

**Board of Directors Meeting Action Agenda**

May 27, 2021, 2 p.m.

City of Solana Beach | Virtual Meeting

Members of the public can watch the meeting live by clicking the Live Stream Link at:

<https://thecleanenergyalliance.org/agendas-minutes/>

or

<https://www.youtube.com/channel/UCGXJILzITUJOCZwVGpYoC8Q>

To participate via telephone:

(669) 900-9128; Meeting ID: 951 3861 9424

Per State of California Executive Order N-29-20, and in interest of public health and safety, we are temporarily taking actions to prevent and mitigate the effects of the COVID-19 pandemic by holding Clean Energy Alliance Joint Powers Authority meetings electronically or by teleconferencing. All public meetings will comply with public noticing requirements in the Brown Act and will be made accessible electronically to all members of the public seeking to observe and address the Clean Energy Alliance Joint Powers Authority Board of Directors.

You can participate in the meeting by e-mailing your comments to the Secretary at [secretary@thecleanenergyalliance.org](mailto:secretary@thecleanenergyalliance.org) 1 hour prior to commencement of the meeting. If you desire to have your comment read into the record at the meeting, please indicate so in the first line of your e-mail and limit your e-mail to 500 words or less. These procedures shall remain in place during the period in which state or local health officials have imposed or recommended social distancing measures.

**CALL TO ORDER:** 2:00 p.m.

**ROLL CALL:** Board Member Druker, Vice Chair Bhat-Patel, Chair Becker

**FLAG SALUTE:** Chair Becker led the flag salute.

**BOARD COMMENTS & ANNOUNCEMENTS:** Chair Becker thanked staff on behalf of the member cities for their experience and guidance in launching CEA.

**PRESENTATIONS**

Clean Energy Alliance Flips the Switch! - Recognition of Clean Energy Alliance Launch – Video Presentation

Interim CEO Barbara Boswell expressed gratitude to the Board for their leadership and guidance and to the member cities for their support in launching CEA and bringing cleaner energy to the region and presented the Clean Energy Alliance Flips the Switch video in celebration of the launch.

**PUBLIC COMMENT:** None

**APPROVAL OF MINUTES**

Minutes of the Regular Meeting held April 22, 2021

**ACTION: Approved unanimously, 3/0.**

**Consent Calendar**

**Item 1: Clean Energy Alliance Treasurer's Report**

**RECOMMENDATION**

Receive and File Clean Energy Alliance Interim Treasurer's Report.

**Item 2: Adopt Resolution Setting Time and Place for Clean Energy Alliance Board Meetings July 2021 – June 2022**

**RECOMMENDATION**

Adopt Resolution No. 2021-010 Setting Time and Place for Clean Energy Alliance Board Meetings July 2021 – June 2022.

**Item 3: Approve Increase in Keyes & Fox Legal Services Agreement**

**RECOMMENDATION**

Approve Increase in Keyes & Fox Legal Services Agreement from \$120,000 to a not to exceed amount of \$150,000 and authorize the Interim Chief Executive Officer to execute all documents, subject to General Counsel approval.

**ACTION: Approved unanimously, 3/0.**

**New Business**

**Item 4: Clean Energy Alliance Interim Chief Executive Officer Operational, Administrative and Regulatory Affairs Update**

**RECOMMENDATION**

- 1) Receive and file Community Choice Aggregation Update Report from Interim CEO.
- 2) Receive and file Community Choice Aggregation Regulatory Affairs Report from Special Counsel.

Interim CEO Barbara Boswell gave an update highlighting Call Center activity; total participation of 95%; Green Impact Opt Up of 186 and no Opt Downs to Clean Impact; and customer outreach events.

Ms. Boswell commented regarding the Western Community Energy CCE declaring a fiscal emergency and filing for Chapter 9. Ms. Boswell assured that CEA is not in the same position and has a very conservative Energy Risk Management Policy that is used to manage CEA portfolio and procurement and ensures compliance for sufficient energy procurement to meet CEA's needs.

Special Council Ty Tosdal updated the Board on the following regulatory affairs: AB 1139 Net Energy Metering (NEM) proceeding commenting that this bill eliminates grandfathering for customers who have been on any previous NEM tariff for more than 10 years; makes projects eligible for the new tariff after 2023 public works projects and imposes interconnection fees and wholesale new generation credits on the NEM tariff if the CPUC does not adopt a new tariff by February 2022. Mr. Tosdal commented regarding the NEM proceedings and the large number of proposals under consideration with utilities and solar developers on opposite ends of the spectrum. He commented that the Joint Investor Owned Utility proposal would default new NEM customers onto new Time of Use rates, set new export compensation and impose grids benefit charge commensurate to size of system and a customer charge to recover billing costs. The California Solar and Storage Association (CALSSA) would step down existing export compensation to 45% of retail based on capacity thresholds, provide full retail compensation for exports from low income, CARE and multi-family customers with no changes to commercial customers. This proposal also indicates monthly true ups would be appropriate. Solar developers are concerned rates could be structured in a way that customers would no longer see the benefit of solar and the demand would dissipate. A proposed decision is anticipated for end of year. Mr. Tosdal updated on PCIA Decision indicating that the Revised Proposed Decision lifts annual PCIA cap but leaves cap in place for SDG&E in 2021; adopts RPS but rejects RA and GHG-free allocation mechanisms and declines to address ERRA timing issues. Lastly, the CPUC issued a Proposed Decision recommending against further expansion of direct access.

