

Michael Hannon, **WMA President**
City of Newark, WMA, EC
Dave Sadoff, **WMA 1st Vice President**
Castro Valley Sanitary District, WMA
Tim Rood, **WMA 2nd Vice President**
City of Piedmont, WMA, EC
Dianne Martinez, **EC President**
City of Emeryville, WMA, EC
Jim Oddie, **EC 1st Vice President**
City of Alameda, WMA, EC
Deborah Cox, **EC 2nd Vice President**
City of San Leandro, WMA, EC
Keith Carson, County of Alameda, WMA, EC
Peter Maass, City of Albany, WMA, EC
Jesse Arreguin, City of Berkeley, WMA, EC
Don Biddle, City of Dublin, WMA, EC
Vinnie Bacon, City of Fremont, WMA, EC
Sara Lamnin, City of Hayward, WMA, EC
Bob Carling, City of Livermore, WMA, EC
Dan Kalb, City of Oakland, WMA, EC
Shelia Young, Oro Loma Sanitary District, WMA
Jerry Pentin, City of Pleasanton, WMA, EC
Lorin Ellis, City of Union City, WMA, EC

Wendy Sommer, Executive Director

AGENDA

MEETING OF THE ALAMEDA COUNTY WASTE MANAGEMENT AUTHORITY (WMA) BOARD AND THE ENERGY COUNCIL (EC)

Wednesday, December 20, 2017

3:00 P.M.

**StopWaste Offices
1537 Webster Street
Oakland, CA 94612
510-891-6500**

Meeting is wheelchair accessible. Sign language interpreter may be available upon five (5) days notice by calling 510-891-6500. Members of the public wanting to add an item to a future agenda may contact 510-891-6500.

I. CALL TO ORDER

II. ROLL CALL OF ATTENDANCE

III. ANNOUNCEMENTS BY PRESIDENTS - *(Members are asked to please advise the board or the council if you might need to leave before action items are completed)*

IV. OPEN PUBLIC DISCUSSION FROM THE FLOOR

An opportunity is provided for any member of the public wishing to speak on any matter within the jurisdiction of the boards or council, but not listed on the agenda. Total time limit of 30 minutes with each speaker limited to three minutes unless a shorter period of time is set by the President.

Page V. CONSENT CALENDAR

1. Approval of the Draft Minutes of November 15, 2017 (Wendy Sommer)

2. Changes to Energy Council Rules of Procedure (Wendy Sommer)

That the Board adopt the revisions to the Energy Council Board Rules of Procedure.

VI. REGULAR CALENDAR

23 1. Vacancy on the Recycling Board (Arliss Dunn)

Staff recommends that the WMA Board fill the upcoming vacancy on the Recycling Board.

- 25 **2. 2018 Meeting Schedule (Arliss Dunn)**
It is recommended that the WMA/EC, P&A Committee, and the Recycling Board/Planning Committee, each adopt their respective regular meeting schedules for 2018.
- 3. Interim appointment(s) to the Recycling Board for WMA appointee unable to attend future Board Meeting(s) (Wendy Sommer)**
(Planning Committee and Recycling Board meeting, January 11, 2018 at 4:00 pm, StopWaste Offices, 1537 Webster Street, Oakland, CA)
- 29 **4. 2018 BayREN Contract (Karen Kho) (EC Only)**
Adopt the attached Resolution authorizing the Executive Director to enter into a 2018 contract with ABAG for Bay Area Regional Energy Network (BayREN) services and other related actions.
- 37 **5. East Bay Energy Watch Policy Paper (Jennifer West) (EC Only)**
This item is for information only.

VII. MEMBER COMMENTS AND COMMUNICATIONS FROM THE EXECUTIVE DIRECTOR

VIII. ADJOURNMENT

DRAFT

**MINUTES OF THE MEETING
OF THE
ALAMEDA COUNTY WASTE MANAGEMENT AUTHORITY (WMA)
AND
THE ENERGY COUNCIL (EC)**

Wednesday, November 15, 2017

3:00 P.M.

**StopWaste Offices
1537 Webster Street
Oakland, CA 94612
510-891-6500**

I. CALL TO ORDER

President Mike Hannon, WMA, called the meeting to order at 3:01 p.m.

II. ROLL CALL OF ATTENDANCE

WMA & EC:

City of Alameda	Jim Oddie, WMA, EC
County of Alameda	Keith Carson, WMA, EC
City of Albany	Peter Maass, WMA, EC
Castro Valley Sanitary District	Dave Sadoff, WMA
City of Dublin	Don Biddle, WMA, EC
City of Emeryville	Dianne Martinez, WMA, EC
City of Hayward	Sara Lamnin, WMA, EC
City of Livermore	Bob Carling, WMA, EC
City of Oakland	Dan Kalb, WMA, EC
Oro Loma Sanitary District	Shelia Young, WMA
City of Piedmont	Tim Rood, WMA, EC
City of San Leandro	Pauline Cutter, WMA, EC
City of Newark	Mike Hannon, WMA, EC

ABSENT:

City of Berkeley	Jesse Arreguin, WMA, EC
City of Fremont	Vinnie Bacon, WMA, EC
City of Pleasanton	Jerry Pentin, WMA, EC
City of Union City	Lorrin Ellis, WMA, EC

Staff Participating:

Wendy Sommer, Executive Director
Tom Padia, Deputy Executive Director
Jeanne Nader, Program Manager
Maricelle Cardenas, Program Services Specialist
Jeff Becerra, Communications Manager
Richard Taylor, WMA Legal Counsel
Arliiss Dunn, Clerk of the Board

III. ANNOUNCEMENTS BY PRESIDENTS

There were none.

IV. OPEN PUBLIC DISCUSSION FROM THE FLOOR

There was none.

V. CONSENT CALENDAR

1. Approval of the Draft Minutes of October 25, 2017 (Wendy Sommer)

There was no public comment for the consent calendar. Board member Biddle made the motion to approve the consent calendar. Board member Young seconded and the motion carried 15-0: (Ayes: Biddle, Carling, Carson, Cutter, Hannon, Kalb, Lamnin, Maass, Martinez, Oddie, Sadoff, Young. Nays: None. Abstain: None. Absent: Arreguin, Bacon, Ellis, Pentin, Rood).

VI. REGULAR CALENDAR

1. Stop Food Waste Campaign (Maricelle Cardenas for Cassie Bartholomew)

This item is for information only.

Wendy Sommer introduced Maricelle Cardenas who would present the item on behalf of Cassie Bartholomew. Ms. Sommer stated that as part of the priority setting process last year, the Board adopted guiding principles supporting projects that focus on upstream and organics. The Stop Food Waste program fits both criteria. The project will be one of the key projects for the current and subsequent fiscal years. Ms. Cardenas provided an overview of the staff report and presented a PowerPoint presentation. A link to the report and the presentation is available here: [StopFoodWaste presentation-11-15-17.pdf](#).

Ms. Cardenas also showed a video of the Stop Food Waste holiday campaign, available here: [Holiday-Campaign-Video](#)

Board member Sadoff inquired about the liquids, oils and grease listed in the presentation. Ms. Cardenas stated that these items were listed in a report from the Natural Resource Defense Council and that she would provide a link to the report (available here: [NRDC-Wasted-2017.pdf](#)).

2. Community Based Outreach Project (Jeanne Nader)

This item is for information only.

Jeanne Nader provided a brief overview of the Agency's Community Based Outreach Project and led Board members through an interactive food storage game and invited Board members to share tips via social media using the hashtags: #StopFoodWaste #FoodWaste, tagging StopWaste on Facebook or Twitter: @stopwasteorg, and linking to the tools and resources page: [Tools & Resources | Stop Food Waste](#). A link to the staff report and presentation is available here: [Community-Based-Outreach-presentation-11-15-17.pdf](#)

President Hannon inquired if there is a laundry list of presentations online on specific topics that are available to communities if they wanted to request a presentation. Ms. Nader stated that currently requests for presentations must be made via telephone; however, staff is working on creating an online intake form for presentation requests or event appearances. President Hannon recommended that staff work with non-profit organizations with respect to the community outreach grants. Ms. Nader stated that staff is reaching out to non-profits and asked that the Board submit any such organizations in their respective jurisdictions. President Hannon inquired if staff tabulates the number of visits to the Stop Food Waste site. Ms. Nader stated yes, staff does analytics on a regular basis for agency media buys as well as back end analytics to measure how many people visit the website and download the tool kits, etc. Jeff Becerra, Communications Manager, distributed a publication featuring Community Outreach Highlights.

DRAFT

Mr. Becerra stated that staff will be producing this information quarterly to inform the Board about activities that StopWaste is doing in their respective jurisdictions. Mr. Becerra added we have put on 32 events and reached close to 4000 people. We will also be putting together monthly topic briefs on different projects that StopWaste is doing and on the industries that we follow. Mr. Becerra informed the Board that Rachel Balsley, Senior Program Manager had provided an update to the committees on mandatory recycling and technical assistance, and staff produced a monthly topic brief summarizing those activities. Mr. Becerra invited the Board to submit any topics that may be of interest to them. Board member Oddie recommended that staff produce a topic brief on the Stop Food Waste campaign. Ms. Sommer stated that it is important that we start measuring the success of our programs and including the metrics is a good way to help Board members cite numbers when sharing our stories.

President Hannon thanked Ms. Cardenas and Ms. Nader for an excellent presentation.

3. Interim appointment(s) to the Recycling Board for WMA appointee unable to attend future Board Meeting(s) (Wendy Sommer)

(Planning Committee and Recycling Board meeting, December 14, 2017 at 4:00 pm, StopWaste Offices, 1537 Webster Street, Oakland, CA)

There were no requests for an interim appointment.

The Board adjourned to closed session at 3:35 and returned to open session at 4:11 p.m.

4. CLOSED SESSION

CONFERENCE WITH LEGAL COUNSEL—EXISTING LITIGATION – 2 Cases (Government Code section 54956.9(d)(1))

Name of case: A.W. Stein & A.R. Boone v. Alameda County Waste Management Authority (Alameda County Superior Court Case No. RG17858423)

Name of case: Waste Connections, Inc. v. Alameda County Waste Management Authority (Kings County Superior Court Case No. 16-C0022)

There was nothing to report from the closed session.

VII. COMMUNICATION/MEMBER COMMENTS

President Hannon invited Board members to submit any items that they would like to hear about for a future agenda topic. Board member Tim Rood arrived during the closed session.

VIII. ADJOURNMENT

The meeting was adjourned at 4:12 p.m.

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DATE: December 20, 2017

TO: Energy Council

FROM: Wendy Sommer, Executive Director

SUBJECT: Changes to Energy Council Rules of Procedure

SUMMARY

Staff has reviewed the Energy Council Rules of Procedure and identified changes to ensure consistency with the recently updated Waste Management Authority Rules of Procedure. At the December 20, 2017 meeting, the Energy Council Board will be asked to adopt these changes.

DISCUSSION

On September 27, 2017, the WMA Board approved changes to its Rules of Procedure. The staff report outlining these changes can be found at [Rules-of-Procedure-Changes-09-27-17.pdf](#). At the October 25, 2017 meeting, the WMA Board approved additional changes recommended by the P&A Committee, including using Rosenberg's Rules of Order as its parliamentary rules. The staff report describing these additional changes can be found at [Rules-of-Procedure-Changes-10-25-17.pdf](#).

RECOMMENDATION

That the Board adopt the revisions to the Energy Council Board Rules of Procedure.

Attachments:

Attachment A – EC Board Rules of Procedure (clean version)

Attachment B – EC Board Rules of Procedure (redline version)

ATTACHMENT A

ENERGY COUNCIL

RULES OF PROCEDURE

Adopted December 20, 2017

Article 1

General Provisions

- Section 1-1 Authority for Rules These rules apply to the Energy Council Board (“EC Board”) and Committees of the EC Board and are adopted pursuant to the Joint Exercise of Powers Agreement for the Energy Council effective April 12, 2013, as it may be amended from time to time (hereinafter, “JPA”). The provisions of said agreement are herein incorporated by reference.
- Section 1-2 Purpose of Rules The purpose of these rules is to provide for the orderly and fair conduct of the meetings and operations of the EC Board.

Article 2

Organization of the EC Board

- Section 2-1 Composition of the EC Board The EC Board is composed of members and alternates appointed pursuant to the JPA. No member or alternate shall receive compensation for attending meetings of the EC Board or any EC Board Committee, but reimbursement of travel or other expenses may be made if the EC Board has adopted a policy governing such reimbursements.
- Section 2-2 Officers The Officers of the EC Board shall be a President, First Vice-President and Second Vice-President, who shall serve until the elections of their successors. No member may serve more than one full consecutive term of office as an Officer.
- Section 2-3 Election of Officers The Officers shall be elected at the regular meeting of the EC Board in the month of June of each year. They shall be elected by the vote required for all EC Board actions as specified in the JPA, and shall serve from July 1 through June 30 of the following year. No member may serve more than one term in the same leadership position on the EC Board within a two-year time frame. This does not limit a person who has served in one office for a year serving in a different office the following year (e.g. the First Vice President in one year serving as the President the next year).

- Section 2-4 Duties of President The President shall preside at all meetings of the EC Board and shall conduct the business of the EC Board in the manner prescribed by these Rules. The President shall preserve order and decorum and shall decide all questions of order subject to the action of a vote of the EC Board.
- Section 2-5 Duties of First and Second Vice-Presidents In the absence or inability of the President to act, the Vice Presidents shall perform the duties of the President in the order of the succession.
- Section 2-6 Executive Director The Executive Director of the Energy Council shall be the Executive Director of the Alameda County Waste Management Authority pursuant to the memorandum of understanding between the Energy Council and Authority approved May 22, 2013.
- Section 2-7 Duties of Executive Director The Executive Director or designee shall perform the following duties:
- (a) Prepare an agenda for each meeting of the EC Board
 - (b) Attend each meeting of the EC Board;
 - (c) Appoint a Clerk of the EC Board to:
 - (i) Notify all EC Board members of the time and place of each meeting;
 - (ii) Maintain a record of all proceedings of the EC Board;
 - (iii) Maintain all records of the EC Board;
 - (iv) Maintain records of the proceedings of committee meetings;
 - (d) Establish a Technical Advisory Group (“TAG”) consisting of at least one staff representative from each Agency to advise Energy Council staff on matters such as strategic planning, annual work plans, funding priorities, proposed program design, coordination with existing energy service providers and programs (e.g., East Bay Energy Watch), and other matters related to advancing sustainable energy initiatives. Energy Council staff shall cause summary minutes of all TAG meetings to be kept and shall cause a copy of the summary minutes to be forwarded to each member of the EC Board and to each TAG representative prior to the next meeting. As matters discussed at the TAG are considered by the EC Board, Energy Council staff shall also include a summary of TAG input in the staff’s report on the matter to the EC Board. TAG members may also speak on any given matter in front of the EC Board.
 - (e) Perform other duties directed by law or the EC Board.

Article 3 Meetings of the EC Board

- Section 3-1 Regular Meetings Regular monthly meetings will be held in conjunction with regular meetings of the WMA Board.

- Section 3-2 Cancellation and/or Reschedule of Regular Meetings Any regular meeting of the EC Board may be cancelled or rescheduled by the President, or the Executive Director on the direction of the President, no less than seven (7) calendar days prior to the scheduled date of such meeting. Notification of cancellation or reschedule shall be mailed to all parties who are notified of regular meetings of the EC Board.
- Section 3-3 Special Meetings Special meetings of the EC Board may be called by order of the President or by a majority of the members. The order calling the special meeting shall specify the time of the meeting and the business to be transacted at such meeting.
- Section 3-4 Effect of Holiday If any meeting day or adjourned meeting day falls on a holiday, the meeting of the EC Board shall be specially scheduled by the EC Board.
- Section 3-5 Quorum A majority of the members of the EC Board shall constitute a quorum for the transaction of business, except that less than a quorum may adjourn from time to time pursuant to Section 3-6 of these Rules.
- Section 3-6 Absence of a Quorum In the absence of a quorum, the members present shall adjourn the meeting to a stated time and place, and the absent members shall be notified. If all members are absent, the Executive Director shall adjourn the meeting to a stated time and place and notify all members pursuant to Section 3-7 of these Rules.
- Section 3-7 Notice of Meetings All meetings of the EC Board shall be subject to the provisions of the Ralph M. Brown Act, (see Sections 54950, *et seq.* of the California Government Code, and other applicable laws of the State of California requiring notice of meetings of the EC Board.
- Section 3-8 Teleconferencing EC Board members who are unable to attend a meeting in person are encouraged to have their member agency's alternate attend in their place. EC Board members unable to attend a meeting in person may participate in meetings by teleconference according to this section. No more than four EC Board members may utilize teleconferencing at an EC Board meeting at no more than four teleconferencing locations. A EC Board member wishing to use teleconferencing should notify the Clerk of the EC Board prior to the release of the agenda for the affected EC Board meeting of the teleconference location that is accessible to the public. Agendas are typically released five (5) days in advance of the meeting. The Clerk of the EC Board will identify the teleconference location in the agenda of the meeting and ensure posting of the agenda at the teleconference location. Votes at a Committee/EC Board meeting where

teleconferencing is used will be taken by roll call. If more than four members request teleconferencing, the four selected shall be chosen on the basis of the order of request, and in the case of ties, by seniority on the EC Board.

Article 4 Conduct of Meetings

- Section 4-1 Order of Business The business of each meeting of the EC Board shall be transacted as far as is practicable in the following order:
- (a) Call to order;
 - (b) Roll call of attendance;
 - (c) Announcements by President;
 - (d) Open public discussion from the floor;
 - (e) Approval of minutes of prior meetings (may be included in the consent calendar);
 - (f) Consent calendar;
 - (g) Regular calendar;
 - (h) Member comments and communications from the Executive Director; and
 - (i) Adjournment.

