Recommendation

Appoint two of three alternates to the Community Advisory Committee (CAC).

A. Ernest Pacheco (Oakland) - Labor/Environmental Advocate; and
B. Nicholas Olmstead (San Leandro) - Clean Energy Business/Energy Advocate

Background and Discussion

The CAC has had difficulty achieving quorum over the past several months. At the June 18th board meeting the EBCE Board approved amending the JPA to allow the appointment of alternates to the CAC to ensure quorum and the effective governance of the Committee. In compliance with the amended JPA, staff recommends appointing two of the three allotted alternate positions effective July 18th, 2018. The recommended alternates were among the March 2018 applicants for the previous three CAC vacancies and have been interviewed by members of the EBCE Executive Committee.

Staff has deferred a recommendation for the third alternate position for the following reasons:

1. To be able to recommend an alternate who adds breadth to the CAC discussion and recommendations based on the dynamics of the current CAC members and alternates, and;
2. To ensure different start dates for alternates so that all are not serving concurrently.

Fiscal Impact

None. Alternates will receive CAC stipends only when they attend CAC meetings in lieu of absent appointed members.

Attachments

A. Ernest Pacheco CAC Application
B. Ernest Pacheco CAC Application
East Bay Community Energy (EBCE) is seeking applicants from Alameda County to fill vacancies on its Community Advisory Committee. The Community Advisory Committee (CAC) was formed in 2016 as part of the Alameda County Board of Supervisors’ 2014 decision to explore formation of EBCE with the goal of creating competition for electricity services and to accelerate investments in clean energy resources and local energy projects. EBCE seeks to ensure a diversity of members and interests for the CAC as well as members who represent all areas of the County. The CAC’s members are community stakeholders appointed by the EBCE Board of Directors to provide advice and recommendations to the EBCE Board and is not a decision-making entity.

Member Roles:
1) Advise the Board of Directors on all subjects related to the operation of the CCA Program as set forth in a work plan adopted by the Board from time to time, with the exception of personnel and litigation decisions,
2) Represent the views of their respective communities in their comments and recommendations;
3) Serve as an information-channel back to their colleagues and communities; and
4) Help EBCE staff and Alameda County and city officials identify issues of concern and opportunities to educate about CCE in Alameda County.

EBCE is now taking applications for membership on the CAC. The EBCE asks that anyone wishing to apply to complete this form and submit to DSanders@ebce.org no later than 5 pm on March 14, 2018.

NOTE: this application is a public document and will be available for review upon request. The EBCE may choose to interview final candidates.

APPLICANT CRITERIA:
1. Residents, business owners, employees or representatives of a community-based organization in the County of Alameda are eligible for membership.
2. Applicants should be committed to serving on the CAC and attending regular Board and planning meetings. Board meetings may take place twice monthly until the program is launched, and then may be no more frequent than once per month. Meetings will generally take place in the early evening hours. Planning meetings will be determined by the CAC. Members of the CAC will serve staggered four-year terms (the first term of three of the members shall be two years, and four years thereafter), which may be renewed.
3. Applicants with conflicts of interest that may hinder effective participation in the CAC are discouraged from applying. All applicants will be reviewed for conflicts of interest by EBCE legal counsel.

QUESTIONS: Please call or email Deidre Sanders at: 925.390.3942; dsanders@ebce.org for more information.

APPLICANT INFORMATION

<table>
<thead>
<tr>
<th>Name</th>
<th>Ernest Pacheco</th>
</tr>
</thead>
<tbody>
<tr>
<td>Address</td>
<td></td>
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</tbody>
</table>

1 Note: Applicants can only be considered if they are residents of an EBCE member jurisdiction, which currently excludes the Cities of Pleasanton, Newark and Alameda.
**Application for East Bay Community Energy Authority (EBCEA)**

**Community Advisory Committee**

<table>
<thead>
<tr>
<th><strong>Organization represented and title (if applicable)</strong></th>
<th>Communications Workers of America, District 9 AFL-CIO</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Phone/Email Address</strong></td>
<td></td>
</tr>
<tr>
<td><strong>Are you a resident of Alameda County?</strong></td>
<td>Yes</td>
</tr>
<tr>
<td><strong>How long have you lived in Alameda County?</strong></td>
<td>24 Years</td>
</tr>
<tr>
<td><strong>Are you a business owner in Alameda County (firm name and location)?</strong></td>
<td>No</td>
</tr>
<tr>
<td><strong>Employment Information:</strong></td>
<td></td>
</tr>
<tr>
<td><strong>Your employer?</strong></td>
<td>Communications Workers of America, District 9</td>
</tr>
<tr>
<td><strong>Job Title?</strong></td>
<td>Environmental Programs Coordinator</td>
</tr>
<tr>
<td><strong>Spouse’s employer?</strong></td>
<td>NA</td>
</tr>
<tr>
<td><strong>Spouse’s Job Title?</strong></td>
<td>NA</td>
</tr>
</tbody>
</table>