Board questions and comments included inquiry regarding how AB 1139 might sync with California Legislature decision; CEA watch position; and what is the earliest benefit date to CEA if SB 612 passed.

Mr. Tosdal commented that the Legislature decision prevails over CPUC decision, and the Commission would have to restructure NEM program to accommodate and implement provisions of the bill. Regardless of the outcome there would be no direct impact on CCA rates. Regarding SB 612, 2023 would be the earliest benefit year but cap would be lifted in 2022.

**ACTION: Reports received.**

- Item 5: Review Proposed Clean Energy Alliance Fiscal Year 21/22 Budget and Schedule Adoption for June 24, 2021**

**RECOMMENDATION**

Review Proposed Fiscal Year 21/22 Budget and Schedule Adoption for June 24, 2021.

Interim CEO Barbara Boswell gave an overview of the CEA FY21/22 Budget and reviewed the additions recommended to the draft budget or a Program/Key Account Manager position and a Human Resources Consultant.

**ACTION: Board consensus to revisit the recommended additions in the fall when CEA has been operational for a few months and schedule budget adoption for June 24, 2021.**

**Item 6: Adopt Resolution Establishing Policy for Adding New Member Agencies to Clean Energy Alliance**

**RECOMMENDATION**

Adopt Resolution No. 2021-011 Establishing Policy for Adding New Member Agencies to Clean Energy Alliance.

Interim CEO Barbara Boswell gave the presentation outlining the policy for adding new members to the CEA.

Board comments and questions included estimates for startup costs; policy of City of San Diego; possible viewed impediments for joining CEA; alternatives to consider for startup costs; and CALCCA policies that could be shared.

Ms. Boswell indicated that estimated start up cost is approximately \$50,000 which could be shared by all members joining at the same time and commented that she is not aware of a City of San Diego policy.

**ACTION: Approved unanimously, 3/0.**

**Item 7: Approve Response to County of San Diego Requesting CCE Information**

**RECOMMENDATION**

Approve response to County of San Diego requesting CCE information.

Interim CEO Barbara Boswell gave the presentation reviewing the request from the San Diego Board of Supervisors (BOS) to engage in discussion with Clean Energy Alliance and San Diego Community Power and return to the BOS in August 2021 with options and the response to the County.

**ACTION: Approved unanimously, 3/0.**

**Item 8: Approval of Agreement for the Procurement of Long-Term Renewable Power Supply with Shell Energy North America**

**RECOMMENDATION**

Authorize the Interim Chief Executive Officer to execute a power purchase agreement with Shell Energy North America for the procurement of long-term renewable power supply, subject to Special Transactions Counsel approval.

Interim CEO Barbara Boswell gave an overview of SB350 and indicated that the transfer of Solana Energy Alliance (SEA) customers to CEA would also transfer the 65% of state mandated renewable energy standards since SEA served customers through May 2021. SEA selected Shell Energy North America to fulfill the requirement and execution of the agreement ensures compliance with SB350.

Board comments and questions included: what percent would be procured for SEA/CEA needs; currently covering SEA renewable requirements and future covering CEA renewable requirements; and developing local renewable options.

**ACTION: Approved, 2/1**

**BOARD MEMBER REQUESTS FOR FUTURE AGENDA ITEMS**

The Board requested that the subject of returning to in-house meetings be placed on the July agenda.

**ADJOURN:** 3:26 pm.

**NEXT MEETING:** June 24, 2021, 2 p.m., hosted by Carlsbad (Virtual Meeting)

**Reasonable Accommodations**

*Persons with a disability may request an agenda packet in appropriate alternative formats as require by the Americans with Disabilities Act of 1990. Reasonable accommodations and auxiliary aids will be provided to effectively allow participation in the meeting. Please contact the Carlsbad City Clerk's Office at 760-434-2808 (voice), 711 (free relay service for TTY users), 760-720-9461 (fax) or [clerk@carlsbadca.gov](mailto:clerk@carlsbadca.gov) by noon on the Monday before the Board meeting to make arrangements.*

**Written Comments**

*To submit written comments to the Board, please contact the Clean Energy Alliance Board Clerk at [secretary@thecleanenergyalliance.org](mailto:secretary@thecleanenergyalliance.org). Written materials related to the agenda that are received by 5:00 p.m. on the day before the meeting will be distributed to the Board in advance of the meeting and posted on the Authority webpage.*