

# Butte Choice Energy Authority

## Board of Directors Meeting Monday October 3, 2022 Virtual Meeting

*Board members will be present via teleconference for this meeting.*

**Members of the Public may view the meeting and comment as set forth below.**

Butte Choice Energy (BCE) Board meetings are accessible to people with disabilities. Individuals who need special assistance or a disability-related modification or accommodation to participate in this meeting, or who have a disability and wish to request an alternative format for the meeting materials, should contact [ButteChoiceEnergyCOB@buttecounty.net](mailto:ButteChoiceEnergyCOB@buttecounty.net).

**Coronavirus (COVID-19) Advisory Notice:** The health and safety of community members, public officials and employees is a top priority for BCEA. Members of the BCEA Board and BCEA staff will be participating via teleconference for this meeting in compliance with waivers to certain provisions of the Ralph M. Brown Act provided for under Government Code section 54953(e)(1)(A) in relation to the COVID-19 state of emergency and recommended social distancing measures.

### **Remote Public Participation:**

#### **A) How to watch/participate in the meeting via Zoom:**

Join Zoom Meeting

<https://buttecounty-net.zoom.us/j/87004596429?pwd=Ly9ONnQyZzV4c3B0SWlmUU1vYUc0Zz09>

Meeting ID: 870 0459 6429

Passcode: 430478

**Attendees will be admitted into the meeting beginning at 5:15pm the day of the meeting.**

#### **B) How to provide public comment:**

- a) Before the meeting: email your comments to [ButteChoiceEnergyCOB@buttecounty.net](mailto:ButteChoiceEnergyCOB@buttecounty.net) no later than noon on Monday October 3, 2022 and they will be forwarded to the Board and included in the public record. Be sure to include the agenda item number you are addressing, as well as your full name and address.
- b) During the meeting: email your comment to [ButteChoiceEnergyCOB@buttecounty.net](mailto:ButteChoiceEnergyCOB@buttecounty.net) and your comment will be read verbatim into the record. Members of the public may also provide public input during the meeting by participating via the meeting link above.

Individuals who need special assistance or a disability-related modification or accommodation to participate in this meeting, or who have a disability and wish to request an alternative format for the meeting materials, should contact [ButteChoiceEnergyCOB@buttecounty.net](mailto:ButteChoiceEnergyCOB@buttecounty.net) as soon as possible to ensure arrangements for accommodation.

1. **Call to Order**
  - a. Pledge of Allegiance
2. **Corrections and/or Changes to the Agenda**
3. **Public Comment for Items Not on the Agenda**

*This item is reserved for persons wishing to provide comment to the Board on any BCEA-related matters that are not otherwise on this meeting agenda but in the jurisdiction of the Board of Directors. Public comments on matters listed on the agenda shall be at the time the matter is called. Public comments from members of the public that are read at this meeting will be limited to 300 words.*
4. **Consent Agenda**
  - a. **Resolution Authorizing Continued Teleconference Meetings**

**Requested Action:** Approve resolution authorizing remote teleconferencing meetings for the period of October 3, 2022 through November 2, 2022 pursuant to the Ralph M. Brown Act, and authorize Chair to sign.
  - b. **Approval of Minutes from August 1, 2022 Board Meeting**

**Requested Action:** Approve the Minutes from the August 1, 2022 Board Meeting.
5. **Regular Agenda**
  - a. **Regional Energy Programs - Update**

**Requested Action:** 1) Monitor and Support the RuralREN initiative; 2) Consider investigating local REN program in the future should gaps remain after RuralREN; and 3) Consider investigating CCA energy programs in the future when BCE establishes launch date.
6. **Board Member and Staff Announcements**

Board Members may briefly provide information to other members of the Board and the public, ask questions of staff, request an item to be placed on a future agenda, or report on conferences, events or activities related to BCEA business. There is to be no action taken on comments made by Directors unless authorized by law.
7. **Adjournment**

Public records that relate to any item on the open session agenda for Board meeting are available on the BCEA website at [www.buttechoiceenergy.org](http://www.buttechoiceenergy.org). Public records that are distributed less than 72 hours prior to the meeting will be posted for public review at the same time they are distributed to all members, or a majority of the members of the Board.

## BUTTE CHOICE ENERGY AUTHORITY

### Staff Report – Item 4a

---

**To:** Butte Choice Energy Authority (BCEA) Board of Directors

**From:** Brian Ring, BCEA Interim Co-Executive Officer and Deputy Administrative Officer,  
County of Butte  
Erik Gustafson, BCEA Interim Co-Executive Officer and Public Works Director,  
City of Chico

**Subject:** Resolution Authorizing Continued Teleconference Meetings

**Date:** October 3, 2022

---

#### **Recommendation**

Approve resolution authorizing remote teleconferencing meetings for the period of October 3, 2022 through November 2, 2022 pursuant to the Ralph M. Brown Act, and authorize Chair to sign.