The above order of business may be suspended or changed at any time upon order of the President. The consent calendar may contain those matters the nature of which have been determined by the Executive Director to be routine, and will be approved by a single action. Any item shall be removed from the consent calendar and placed for discussion on the regular calendar at the request of any member. EC Board members who were not in attendance at a meeting but have read the minutes of the meeting may vote in connection with approval of those minutes. The vote on the consent calendar may be taken concurrently with the vote of the Waste Management Authority Board on its consent calendar. The regular calendar shall contain all other matters and business.

Open public discussion from the floor is provided for any member of the public wishing to speak on any matter within the jurisdiction of the Energy Council, but not listed on the agenda. Each speaker is limited to three minutes unless a shorter period of time is set by the President.

- Section 4-2 Parliamentary Rules The rules and procedures set forth in Rosenberg's Rules of Order are hereby adopted for the government of this EC Board in all cases not otherwise provided for in these Rules.

- Section 4-3 Vote Required
The vote required for EC Board action shall be as specified in the JPA. An

abstention to vote by any member shall be construed as that member not voting on a particular matter.

Section 4-4 Alternate's Vote An agency alternate may vote on any matter under consideration only in the absence of the agency member from the meeting or as provided under Section 4-6 of these Rules.

Section 4-5 Roll Call Votes Roll call votes shall proceed in the following manner:

- (a) The presiding officer will direct the Clerk of the EC Board to report on the EC Board members who have joined or left the meeting since the roll call of attendance at the beginning of the meeting;
- (b) The presiding officer will ask for a voice vote on the matter;
- (c) If there are no "nay" votes or abstentions, the presiding officer will direct that the matter be reported as passed unanimously with the names of all EC Board members in attendance reported as voting in favor;
- (d) If there are any "nay" votes or abstentions, the presiding officer will direct the Clerk of the EC Board to call the name of each agency and record the vote of the representative of the agency and then report the total number of "aye," "nay" and "abstain" votes.
- (e) The roll call shall be in alphabetical order of the name of the agency, except that the President shall be called last.

Section 4-6 Roll Call Not Required The roll need not be called in voting upon a motion except when requested by a member or otherwise required by law. If the roll is not called, in the absence of objection, the President may order the motion unanimously approved.

Section 4-7 Voting Ineligibility Any member attending an EC Board meeting and ineligible to vote on any matter under consideration by the EC Board at that meeting shall briefly describe the reason for being ineligible and then leave the EC Board table before the matter is considered and refrain from participation in any action concerning the matter. If the member is ineligible due to a conflict of interest under the Political Reform Act, the member's disclosure shall include the information required by that Act and the member shall leave the room and not be counted towards a quorum. Notwithstanding the foregoing, a member is not required to leave the EC Board table or room for matters that are on the consent calendar.

Article 5
Meetings of Committees

- Section 5-1 Committees: Specific Committees, Notice of Meetings and General Rules The EC Board or President may establish Committees from time to time to advise the EC Board. Committees shall be subject to these Rules.
- Any meeting of a Committee that constitutes a quorum of the EC Board shall be noticed as both a meeting of the Committee and a meeting of the EC Board. General rules pertaining to Committees are as follows:
- (a) Only Committee members are permitted to vote on matters before the Committee.
 - (b) Committees are not empowered to take final agency action on behalf of the EC Board.
 - (c) A majority of the Committee members present and voting is required for adoption of recommendations/actions.
 - (d) EC Board members who are not Committee members may attend Committee meetings, but will not count toward formation of the quorum necessary to conduct the meeting.
 - (e) In absence of a EC Board member appointed to a Committee that EC Board member's alternate shall serve as a member of the Committee exactly as if a regular appointee to the Committee.
- Section 5-2 Committee Vacancy When a vacancy occurs on any Committee, the EC Board shall be notified and the EC Board President shall recommend appointment of members to said Committee, subject to confirmation by the EC Board.
- Section 5-3 Cancellation and/or Reschedule of Regular Committee Meetings Any regular Committee meeting of the EC Board may be canceled or rescheduled by the President, or the Executive Director with the consent of the President, no less than seven (7) calendar days prior to the scheduled date of such meeting. Notification of cancellation or reschedule shall be mailed to all parties who are notified of regular meetings of the Committee.
- Section 5-4 Special Meetings Special Committee meetings may be called by order of the President or the Executive Director with the consent of the President or by a majority of the members of the Committee. The order calling the special meeting shall specify the time of the meeting and the business to be transacted at such meeting.
- Section 5-5 Adjourned Meetings Any regular meeting of a Committee may be adjourned to any date prior to the date established for the next regular meeting. Any adjourned regular meeting is part of the regular

meeting. Any special meeting may be adjourned, and any adjourned special meeting is part of the special meeting.

- Section 5-6 Effect of Holiday If any meeting day or adjourned meeting day falls on a holiday, the meeting of the Committee shall be specially scheduled by the Committee.
- Section 5-7 Absence of a Quorum In the absence of a quorum, the members present shall adjourn the meeting to a stated time and place, and the absent member shall be notified. If all members are absent, the Executive Director shall adjourn the meeting to a stated time and place and notify all members pursuant to Section 3-7 of these Rules.
- Section 5-8 Teleconferencing Committee members unable to attend a meeting in person may participate in meetings by teleconference in accordance with this section. No more than two Committee members may utilize teleconferencing per Committee meeting at no more than two teleconferencing locations. A Committee member wishing to utilize teleconferencing should notify the Clerk of the EC Board prior to the release of the agenda for the affected Committee meeting of the teleconference location that is accessible to the public. Agendas are typically released five (5) days in advance of the meeting. The Clerk of the EC Board will identify the teleconference location in the agenda of the meeting and ensure posting of the agenda at the teleconference location. Votes at a Committee meeting where teleconferencing is utilized will be taken by roll call in accordance with the procedures for meetings of the EC Board. If more than two members request teleconferencing, the two selected shall be chosen on the basis of the order of request, and in the case of ties, by seniority on the EC Board.

ATTACHMENT B

ENERGY COUNCIL RULES

OF PROCEDURE

Adopted ~~_____~~ December 20, 2017, 2013

Article 1 General Provisions

- Section 1-1 Authority for Rules These rules apply to the Energy Council Board ("EC Board") and Committees of the ~~Board~~EC Board and are adopted pursuant to the Joint Exercise of Powers Agreement for the Energy Council effective April 12, 2013, as it may be amended from time to time (hereinafter, "JPA"). The provisions of said agreement are herein incorporated by reference.
- Section 1-2 Purpose of Rules The purpose of these rules is to provide for the orderly and fair conduct of the meetings ~~of the Board~~ and operations of the ~~Council~~EC Board.

Article 2 Organization of the ~~Board~~EC Board

- Section 2-1 Composition of the ~~Board~~EC Board The ~~Board~~EC Board is composed of members and alternates appointed pursuant to the JPA. No member or alternate shall receive compensation for attending meetings of the ~~Board~~EC Board or any ~~Board~~EC Board Committee, but reimbursement of travel or other expenses may be made if the ~~Board~~EC Board has adopted a policy governing such reimbursements.
- Section 2-2 Officers The Officers of the ~~Board~~EC Board shall be a President, First Vice- President and Second Vice-President, who shall serve until the elections of their successors. No member may serve more than one full consecutive term of office as an Officer.
- Section 2-3 Election of Officers The Officers shall be elected at the regular meeting of the ~~Energy Council~~EC Board in the month of June of each year. They shall be elected by the vote required for all ~~Board~~EC Board actions as specified in the JPA, and shall serve from July 1 through June 30 of the following year.
- ~~Notwithstanding the foregoing, the Board may select initial officers to serve from the time of the first Board meeting through June 30 of that year and those officers may be re-elected and serve as officers for the~~

~~term beginning July 1 of that year. No member may serve more than one term in the same leadership position on the Energy CouncilEC Board within a two-year time frame. This does not limit a person who has served in one office for a year serving in a different office the following year (e.g. the First Vice President in one year serving as the President the next year).~~

Section 2-4 Duties of President The President shall preside at all meetings of the ~~Board~~EC Board and shall conduct the business of the ~~board~~EC Board in the manner prescribed by these Rules. The President shall preserve order and decorum and shall decide all questions of order subject to the action of a vote of the ~~Board~~EC Board.

Section 2-5 Duties of First and Second Vice-Presidents In the absence or inability of the President to act, the Vice Presidents shall perform the duties of the President in the order of the succession.

Section 2-6 Executive Director The Executive Director of the Energy Council shall be the Executive Director of the Alameda County Waste Management Authority pursuant to the memorandum of understanding between the Energy Council and Authority approved May 22, 2013.

Section 2-7 Duties of Executive Director The Executive Director or designee shall perform the following duties:

~~(a)~~ (a) Prepare an agenda for each meeting of the ~~Board~~EC Board

~~(a)(b)~~ (b) Attend each meeting of the ~~Board~~EC Board;

~~(c)~~ (c) Appoint a Clerk of the ~~Board~~EC Board to:

~~(i)~~ (i) Notify all ~~Board~~EC Board members of the time and place of each meeting;

~~(ii)~~ (ii) Maintain a record of all proceedings of the ~~Board~~EC Board;

~~(b)~~ (b) Prepare an agenda for each meeting;

~~(c)~~ (c) Notify all Board members of the time and place of each meeting;

~~(d)~~ (iii) Maintain all records of the ~~Board~~EC Board;

~~(e)~~ (e) Serve as Secretary to the Board;

~~(f)(e)~~ (iv) Maintain records of the proceedings of committee meetings;

~~(d)(f)~~ (f) Establish a Technical Advisory Group ("TAG") consisting of at least one staff representative from each Agency to advise Energy Council staff on matters such as strategic planning, annual work plans, funding priorities, proposed program design, coordination with existing energy service providers and programs (e.g., East Bay Energy Watch), and other matters related to advancing sustainable energy initiatives. Energy Council staff shall cause summary minutes of all TAG meetings to be kept and shall, ~~as soon as possible after each meeting,~~ cause a copy of the summary minutes to be forwarded to each member of the ~~Board~~EC Board and to

each TAG representative prior to the next meeting. As matters discussed at the TAG are considered by the BoardEC Board, Energy Council staff shall also include a summary of TAG input in the staff's report on the matter to the BoardEC Board. TAG members may also speak on any given matter in front of the BoardEC Board.

(eg) Perform other duties directed by law or the BoardEC Board.

Article 3 Meetings of the BoardEC Board

Section 3-1 Regular Meetings Regular monthly meetings will be held in conjunction with regular meetings of the ~~Alameda County Waste Management Authority~~ WMA Board.

Section 3-2 Cancellation and/or Reschedule of Regular Meetings Any regular meeting of the BoardEC Board may be cancelled or rescheduled by the President, or the Executive Director on the direction of the President, no less than seven (7) calendar days prior to the scheduled date of such meeting. Notification of cancellation or reschedule shall be mailed to all parties who are notified of regular meetings of the BoardEC Board.

Section 3-3 Special Meetings Special meetings of the BoardEC Board may be called by order of the President or by a majority of the members. The order calling the special meeting shall specify the time of the meeting and the business to be transacted at such meeting.

Section 3-4 Effect of Holiday If any meeting day or adjourned meeting day falls on a holiday, the meeting of the BoardEC Board shall be specially scheduled by the BoardEC Board.

Section 3-5 Quorum A majority of the members of the BoardEC Board shall constitute a quorum for the transaction of business, except that less than a quorum may adjourn from time to time pursuant to Section 3-6 of these Rules.

Section 3-6 Absence of a Quorum In the absence of a quorum, the members present shall adjourn the meeting to a stated time and place, and the absent members shall be notified. If all members are absent, the Executive Director shall adjourn the meeting to a stated time and place and notify all members pursuant to Section 3-7 of these Rules.

Section 3-7 Notice of Meetings All meetings of the BoardEC Board shall be subject to the provisions of the Ralph M. Brown Act, ~~being~~ (see) Sections 54950, *et seq.* of the California Government Code, and other applicable laws of the

State of California requiring notice of meetings of the BoardEC Board.

Section 3-8 Teleconferencing BoardEC Board members who are unable to attend a meeting in person are encouraged to have their member agency's alternate attend in their place. BoardEC Board members unable to attend a meeting in person may participate in meetings by teleconference according to this section. No more than four BoardEC Board members may utilize teleconferencing at an BoardEC Board meeting at no more than four teleconferencing locations. A BoardEC Board member wishing to use teleconferencing should notify the ~~Executive Director~~ Clerk of the BoardEC Board prior to the release of the agenda for the affected BoardEC Board meeting of the teleconference location that is accessible to the public. Agendas are typically released five (5) days in advance of the meeting. ~~or~~ designee, of the teleconference location at least eight (8) days prior to the affected Committee/BoardEC Board meeting. The teleconference location shall be accessible to the public. The ~~Executive Director~~ Clerk of the BoardEC Board will identify the teleconference location in the agenda of the meeting and ensure posting of the agenda at the teleconference location. Votes at a Committee/BoardEC Board meeting where teleconferencing is used will be taken by roll call. If more than four members request teleconferencing, the four selected shall be chosen on the basis of the order of request, and in the case of ties, by seniority on the BoardEC Board.

Article 4 Conduct of Meetings

Section 4-1 Order of Business The business of each meeting of the BoardEC Board shall be transacted as far as is practicable in the following order:

- (a) Call to order;
- (b) Roll call of attendance;
- (c) Announcements by President;
- (d) Open public discussion from the floor;
- (e) Approval of minutes of prior meetings (may be included in the consent calendar);
- (f) Consent calendar;
- (g) Regular calendar;
- (h) Member comments and communications from the Executive Director; and
- (i) Adjournment.

~~(a) Call to order;~~
~~(b) Roll call;~~

- ~~(c) — Announcements by President;~~
- ~~(d) — Approval of minutes of prior meetings;~~
- ~~(e) — Consent calendar;~~
- ~~(f) — Open public discussion from the floor;~~
- ~~(g) — Regular calendar;~~
 - ~~(1) — Unfinished business;~~
 - ~~(2) — New business;~~
- ~~(h) — Member Comments and Communications; and~~
- ~~(i) — Adjournment.~~

The above order of business may be suspended or changed at any time upon order of the President. The consent calendar may contain those matters the nature of which have been determined by the Executive Director to be routine, and will be approved by a single action. Any item shall be removed from the consent calendar and placed for discussion on the regular calendar at the request of any member. EC Board~~energy Council~~ members who were not in attendance at a meeting but have read the minutes of the meeting may vote in connection with approval of those minutes. The vote on the consent calendar may be taken concurrently with the vote of the Waste Management Authority Board on its consent calendar. The regular calendar shall contain all other matters and business.

Open public discussion from the floor is provided for any member of the public wishing to speak on any matter within the jurisdiction of the Energy Council, but not listed on the agenda. Each speaker is limited to three minutes unless a shorter period of time is set by the President.

Section 4-2 Parliamentary Rules The rules and procedures set forth in Rosenberg's~~Bert's~~ Rules of Order are hereby adopted for the government of this ~~Board~~EC Board in all cases not otherwise provided for in these Rules.

Section 4-3 Vote Required
The vote required for ~~Board~~EC Board action shall be as specified in the JPA. An abstention to vote by any member shall be construed as that member not voting on a particular matter.

Section 4-4 Alternate's Vote An agency alternate may vote on any matter under consideration only in the absence of the agency member from the meeting or as provided under Section 4-6 of these Rules.

Section 4-5 Roll Call Votes
Roll call votes shall proceed in the following manner:
(i) The presiding officer will direct the Clerk of the ~~Board~~EC Board to report on the ~~Board~~EC Board members who have joined or left the meeting since the roll call of attendance at the beginning of the meeting;

- (ii) The presiding officer will ask for a voice vote on the matter;
- (iii) If there are no “nay” votes or abstentions, the presiding officer will direct that the matter be reported as passed unanimously with the names of all ~~Board~~EC Board members in attendance reported as voting in favor;
- (iv) If there are any “nay” votes or abstentions, the presiding officer will direct the Clerk of the ~~Board~~EC Board to call the name of each agency and record the vote of the representative of the agency and then report the total number of “aye,” “nay” and “abstain” votes.
- (v) The roll call shall be in alphabetical order of the name of the agency, except that the President shall be called last.

~~Each roll call of the Board shall be in alphabetical order of the name of the agency, except that the President shall be called last.~~

Section 4-6 Roll Call Not Required The roll need not be called in voting upon a motion except when requested by a member or otherwise required by law. If the roll is not called, in the absence of objection, the President may order the motion unanimously approved.

Section 4-7 Voting Ineligibility Any member attending an ~~Energy Council~~EC Board meeting and ineligible to vote on any matter under consideration by the ~~Council~~EC Board at that meeting shall briefly describe the reason for being ineligible and then leave the ~~Council~~EC Board table before the matter is considered and refrain from participation in any action concerning the matter. If the member is ineligible due to a conflict of interest under the Political Reform Act, the member’s disclosure shall include the information required by that Act and the member shall leave the room and not be counted towards a quorum.
Notwithstanding the foregoing, a member is not required to leave the ~~Council~~EC Board table or room for matters that are on the consent calendar.
~~Any Board member ineligible to vote on any matter under consideration by the Board shall leave the Board table before the matter is considered and refrain from participation in any action concerning the matter.~~

Article 5
Meetings of
Committees

- Section 5-1 Committees: Specific Committees, Notice of Meetings and General Rules The ~~Board~~EC Board or President may establish Committees from time to time to advise the ~~Energy Council~~EC Board. Committees shall be subject to these Rules.
- Any meeting of a Committee that constitutes a quorum of the ~~Board~~EC Board shall be noticed as both a meeting of the Committee and a meeting of the ~~Board~~EC Board. General rules pertaining to Committees are as follows:
- (1) Only Committee members are permitted to vote on matters before the Committee.
 - (2) Committees are not empowered to take final agency action on behalf of the ~~Board~~EC Board.
 - (3) A majority of the Committee members present and voting is required for adoption of recommendations/actions.
 - (4) ~~Board~~EC Board members who are not Committee members may attend Committee meetings, but will not count toward formation of the quorum necessary to conduct the meeting.
 - (5) In absence of a ~~Board~~EC Board member appointed to a Committee that ~~Board~~EC Board member's alternate shall serve as a member of the Committee exactly as if a regular appointee to the Committee.
- Section 5-2 Committee Vacancy When a vacancy occurs on any Committee, the ~~Board~~EC Board shall be notified and the ~~Energy Council~~EC Board President shall recommend appointment of members to said Committee, subject to confirmation by the ~~Energy Council~~EC Board.
- Section 5-3 Cancellation and/or Reschedule of Regular Committee Meetings Any regular Committee meeting of the ~~Energy Council~~EC Board may be canceled or rescheduled by the President, or the Executive Director with the consent of the President, no less than seven (7) calendar days prior to the scheduled date of such meeting. Notification of cancellation or reschedule shall be mailed to all parties who are notified of regular meetings of the Committee.
- Section 5-4 Special Meetings Special Committee meetings may be called by order of the President or the Executive Director with the consent of the President or by a majority of the members of the Committee. The order calling the special meeting shall specify the time of the meeting and the business to be transacted at such meeting.