**I am Applying Under the Following Stakeholder Category (please check top 2)**

- □  * Environmental
- □  * Labor Union
- □  Energy Advocate
- □  Environmental Justice
- □  Clean Energy Business
- □  Regional/Large Energy User
Application for East Bay Community Energy Authority (EBCEA) Community Advisory Committee

☐ Business Owner/Association ☐ Cultural Organization

☐ Education/Research Center ☐ Low Income Advocate

☐ Social Justice ☐ Other ________________

☐ Ratepayer ☐

Please explain why you wish to be appointed to the East Bay Community Energy Authority Community Advisory Committee and briefly describe your qualifications including any applicable experience. Please include thoughts you have the purpose of the CAC and key goals for both the CAC and East Bay Community Energy. Please indicate if you are a representative of an organization with expertise in energy issues generally and/or Community Choice Energy specifically. Please attach a resume, letters of recommendation, or other relevant materials if you wish.

I am applying to the CAC out of a desire to help the agency achieve the greatest degree of those overlapping goals of benefit to the community, workers and climate - that are achievable within the fiscal and technological constraints of the agency.

I have worked on climate change issues for almost 20 years and have worked for the formation of an Alameda County based Community Choice Aggregation program since 2007. Most recently as a member of the (pre) EBCE Formation Steering Committee.
Please list three issues that you feel EBCE should address:

a) Ensuring that EBCE's default option for residential and small commercial rates meet or beat the IOU's rate.

b) Fully utilizing a CCA's capacity to lead and/or support diverse and innovative community benefits.

c) Maximizing our CCA's capacity to achieve Climate benefits.

Have you ever attended a meeting of the EBCE Community Advisory Committee?

Yes.

Please describe your experience serving on a Commission or Board:

I have been a member of the EBCE Formation Steering Committee, the Hayward Area Shoreline Planning Agency (HASPA), as well as numerous environmental and labor nonprofit organizations.

Considering your experience and activities in business, labor, professional, social or other organizations, indicate the experience, training, knowledge and skills that qualify you for appointment to the EBCE Community Advisory Committee:

Primarily; my over a decade of experience in working to form an Alameda County based CCA agency and to defend and support CCA as an available municipal policy statewide.
List any position or office held in any governmental agency, civic or charitable organization, including dates:

Co-founder: Citizens Against Pollution (2007 - present)

Citizens Advisory Committee member: Hayward Area Shoreline Planning Agency (2008 - 2014)

District Environmental Programs Coordinator: CWA District 9, AFL-CIO (2012-present)

Committee member: EBCE formation Steering Committee (2016 - 2017)

Co-founder: Sierra Club - State Climate Literacy Committee (2017-present)

Please list any special awards or recognitions received:

Do you own Property in Alameda County? If yes, please list the address(es)

No.

Do you rent property in Alameda County?

Yes
Conflicts of Interest

State and local law require that you abstain from participation in decisions that may affect your financial interests, including sources of income, interest in real property, personal finances or investments. In addition, if appointed, you may be required to submit a disclosure statement which identifies certain of your financial interest beginning with the immediate twelve-month period prior to your appointment. Based on your best judgment, does this Board or Commission make decisions that may affect sources of income, interests in real property, personal finances or investments of you or your spouse? Some examples of conflicts include a) being employed by a business or organization that has a financial interest in decisions that EBCE may make, b) being employed by a business or organization that directly advocates in front of the EBCE Board of Directors, c) having a financial interest in a project or property that might benefit from a decision made by EBCE.

Yes/No  No.

If yes, please explain. Please identify any organizations, associations, corporations, or entities by which you are employed or associated that might be affected by decisions of this Board or Commission, and the positions you hold in these entities.

NA

Please list at least two references:  Andrew Wilson  (510) 303 9027  andy_psi@sbcglobal.net
Stephanie Garcia  (415) 637 5689  srgarcia17@yahoo.com
(only include lines for email address and phone numbers)

As a member of the EBCEA Community Advisory Committee, you are making a time commitment to actively participate in the planning and development of the East Bay Community Energy program. Meetings are generally held in the evening and given the small number of members on the EBCE Community Advisory Committee, having a quorum is essential to the ability of the Committee to conduct business. Please sign the statement below indicating you have the time to prepare for and attend meetings.

I have sufficient time to devote to this responsibility and will attend scheduled meetings if appointed. I am also aware that this application is a public document.

Signature

Ernest Pacheco

Date  3/14/2018
Verification:

I agree that all of the information contained in my responses to the questions on this application are true and accurate to the best of my knowledge.