#### **Background**

On September 16, 2021, Governor Newsom signed AB 361 to amend the Brown Act to allow legislative bodies to meet via teleconference during a proclaimed state of emergency in accordance with procedures established by AB 361 rather than under the Brown Act's more narrow standard rules. If the Board of Directors desires to continue to have the ability to meet remotely via teleconference without meeting the more narrow standard Brown Act rules, the Board is required to adopt a resolution making the findings required by AB 361.

The Board initially adopted a resolution permitting the ability to meet using the alternative rules of AB 361 based on the state of emergency declared by the Governor pursuant to California Government Code section 8625 and that state or local officials had imposed or recommended measures to promote social distancing.

As a condition of extending the use of the teleconferencing provisions for another 30 days pursuant to Government Code section 54953(e), the Board must reconsider the circumstances of the state of emergency and find that either the state of emergency continues to directly impact the ability of the members to meet safely in person or State or local officials continue to impose or recommend measures to promote social distancing. The State Public Health Officer has and continues to issue guidance regarding COVID-19 prevention measures and the California Department of Industrial Relations has issued COVID-19 prevention regulations found at 8 C.C.R. §3205 et seq., which recommends social distancing as a measure to decrease the spread of COVID-19.

Based on the existing state of emergency and/or State officials' recommendations to socially distance, the Board has the ability to continue to meet remotely should it so choose. The new law also requires the Board to reconsider the determination no later than 30 days after the first teleconference meeting held pursuant to AB 361 and every 30 days thereafter. Adoption of the proposed resolution, attached hereto, will enable the Board and Brown Act legislative bodies to meet via teleconference pursuant to AB 361 and to reconsider the determination for subsequent meetings. Subsidiary legislative bodies will also approve their own resolution to meet via teleconference and to reconsider the determination for subsequent meetings. The resolution does not require the Board to hold meetings via teleconference.

The Board previously adopted similar resolutions on October 11, 2021, February 16, 2022, May 12, 2022 and August 1, 2022. This new resolution would re-authorize the ability to meet remotely via teleconference through November 2, 2022 or such time the Board adopts a subsequent resolution to continue this ability.

**RESOLUTION OF THE BUTTE CHOICE ENERGY AUTHORITY BOARD OF DIRECTORS AUTHORIZING REMOTE TELECONFERENCE MEETINGS FOR THE PERIOD OF OCTOBER 3, 2022 THROUGH NOVEMBER 2, 2022 PURSUANT TO THE RALPH M. BROWN ACT**

**WHEREAS**, all meetings of the Board of Directors (the “Board”) and its legislative bodies are open and public, as required by the Ralph M. Brown Act (Cal. Gov’t Code section 54950 et seq.), so that any member of the public may attend, participate and view the legislative bodies conduct their business; and

**WHEREAS**, the Brown Act, Government Code section 54953(e), makes provisions for remote teleconferencing participation in meetings by members of a legislative body, without compliance with the requirements of Government Code section 54953(b)(3), subject to the existence of certain conditions and requirements; and

**WHEREAS**, Government Code section 54953(e) initial requirements to adopt an initial resolution include but are not limited to (1) the existence of a state of emergency declared by the Governor pursuant to Government Code section 8625 and (2) State or local officials have imposed or recommended measures to promote social distancing; and

**WHEREAS**, on March 4, 2020, Governor Gavin Newsom issued a Proclamation of State of Emergency in response to the COVID-19 pandemic; and

**WHEREAS**, on March 17, 2020, Governor Newsom issued Executive Order N-29-20, which suspended and modified the teleconferencing requirements under the Brown Act (California Government Code Section 54950 *et seq.*) to allow local legislative bodies to hold public meetings via teleconference; and

**WHEREAS**, on June 11, 2021, the Governor issued Executive Order N-08-21, which extended the provisions of N-29-20 concerning the conduct of public meetings through September 30, 2021, and the Governor subsequently signed legislation revising Brown Act requirements for teleconferenced public meetings (Assembly Bill 361, referred to hereinafter as “AB 361”); and

**WHEREAS**, the California Department of Industrial Relations has issued COVID-19 Prevention regulations in Title 8 of the California Code of Regulations (Section 3205 et seq.) which requires employers to (1) have a written COVID-19 prevention program including employee training that promotes physical distancing as an infection prevention measure and (2) consider implementing physical distancing where feasible as a response to COVID-19 outbreaks; and

**WHEREAS**, the Board previously adopted resolutions finding that the requisite conditions existed for the Board and its legislative bodies to conduct remote teleconference meetings without compliance with Government Code section 54953(b)(3), as authorized by Section 54953(e); and