Section 5-5 Adjourned Meetings Any regular meeting of ~~the~~a Committee may be adjourned to any date prior to the date established for the next regular meeting. Any adjourned regular meeting is part of the regular meeting. Any special meeting may be adjourned, and any adjourned special meeting is part of the special meeting.

Section 5-6 Effect of Holiday If any meeting day or adjourned meeting day falls on a holiday, the meeting of the Committee shall be specially scheduled by the Committee.

Section 5-7 Absence of a Quorum In the absence of a quorum, the members present shall adjourn the meeting to a stated time and place, and the absent member shall be notified. If all members are absent, the Executive Director shall adjourn the meeting to a stated time and place and notify all members pursuant to Section 3-7 of these Rules.

Section 5-8 Teleconferencing Committee members unable to attend a meeting in person may participate in meetings by teleconference in accordance with this section. No more than two Committee members may utilize teleconferencing per Committee meeting at no more than two teleconferencing locations. A Committee member wishing to utilize teleconferencing should notify the Clerk of the ~~Board~~EC Board prior to the release of the agenda for the affected Committee meeting of the teleconference location that is accessible to the public. Agendas are typically released five (5) days in advance of the meeting. The Clerk of the ~~Board~~EC Board will identify the teleconference location in the agenda of the meeting and ensure posting of the agenda at the teleconference location. Votes at a Committee meeting where teleconferencing is utilized will be taken by roll call in accordance with the procedures for meetings of the ~~Energy Council~~EC Board. If more than two members request teleconferencing, the two selected shall be chosen on the basis of the order of request, and in the case of ties, by seniority on the ~~Energy Council~~EC Board. A Committee member wishing to use teleconferencing should notify the Executive Director, or designee, of the teleconference location at least eight (8) days prior to the affected Committee meeting. The teleconference location shall be accessible to the public. The Executive Director will identify the teleconference location in the agenda of the meeting and ensure posting of the agenda at the teleconference location. Votes at a Committee meeting where teleconferencing is used will be taken by roll call.

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DATE: December 20, 2017

TO: Waste Management Authority Board

FROM: Wendy Sommer, Executive Director

BY: Arliss Dunn, Clerk of the Board

SUBJECT: Vacancy on the Recycling Board

SUMMARY

Board member Jerry Pentin, City of Pleasanton, will be completing his second term on the Recycling Board effective January 19, 2018, thereby creating a vacancy on the Recycling Board.

DISCUSSION

Board member Pentin's position was one of five appointments to the Recycling Board made by the WMA Board. Currently, WMA members Maass, Martinez, Oddie, and Rood occupy the other four positions.

The Charter limits each member to two consecutive terms. Each term is for two years, and members may not serve for more than two terms or for more than one term if not followed by a consecutive term. Any WMA member (but not an alternate) may serve on the Recycling Board so long as they have not served previously.

Current WMA members eligible to serve are:

1. Jesse Arreguin
2. Vinnie Bacon
3. Bob Carling
4. Keith Carson
5. Deborah Cox
6. Mike Hannon
7. Dan Kalb
8. Sara Lamnin
9. Dave Sadoff

If the WMA Board fails to make an appointment at the December or January meeting, authority to make the appointment would transfer to the County Board of Supervisors, in consultation with a double majority of the cities, per Section 64.130 D.6 of the County Charter.

The Board may wish to consider geographic diversity of the appointments, since members Maass, Martinez, Oddie, and Rood are from north county. However, there is no requirement for geographic diversity.

RECOMMENDATION

Staff recommends that the WMA Board fill the upcoming vacancy on the Recycling Board.

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DATE: December 14, 2017

TO: WMA Board, Energy Council, Programs & Administration Committee and Recycling Board/Planning Committee

FROM: Wendy Sommer, Executive Director

BY: Arliss Dunn, Clerk of the Board

SUBJECT: 2018 Meeting Schedule

REGULAR BOARD MEETING SCHEDULE

The regular meeting schedule for the WMA Board and the Energy Council is the fourth Wednesday of each month at 3:00 p.m., except where noted differently (*). Authority Board and Energy Council meetings are held at 1537 Webster St., Oakland, CA.

If you concur, the 2018 meeting dates for the Authority Board will be as follows:

<u>DATE</u>	<u>TIME</u>	<u>LOCATION</u>
January 24	3:00 P.M.	1537 Webster Street
February 28	3:00 p.m.	1537 Webster Street
March 28	3:00 p.m.	1537 Webster Street
April 25 <i>*Joint Meeting WMA/EC/RB</i>	3:00 p.m.	1537 Webster Street
May 23	3:00 p.m.	1537 Webster Street
June 27 <i>*Business Recognition Event</i>	3:00 p.m.	1537 Webster Street
July 25	3:00 p.m.	1537 Webster Street
August - NO MEETING	AUGUST RECESS	
September 26	3:00 p.m.	1537 Webster Street
October 24	3:00 p.m.	1537 Webster Street
November 14 <i>*2nd Wednesday Joint Meeting WMA/EC/RB</i>	3:00 p.m.	1537 Webster Street
December 19 <i>*3rd Wednesday</i>	3:00 p.m.	1537 Webster Street

COMMITTEE MEETING SCHEDULE

Programs & Administration Committee (2nd Thursday each month)

The regular meeting schedule for the Programs & Administration Committee is the second Thursday of each month at 9:00 a.m. The meetings are held at 1537 Webster St., Oakland.

The 2018 meeting dates for the Programs & Administration Committee are as follows:

<u>DATE</u>	<u>TIME</u>	<u>LOCATION</u>
January 11	9:00 a.m.	1537 Webster Street, Oakland
February 8	9:00 a.m.	1537 Webster Street, Oakland
March 8	9:00 a.m.	1537 Webster Street, Oakland
April 12	9:00 a.m.	1537 Webster Street, Oakland
May 10	9:00 a.m.	1537 Webster Street, Oakland
June 14	9:00 a.m.	1537 Webster Street, Oakland
July 12	9:00 a.m.	1537 Webster Street, Oakland
August – NO MEETING	AUGUST RECESS	
September 13	9:00 a.m.	1537 Webster Street, Oakland
October 11	9:00 a.m.	1537 Webster Street, Oakland
November 8	9:00 a.m.	1537 Webster Street, Oakland
December 13	9:00 a.m.	1537 Webster Street, Oakland

COMMITTEE MEETING SCHEDULE

Recycling Board/Planning Committee (2nd Thursday each month)

The regular meeting schedule for the Recycling Board/ Planning Committee is the second Thursday of each month at 4:00 p.m. at 1537 Webster or 7:00 p.m. at a location in each County Supervisorial District, except where noted differently (*).

The 2018 meeting dates for the Recycling Board/Planning Committee are:

<u>DATE</u>	<u>TIME</u>	<u>LOCATION</u>
January 11	4:00 p.m.	1537 Webster Street, Oakland
February 8	7:00 p.m.	District 3 - San Leandro San Leandro Senior Center 13909 E 14th St, San Leandro, CA 94578
March 8	4:00 p.m.	1537 Webster Street, Oakland
April 25 <i>*Joint Meeting WMA/EC/RB</i>	3:00 p.m.	1537 Webster Street, Oakland
May 10	7:00 p.m.	District 4 – Castro Valley Castro Valley Library 3600 Norbridge Ave., Castro Valley 94546
June 14	4:00 p.m.	1537 Webster Street, Oakland
July 12	7:00 p.m.	District 2 – Fremont Fremont Recycling and Transfer Station, 41149 Boyce Road, Fremont 94538
August 9	4:00 p.m.	1537 Webster Street, Oakland
September 13	7:00 p.m.	District 1 – Dublin, location TBD
October 11	4:00 p.m.	1537 Webster Street, Oakland
November 14 <i>*Joint Meeting WMA/EC/RB</i>	3:00 p.m.	1537 Webster Street, Oakland
December 13	7:00 p.m.	District 5 - Oakland StopWaste, 1537 Webster Street, Oakland

RECOMMENDATION

It is recommended that the WMA/EC, P&A Committee, and the Recycling Board/Planning Committee, each adopt their respective regular meeting schedules for 2018.

HOLIDAY SCHEDULE

2018

<u>DAY(S)</u>	<u>DATE(S)</u>	<u>HOLIDAY</u>
Monday	January 1	New Year's Day
Monday	January 15	Martin Luther King, Jr. Birthday
Monday	February 19	Presidents Day
Monday	May 28	Memorial Day
Wednesday	July 4	Independence Day
Monday	September 3	Labor Day
Monday	October 8	Indigenous Peoples Day
Monday	November 12	Veterans Day
Thursday & Friday	November 22 & 23	Thanksgiving & Day After
Monday & Tuesday	December 24 & 25	Christmas Eve & Christmas Day



DATE: December 20, 2017

TO: Energy Council

FROM: Wendy Sommer, Executive Director

BY: Karen Kho, Senior Program Manager

SUBJECT: 2018 BayREN Contract

SUMMARY

Since 2013, StopWaste has represented Alameda County jurisdictions in the Bay Area Regional Energy Network (BayREN) regional partnership and has implemented its programs. In order to ensure continuity of BayREN services in 2018, the Energy Council needs to authorize the Executive Director to enter into a contract with ABAG to accept up to \$6,023,966.

DISCUSSION

On October 28, 2015 the California Public Utilities Commission issued a Decision authorizing the continuation of energy efficiency programs, including an annualized \$13.3 million budget for BayREN. The 2018 portfolio will continue to include three programs (single-family, multifamily, codes and standards) and three financing pilots (Commercial Property Assessed Clean Energy (PACE), Pay As You Save (PAYS), and Multifamily Capital Advance.

In August 2017, BayREN (ABAG and nine public agencies representing the Bay Area counties), held elections for the leadership of various programs and re-elected Energy Council staff into the leadership role for the multifamily program. On November 16, 2017, the ABAG Executive Board authorized its Executive Director to negotiate and enter into a contract with Energy Council for 2018 BayREN services.

A summary of the 2018 budget and scope for the Energy Council is described in Attachment A. The largest portion of the budget is \$5.7 million for implementing the regional BayREN multifamily rebate program, which incentivizes 5,000 units annually in the Bay Area. In addition, Energy Council will offer the Department of Energy's Home Energy Score in the Bay Area, lead the Multifamily Capital Advance pilot program, and provide support to ABAG in policy and regulatory tracking. The scope of work also includes local outreach for BayREN's single-family, codes and standards and PACE and PAYS financing programs within Alameda County.

The Energy Council Technical Advisory Group (TAG) receives monthly updates on the implementation of BayREN programs, provides input on priorities for regional programs and services, and assists staff in targeting local outreach activities throughout the County.

RECOMMENDATION

Adopt the attached Resolution authorizing the Executive Director to enter into a 2018 contract with ABAG for Bay Area Regional Energy Network (BayREN) services and other related actions.

Attachment A: Summary of Energy Council Scope of Work

Attachment B: Summary of ABAG Executive Board Approval

**ENERGY COUNCIL
RESOLUTION #EC 2017 –**

**MOVED:
SECONDED:**

AT THE MEETING HELD DECEMBER 20, 2017

**RESOLUTION AUTHORIZING THE EXECUTIVE DIRECTOR TO ENTER INTO 2018 CONTRACT FOR BAY
AREA REGIONAL ENERGY NETWORK (BayREN) SERVICES AND OTHER RELATED ACTIONS**

WHEREAS, the Energy Council recognizes that it is in the interest of the local, regional, state, and federal agencies to stimulate the economy; create and retain jobs; reduce fossil fuel emissions; and reduce total energy usage and improve energy efficiency; and

WHEREAS, the Energy Council was formed to seek funding to develop and implement programs and policies that reduce energy demand, increase energy efficiency, advance the use of clean, efficient and renewable resources, and help create climate resilient communities; and

WHEREAS, the California Public Utilities Commission (CPUC) has recognized the need for expanded collaboration with and participation by local governments to achieve market transformation toward energy efficiency as part of its Long Term Energy Efficiency Strategic Plan; and

WHEREAS, in its Decision 15-10-028, the CPUC authorized funding for Regional Energy Networks (RENS) to continue their existing programs with an annualized budget; and

WHEREAS, the Energy Council partnered with the Association of Bay Area Governments (ABAG) and 8 other county representatives to implement the Bay Area Regional Energy Network (BayREN); and

WHEREAS, with ongoing input from the Energy Council Technical Advisory Group (TAG), the Energy Council represents Alameda County jurisdictions within BayREN; and

WHEREAS, the Energy Council has been designated as the lead regional implementer for the multifamily program and multifamily financing pilot, and to conduct local outreach for other programs, and

WHEREAS, the ABAG Executive Board authorized a scope of work for Energy Council with a budget not to exceed \$6,023,966 for services related to the BayREN as described in Attachment A;

NOW THEREFORE, BE IT RESOLVED, that the Energy Council hereby authorizes the Executive Director to:

1. Enter into all necessary contracts and agreements with ABAG in order to accept funds up to \$6,023,966, and make any necessary changes to the FY 2017/18 budget for Project 1347: BayREN.
2. Approve any required time extensions, modifications, or amendments thereto.
3. Allocate the necessary resources to implement and carry out the 2018 scope of work.

ADOPTED this 20th day of December 2017, by the following votes:

AYES:

NOES:

ABSENT:

ABSTAINED:

I certify that under the penalty of perjury that the foregoing is a full, true and correct copy of Resolution #EC 2017 –

WENDY SOMMER
Executive Director

Attachment A
Summary of Energy Council Scope of Work
2018 BayREN Services

Single Family – Local Outreach and Home Energy Score (\$206,966)

The Single Family program will continue to implement the Energy Updated California Home Upgrade program in the nine Bay Area counties. It offers audit incentives, the Home Upgrade Advisor service, Home Upgrade rebates and contractor support.

Energy Council will conduct local outreach in Alameda County for the Single-family program, including the following activities:

- Organize workshops and other outreach events
- Refer property owners to the regional Home Upgrade Advisor service
- Serve as a liaison for local contractors and facilitate their participation in Home Upgrade
- Conduct direct mail campaigns
- Develop new homeowner welcome packets
- Collaborate with real estate professionals
- Coordinate with other energy programs operating in Alameda County
- Represent Alameda County context within BayREN

Energy Council will also lead the regional Home Energy Score pilot program, including the following activities:

- Coordinate Home Energy Score activities with single-family program
- Provide quality assurance in compliance with Department of Energy requirements
- Recruitment and mentoring of assessors
- Coordinate with local governments for promotional activities

Multifamily – Regional Lead (\$5,662,800)

The Multifamily program offers cash rebates and no-cost energy consulting for multifamily properties that undertake energy and water upgrades. The program assists in planning energy savings improvements designed to save 15% or more of a building's energy and water usage and provides \$750 per unit in rebates to help pay for the upgrade.

Energy Council will lead the Regional BayREN Multifamily program, including the Capital Advance Financing Pilot, and conduct the following activities:

- Administer and manage program to ensure that total unit goals and energy savings metrics are met or exceeded
- Oversee technical consultants and partners responsible for implementation
- Verify and approve eligible scopes of work and process rebates for property owners
- Review program performance and develop program enhancements or modifications
- Monitor regulatory activities that impact program and represent Program in relevant stakeholder groups, committees and advisory groups
- Process property owner rebates totaling \$3,750,000
- Coordinate with other multifamily programs in the region
- Coordinate reporting and Evaluation, Measurement & Verification (EM&V) activities
- Convene BayREN members to participate in the multifamily committee
- Conduct regional marketing activities and coordinate local outreach activities

Codes and Standards –Local Outreach (\$35,700)

The Codes and Standards program promotes an integrated, measurement-driven management process for enhancing energy code compliance. Its goals include increasing compliance rates with the Energy Code and Green Building standards, developing trainings for Bay Area building professionals, and promoting “reach codes” for local jurisdictions.

Energy Council will conduct local outreach for the Codes and Standards program, including the following activities:

- Conduct outreach to building departments and promote participation in BayREN activities
- Assist in prioritization and development of new BayREN trainings based on local needs
- Provide input on content of regional forums and promote participation to local governments
- Host a regional Codes and Standards forum

Commercial PACE - Local Outreach (\$1,700)

PACE programs allow qualified property owners in a community to obtain affordable, long-term financing for energy efficiency renewable energy and water conservation improvement and repay it through their secured property tax bills.

Energy Council will conduct local outreach for the Commercial PACE program, including the following activities:

- Coordinate local Commercial PACE promotional activities with BayREN Commercial PACE outreach

Pay As You Save (PAYS) - Local Outreach (\$6,800)

The BayREN PAYS program is a unique on-bill program that allows municipal water utility customers to pay for efficiency improvements through a monthly charge attached to their meter with no up-front costs and the assurance that their utility bill savings will exceed the program charge. The City of Hayward and East Bay Municipal Utility District (EBMUD) are partners in the BayREN PAYS program.

