commitment to equity also involves a dedication to anti-racism: a commitment to challenge and actively change racist ideas and actions at the individual, institutional, and systemic levels.
- c. **Accessibility:** Accessibility means including people with physical and mental disabilities in both its customer base and workforce. Accessibility also means having systems and programs accessible to all individuals regardless of their socioeconomic status, digital access, or language.
- d. **Inclusion:** Inclusion outcomes are met when you, your institution, and your program are genuinely inviting to all. It is based on the degree to which diverse individuals can participate fully in the decision-making processes and development opportunities within an organization or group thus empowering them.

### 3. Application

This policy applies to all PCE Staff, Board of Directors, and Citizens Advisory Committee (CAC) members, and is in compliance with the specifications of PCE's [Policy 10: Inclusive and Sustainable Workforce](#).

### 4. Details of Policy

- a. DEAI Commitment

PCE has established this DEAI policy as a commitment to making diversity, equity, accessibility, and inclusion a priority within the organization.

- b. Recruitment

PCE will prioritize our recruiting and hiring outreach initiatives to increase the number of under-represented communities in our workforce. Recruitment efforts will be in compliance with PCE's [Policy 10: Inclusive and Sustainable Workforce](#) (see *PCE Staff* section).



c. Onboarding

As new employees join the organization, PCE will communicate the organization's commitment to DEAI throughout the onboarding process with specific examples from which they can benefit and opportunities to be involved.

d. Compensation, Employee Review Scoring, and Promotions

PCE supports equity in compensation, employee reviews, and promotions. We will develop human resources practices to address unconscious bias in determining compensation, performance ratings, and promotions.

PCE Board of Directors, executive leadership, and all supervisorial staff will review adopted diversity metrics and progress to goals and targets for hiring, workforce representation, promotions, terminations/retention, and other related DEAI areas on an annual basis.

e. DEAI Learning and Development

PCE understands the importance of involving employees in discussions regarding DEAI and ensuring that all employees have access to learn and develop their knowledge, skills, and abilities. All PCE employees will be provided with opportunities to participate in formal DEAI learning and development opportunities.

f. Professional Development

All PCE staff, regardless of race, gender, ability, age, or sexual orientation will be provided equitable opportunities to maintain, improve and strengthen their knowledge, expertise, and competence to perform their job duties and execute on the strategic plan.

g. Leadership and Staff Accountability

PCE Board of Directors, executive leadership, and all staff are expected to support PCE's DEAI policy and related initiatives in their work at PCE.

All PCE staff will have DEAI performance goal(s) and metrics in their annual performance plans that will be tied to key performance indicators in the Strategic Plan. These goals will be included in staff's performance evaluations and will be taken into account in compensation adjustments. DEAI goals will be a part of a DEAI Metrics Dashboard<sup>1</sup> leadership will receive and review quarterly.

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<sup>1</sup> Will be detailed in the PCE DEAI Action Plan.

PCE staff will be provided opportunities to develop their knowledge, skills, and abilities to become inclusive leaders. PCE will appoint or hire staff to lead DEAI initiatives.

h. Vendor Diversity

We will create opportunities for businesses who bring greater diversity to PCE through initiatives such as targeted outreach and marketing. This is in compliance with PCE's [Policy 10: Inclusive and Sustainable Workforce](#) and California Proposition 209 (see *Supply Chain* section).

i. Accessibility

Managers will be trained to support employees with disabilities. DEAI learning and development will include education on how to hire and create an inclusive culture for people with disabilities.

Accommodation requests, and the accommodations implemented, for people with disabilities should be budgeted for, tracked, results measured, and reported to leadership as part of the DEAI scorecard.

PCE internal and external websites will be compliant with Americans with Disability Act (ADA) and Web Content Accessibility Guidelines (WCAG). The websites will be accessible to people with disabilities and audited at least annually to ensure accessibility.

j. Communication & Outreach

PCE will utilize an equity lens when developing and distributing communication and outreach materials for programs and projects to improve informational awareness and increase inclusion and accessibility throughout the communities we serve by making PCE materials available in languages needed to reach target populations, providing accommodations for people with disabilities, and other methods. Imagery included in our communications and outreach materials will mirror the diversity of the communities we serve. The terminology utilized will be gender-neutral and respectful of the diverse community we serve.

## k. Energy Generation and Programs

PCE will adopt policies, programs, and requirements to achieve energy equity and democracy to low-income households, which include a disproportionate number of households with people of color as they utilize a larger share of their income on energy bills, straining budgets and putting people of color at a heightened risk of utility shutoffs during times of economic hardships. These efforts will be in compliance with PCE's [Policy 10: Inclusive and Sustainable Workforce](#) (see *Inclusive Business Practices* section).

PCE will seek input and gain feedback from a wide and diverse set of community members when developing policies, programs, and requirements to achieve energy equity and democracy for low-income households. PCE will also ensure that PCE programs are designed and evaluated through a DEAI lens to allow underserved and underrepresented communities (all rate payers and program participants) to participate equitably in PCE programs.

## 5. Party Responsible for Policy

PCE executive leadership will appoint a staff DEAI Council<sup>2</sup> that will be responsible for operationally implementing this policy throughout the organization. A member of the executive leadership team will attend and participate in staff DEAI Council meetings.

## 6. Policy Enforcement

### a. Monitor and Measure

The PCE DEAI Council will monitor and measure all DEAI commitments and initiatives. The Council will report to the PCE's executive leadership and the Board of Directors on the progress and status of initiative tasks and suggest modifications as needed.

### b. Enforcement

All employees are expected to be aware of PCE's policies around DEAI and share the responsibility of upholding the policies. If an employee notes that a section of the policy is not being upheld, they are encouraged to bring it to the attention of PCE's Human Resources Director or one of the members of the DEAI Council.

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<sup>2</sup> See Footnote 1.

# DRAFT

Issues and non-compliance will be brought to the attention of PCE executive leadership and the Human Resources Department for resolution.

c. Review

The PCE DEAI Council will review the DEAI policy with the Board of Directors and management on an as-needed basis.

## 7. Communication of Policy

The PCE DEAI Policy will be posted and available on the PCE website under [Key Documents](#). If any updates are made to the policy, all employees will be notified within 30 calendar days.