**WHEREAS**, as a condition of extending the use of the teleconferencing provisions for another 30 days pursuant to Government Code section 54953(e), the Board must reconsider the circumstances of the state of emergency that exists and find that either the state of emergency continues to directly impact the ability of the members to meet safely in person or State or local officials continue to impose or recommend measures to promote social distancing; and

**WHEREAS**, the Board has reconsidered the circumstances of either the continuing state of emergency and/or that State or local officials continue to impose or recommend measures to promote social distancing, based on California Department of Industrial Relations regulations related to COVID-19 Prevention, specifically Title 8 of the California Code of Regulations, Section 3205 et seq., continuing to remain in effect; and

**WHEREAS**, in light of the foregoing, the Board desires to continue to have the flexibility to meet via tele/video conference and the Board finds that it and its legislative bodies shall be permitted to conduct their meetings by

teleconferencing without compliance with Government Code section 54953(b)(3) pursuant to section 54953(e), and such legislative bodies shall comply with the requirements to provide the public with access to the meetings as prescribed by section 54953(e)(2).

**NOW, THEREFORE, BE IT RESOLVED, FOUND AND ORDERED** by the Butte Choice Energy Authority Board of Directors as follows:

1. The facts set forth in the above recitals are true and correct and incorporated into this resolution by reference.
2. The Board has reconsidered the circumstances of the state of emergency proclaimed by Governor Newsom through a State of Emergency Proclamation on March 4, 2020.
3. The Board of Supervisors finds that the Governor's state of emergency proclamation remains in effect, and/or State officials continue to impose or recommend measures to promote social distancing based on the Department of Industrial Relations' issuance of COVID-19 Prevention regulations through Title 8 of the California Code of Regulations, section 3205 et seq. promoting social distancing in the workplace.
4. Under the present circumstances, the Board and any of its legislative bodies are hereby authorized and directed to take all actions necessary to carry out the intent and purpose of this Resolution including conducting open and public meetings in accordance with Government Code section 54953(e) and other applicable provisions of the Brown Act.
5. This Resolution shall take effect immediately upon its adoption and shall be effective until the earlier of (i) November 2, 2022 or (ii) such time the Board adopts a subsequent resolution in accordance with Government Code section 54953(e)(3) to extend the time during which its legislative bodies may continue to teleconference without compliance with Section 54953(b)(3).

**PASSED AND ADOPTED** by the Butte Choice Energy Authority Board of Directors this 3<sup>RD</sup> day of October, 2022, by the following vote:

**AYES:**  
**NOES:**  
**ABSENT:**  
**ABSTAIN:**

\_\_\_\_\_  
Chair  
Butte Choice Energy Authority Board of Directors

**ATTEST:**  
**Shaina Paulsen, Clerk**

By: \_\_\_\_\_

# Butte Choice Energy Authority

## MINUTES

### August 1, 2022

---

#### 1. CALL TO ORDER

The meeting was held virtually, and in-person.

Present: Debra Lucero, Butte County Board of Supervisors (Virtual)  
Doug Teeter, Butte County Board of Supervisors  
Scott Thomson, Vice-Mayor of Oroville (Virtual)  
Dale Bennett, Chico City Council (Virtual)  
Brian Ring, Interim Executive Director  
Erik Gustafson, Interim Executive Director  
Ryan Baron, General Counsel (Virtual)  
Shaina Paulsen, Clerk of the Board

Absent: Alex Brown, Chico City Council  
Chuck Reynolds, Oroville Mayor

#### 2. CORRECTIONS AND/OR CHANGES TO THE AGENDA

#### 3. PUBLIC COMMENT

PUBLIC COMMENT JOHN BALACHANDRA (2 ELECTRONIC AND 1 VIRTUAL).

#### 4. CONSENT AGENDA

**MOTION: APPROVE THE CONSENT AGENDA. (MOTION: THOMSON; SECOND: BENNETT)**

**VOTE: MOTION PASSED 4-0-2**

**AYES: THOMSON, TEETER, BENNETT AND CHAIR LUCERO**

**NAYS: NONE**

**ABSENT: BROWN AND REYNOLDS**

a. **Resolution Authorizing Continued Teleconference Meetings**

Board Action: Approved resolution authorizing remote teleconferencing meetings for the period of August 1, 2022 through August 31, 2022 pursuant to the Ralph M. Brown Act.

b. **Minutes from May 12, 2022 Board Meeting**

Board Action: Approved May 12, 2022 Board Minutes

**5. REGULAR AGENDA**

a. **Feasibility Analysis Update from EES/GDS Associates, Inc.**

Board Action: Delay Launch Date until 2023

PUBLIC COMMENT JOHN BALACHANDRA ( VIRTUAL)