Energy Council will conduct local outreach for the PAYS financing pilot, including the following:

- Serve as a local contact for PAYS water utilities in the County for questions about BayREN
- Provide support to the regional lead and promote the program to local stakeholders

Multifamily Capital Advance – Regional Lead (\$110,000)

Multifamily property owners can access zero percent interest capital to make energy efficiency improvements to multifamily buildings located within the Bay Area. Participating lenders match the program’s capital by at least 50%.

Energy Council will manage the Bay Area Multifamily Capital Advance Pilot (BAMCAP), including the following:


- Recruit lenders to participate in the program
- Promote the financing product to property owners
- Manage financing subconsultant
- Offer financing concierge to complement energy advising service
- Adapt program based on market need

Energy Council will also support ABAG with regulatory and policy tracking support for BayREN.



Attachment B

SUMMARY OF EXECUTIVE BOARD APPROVAL

Work Item No.:	1721 (NFSN 2307 and 2309)
Consultant:	Energy Council
Work Project Title:	BayREN
Purpose of Project:	Implement a portfolio of energy efficiency programs across the region.
Brief Scope of Work:	Responsible for outreach regarding BayREN programs to Alameda County jurisdictions; participate in administrative activities related to BayREN operations; serve as lead for BayREN's multifamily, multifamily capital advance and Home Energy Score program. This amendment is for 2018 activities.
Project Cost Not to Exceed:	\$6,023,966 (includes rebates)
Funding Source:	PG&E (ratepayer funds) as directed by the CPUC
Fiscal Impact:	Funds programmed in FY 2017-18 Budget
Motion by Committee:	That the Executive Director or his designee is authorized to negotiate and enter into a contract amendment with Energy Council for BayREN 2018 services as described above and in the Executive Director's memorandum dated November 1, 2017, and the Chief Financial Officer is authorized to set aside funds up to \$6,023,966 for such amendment. The Executive Director or his designee is also authorized to negotiate and amend this agreement as necessary for the 2018 implementation of BayREN programs up to the total approved annual budget.
Executive Board Approval:	 Julie Pierce, ABAG President
Approval Date:	11/16/17

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DATE: December 20, 2017

TO: Energy Council

FROM: Wendy Sommer, Executive Director

BY: Jennifer West, Program Manager

SUBJECT: East Bay Energy Watch Policy Paper

SUMMARY

In October 2017, the Policy and Regulatory Subcommittee of the East Bay Energy Watch released a paper entitled “Navigating the Changing Landscape of Energy Efficiency Programs in the East Bay.” Rachel DiFranco, City of Fremont, and Jennifer West, StopWaste, will make a brief presentation about the findings from the paper at the December 20 Energy Council meeting.

DISCUSSION

East Bay Energy Watch (EBEW) is a Local Government Partnership with PG&E under the auspices of the California Public Utilities Commission, covering all of Alameda and Contra Costa Counties. EBEW supports energy efficiency programs for small and medium businesses, municipal buildings and some residential customers. StopWaste is a co-administrator for EBEW, along with Contra Costa County. The Strategic Advisory Committee is made up of staff from each jurisdiction in the two counties, including the counties themselves, and meets quarterly. There are several subcommittees that meet monthly to discuss items of interest and to guide programs that EBEW funds. The Technical Advisory Group (TAG), which meets monthly, is composed of staff from Energy Council jurisdictions in Alameda County and there is a good deal of overlap between EBEW and TAG members.

In 2016-17, the Policy and Regulatory Subcommittee of EBEW set out to write a paper summarizing the energy efficiency programs available to East Bay communities, recognizing the various program administrators, illuminating possible overlaps, and exploring possible changes expected as community choice aggregation (with MCE and East Bay Community Energy) becomes available to these communities. They interviewed stakeholders, gathered perspectives and produced this paper. Some charts in the paper may be helpful when referring to programs (p.4/5).

The EBEW paper has been shared with sustainability committees in several jurisdictions already, and we are asking for your help in disseminating it further by suggesting people or organizations that may be interested in receiving a copy. It has also been shared with EBCE Board and staff.

The paper can be found online at: <http://www.ebew.org/news/> . It is also attached to this memo (34 pages).

RECOMMENDATION

This item is for information only.

Attachment: *Navigating the Changing Landscape of Energy Efficiency Programs in the East Bay*

NAVIGATING THE CHANGING LANDSCAPE OF ENERGY EFFICIENCY PROGRAMS IN THE EAST BAY

East Bay Energy Watch Partnership's
Strategic Advisory Committee:
Policy & Regulatory Subcommittee

October 2017

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ACKNOWLEDGMENTS:

Members of the East Bay Energy Watch Policy and Regulatory Subcommittee produced this paper. Various stakeholders shared insights and contributed to this “landscape.” Rachel DiFranco, Sustainability Manager in the City of Fremont, chaired the subcommittee and can be contacted with questions. StopWaste Program Manager, Jennifer West can be contacted with questions on the East Bay Energy Watch and the Strategic Advisory Committee (SAC).

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ENERGY EFFICIENCY PROGRAM SNAPSHOT

East Bay Energy Watch's Strategic Advisory Committee has developed this paper as part of their process of exploring opportunities for the EBEW partnership as it navigates the evolving and increasingly complex field of energy efficiency programs in the East Bay. The insights in this paper were informed by interviews with representatives of local utilities, municipalities, local government partnerships and community choice aggregators. This paper is intended to spark discussion among energy efficiency program administrators, implementers and other stakeholders, and to identify issues that would benefit from more in-depth analysis.

The California Public Utilities Commission (CPUC) regulates energy efficiency programs that are funded by a surcharge on customers' electricity and gas bills. This surcharge provides over \$1 billion per year for energy efficiency programs that fight climate change by reducing greenhouse gas emissions related to energy use.¹ A number of entities, including investor-

owned utilities (IOUs), regional energy networks (RENs), local government partnerships (LGPs), and more recently, community choice aggregators (CCAs), use these funds to develop, administer and implement certain energy efficiency programs. The CPUC serves as a public watchdog to ensure that the energy efficiency programs it funds meet its thresholds for energy savings and cost effectiveness.²

The eastern region of the San Francisco Bay Area consists of two neighboring counties, Alameda and Contra Costa, which are known collectively as the East Bay and which have a combined population of about 2.7 million people. Pacific Gas and Electric Company (PG&E) and the East Bay Energy Watch Partnership (EBEW) have been administering ratepayer-funded energy efficiency programs throughout these two counties for more than 10 years. Due to the longevity of these programs, administrators and implementers have developed significant technical expertise and stakeholder relationships. Certain EBEW programs have strong market recognition due to ongoing marketing and education efforts to target hard-to-reach demographics within their targeted sectors.

In addition, the San Francisco Bay Area Regional Energy Network (BayREN), a collaboration of the nine counties that make up the Bay Area, has been offering ratepayer-funded residential energy efficiency programs in the East Bay since 2013. Regional Energy Networks are coalitions of local governments that

This paper intends to spark discussion among energy efficiency program administrators, implementers and other stakeholders, and to identify issues that would benefit from more in-depth analysis.

¹ California Public Utilities Commission, "Regulating Energy Efficiency," February 2016, p 3.

http://www.cpuc.ca.gov/uploadedFiles/CPUC_Public_Website/Content/News_Room/Fact_Sheets/English/Regulating%20Energy%20Efficiency%200216.pdf

² The CPUC establishes cost effectiveness using four tests that assess costs and benefits of energy efficiency programs from different stakeholders' perspectives. These tests are described in the CPUC's [Standard Practice Manual](http://www.cpuc.ca.gov/General.aspx?id=5267), <http://www.cpuc.ca.gov/General.aspx?id=5267>.

offer large-scale, cross-sector energy management strategies on a regional level. California has two RENs—BayREN as well as the Southern California Regional Energy Network (SoCalREN), which serves public agencies and their constituents in the Southern California Edison and Southern California Gas Company service areas. StopWaste, a joint powers authority representing the 14 cities in Alameda County and the county itself, and Contra Costa County are two of the ten members of BayREN’s governing committee and conduct outreach for BayREN’s energy efficiency programs in their respective jurisdictions. StopWaste also implements regional multifamily energy efficiency rebate and financing programs for BayREN.

MCE, a community choice aggregator, has offered ratepayer-funded energy efficiency programs in Marin County and the City of Richmond (Contra Costa County) since 2012, and has been serving Napa County and the Contra Costa County cities of Walnut Creek, San Pablo and El Cerrito since 2016. It will begin serving other Contra Costa jurisdictions in 2018. Community choice aggregation regulations allow local governments to purchase or generate electricity on behalf of residents, businesses and municipal accounts in their area. Seven states including California currently allow community choice aggregation. Appendix B provides more information about community choice aggregation, including a list of CCAs in California.

East Bay Community Energy (EBCE), a community choice aggregator established in December 2016 and expected to begin operation in 2018, will serve most of the jurisdictions in Alameda County. As it begins enrolling customers, EBCE may consider entering into the East Bay’s energy efficiency program arena in the future.

These changes in the East Bay’s energy efficiency program landscape present new opportunities to help ensure California ratepayers’ funding is effectively used to meet the state’s energy savings and climate goals. However, potential issues including competition for funding and customers, market confusion, and duplication of administrative costs present challenges for program administrators, implementers, regulators and ratepayers.

ROLES AND PROGRAMS

A number of different types of organizations are involved with energy efficiency program administration within California. For the purposes of this paper, these roles are defined as follows:

- **Program administrator:** An organization that receives CPUC funding to run an energy efficiency program. Includes IOUs, RENs, and CCAs if they opt to do so.
- **Local Government Collaboratives:** A group of local governments collaborating on the design and delivery of energy efficiency programs. Local government partnerships (LGPs) and Regional Energy Networks (RENs) are both considered local government collaboratives.
- **Implementer:** An organization that carries out an energy efficiency program. Program administrators can implement programs directly; local governments, third-party consultants and contractors are also implementers.
- **Program funders:** Includes CPUC (ratepayer funding), CCAs (revenue-based programs),

California Energy Commission, and cities (Richmond, for example, has settlement funds from Chevron for energy efficiency programs).

- **Convener:** An organization that formally chairs committees made up of local government representatives for the purpose of facilitating strategic planning and decision making regarding energy efficiency programming.

These roles are fluid and individual organizations may serve in more than one role. For example, StopWaste Energy Council convenes staff from its 15 member agencies to set priorities and develop funding proposals for energy programs. The Energy Council represents Alameda County jurisdictions in BayREN, which is a collaboration of the nine counties in the Bay Area plus the Association of Bay Area Governments (ABAG). The BayREN governing body has elected Energy Council as the implementer of the regional multifamily program. In 2016 Alameda County and Contra Costa County jurisdictions voted for the Energy Council to assume the role of independent administrator of the EBEW partnership and assist the Strategic Advisory Committee in its strategic planning.

Table 1 lists the organizations involved with energy efficiency programs in the East Bay and their roles.

Table 1. Energy Efficiency Program Administrator Roles in the East Bay

Program Administrators	EBEW (PG&E)	BayREN	MCE
Conveners	Energy Council (StopWaste)	ABAG / MTC	N/A
Local Government Collaboratives	Strategic Advisory Committee (SAC) with cities in Alameda & Contra Costa Counties	BayREN Member Agencies: 9 County Representatives and ABAG/MTC	N/A
Implementers	DNV GL, CESC Rising Sun, QuEST	Each Program is led by one BayREN member agency that oversees sub-consultants	DNV GL, CESC

Table 2 shows the main energy efficiency programs currently offered in the East Bay, by market sector and program administrator. Refer to Appendices B and C for a description of these organizations and programs. *Note that this is not an exhaustive representation of energy efficiency programs in the East Bay.*

Table 2. Main Energy Efficiency Programs in the East Bay, by Sector

ORG.	TERRITORY	SINGLE FAMILY	MULTIFAMILY	COMMERCIAL	MUNICIPAL	CROSS-CUTTING
PG&E	No. CA	<ul style="list-style-type: none"> • Advanced Home Upgrade • CA Advanced Homes • Energy Savings Assistance • Plug Loads & Appliances • Residential HVAC 	<ul style="list-style-type: none"> • Multifamily Upgrade • Multifamily EE Rebates • CA Multifamily New Homes 	<ul style="list-style-type: none"> • HVAC Optimization • Savings by Design 		<ul style="list-style-type: none"> • Energy Advisor • Calc/Deemed Incentives • Direct Install • Continuous Improvement • On-Bill Financing • Codes and Standards
EBEW	Alameda & Contra Costa Counties	<ul style="list-style-type: none"> • California Youth Energy Services 	<ul style="list-style-type: none"> • California Youth Energy Services 	<ul style="list-style-type: none"> • East Bay Energy Watch Program • Your Energy Manager • Building Operator Certification • EnergyWatch Microloan 	<ul style="list-style-type: none"> • Municipal Implementation Team • Civic Spark • Lucid Connected Cities • Automated DR Pilot 	
BayREN	9 Bay Area Counties	<ul style="list-style-type: none"> • Home Upgrade • Advanced Home Upgrade • Home Upgrade Advisor • Home Energy Score 	<ul style="list-style-type: none"> • Bay Area MF Building Enhancements • Bay Area MF Capital Advance Program 		<ul style="list-style-type: none"> • ZNE Assistance 	<ul style="list-style-type: none"> • Codes and Standards • PAYS On-Bill Financing
MCE	Marin, Napa, Contra Costa Counties	<ul style="list-style-type: none"> • Smart Thermostat Pilot 	<ul style="list-style-type: none"> • Multifamily Program 	<ul style="list-style-type: none"> • Commercial Program 		<ul style="list-style-type: none"> • Electric Vehicle Pilot
EBCE	Alameda County					

CHANGING CONTEXT OF ENERGY EFFICIENCY PROGRAMS: FLATTENING THE DUCK CURVE

The growth of solar-generated electricity and its impacts on California's electricity grid are expected to have a significant influence on energy efficiency programs in the East Bay over the next few years.

Since the mid-1970s, the State of California has promoted energy efficiency as the least expensive, most cost-effective energy resource. This has been based on the fact that it historically has been cheaper to save a kilowatt of electricity than to build and operate the infrastructure needed to generate and deliver that kilowatt. In large part due to the state's energy efficiency policies and investments, per capita energy consumption in California has been nearly flat over the past four decades.³

The longstanding emphasis on energy efficiency has produced tremendous benefits for Californians, including relatively low annual electric bills compared to most of the country, growth in clean energy jobs, increased economic output per kilowatt-hour consumed, cleaner air and greenhouse gas emissions reductions.⁴

Over the past few years, however, California has experienced rapid growth of distributed renewable energy deployment,⁵ and in particular solar-generated electricity. As a result, the state's grid is experiencing a growing imbalance between solar production and peak demand for electricity. Managing electricity demand, therefore, has increasingly become as or more important than energy efficiency.

When plotted on a chart, this imbalance takes on a distinctive shape known as the "duck curve" (Figure 1). At midday, when the grid is flooded with solar-generated electricity, there's a deep drop in net load (the grid's normal load minus solar and wind generation). In the late afternoon, as solar generation drops at the same time that people come home from work and start using appliances, air conditioners and other electric devices, there's a steep rise in net load and demand for power from conventional sources spikes. On a chart, the midday drop in net load looks like the sagging belly of a duck, while the late afternoon rise can be seen as the duck's neck. This misalignment of solar production and peak demand will only get worse as the state approaches its goal of 50% renewable energy generation by 2030.

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³ "California's Energy Efficiency Success Story: Saving Billions of Dollars and Curbing Tons of Pollution," NRDC Fact Sheet, July 2013, <https://www.nrdc.org/sites/default/files/ca-success-story-FS.pdf>.

⁴ Ibid.

⁵ Distributed energy refers to electricity generated from sources, often renewable energy sources such as solar or wind, near the point of use instead of centralized generation sources from power plants.

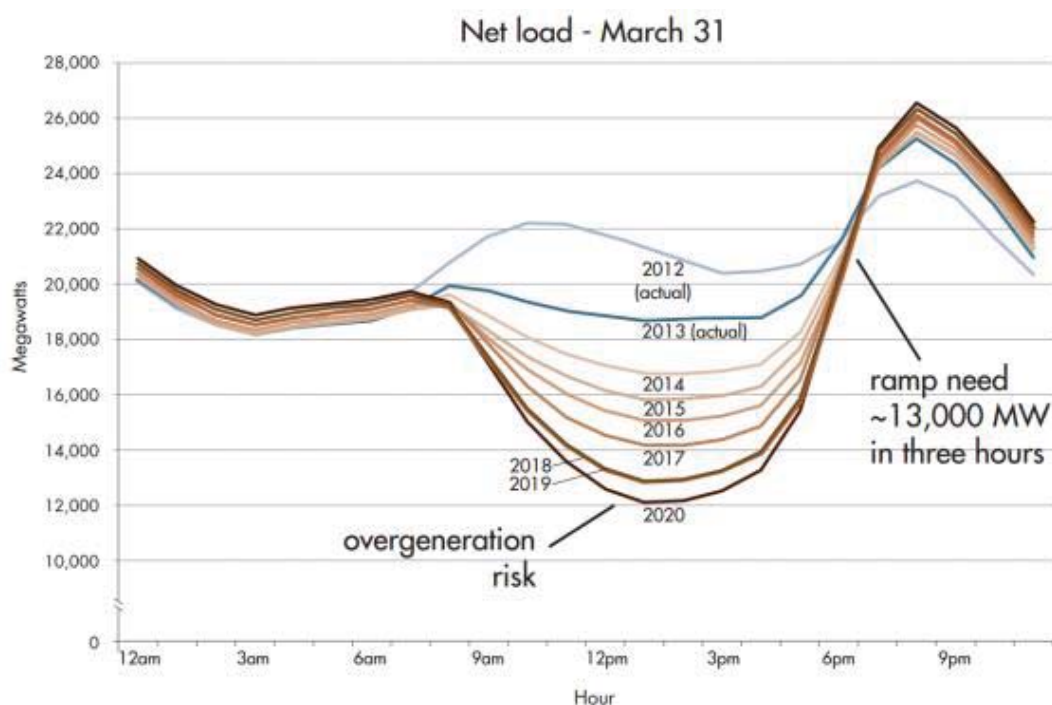


Figure 1. The Duck Curve⁶

California’s energy regulators recognize the need to flatten the duck curve through programs that address peak demand, demand response (DR) and energy storage. Measures that save energy in the late afternoon, for example, are becoming much more valuable than measures that save energy during off-peak times.