Signature  Ernest Pacheco

Print name  Ernest Pacheco

Date:  3/14/18
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APPLICANT INFORMATION

<table>
<thead>
<tr>
<th>Name</th>
<th>Nicholas Olmsted</th>
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<tbody>
<tr>
<td>Address</td>
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<tr>
<td><strong>Organization represented and title (if applicable)</strong></td>
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<td>--------------------------------------------------------</td>
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<tr>
<td><strong>Phone/Email Address</strong></td>
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<tr>
<td><strong>Are you a resident of Alameda County?</strong></td>
<td>yes</td>
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<tr>
<td><strong>How long have you lived in Alameda County?</strong></td>
<td>Four years</td>
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<td><strong>Are you a business owner in Alameda County (firm name and location)?</strong></td>
<td>Yes, I have my own consulting/advisory firm, NRO Advisors, San Leandro</td>
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<tr>
<td><strong>Employment Information:</strong></td>
<td>I am a legal and business advisor to energy and technology companies</td>
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<tr>
<td><strong>Your employer?</strong></td>
<td>Self-employed</td>
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<tr>
<td><strong>Job Title?</strong></td>
<td>Principal</td>
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<td><strong>Spouse’s employer?</strong></td>
<td>-</td>
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I am a seasoned legal and business executive in the clean energy industry, with experience as General Counsel with several clean energy companies in the area of energy efficiency (Serious Energy), home solar lending (Mosaic), and commercial solar financing (InSource Energy). I have experience in advising on utility-scale solar energy projects. I have also been an active member of Environmental Entrepreneurs, a group affiliated with NRDC that advocates for clean energy and environmental protection, and I have experience advocating before legislators and working with stakeholders from different groups.

I am also active in the nonprofit community, and am on the Board of Family Supportive Housing in San Jose, a provider of services and shelter to families experiencing homelessness. I am a graduate of New York University School of Law and also Harvard's Kennedy School of Government, where I studied public policy.
Please list three issues that you feel EBCE should address:

- Ensuring affordable clean energy for lower-income consumers
- Providing good incentives for cost-effective and sustainable energy choices
- Integrating demand-side measures like energy efficiency and storage effectively into the product mix

Have you ever attended a meeting of the EBCE Community Advisory Committee?

Yes

Please describe your experience serving on a Commission or Board:

I have been a board member of several community organizations, including Family Supportive Housing in San Jose, and the Silicon Valley Land Conservancy, and have advised many boards as a General Counsel

Considering your experience and activities in business, labor, professional, social or other organizations, indicate the experience, training, knowledge and skills that qualify you for appointment to the EBCE Community Advisory Committee:

I have approximately 15 years of experience as a legal advisor to energy and technology companies, with a focus on clean energy technologies and renewable energy. I also have been a strong advocate for clean energy through my work with nonprofit organizations like Environmental Entrepreneurs.
List any position or office held in any governmental agency, civic or charitable organization, including dates:
Family Supportive Housing - Board Member since 2016

Member of Environmental Entrepreneurs for 10 years

Board member with Silicon Valley Land Conservancy (2012-14)

Member of the Association of Corporate Counsel, Silicon Valley Association of General Counsel and other legal groups

Please list any special awards or recognitions received:
I am an honors graduate of New York University School of Law and admitted to practice law in California, New York and the District of Columbia.

Do you own Property in Alameda County? If yes, please list the address(es)

Do you rent property in Alameda County?
no
Application for East Bay Community Energy Authority (EBCEA)
Community Advisory Committee

Conflicts of Interest

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Yes/No

If yes, please explain. Please identify any organizations, associations, corporations, or entities by which you are employed or associated that might be affected by decisions of this Board or Commission, and the positions you hold in these entities.

I am not currently an advisor to any company that I am aware would be affected by Board or Commission action.

Please list at least two references:

Russ Lampert, 650-209-3987, russ@lamperts.net
Carl Weatherley-White, carl. weatherley-white@vivopower.com, (666) 573 0630

As a member of the EBCEA Community Advisory Committee, you are making a time commitment to actively participate in the planning and development of the East Bay Community Energy program. Meetings are generally held in the evening and given the small number of members on the EBCE Community Advisory Committee, having a quorum is essential to the ability of the Committee to conduct business. Please sign the statement below indicating you have the time to prepare for and attend meetings.

I have sufficient time to devote to this responsibility and will attend scheduled meetings if appointed. I am also aware that this application is a public document.

Signature

[Signature]

March 6, 2018

Date
Verification:

I agree that all of the information contained in my responses to the questions on this application are true and accurate to the best of my knowledge.

Signature

[Signature]

Print name  Nicholas Olmsted

Date:  March 6 2018