**(MOTIONED: THOMSON; SECOND: BENNETT) MOTION PASSED 4-0-2**

**Ayes: THOMSON, TEETER, BENNETT AND CHAIR LUCERO**

**Nays: NONE**

**Absent: BROWN AND REYNOLDS**

**6. BOARD MEMBER AND STAFF ANNOUNCEMENTS**

No Staff Announcements

**7. ADJOURNMENT**

*There being no further business before the Butte Choice Energy Authority, the meeting adjourned. The Butte Choice Energy Authority will reconvene at the next regular meeting, scheduled for October 3, 2022.*

**ATTEST:**

*Shaina Paulsen Secretary and  
Clerk of the Board*

---

*Debra Lucero, Chair Butte Choice Energy Authority*



## BUTTE CHOICE ENERGY AUTHORITY

### Staff Report – Item 5a

---

**To:** Butte Choice Energy Authority (BCEA) Board of Directors

**From:** Brian Ring, BCEA Interim Co-Executive Officer and Deputy Administrative Officer,  
County of Butte  
Erik Gustafson, BCEA Interim Co-Executive Officer and Public Works Director,  
City of Chico  
Gary Saleba, Executive Consultant, EES Consulting (a GDS Associates Company)

**Subject:** Regional Energy Programs Update

**Date:** October 3, 2022

---

#### **Recommendation**

Receive update from staff and Consultant on Regional Energy Programs, and provide any direction to staff.

#### **Background**

During the August 1, 2022 regulary scheduled Butte Choice Energy Authority Board of Director's meeting, staff were directed to return at a future meeting with an update on regional energy efficiency programs (CCA initiated or Regional Energy Networks formed by multiple jurisdictions). Staff with the assistance of our consultant (EES Consulting – a GDS Company) will provide an update on energy efficiency programs administered through the California Public Utilities Commission.

#### **Action Requested**

1. Monitor and support the RuralREN initiative;
2. Consider investigating local REN program in the future should gaps remain afer RuralREN; and
3. Consider investigating CCA energy programs in the future when BCE establishes launch date.

# REGIONAL ENERGY PROGRAMS UPDATE

October 2022



---

# Butte Choice Energy Customer Program Options

- CCA Energy Efficiency Funding
- Regional Energy Networks
- Rural Regional Energy Network

# CCA Energy Efficiency Programs

- Available to Operational CCAs
- Funded from all CPUC -regulated ratepayers (IOUs and CCAs)
  - File application at CPUC, serve customers when CCA is operational
  - \$50k to \$100k to prepare and file, our estimate = \$1MM - \$2MM/yr available
  - Incentives, low income, support, financing, workforce training, marketing/outreach
  - 1 year to apply and initiate, can be done through Turnkey provider
- CCA customers eligible for CCA and IOU programs

# Regional Energy Networks

- **Available to local governments**
  - Any two jurisdictions, regardless if you have a CCA
  - Could serve all unincorporated area of Butte County plus cities
- **Funded from all CPUC -regulated ratepayers (IOUs and CCAs)**
  - File application at CPUC, serve customers when approved
  - \$100+k to prepare and file, our estimate = same as CCA/\$1M - \$2M
  - Incentives, low income, support, financing, workforce training, marketing/outreach
  - 1+ year to apply and initiate, can be done through Turnkey provider
- **CCA customers eligible for REN, CCA and IOU programs**

# Rural Regional Energy Network

## The Basics



### Program Administrator

Redwood Coast Energy Authority

### Implementing Agencies by RuralREN Region

#### *North Coast*

Redwood Coast Energy Authority  
in association with Lake Area Planning Council and Mendocino  
Council of Governments

#### *Central Coast*

Association of Monterey Bay Area Governments  
County of San Luis Obispo

#### *San Joaquin Valley*

San Joaquin Valley Clean Energy Organization

#### *Sierras*

High Sierra Energy Foundation  
Sierra Business Council



# Rural Regional Energy Network

- **\$96MM from 2024 – 2027**
  - *Initially wanted to start in 2023 – however, have been included now with other applications which has pushed this back to 2024.*
- **Butte County + cities included in Sierras**
- **Filing is undergoing CPUC approval process**
- **Programs** *(designed to fill existing gaps)*
  - Finance programing
  - Residential audits/incentives, loan programs; residential outreach
  - Commercial/Industrial audits/incentives
  - Codes support for local agencies
  - Workforce education & training programs

# Recommendation

- **Monitor and support rural REN**
  - *Work with Sierra Business Council for Butte County + cities engagement*
- **Consider investigating local REN program should gaps remain after RuralREN**
- **Consider investigating CCA programs when BCE establishes a launch date**