Technological advances in battery storage will allow for excess solar generation to be soaked up at midday and made available for use in the late afternoon and evening. Time-of-use pricing (charging customers more when electricity demand peaks and less when electricity supply is plentiful) and other demand response strategies can encourage customers to shift consumption to off-peak hours. Electric vehicles are also predicted to have a role to play in balancing renewables generation and peak demand (though, if improperly managed, could also result in excess demand during peak times).

Given the “duck curve” phenomenon, there’s a growing need for program administrators and implementers to develop demand management programs that address *when* electricity is used, not just *how much* is used. Some of the stakeholders interviewed for this paper, however, reported a lack of engagement with or understanding of these demand management issues at the local government level. Most local governments remain focused on conventional energy efficiency programs like lighting retrofits, appliance rebates, and other basic efficiency measures, as well as standard grid-tied solar PV systems, even though today the bigger opportunities relate to energy storage technologies and strategies that help customers manage demand intelligently in response to signals such as time-of-use

⁶ “Overgeneration from Solar Energy in California: A Field Guide to the Duck Chart,” National Renewable Energy Laboratory, November 2015, p. 3. <https://www.nrel.gov/docs/fy16osti/65023.pdf>

and peak day pricing.

NAVIGATING THE NEW ENERGY EFFICIENCY LANDSCAPE

We interviewed stakeholders who are directly or indirectly involved with administering or implementing energy efficiency programs, including local government, IOU, CCA and other program administrator staff. Their comments generally fall into three categories:

1. Program administrators' roles
2. Communication and coordination
3. Program gaps

The following pages capture insights offered by stakeholders, organized according to these three themes. This "Stakeholders' Insights" section is followed by an outline of various program options or scenarios that CCAs and EBEW might consider, with the pros and cons distilled from the interviews.

This section captures insights offered by stakeholders and should not be construed as a comprehensive analysis of the issues and options or as the recommendations or opinions of the Strategic Advisory Council.

STAKEHOLDERS' INSIGHTS

These comments are intended as discussion points for EBEW's Strategic Advisory Council and other stakeholders. They should not be construed as a comprehensive analysis of the issues and options or as the recommendations or opinions of the Strategic Advisory Council (SAC).

1. Program Administrators' Roles

What are the strengths of the three types of organizations that administer energy efficiency programs in the East Bay?

Stakeholders' comments:

- **Investor Owned Utilities**
 - Well positioned to serve large commercial customers and to develop solicitations for the design and implementation of emerging technologies programs that are not feasible on a small scale.
 - Due to large scale, IOUs can meet CPUC ratepayer funds cost-effectiveness requirements at a portfolio level by balancing less cost-effective programs (such as residential) with more cost-effective programs (commercial, codes and standards advocacy).
 - Energy Watch partnerships fall under the IOU umbrella; the cost effectiveness of their programs can be balanced against PG&E's overall portfolio.

- **Regional Energy Networks**
 - Well suited for running regional programs involving multiple jurisdictions, Codes and Standards efforts that tap into staff expertise with building codes, and energy efficiency programs for municipal facilities.
 - RENs are currently not held to the CPUC's cost effectiveness requirements for their overall portfolio. BayREN's portfolio is developed independently of PG&E and approved by the CPUC directly.
 - RENs are specifically directed to address:
 - activities that utilities cannot or do not intend to undertake,
 - pilot activities where there is no current utility program offering, and where there is potential for scalability to a broader geographic reach, and
 - pilot activities in hard-to-reach markets, whether or not there is a current utility program that may overlap.
- **Community Choice Aggregators**
 - Potential to have a closer relationship with and better ability to reach residential and small and medium business (SMB) customers.
 - May also have more success with hard-to-reach markets in their communities.
 - Have flexibility to focus on innovative programs, carbon reduction measures that aren't limited by the CPUC's energy efficiency and cost effectiveness requirements.
 - If CCAs do receive ratepayer energy efficiency funds, they will also be held to the cost effectiveness test; however, because of their small portfolios relative to IOUs, they may be more challenged to achieve cost effectiveness, particularly where they are in competition with other programs.

With CCAs operating in the East Bay, will EBEW's role become redundant?

Stakeholders' comments:

- **YES:** There may be less need for Energy Watch partnerships in the future. CCAs could administer some of the programs EBEW administers now. To paraphrase one interviewee, in their heart of hearts, local governments don't really want to administer energy efficiency programs because they are cumbersome and highly technical.
- **NO:** EBEW has a very strong brand that can continue to drive energy efficiency gains. Its programs have good name recognition in the SMB market. In addition, EBEW offers program consistency across the two counties. EBEW and PG&E have built a strong partnership that should be capitalized on, not dismissed. The CCA can fill in energy program gaps that are not ratepayer funded and therefore less rigid.
- **NO:** Assuming the need remains strong for energy efficiency and intelligent strategies around mitigating demand response, peak day pricing and time-of-use issues, multiple entities will be needed to serve the East Bay.

Should CCAs invest in rather than administer energy efficiency programs?

Stakeholders' comments:

- **YES:** CCAs should invest in energy efficiency programs instead of managing them directly. CCAs could contract with EBEW to administer programs, thereby leveraging existing EBEW funding and enabling deeper retrofits.
- **NO:** At least in the near term, EBCE won't have funds to bolster EBEW's programs. EBCE will need to direct any profits to developing new local renewable energy facilities and building its cash reserves.

Should BayREN administer energy efficiency programs on behalf of the CCAs?

Stakeholders' comments:

- **YES:** Having a regional entity run energy efficiency programs improves the ability to reach contractor and consumer markets, which usually are not segmented by the boundaries of a county or a CCA.
- **NO:** CCAs will want control over their own programs, for the reasons described in the next section.
- **NOT NECESSARILY:** It doesn't have to be black and white; for example, BayREN and CCAs could collaborate on programs.

Should CCAs be involved in administering ratepayer-funded energy efficiency programs?

Stakeholders' comments:

- **YES:** It's not a question of "should." Their board of directors will want to see the organization run its own ratepayer-funded programs. In general, CCAs are well positioned to be a main or even the sole administrator of certain energy efficiency programs. They are closer to their customers than IOUs are, they may understand local communities better and do a better job of targeting outreach, and they don't have IOUs' negative reputation issues.
- **YES BUT:** If what's important to CCAs is recognition and awareness of their brand, ratepayer-funded programs administered by other organizations can carry the CCA's brand. CCAs can offer their customers energy efficiency programs without actually administering the programs.
- **YES BUT:** Having multiple entities running the same energy efficiency programs drives up administrative costs. Each type of organization could specialize in specific sectors (e.g., single family, multifamily, municipal, SMB, large commercial) with all cooperating and coordinating to support everyone's success. This works well right now, with EBEW focusing on SMB and municipal markets and BayREN focusing on residential markets. However, this may not work with the requirement that CCAs be cost effective, unless other solutions are found, such as MCE's "shared attribution" proposal.
- **NO:** Taking ratepayer funding means CCAs wind up chasing energy efficiency initiatives that the IOUs have led for years. The cost effectiveness test is onerous for organizations that don't operate at an IOU's scale. If CCAs don't tie themselves to the public surcharge, they can embrace market transformation initiatives rather than just doing conventional energy efficiency

programs like lighting swaps.

- **NO:** CCAs have the flexibility to explore new technologies, education programs, and innovative incentives. CCAs should focus on programs that achieve GHG reductions, aren't reliant on ratepayer funding, and go beyond basic energy efficiency measures such as fuel switching, EV charging, battery storage, solar, creative financing, assisting cities with climate action plans. EBCE has significant GHG reduction goals beyond energy savings and should be thinking about how to evaluate programs on the basis of GHG reductions rather than kWh reductions. **An in-depth analysis of these opportunities is beyond the scope of this paper.**

2. Communication and Coordination

Should EBEW lead the coordination among PG&E, BayREN and the CCAs in the East Bay?

Stakeholders' comments:

- **YES:** We need a stronger commitment from all the players to come together around needs and challenges, program design, and so on. EBEW is the perfect space for having this conversation. There's an even greater need for EBEW to coordinate with the CCAs now that most Contra Costa jurisdictions have joined or will join MCE. EBEW provides a good space to share resources and information. We're facing opportunities and challenges in finding appropriate ways for all IOUs, LGPs and CCAs to work together effectively and thoughtfully. It makes sense for Energy Watch to play that coordination role since it's already an established group with proven successes.
- **YES AND:** Smaller cities aren't at the table because they can't spare the staff time. EBEW could fund a regional position to assist small communities, like the consultant who is working on the GHG data for all the jurisdiction's climate action plans this year.
- **QUALIFIED YES:** Having the coordination is super important, even if it's not necessarily led by EBEW. Having StopWaste in the convener role has been very beneficial. Without having a place for significant local government representation and involvement at the staff level, expertise, knowledge and resources that were developed outside that space may be overlooked, especially as we get deeper into EBCE rollout.
- **NO:** There needs to be coordination, especially among local governments, but EBEW doesn't have to be the entity that provides it. There are trust issues. PG&E wants all stakeholders to be at the table and to have a voice. But do all those voices have equal weight? At the end of the day, will the IOUs have CCAs' best interest at heart? Coordination with IOUs gets complicated really quickly because of competition issues. Program coordination between the RENs and CCAs is more straightforward.
- **NO:** This would be problematic for two reasons: 1. EBEW is a ratepayer-funded program and is beholden to its contract with PG&E for cost effectiveness. It doesn't seem like the right place for coordination at that scale. 2. MCE is deeply engaged in coordination with PG&E and has been since launch. It is useful to have a single point of contact type model for coordinating programs, but EBEW is not the right entity. StopWaste or some other government agency that represents the majority of East Bay communities could be the right place for East Bay coordination. However, given MCE's growth and the number of CCAs operating within BayREN's area alone,

this issue is larger than the East Bay and may need to be addressed at a wider regional level, such as ABAG.

Should EBEW continue to serve two counties?

Stakeholders' comments:

- **YES:** EBEW has been exceptionally engaged in energy efficiency in both counties and has the biggest impact in terms of energy savings. It should continue in its current form; less change is better right now. It might even be beneficial to formalize EBEW's relationship in the two counties with a mechanism such as a Memorandum of Understanding (MOU).
- **YES:** EBEW and StopWaste create continuity and facilitate sharing of knowledge and experience across city and county borders. This is particularly beneficial for smaller cities that benefit from learning about more cutting edge programs (e.g., ZNE) that larger cities are implementing. And not every jurisdiction in Contra Costa County has joined MCE, so they would benefit from EBEW continuing to play an active role.
- **YES:** When it comes to advocacy, there is power in numbers. EBEW has more influence on the CPUC if it represents two counties. EBEW is the largest Energy Watch and represents a very large population. The cities, implementers and stakeholders currently active under the EBEW umbrella have a certain amount of leverage. StopWaste has moved this group's interests forward significantly and its advocacy role is as important, if not more, than its convening role. The issue of leverage matters and stakeholders might miss it if it's gone.
- **MAYBE NOT:** It could split into two entities, or dissolve completely. Another possibility is for EBEW to explore coming under the umbrella of a local government Program Administrator, such as BayREN, MCE or EBCE.

3. Program Gaps

Where are the overall gaps in the energy efficiency program offerings and outcomes? Note: These are the program gaps mentioned during the stakeholder interviews; this is not a comprehensive list of gaps.

Stakeholders' comments:

- **Low hanging fruit:** In many jurisdictions, there's still a lot of low hanging fruit for energy efficiency improvements. Some stakeholders emphasized that it's still helpful to have "first step" programs and that program administrators need to keep making progress on basic energy efficiency and measures that address, for example, weatherization, insulation, furnaces and water heaters.
- **Leveraging data:** Gaps include programs that deliver cost effective Energy Management Systems (now mandated by AB 793) and Commercial Whole Building approaches (sometimes referred to as Normalized Metered Energy Consumption approaches). These programs push the envelope on using customer data to establish baselines and savings and incentive levels, bypassing the cumbersome, expensive energy review process at the IOU and Energy Division that sometimes becomes an obstacle to projects moving forward.

- **Non-energy efficiency programs:** EVs, distributed generation, energy storage, and fuel switching present big opportunities to reduce GHG emissions that will not be tied to ratepayer funding restrictions. CCAs could address these needs directly or contract with other entities to offer non-energy efficiency programs.
- **Other gaps include:**
 - Ability to claim savings and pay incentives based on behavioral changes
 - Meter-based savings programs (may be limited by access to data)
 - Peak day pricing solutions
 - More creative financing efforts
 - Funding for outreach and education
 - Existing conditions as baselines for all projects under a certain demand/size

What are the energy efficiency program gaps specific to the residential sector?

Stakeholders' comments:

- **Middle-income residential sector:** EBEW's California Youth Energy Services (CYES) program services low-to-moderate income households, but the program only reaches a small number of middle-income households each year. BayREN's Advanced Home Upgrade to date has served primarily higher income homeowners. BayREN has proposed addressing this gap by shifting its focus from Home Upgrade to a middle-income single-family program.
- **Expanding CYES:** The Rising Sun program is popular but lacks capacity to serve every city every year. The need for cities to copay for the program is also an obstacle, especially for smaller cities and/or those without dedicated sustainability staff or budgets.
- **Hard-to-reach residential markets:** There are still some East Bay cohorts that aren't well served by existing energy efficiency programs: tenants, low income households, non-native English speakers. CYES does serve this market but the program is not large enough to provide adequate coverage.

What are the energy efficiency program gaps specific to the SMB sector?

Stakeholders' comments:

- **Demand reduction:** More consumer education is needed to reduce the "energy literacy" gap. If customers better understood their electricity rates and how they change over the course of the day, participation in demand response activities would likely increase.
- **Automated demand response:** ADR-capable HVAC systems, lighting technologies, plug strips and "smart" appliances can be programmed to work with an ADR platform that makes adjustments in an integrated fashion across devices, reducing energy use during peak hours and adjusting more energy use to off-peak hours. The key is getting all the ADR-enabled devices controlled on the same platform or standard. A big gap for the SMB sector currently lies in the piecemeal rather than holistic approach taken to ADR.
- **Small commercial retrocommissioning:** Retrocommissioning is a systematic process for fine-tuning existing buildings to make them operate more efficiently. Retrocommissioning small

commercial facilities is often not considered cost effective when gauging the cost of the improvements against energy savings over a one-year period. However, for small commercial facilities with predictable energy use, a baseline of 12 to 24 months of historic energy use data could be used to calculate the effectiveness of retrocommissioning for a period of 12 or more months into the future. Meter-based energy savings programs could measure what happens at the meter as a result of retrocommissioning efforts and pay customer incentives based on performance.

PROGRAM ADMINISTRATION SCENARIOS: PROS AND CONS

This section distills the key insights from the stakeholder interviews into seven program administration scenarios and presents pros and cons of each. The seven scenarios are:

1. CCA does not offer any ratepayer-funded energy efficiency programs, and is not involved with their implementation.
2. CCA does not offer its own energy efficiency programs but supports other organizations' programs via outreach, funding, co-branding or other mechanisms.
3. CCA provides ratepayer-funded energy efficiency programs only to fill gaps in current programming.
4. CCA offers ratepayer-funded energy efficiency programs that absorb, compete with, or replace existing East Bay programs.
5. CCA offers non-ratepayer-funded energy and GHG reduction programs.
6. EBEW takes on a formal coordination role among local governments, utilities and CCAs in the East Bay.
7. EBEW splits into two partnerships, with one covering MCE's jurisdictions and the other covering EBCE's jurisdictions.

As with the Stakeholders' Insights section above, these are intended as discussion points and not as recommendations. These scenarios are not necessarily mutually exclusive. For example, a CCA may choose to not offer ratepayer-funded programs (Scenario 1) in certain sectors and offer them in other sectors (Scenario 4).

Scenario 1: CCA does not offer any ratepayer-funded energy efficiency programs.

MCE currently administers a multifamily and commercial program using public goods charge funds, and has proposed to the CPUC that it serve in the role of downstream liaison for ratepayer-funded programs in the areas where it operates. Sonoma Clean Power (SCP), on the other hand, has not pursued ratepayer funding for any of its customer programs. East Bay Clean Energy hasn't yet determined when or if it might offer ratepayer-funded programs.

Pros:

- No disruption to current ratepayer-funded programs offered by PG&E, EBEW and BayREN

- Reduces competition for ratepayer funding
- Allows CCA to focus on developing its core business
- Allows CCA to focus on innovative programs that aren't hampered by the CPUC's onerous Total Resource Cost (TRC) test⁷
- Avoids market confusion that may arise if there are multiple similar programs
- Avoids duplication of program administration costs
- Avoids need to develop staff and systems to comply with complex and onerous regulatory requirements

Cons:

- Missed opportunity to leverage CCA's customer outreach
- Diminished visibility for the CCA into energy reductions occurring in its load base
- CCA will be restricted by the need to base programs on rates and thus may not have significant programming opportunities
- Inconvenient for CCA customers who have to deal with multiple organizations to buy electricity and receive energy efficiency services
- Missed opportunity for CCA to expand staff and capacity by leveraging CPUC-allocated administrative funds

Scenario 2. CCA does not offer its own energy efficiency programs, but supports other organizations' programs via outreach, funding, co-branding or other mechanisms.

Sonoma Clean Power is an interesting example of this approach. They encourage their customers to take advantage of PG&E's ratepayer-funded energy efficiency programs and essentially market these programs to their customers without receiving CPUC funds to do so. They see this outreach activity as benefitting their customers and helping the region achieve its climate goals. They have also collaborated with existing energy efficiency programs to deliver additional services prohibited by ratepayer funding. For example, BayREN Multifamily program technical consultants will be provided with EV training from Sonoma Clean Power. A CCA could also allow programs to carry the CCA's brand without having to take on an administrative or implementation role.

Pros:

Same as Scenario 1, plus:

- Potential to increase recognition and uptake of current energy efficiency programs
- Allows PG&E, EBEW and BayREN to leverage CCA's customer base

⁷ "This test compares benefits to society as a whole (avoided supply-side cost benefits, additional resource savings benefits) with the participant's cost of installing the measure plus the cost of energy efficiency program administration (non-incentive costs). Incentives are considered a transfer payment from program to participant and thus are not explicitly accounted for in the calculation. Since the TRC test takes a societal perspective into account, it is the appropriate test for regulatory agencies and other policymakers to use in establishing energy conservation goals." Source: <http://ceeeep.rutgers.edu/wp-content/uploads/2013/11/EEGuidebook2009.pdf>

- Potential to enhance CCA's reputation and electricity sales if they are associated with programs that have good name recognition
- CCA could pick and choose programs to support that best fit its goals
- Much less expensive than creating new programs
- CCA avoids having to deal with regulatory bureaucracy of ratepayer funding

Cons:

- Diverts CCA's staff time and revenue from other activities
- CCA might chafe at limited control of energy efficiency programs
- If customers have negative perception of program administrator, that may reflect poorly on the CCA's brand

Scenario 3. CCA provides ratepayer-funded energy efficiency programs only to fill gaps in current programming.

While certain market sectors, such as low and upper-income single-family residential, may be well served with programs, there are underserved sectors as well as technologies and products that may not be well addressed by current programs. A CCA that's not boxed into traditional utility programs might be successful in serving some of these niche areas.

Pros:

- No disruption to current ratepayer programs
- CCAs are potentially more nimble and creative than IOUs and could fill gaps by designing ground-breaking products or delivery channels
- Benefit of helping underserved communities within the CCA service area

Cons:

- CCA would be at competitive disadvantage if established program administrators "owned" the most cost-effective programs and CCA only had access to hard-to-reach markets that are expensive to serve, making TRC low

Scenario 4. CCA offers ratepayer-funded energy efficiency programs that absorb, compete with, or replace existing East Bay programs.

A CCA may apply to the CPUC for funding for programs that duplicate current programs, or that would even supplant those programs.

Pros:

- Continues to provide jurisdictional authority over ratepayer funds collected from CCA customers
- Provides greater visibility into demand reductions occurring within a CCA's load base
- Facilitates positive brand recognition of the CCA as it launches
- Competition among program administrators may spur them to create more innovative, efficient,

and effective programs that could help reduce TRC

- As the new kid on the block, a CCA may find it easier to capture customers' interest than well-established programs, especially if customers have negative associations with the existing program's brand

Cons:

- Competing program administrators might be unwilling to work cooperatively
- Programs may undercut each other when competing for the same customers
- Duplication of program administrative costs and outreach costs wastes ratepayers' money and fragmentation of program's within a region reduce economies of scale and cost effectiveness
- Competing programs or brands may confuse customers
- Taking ratepayer funds ties the CCA to a complicated and onerous set of regulations developed for IOUs and not appropriate to local government implementers
- Taking ratepayer funding could force CCA to aggressively market energy efficiency programs and could divert their resources from other goals (e.g., EBCE's goals of local power generation, local development and local economic benefit)

Scenario 5. CCA offers non-ratepayer-funded energy and GHG reduction programs.

CPUC-allocated ratepayer funds come with strings attached: programs have to meet a strict cost-effectiveness test. Foregoing these funds can free up CCAs to provide more innovative solutions to customers' needs.

Pros:

- Allows CCA to focus on programs that achieve GHG reductions and that aren't reliant on ratepayer funding, such as fuel switching, EV charging, battery storage, solar, creative financing, and education and marketing
- Allows CCA to focus on innovative programs that aren't hampered by the CPUC's onerous Total Resource Cost test

Cons:

- There is still a lot of "low hanging fruit" to be captured in the East Bay through conventional energy efficiency programs
- CCAs need to find other means of funding programs potentially impacting rates for CCA customers and/or limits funding for programs
- Causes CCA customers to pay twice for customer programs if duplicative

Scenario 6. EBEW takes on a formal coordination role among local governments, utilities and CCAs in the East Bay.

Pros:

- EBEW already has experience with this complex coordination

- Helps ensure good integration of CCAs into existing energy efficiency program and good coordination among all the entities involved with program administration
- Helps ensure that local governments share experiences and lessons learned

Cons:

- Participation might be limited unless there were a mandate
- Implementers may want to work directly with IOUs and CCAs, not through EBEW Partnership
- EBEW only covers part of the MCE jurisdictions and may not be well positioned relative to existing coordination efforts

Scenario 7. EBEW splits into two partnerships, with one covering MCE's jurisdictions and the other covering EBCE's jurisdictions.

With MCE serving most of Contra Costa County and EBCE poised to serve most of Alameda County, we asked interviewees if it would make sense for EBEW to divide along county lines.

Pros:

- Would allow for streamlining between the respective CCA and administrator of ratepayer-funded programs within each separate county

Cons:

- Local governments lose some of the cross pollination that comes from EBEW serving both counties
- Two smaller EBEWs would have less clout with the CPUC and other entities than one large EBEW
- Some Alameda County & Contra Costa County jurisdictions have not joined a CCA

ADDITIONAL QUESTIONS

This paper touches on a number of issues that would benefit from deeper exploration:

- **Duck curve.** How can local government's engagement with the duck curve phenomenon and related demand management issues be strengthened?
- **Gap analysis.** There's a need for a comprehensive gap analysis of the energy programs in the East Bay, emphasizing demand management, solar, EV charging, battery storage, creative financing and even fuel switching, as well as conventional energy efficiency programming.
- **Programming by market sector.** Additional information and analysis is needed regarding whether CCAs should offer energy efficiency programs in each market sector served by EBEW (residential, commercial, municipal, industrial).
- **Intelligent demand management.** The paper might benefit from an expanded discussion of how and why CCAs should look beyond CPUC-allocated ratepayer funding with its cost-effectiveness constraints to increasingly important opportunities related to intelligent demand management.

APPENDIX A. ACRONYMS

ABAG	Association of Bay Area Governments
ADR	Automated Demand Response
BAMBE	Bay Area Multifamily Building Enhancements
BAMCAP	Bay Area Multifamily Capital Advance Program
BayREN	Bay Area Regional Energy Network
CAP	Climate Action Plan
CCA	Community Choice Aggregator or Community Choice Aggregation
CCE	Community Choice Energy
CESC	Community Energy Services Corporation
CPUC	California Public Utilities Commission
CYES	California Youth Energy Services
DER	Distributed Energy Resources
DR	Demand Response
EBCE	East Bay Community Energy
EBEW	East Bay Energy Watch
EE	Energy Efficiency
ESAP	Energy Savings Assistance Program
EV	Electric Vehicle
EVSE	Electric Vehicle Service Equipment
GHG	Greenhouse Gas
HES	Home Energy Score
HVAC	Heating, Ventilation and Air Conditioning
HTR	Hard to Reach
IOU	Investor-Owned Utility
kW	Kilowatt
kWh	Kilowatt Hour
MCE	Marin Clean Energy
MIT	Municipal Implementation Team
PACE	Property Assessed Clean Energy
PAYS	Pay-As-You-Save
PG&E	Pacific Gas & Electric Company
PV	Photovoltaic
REN	Regional Energy Network
SCP	Sonoma Clean Power
SMB	Small and Medium Business
TRC	Total Resource Cost
ZNE	Zero Net Energy

APPENDIX B. ENERGY EFFICIENCY PROGRAM ADMINISTRATORS IN THE EAST BAY

Four types of organizations currently administer ratepayer-funded energy efficiency programs in the East Bay: investor-owned utilities (IOUs), regional energy networks (RENs), local government partnerships, and community choice aggregators (CCAs). These program administrator types are described here. Appendix C provides a description of the energy efficiency programs listed below.

Investor-owned Utilities

For over 30 years, PG&E has promoted energy efficiency throughout its service area. PG&E's energy efficiency program portfolio includes a diverse suite of rebates, incentives, services and tools for targeting every customer segment through multiple delivery channels. PG&E also partners with local and regional governments to tailor energy efficiency offerings to the local community through Energy Watch programs. Many of PG&E's programs are sector specific (single-family residential, multifamily, commercial, industrial, agricultural and municipal), while others cut across various sectors. Given the size of PG&E's service territory, the scope of its programs, and the utility's depth of experience with energy efficiency initiatives, the impact of their programs is significant.

These are PG&E's main energy efficiency programs offered in the East Bay:

- **Residential—Single family**
 - Advanced Home Upgrade
 - California Advanced Homes
 - Energy Savings Assistance Program (ESAP)
 - Plug load and appliances
 - Residential Heating, Ventilation and Air Conditioning (HVAC)
- **Residential—Multifamily**
 - Multifamily Upgrade Program
 - Multifamily Energy Efficiency Rebates
 - California Multifamily New Homes
- **Commercial**
 - Commercial HVAC Optimization Program
 - Savings by Design
- **Cross-cutting**
 - Energy Advisor
 - Calculated and deemed incentives
 - Continuous improvement consulting and training
 - Direct install
 - On-bill financing
 - Codes and Standards

Energy Watch Partnerships

PG&E has established Energy Watch Partnerships in their service territory to help local governments develop and implement energy efficiency programs and activities that support their community's sustainability and climate change objectives. PG&E provides incentives, tools and technical assistance to support these efforts, and Energy Watch Partnerships receive ratepayer funds to carry out energy efficiency programs in their service area.

East Bay Energy Watch serves Contra Costa and Alameda Counties. Most of the EBEW program implementer contractors are held directly by PG&E. EBEW's cost effectiveness is balanced against PG&E's overall portfolio, and ultimately its activities are approved by PG&E.

According to a 2016 survey of the local governments participating in EBEW, the number one reason for participation is to help meet climate action plan (CAP) goals for greenhouse gas (GHG) reduction. Every jurisdiction participating in EBEW in Alameda County and the majority of jurisdictions participating in EBEW in Contra Costa County have adopted CAPs.

Ratepayer-funded energy efficiency programs are one way in which local jurisdictions make progress toward achieving their CAP goals. In addition to helping reduce GHG emissions, energy efficiency programs have the potential to provide other benefits, including job training and job creation, lower utility bills, and healthier, safer, more resilient buildings and communities.

These are East Bay Energy Watch's current ratepayer-funded energy efficiency programs:

- **Residential—Single family and multifamily**
 - California Youth Energy Service (provided by Rising Sun)
- **Commercial—Small to medium businesses (SMB)**
 - East Bay Energy Watch Program (provided by DNV GL and CESC; was SmartLights and BEST programs)
- **Municipal**
 - Municipal Implementation Team (MIT) program (provided by QuEST)

EBEW also supports energy efficiency-related needs identified by member jurisdictions through its Strategic Energy Resources⁸ budget including Your Energy Manager, SMB MicroFinance Pilot, Building Operator Certification training, CivicSpark, Lucid Connected Cities and a Municipal Automated Demand Response pilot.

⁸ Strategic Energy Resource initiatives help communities to overcome barriers to achieving deeper energy savings by empowering their creativity to demonstrate new approaches to energy and GHG reduction that align with the longer-term elements of the CEESP and AB32 and to become models for all local governments in California. Source: Pacific Gas and Electric Company 2016-17 Energy Efficiency Portfolio Local Program Implementation Plan Local Government Partnerships Master PGE211005-1, PGE211005-2

Regional Energy Networks

The Bay Area Regional Energy Network (BayREN) is a collaboration of local governments from the nine counties that make up the San Francisco Bay Area. Led by the Association of Bay Area Governments (ABAG), BayREN draws on the expertise and experience of Bay Area local government staff to develop and administer energy efficiency programs. BayREN provides a platform for local government energy programs to benefit from regional consistency and scale. One of only two Regional Energy Networks in California, BayREN represents 20 percent of the state's population.

BayREN's portfolio is developed independently of PG&E and is approved by the CPUC directly. BayREN's energy efficiency programs complement and supplement the programs of the East Bay Energy Watch Partnership. This collaboration helps ensure that each organization's efforts are leveraged and that gaps in service offerings are minimized.

RENs are specifically directed to address:

- activities that utilities cannot or do not intend to undertake, neither as core programs nor under the LGP framework
- pilot activities where there is no current utility program offering, and where there is potential for scalability to a broader geographic region, and
- pilot activities in hard-to-reach markets, whether or not there is a current utility program that may overlap.

These are BayREN's ratepayer-funded energy efficiency programs in the East Bay:

- **Residential—Single family**
 - Energy Upgrade California Home Upgrade
 - Energy Upgrade California Advanced Home Upgrade Assessment Incentive
 - BayREN Home Upgrade Advisor
 - Home Energy Score
- **Residential—Multifamily**
 - Bay Area Multifamily Building Enhancements (BAMBE)
 - Bay Area Multifamily Capital Advance Program (BAMCAP)
- **Municipal**
 - Zero Net Energy (ZNE) Assistance for Municipal Buildings
- **Cross Cutting**
 - Codes and Standards
 - PAYS On-Bill Financing

In addition to these programs, BayREN has submitted proposals to the CPUC to run a public sector and commercial program.

StopWaste Energy Council

The StopWaste Energy Council is a Joint Powers Agency that assists its member agencies (the 15 jurisdictions in Alameda County) in strengthening staff capacity, providing technical expertise, and securing funds to implement local sustainable energy strategies. The Energy Council serves as one of the co-administrators of the East Bay Energy Watch PG&E Local Government partnership along with Contra Costa County. In addition, the Energy Council implements these energy efficiency programs:

- **Residential—Single Family**
 - BayREN’s Regional Home Upgrade program
- **Residential—Multifamily**
 - Bay Area Multifamily Building Enhancements (BAMBE)
 - Bay Area Multifamily Capital Advance Program (BAMCAP)
- **Cross Cutting**
 - BayREN Codes and Standards

StopWaste also provides Energy Council member jurisdictions with model policy support, climate change mitigation and resiliency planning, and assistance with creating zero net energy municipal buildings.

Community Choice Aggregators in the East Bay

To make it easier for people to buy electricity from renewable sources, in 2002 California passed a Community Choice Aggregation bill. This allows cities and counties to buy electricity on behalf of residents, businesses and local governments in their area. California’s CCAs typically offer their customers a choice of electricity generation options sourced from higher levels of renewable energy than investor-owned utilities offer, while keeping rates at or lower than what the IOUs charge. In communities that participate in a CCA program, customers are automatically enrolled but can opt out and continue to receive service from the IOU instead.

Community choice aggregation—also known as community choice energy (CCE)—is expected to play a vital role in helping meet California’s goal of achieving 50 percent renewable electricity by 2030. The state supports the CCA model because it provides choice to California’s ratepayers. Local governments are drawn to CCAs because of their potential to lower energy costs, help cities reach their climate action goals, provide more local control over procurement and programs, and benefit the local economy by bringing in revenue and jobs via local energy projects.

California leads the nation in community choice aggregation, with more than half of all currently operational CCAs located within the state. California’s CCAs focus more heavily on procurement of renewable energy, whereas other programs put more emphasis on competitive pricing and independence from investor-owned utilities. CCAs operating outside of California are Cape Cod Light Compact (MA), Northeast Ohio Public Energy Council (OH), Local Energy Aggregation Network (IL), Clean Power Choice (NJ) and Sustainable Westchester (NY).

CCAs have statutory rights as independent administrators of ratepayer funds for energy efficiency programs under the auspices of the California Public Utilities Commission. This right derives from public utilities code section 381.1. This statute offers two routes for CCA energy efficiency administration; the elect to administer (381.1 (f)) versus the apply to administer (381.1 (a-e)). Under the elect to administer option, a CCA can collect those funds which have been collected from CCA customers (less any funds allocated to statewide or regional programs). While this route applies greater autonomy to a CCA, the budget may be too small to be meaningful and the CCA is limited to serving only CCA customers, which can complicate outreach and enrollment activities. The authority provided under the apply to administer route is much broader, giving the CCA the potential opportunity to administer programs statewide. The apply to administer route subjects the CCA to full CPUC oversight regarding the ratepayer funds.

CCAs in California

According to Lean Energy US,⁹ as of July 2017 there are eight CCAs operating in California, as shown in Table 3. MCE was California's first community choice energy program, and is the only CCA currently operating in the East Bay. East Bay Community Energy (EBCE) is expected to begin operations in 2018. MCE and EBCE are described in detail following Table 4.

Table 3. Community Choice Aggregators Operating in California as of 2017

CCA	Year Started	Energy Mixes	Energy Efficiency Programs
MCE	2010	50% renewable 100% renewable-CA solar and wind 100% local solar	Multifamily, SMB, single-family, and low-income energy efficiency programs (details below) Also offers: Low-income solar rebates, a Feed-in-Tariff program for local renewables, and a "best in state" net energy metering policy
Sonoma Clean Power	2011	42% renewable (2016) 100% local geothermal	Refers customers to other agencies' energy efficiency programs Also offers: NetGreen solar net energy metering, DIY energy and water savings toolkit, and ProFIT feed-in tariff for developers, electric vehicle rebates, residential and workplace electric vehicle charging station rebates
Lancaster Choice Energy	2015	35% renewable 100% renewable	Has filed an Advice Letter to administer programs under the

⁹ <http://www.leanenergyus.org/cca-by-state/california/>

CCA	Year Started	Energy Mixes	Energy Efficiency Programs
			“elect to administer” option; currently being reviewed by CPUC staff
CleanPowerSF	2016	40% local wind and solar 100% renewable	No energy efficiency programs Offers net energy metering for solar customers
Peninsula Clean Energy	2016	50% renewable, 75% carbon-free 100% renewable	No energy efficiency programs Offers net energy metering for solar customers
Apple Valley Choice Energy	2017	35% renewable 50% renewable	No energy efficiency programs Offers net metering for solar customers
Redwood Coast Energy Authority	2017	30% wind and solar, 12% local biomass 100% renewable	Offers net metering for solar customers
Silicon Valley Clean Energy	2017	50% renewable, 50% hydroelectric, 100% carbon-free 100% renewable, 100% carbon-free	No energy efficiency programs Offers net energy metering for solar customers

Lean Energy US lists additional CCAs expected to launch in California in 2018, as well as California jurisdictions exploring setting up a CCA. These are shown in Table 4.

Table 4. Emerging CCAs in California

Anticipated Launch in 2018	Exploring
City of Solana Beach	City of Hermosa Beach
City of San Jose	City of Pico Rivera
Contra Costa County (as part of MCE)	City of San Jacinto
East Bay Community Energy	Butte County
Los Angeles Community Choice Energy	Fresno County
Monterey Bay Community Power	Inyo County
Sierra Valley Energy	Kings County
Valley Clean Energy Alliance	Nevada County
	Riverside County
	San Diego County
	San Luis Obispo County
	Santa Barbara County
	Solano County
	Ventura County

Source: <http://www.leanenergyus.org/cca-by-state/california/> (data as of July 2017)

MCE

Launched in 2010, MCE’s service area includes the County of Marin and all jurisdictions within Marin, the County of Napa and all jurisdictions within Napa, the County of Contra Costa and the Contra Costa cities of Richmond, San Pablo, El Cerrito, Moraga, Lafayette, Walnut Creek, Concord, Martinez, Danville, Oakley, Pinole, Pittsburg, and San Ramon, as well as the City of Benicia in Solano County. Residents and businesses in these jurisdictions are automatically enrolled in MCE’s standard 50 percent renewable energy service. Customers can upgrade to higher levels of renewable energy or opt out and instead use PG&E’s standard energy portfolio with 33 percent renewable content.

MCE offers these ratepayer-funded energy efficiency programs in the communities they serve:

- **Residential—Multifamily**
 - No-cost energy assessments, rebates and other incentives
 - Assistance with obtaining energy efficiency loans and PACE financing
- **Single-Family**
 - “Seasonal Savings” programmable thermostat program that remotely adjusts thermostat set points
- **Low Income Families and Tenants Program**
 - Funded through the Energy Savings Assistance Program, this program aims to leverage the multifamily energy efficiency program to deepen the impact both programs can have. This program includes targets for deploying heat pump technology.
- **Commercial—Small businesses**
 - Assessments, rebates, financing and other assistance for small businesses
 - Assistance with obtaining energy efficiency loans and PACE financing

MCE also administers non energy-efficiency programs, including issuing rebates for the installation of electric vehicle supply equipment (EVSE), working with local transit agencies to facilitate procurement of an electric bus, and providing low-income solar rebates. MCE also currently administers more than \$1.7 million in California Energy Commission grants focused on innovative and scalable deployments of Distributed Energy Resources (DER).

East Bay Community Energy

East Bay Community Energy, which will provide greener energy choices in Alameda County, is expected to begin operations in 2018. This CCA will serve the County of Alameda and 11 of its 14 cities—Albany, Berkeley, Dublin, Emeryville, Fremont, Hayward, Livermore, Oakland, Piedmont, San Leandro and Union City. Newark and Pleasanton are not members at this time, and the city of Alameda is served by its own municipal utility.

At this point, no decisions have been made about whether EBCE will offer energy efficiency programs. A management team creating EBCE’s Local Business Development plan is in the process of interviewing stakeholders and assessing opportunities to collaborate with existing energy efficiency program implementers.

APPENDIX C. EAST BAY ENERGY EFFICIENCY PROGRAMS BY SECTOR

This section describes the main ratepayer-funded energy efficiency programs in the East Bay for each major market sector—single family, multifamily, commercial (including industrial and agricultural), municipal and cross cutting.

Note: Program results metrics are only provided where they were readily available for this paper.

Single-Family Programs

PG&E

Advanced Home Upgrade

Up to \$5,500 in rebates and incentives for energy efficiency improvements in existing homes. Requires that participating contractors evaluate the home's heating, cooling and water heating systems. Referrals to financing programs.

California Advanced Homes

Resources and incentives to architects and builders for energy-efficient new single-family homes.

Energy Savings Assistance Program (ESAP)

No-cost weatherization, energy-efficient appliances and energy education for low-income customers.

Plug Load & Appliances

Partnership with local retailers to market and provide special pricing for energy-efficient home appliances including clothes washers, gas water heaters, electric heat pump water heaters and pool pumps. In 2016, PG&E received more than 77,500 applications for this program in their service territory.

Residential HVAC

Education and resources for contractors about HVAC technology, installation and maintenance, and code and permit compliance. This program has had an influence on more than 20,000 HVAC systems in PG&E's service territory.

BayREN

Energy Upgrade California: Home Upgrade and Advanced Home Upgrade

Up to \$3,150 in rebates and incentives for energy efficiency improvements. Requires completion of at least three upgrade measures including one base measure. Provides \$300 rebate for homeowners who complete an energy assessment through PG&E's Advanced Home Upgrade program. Eligible projects must demonstrate a minimum of 10 percent modeled savings. Attracts primarily higher income households due to high out-of-pocket costs. BayREN is exploring program models for moderate-income households.

As of March 31, 2017, this program had served 1,297 homes in Alameda County and 1,833 homes in Contra Costa County.

Home Energy Score

BayREN also promotes the U.S. Department of Energy's Home Energy Score (HES) as a low-cost assessment tool for homeowners. Program outreach is managed by the StopWaste Energy Council.

Home Upgrade Advisor

Phone- and field-based consulting service providing individualized assistance to homeowners about energy efficiency programs and benefits, contractor selection, assessment report and bid review, financing options, upgrade project support and customer service. Also provides referrals to relevant complementary programs.

East Bay Energy Watch

California Youth Energy Services

EBEW contracts with Rising Sun Energy Center's California Youth Energy Services (CYES) program to hire and train youth ages 15 to 22 for summer jobs conducting Green House Calls, which include no-cost home assessments, installing energy- and water-saving devices, and giving residents energy and water conservation tips. Focuses on hard-to-reach households: low to moderate income, renters, multifamily, seniors, non-native English speakers.

CYES is popular with cities for its strong youth training component despite being costly to operate for savings achieved. Since 2010, the program has conducted assessments at 38,196 homes, including 17,364 East Bay homes, and trained and employed 1,537 youth, including 654 East Bay youth. It has saved 120,438,231 kWh, including 4,413,322 kWh in the East Bay, and offset 98,063 metric tons of CO₂ emissions.

MCE

MCE's Seasonal Savings program takes the Nest Thermostat energy savings one step further by providing customers with incremental energy savings throughout a particular heating or cooling season. It does this by making micro setpoint adjustments to a customer's schedule—after receiving their permission—over a three-week period.

Multifamily Programs

PG&E

Multifamily Upgrade

Tiered rebates of \$400 to \$3,000 per unit for whole building upgrades to HVAC and hot water systems, building envelope, lighting and appliances. Assessment incentive of up to \$300.

Multifamily Energy Efficiency Rebates

This program, which offered rebates for energy-efficient appliances in dwelling units and common areas, is on hold due to low activity.

California Multifamily New Homes

Resources and incentives for architects and builders for energy-efficient new multifamily buildings.

BayREN

Bay Area Multifamily Building Enhancements (BAMBE)

Rebates of \$750 per unit and free energy consulting for whole-building energy upgrades. Focuses on projects designed to reduce building's energy use by 15 percent or more. Targets homeowners associations (HOAs) and affordable and market-rate multifamily buildings with five or more attached dwelling units.

In the Bay Area, as of October 2016, this program provided consulting services impacting 65,000+ units; paid \$12+ million in rebates to 252 properties (16,107 units); and saved over 7.1 million kWh and 516,000 therms.

Specifically within Alameda and Contra Costa Counties, as of October 2016 this program provided consulting impacting 10,000+ units; paid nearly \$4 million in rebates for over 5,300 units; and saved over 2 million kWh and 185,000 therms.

Bay Area Multifamily Capital Advance Program (BAMCAP)

Zero percent interest loan for BAMBE participants. Loan limited to no more than 50 percent of the cost of the approved scope of work minus program incentives. New concierge model (expected to launch in 2018) will match property owners with lenders specializing in energy efficiency loans as low as \$5,000.

Since its launch in April 2015, this program has enrolled five lenders and completed three transactions, issuing \$879,000 in program capital and leveraging \$1.3 million in private capital.

East Bay Energy Watch

CYES serves households in multifamily residences through their Green House Calls, one household at a time. See Single-Family Programs for more information.

MCE

Multifamily Program

No-cost assessments (valued at \$3,000 to \$5,000), no-cost installation of lights, faucet aerators and showerheads, and hot water pipe insulation (valued at \$25 per unit), no-cost technical assistance to solicit bids and develop a scope of work, low-cost loans and rebates.

Low Income Families and Tenants (LIFT) Program

Funded through the Energy Savings Assistance Program (ESAP), this program leverages MCE's

multifamily program to deepen the impact both programs can have individually at the property level. The program has a particular emphasis on capturing “hidden communities,” or low-income communities that may not be captured by existing census data or other tracking systems. The program also includes a component to explore heat pump installations in the multifamily residential setting.

Commercial Programs

PG&E

Commercial HVAC Optimization

Incentives up to \$3,836 per unit for enrolling in air conditioning maintenance service agreements and installing optional unit retrofits.

Savings by Design

Resources and incentives for architects and builders for energy-efficient new non-residential buildings.

BayREN

Currently no commercial programs. SF Environment is the lead for a BayREN proposal submitted to the CPUC for a commercial program that would include an expansion of the financing program described below under “Energy Watch Microloan Program.”

East Bay Energy Watch

East Bay Energy Watch Program

Free energy audits. Incentives for lighting retrofits, refrigeration equipment, controls and other technologies; incentives typically cover 50 to 70 percent of the project cost. Prior to 2017, this was two distinct programs: SmartLights (an audit-based model administered by Community Energy Services Corporation), and BEST (a contractor model administered by DNV-GL).

Since 2002, SmartLights completed 8,050 projects saving nearly 92 million kWh. BEST completed 6,000 projects saving 96.7 million kWh.

Your Energy Manager

No-cost analysis, incentives and financing options for energy and water efficiency upgrades. Focus on operational and behavior improvements, lighting, plug load, and packaged HVAC equipment improvements. Serves small and medium-sized businesses with demand of less than 200 kW.

In 2016, YEM met its goal of engaging with 24 properties, where they trained energy champions, put operational and behavioral changes in effect, and implemented energy efficiency projects.

Building Operator Certification

Funding for municipal facilities staff to attend Building Operator Certification courses to learn how to optimize efficiency of city and county facility operations. Training addresses how to maintain and

enhance building systems at little to no cost.

In 2016, 10 jurisdictions in Alameda County and 4 in Contra Costa County participated. In 2017, 7 Alameda County and 4 Contra Costa County jurisdictions participated. Feedback from participants is that the course is very cost- and time-effective.

Energy Watch Microloan Program

Expected to launch in late 2017 in partnership with Mission Asset Fund. Will provide short-term, zero-interest loans to support completing projects in the San Francisco and East Bay Energy Watch territories. Serves small and medium businesses.

MCE

Commercial Program

Uses Community Energy Services Corporation (CESC), which also implements the East Bay Energy Watch commercial program. Provides assessments, matches business with available rebates and financing, and assists with project installation management. To date, this program has reached over 2,400 small businesses and distributed over \$500,000 in rebates.

Municipal Programs

PG&E

No municipal programs.

BayREN

ZNE Assistance for Municipal Buildings

Engineering and cost analysis assistance for zero net energy design and implementation of municipal facilities. This is a unique program that does not duplicate any existing energy efficiency programs in the East Bay.

East Bay Energy Watch

Municipal Implementation Team (MIT)

No-cost energy assessments and technical assistance for municipal buildings. Matches municipalities with cash incentives. Technical assistance, training and reporting services for local government staff on the use of ENERGY STAR Portfolio Manager. Program adjusted in 2016 to provide more flexibility to serve the diverse range of municipal facilities.

The 2016 technical assistance program model served 21 buildings, saving \$930,000, 5.8 million kWh, 22,825 therms, and 1,330 metric tons CO₂e.

Under the 2010–2015 custom incentive program model, 144 audits were performed and 27 projects installed, saving 3.7 million kWh and 137,818 therms. Over \$427,000 of incentives were awarded.

CivicSpark

CivicSpark is a Governor's Initiative AmeriCorps program in California that builds local government capacity to address climate change and water management issues. In the East Bay, activities include climate action planning and metrics, energy efficiency program outreach and implementation, greenhouse gas emissions inventories, outreach for the East Bay Energy Watch Program for small and medium-size businesses (formerly BEST and SmartLights), residential energy workshops, building energy efficiency benchmarking and billing, portfolio manager, and this EBEW paper.

In fiscal year 2015–16, 11 East Bay jurisdictions participated in the program by hosting 11-month Climate Fellows (Antioch, Berkeley, Contra Costa County, Emeryville, Fremont, Hayward, Martinez, Oakland, Piedmont, Pittsburg and Richmond). Each pledged 20 percent of CivicSpark Fellow service hours (out of 1,300+ total hour) to EBEW programs and increased participation in climate action planning and metrics, energy efficiency program outreach and implementation, and piloting and expanding Lucid's BuildingOS platform.

In fiscal year 2016–17, sixteen jurisdictions participated (Albany, Antioch, Berkeley, Contra Costa County, El Cerrito, Emeryville, Fremont, Hayward, Martinez, Oakland, Piedmont, Pittsburg, Richmond, San Leandro, Union City and Walnut Creek).

In fiscal year 2017–18, fourteen jurisdictions are participating (Alameda, Albany, Antioch, Dublin, El Cerrito, Fremont, Hayward, Martinez, Oakland, Piedmont, Pinole, Richmond, San Leandro and San Pablo).

Lucid Connected Cities (EBEW and Lucid partnership program)

Uses Lucid's BuildingOS platform to improve tracking of facility energy use and generation. Allows local governments to benchmark their buildings, provides automated reports and can be used for real-time automated displays. Serves municipal customers. Four jurisdictions have participated: Berkeley, Contra Costa County, Hayward and Oakland.

Municipal Automated Demand Response Pilot

Proposed pilot to encourage East Bay local governments to participate in PG&E's Automated Demand Response (ADR) program.

MCE

MCE could offer municipal programs through its small commercial program, but has deferred municipal projects to the local government partnerships operating in its service area.

Cross-Cutting Programs

PG&E

Energy Advisor

Assists customers in understanding and analyzing their energy use and patterns, and selecting

appropriate energy-saving incentives, technologies and initiatives. Serves residential and commercial customers.

Calculated Incentives

Incentives and technical assistance for installing above-code equipment in existing buildings. Eligible projects require approval and a comprehensive savings verification process. Serves commercial, industrial and agricultural customers.

Code and program eligibility changes have resulted in a decline in projects over the past several years.

Deemed Incentives

Rebates to homeowners for energy-efficient refrigerators, clothes washers, air conditioners, water heaters and other appliances. Incentives for nonresidential customers and vendors for installing or selling qualified energy-efficient equipment. More straightforward than calculated incentives program because does not require comprehensive savings verification. Serves residential, commercial, industrial and agricultural customers.

Direct Install

Provides product and labor for installing efficiency measures. Serves commercial and low-income residential sectors. Straightforward for the customer but lacks flexibility, as the customer has no choice in contractor or product brand.

Continuous Improvement

Consulting services (training, facilitation of cohorts and best practices sharing circles, coaching) for long-term strategic planning and management to reduce energy intensity. Serves commercial, industrial and agricultural customers.

On-Bill Financing

Zero percent interest, zero down payment financing program for energy efficiency upgrades repaid on customer's PG&E utility bill. Serves commercial and municipal sectors.

Codes and Standards

Active member of a statewide team that has supported 80 building codes and 60 appliance standards in California, as well as 40 federal appliance standards or test procedures since 1998.

BayREN

Codes and Standards

Assists cities and counties in complying with the California Building Energy Efficiency Standards. Establishes metrics to evaluate compliance. Provides free training for staff involved in energy code enforcement. To date, this program has hosted 151 workshops and trainings attended by nearly 700 building department staff. In 2016, the program delivered four half-day regional forums, 38 energy code trainings and three online trainings. It also initiated the Residential Energy Assessment & Disclosure

(READ) working group, and customized and distributed over-the-counter permit guides to help building staff and permit applicants understand the building code.

PAYS (Pay As You Save) On-Bill Financing

Allows municipal water utility customers to pay for efficiency improvements through a monthly charge associated with their meter. Joint effort of Bay Area cities and counties and their water agencies. Serves residential, commercial and municipal customers.

Marin Clean Energy

EV Pilot

MCE is between phases of its EV rebate program. In 2016-2017, MCE distributed rebates for 67 EVSE installations. MCE aims to re-launch an EV rebate program in the late fall of 2017. MCE offers an EV rate option for households with electric vehicles. Residents who charge at night benefit from lower, off-peak rates.

Low Income Solar Rebate

MCE partners with GRID alternatives to offer additional funding for low-income customers who install solar on their roofs.

Storage Tariff

MCE offers a rate for residential customers who allow MCE to remotely dispatch residential storage technology.

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January 2018
Meetings Schedule

Alameda County Waste Management Authority, The Energy Council, & Source Reduction and Recycling Board

(Meetings are held at StopWaste Offices unless otherwise noted)

SUN	MON	TUES	WED	THURS	FRI	SAT
	1 AGENCY HOLIDAY	2	3	4	5	6
7	8	9	10	11 9:00 AM Programs & Administration Committee 1. Per Diem Rules 2. RB 5 Year Program Review (tentative) 3. Packaging Update <hr/> 4:00 PM Planning Committee & Recycling Board StopWaste Offices Key Items: 1. RB 5 Year Program Review 2. Rules of Procedure 3. Grants Update 4. Topics for Municipal Panels	12	13
14	15 AGENCY HOLIDAY	16	17	18	19	20
21	22	23	24 3:00 PM WMA Board & Energy Council Key Items: 1. Legislative planning 2. Food Related Packaging Update	25	26	27
28	29	30	31			

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MEETING NOTES

Energy Council TECHNICAL ADVISORY GROUP (TAG)

Tuesday, October 17, 2017 – 1:00 pm to 3:00 pm

Attendance:

County of Alameda: Ryan Bell
City of Alameda: Maria DiMeglio, Patrick Peligri-O'Day
City of Albany: Claire Griffing, Chelsea Polevy
City of Berkeley: Caytie Campbell-Orrick, Billi Romain, Bryce Henney
City of Emeryville: Nancy Humphrey
City of Fremont: Rachel DiFranco (phone)
City of Hayward: Erik Pearson, Ciaran Gallagher
City of Livermore: Tricia Pontau (phone)
City of Oakland: Ben Linthicum, Mukta Kelkar
City of Piedmont: Mira Hahn, Cody Ericksen
City of Pleasanton: Derek Lee
City of San Leandro: Sally Barros, Delaney King

StopWaste: Karen Kho, Jennifer West, Jeffery Liang

Guests: Bree Swenson (Civic Spark), Byron Pakter (Optony)

Civic Spark (also listed with cities above): Delaney King, Ben Linthicum, Ciaran Gallagher, Cody Ericksen, Bryce Henney, Chelsea Polevy, Patrick Peligri-O'Day

Meeting Notes

Introductions

Board Updates from September: contract amendments

- 1) Bay Area Regional Energy Network (BayREN) – Promotion of Home Energy Score, staff time for legislative/regulative monitoring
 - 2) East Bay Energy Watch (EBEW) – Energy Manager Program pass through of funds
- Both adopted, questions about SF Rebates going to HES but those will be underspent due to Home Upgrade restrictions

BayREN Program Updates

- StopWaste presented October Dashboard, Events (past and coming up):

- Fremont - Single family 9/26
- Albany/Berkeley/El Cerrito - Single family 10/17
- Green Open House in Rockridge on 10/22
- Oakland 11/15, for Multi-family 2018
- Livermore 11/16 for Multi-family 2018
- Single Family Contract under BayREN: PG&E is planning to discontinue Home Upgrade in the first quarter of 2018, Advanced Home Upgrade program will continue.
- Multifamily program BayREN – On track.

Electrification

a. BAAQMD grant – around April 2018

Grant will be \$4-4.5 million for 25 projects, 100-200k range. Focusing on electrification of existing buildings and innovative ideas (e.g. PACE, CCA). Fund cities that haven't been funded before and matching funds. Possibility of TA for application process, SW interested in supporting grants. StopWaste staff would like to hear of possible ideas for cities/county to apply for.

b. Electrification projects

Electrification Activity Map shared showing landscape of projects and programs being addressed by different entities.

Areas of opportunity for heat pump water heaters (HPWH) include:

- 1) Climate Action Plan language
- 2) General coalition building and advocacy
- 3) Reach codes, look at PG&E model for HPWH complying - still working on it
- 4) Sunshares 2018 – include HPWH
- 5) Green Cities California (GCC) will be convening cities, support beyond Decarbonization calls
- 6) Suggest working with Electrical Union and IBEW for education of contractors and policy movement

c. Electric Panel upgrades

Discussed the need to know what level of upgrade is required for different configurations and when to increase capacity.

- Tesla charger recommendations.
- Suggest inviting Palo Alto to speak to this group because they are working on reach code for certain work.
- Cities can ask their building departments, what would be reasonable for an upgrade of solar and HPWH.
- PG&E does have standards and we can ask for an analysis. She did it for HPWH in ADUs in prescriptive methods. **StopWaste will put in a request on behalf of Alameda County jurisdictions for this analysis (agreed upon).**
- Fremont will share example of solar rights ordinance.

- State funding limits solar installations from increasing electric load, which can reduce the ability to switch from gas to electric water heaters, etc.
- Discussion on the market competition for solar programs

Presentation on CCA study – Tom Kelly

Study on consumer response to default of 100% Renewable Energy mix for new CCA customers. Help for cities to reach Climate Action Plan targets (enrolling municipal and residential/commercial customers). Berkeley and Albany, Piedmont and Hayward modeled. Studies show consumers want the government to do more about addressing climate change and purchasing renewable energy.

Example: Portola Valley is 100% and 6% opted out, 4% opted down. Political affiliation and loyalties more a factor than price. The price of renewables (solar especially) is on par with fossil fuels.

Options:

- Customer assumes additional cost
- Cities assume additional cost
- Cost savings from bulk purchase (no additional cost?)

Cities would need to pass resolution with consumer outreach. Current opt-up rates are low due to inertia. Likely same if they started at 100 and less likely to opt down.

Cities can ask for the model to be run by Tom Kelly by sending him an email: tkelly@kyotousa.org.

Some Alameda County cities are discussing 100% renewable at the Sustainability Team level. Interest in addressing the time of use (duck curve) issue. Also discussed credit ratings for CCAs to take on projects.

Member Comments & Discussion

- EBEW Policy & Regulatory Subcommittee Paper is completed and will be shared soon.
- Survey of how many cities have done 2nd phase of CAP? Emeryville, Piedmont, Albany (almost ready)
- AB546 – Governor signed to enact storage permit and electronic submission. Cities under 200,000 population have until 1/1/19 to comply. Cities over 200,000 have until 9/30/2018. (Byron Pakter)

Future agenda item? Citizens' Climate Lobby presentation – Yes. Oakland, Berkeley and Albany have already supported this federal effort to enact a carbon fee with dividends to citizens.

NEXT TAG MEETING: November 29, 2017 1-3pm CAP 1.0 Debrief Working Session

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Editorial It's been a year since California banned single-use plastic bags. The world didn't end



A cashier hands out free reusable grocery bags at a Whole Foods Market in Pasadena, Calif. on April 22, 2008. (David McNew / Getty Images)

By **The Times Editorial Board**

NOVEMBER 18, 2017, 5:00 AM

It's been a year since Californian banned most stores from handing out flimsy, single-use plastic bags to customers. It was the first, and remains the only, U.S. state to do so. But guess what? In the end, this momentous change was not a big deal. Shoppers did not revolt or launch recall campaigns against state lawmakers. Food still gets to people's houses. Reusable bags did not spark an epidemic of food-borne illnesses, as some critics suggested they would. Consumers didn't go broke paying 10 cents apiece for the thicker, reusable plastic bags stores are allowed to distribute instead.

For the most part, Californians took in stride the sudden absence of some 13 billion bags that in previous years were handed out at grocery checkout counters and by other retailers of all sorts.

Maybe a few grumbled at first about the inconvenience. But most adjusted quickly, perhaps because they intuited that something was not right about all those plastic bags hanging from trees, caught up in storm drains, clumped by the sides of freeways and floating in the ocean.

Although local bans already had cut down considerably on the plastic bag litter on beaches, the figure dropped further this year after passage of the statewide ban, [preliminary data show](#). Plastic bags (both the banned and the legal variety) accounted for 3.1% of the litter collected from the state's beaches during the 2017 Coastal Cleanup Day, down from 7.4% in 2010.

“

The first year of the single-use plastic bag ban unfolded pretty much the way proponents had predicted. That's an important lesson for next time.

So much for all the terrible things plastic-bag makers warned would happen during their multimillion campaign to persuade voters to reject the ban last November. In fact, this first year unfolded pretty much the way proponents had predicted. That's an important lesson for next time.

And there must be a next time. Because although it took several years and a fierce political fight to accomplish, banning disposable plastic grocery bags (known as T-shirt bags because of their design) was just the first salvo in the battle to reduce disposable plastic waste. There is still far too much single-use plastic tossed out every day — heaps of beverage cups and lids, snack wrappings, potato chip bags, water bottles and take-out food containers.

Plastic litter isn't just ugly to look at, it is a threat to the environment. As studies continue to show, plastic is accumulating rapidly in every corner of the natural environment. Plastic doesn't biodegrade like paper. It breaks into smaller and smaller bits that are showing up in increasing numbers [in oceans and lakes](#) and are being eaten by sea birds and fish. There's evidence that microplastics are [creeping into our own food chain](#); it can contain toxins like Bisphenol A, an endocrine disrupter.

That's reason enough to act quickly and decisively (though maybe not as extremely as Kenya, which has [made trafficking in plastic bags a crime punishable by jail time](#)). Encouraging people to recycle and not to litter can help, of course. But that's not the ultimate answer to the plastic problem. Global plastic production has been [increasing steadily and explosively since 1950](#), much of it in the form of things used once and then thrown away. Straws and drink stirrers alone accounted for 2.6% of the trash picked up on beaches this year.

Some disposable plastic is recycled at high rates, such as beverage bottles (though that has more to do with the fact that they are redeemable under the state's bottle bill). Even then, there's no guarantee that recyclables properly disposed of will actually be recycled. Then there are plastics that are non-recyclable or hard to recycle, such as polystyrene.

The California Legislature failed to pass a ban on polystyrene take-out containers last year — polystyrene includes hard plastic and plastic foam products — but the proposal got far enough to raise hopes that it will be reintroduced. No doubt it will be another tough political fight, but we hope that when faced with opposition from the lobbyists hired by plastics companies, lawmakers will remember that nothing bad happened when they banned plastic bags.

Happily, the march of local plastic bag bans continues across other cities and states — in [Avon, Colo.](#), [Oak Park, Ill.](#), and [Coral Gables, Fla.](#), to name just a few. It's tough fighting an industry willing to drop millions of dollars to protect its interests, but California's experience indicates that if the public understands what's at stake, it will support the legislators brave enough to make the hard decisions.

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Editorial: Success! California's first-in-the- nation plastic bag ban works



By MERCURY NEWS & EAST BAY TIMES EDITORIAL BOARDS |

PUBLISHED: November 13, 2017 at 12:07 pm | UPDATED: November 14, 2017 at 9:38 am

Preliminary results are in on California's grand experiment to reduce plastic bag litter along its majestic coastline and streams.

Take a bow, California voters. It's working.

The early litter data from the Coastal Clean-up Day, held annually in September, shows that plastic bag litter had dropped by 72 percent when compared to 2010. Plastic bags now account for less than 1.5 percent of all litter, compared to nearly 10 percent in 2010.

In Alameda County, officials reported finding 433 plastic bags, compared to 4,357 in 2010. Monterey County reported even better news, with volunteers discovering only 43 plastic bags while performing their clean-up efforts, compared to 2,494 in 2010.

“We are seeing a substantial decline in plastic grocery bags litter on beaches, rivers and parkways,” said John Laird, California’s Secretary for Natural Resources and a former Santa Cruz mayor and legislator.

California voters did their homework in 2016 when they went to the polls and voted yes on Proposition 67, upholding the state Legislature’s 2014 first-in-the-nation plastic bag ban.

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Until this year, every Californian, on average, used about 400 plastic bags a year, forcing the state to spend an estimated \$400 million — or roughly \$10 per resident — every year trying to clean them up.

Voters in 2016 also threw out Proposition 65, one of the most disingenuous ballot measures in state history. Plastic bag makers from South Carolina, Texas and New Jersey spent \$6 million in an effort to convince voters to support a measure that appeared to be environmentally friendly but would have in effect likely killed the ban.

Until Prop 67 was approved, the plastic bags industry sold about 15 billion single-use plastic bags to California consumers, draining about 2 million barrels of oil in the process.

Prior to the ban, the state went to great lengths to convince residents to recycle the bags, but the effort resulted in consistent failure. Californians only recycled 3 percent of them, leaving billions to scatter across our beaches, rivers, roads and neighborhoods. Plastic accounts for 60 percent to 80 percent of all marine debris and harms and kills wildlife in devastating numbers.

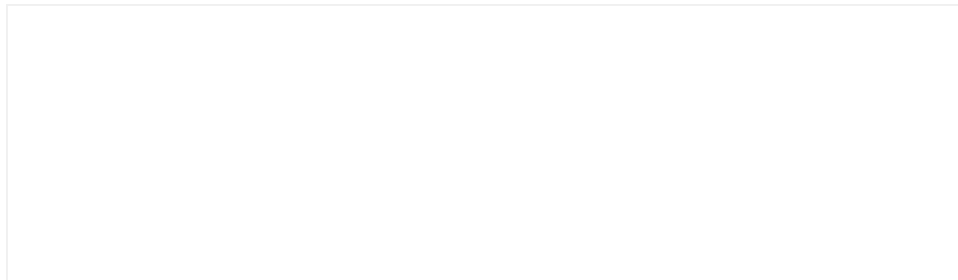
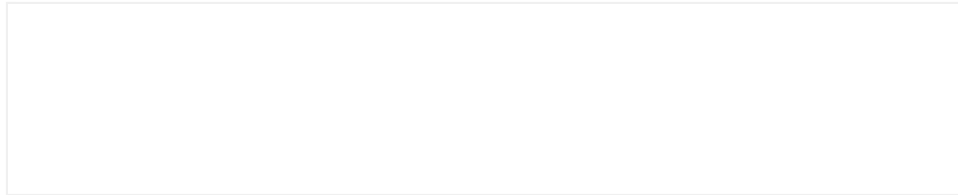
More than 100 California cities and counties, including every Bay Area county with the exception of Contra Costa, had enacted a plastic bag ban before the Legislature took action.

It’s unfortunate that other states, particularly those with coastlines, have refused to follow California’s lead. Hawaii is the only other state in the nation to ban plastic bags, and its law includes a loophole that many retailers are using to use hand out thicker plastic bags to shoppers.

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More than 50 cities and towns in Massachusetts have outlawed plastic bags, but the state hasn't done the same. Three states — Idaho, Missouri and Arizona — inexplicably have passed laws forbidding individual cities or counties from passing plastic bag bans.

California is proving that its plastic bag ban stops litter from polluting our waterways and filling up our landfills, demonstrating again the state's leadership role on environmental issues.



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December 11,
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ISRI says more chaos is likely to result from China's enforcement actions

ISRI says more chaos is likely to result from China's enforcement actions

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The [Institute of Scrap Recycling Industries](#) (ISRI), Washington, issued an alert to its members dated Dec. 11, 2017, updating them about its recent meetings in Beijing with Chinese and U.S. government officials and its industry association counterparts. The association also offers guidance to its members regarding implementation of China's new import rules.

The alert, which is signed by ISRI President Robin Wiener and Chair Mark Lewon of [Utah Metal Works](#), Salt Lake City, explains that China is facing "a serious environmental crisis," and the country's central government has prioritized cleaning up the country's environment. "Their focus is not on any one industry but across all sectors of the country's economy regardless of the impact on jobs and production," the alert states. "A

wide-ranging series of actions—including closures, aggressive enforcement and the tightening of environmental controls—are being implemented in industries as far ranging as agriculture coal, oil and recycling.”

The association says the actions are coming from the highest level of the Chinese government and little time and few resources are being given to the country's government agencies charged with developing and implementing these rules to ensure they “get it right.”

The alert reads, “The Chinese are struggling to distinguish between what is waste (that they do not want in their country at any cost) and valuable resources, i.e., scrap (that they understand is needed as feedstock for Chinese manufacturing). And in their rush to meet President Xi Jinping's directive to develop rules to prevent ‘foreign waste’ from entering their country, they have created terms and standards inconsistent with the global trade.” ISRI adds, “During our meetings it was clear that there is little understanding within the Chinese government of the chaos they have created.”

The association says AQSIQ (General Administration of Quality Supervision, Inspection and Quarantine) is unprepared to implement the bans on mixed paper and postconsumer plastics Jan. 1, 2018, adding that representatives from the agency “could not answer questions as to the meaning of the terms. Thus,” ISRI concludes, “the likelihood of individual inspectors at the ports understanding what they are inspecting—and what they are looking for—is very low.”

While ISRI says the Chinese government is listening to what it has to say on the matter, “they have limited time and ability to take in all the comments.”

ISRI notes that a working group comprised of officials from the U.S., Canadian, U.K., E.U., Australian, New Zealand and Japanese embassies in Beijing are coordinating strategy and speaking to the Chinese government on behalf of the recycling industry. “We briefed this group last week and were very pleased with the concerns expressed by each and their joint commitment to provide support,” the association says.

According to the alert, ISRI “attempted during our meetings to get clarifications to the Chinese government's

definition of 'carried waste,' the specific scope of paper and plastics to be banned and the specific timing that these actions will come into force. For 'carried waste,' it is very clear they do not want imported trash but are confused as to how to define what is trash and what is not. Beyond that, the government does not know the answers to our questions, which included very specific examples of grades that are typically exported to China. Furthermore, they have not fully prepared for the implementation of the regulations, and we believe even more confusion and inconsistency is yet to come."

ISRI suggests that its members be vigilant when loading to avoid including dirt, wood, concrete or other materials or even recyclables that do not belong in that particular load. The association also advises including more photos and thoroughly documenting the condition and contents of shipments before export. It also tells its members to expect rejections. "We anticipate a greater number of rejections of material before and after shipping, and it will not necessarily be related to scrap quality but unfortunately on misunderstandings by inspection officials as to what they are looking for."

ISRI encourages its members to keep records of their experiences, including reasons given for rejections, and to share this data with the association.

"As to next steps, comments to the World Trade Organization are due this week," ISRI notes in the alert. "Based on what we now know, we are rewriting our comments to include very specific information about the industry, including specifics on the various grades of scrap traded globally, suggestions on quality standards and detailed questions to try to get as much clarity and guidance as possible."

ISRI adds that members are welcome to submit comments by the Dec. 15 deadline, adding, "There is a specific process to do this, so please feel free to reach out to Adina Renee Adler for guidance if you are interested in doing so."

Adler can be contacted at aadler@isri.org.

]]>

Source: Recycling Today

[ISRI says more chaos is likely to result from China's enforcement actions](https://www.cra-recycle.org/2017/12/isri-says-more-chaos-is-likely-to-result-from-chinas-enforcement-actions)

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