



375 Beale Street
Suite 700
San Francisco, California

Meeting Agenda - Final

ABAG POWER Executive Committee

Chair, Angela Walton, City of Richmond
Vice Chair, Doug Williams, City of Santa Rosa

Thursday, December 15, 2022

11:00 AM

(REMOTE)

**ABAG Publicly Owned Energy Resources
Executive Committee
Meeting No. 2022-06**

Committee Representative Roster
Andre Duurvoort, City of Cupertino
Diana Oyler, County of Contra Costa
Chris Schroeder, City of Milpitas
Angela Walton, City of Richmond
Doug Williams, City of Santa Rosa

In light of Governor Newsom's State of Emergency declaration regarding COVID-19 and in accordance with Assembly Bill 361's (Rivas) provisions allowing remote meetings, this meeting will be accessible via webcast, teleconference, and Zoom for all participants.

A Zoom panelist link for meeting participants will be sent separately to committee members.

The agenda will be available publicly at: <https://abag.ca.gov/meetings>.

Attendee Link: <https://bayareametro.zoom.us/j/81241917569>
Join by Telephone: 888-788-0099 or 877-853-5247 (both toll free)
Webinar ID: 812 4191 7569

Members of the public may participate or may submit comments by email at info@bayareametro.gov by 5:00 p.m. the day before the scheduled meeting date. Please include the committee or board meeting name and agenda item number in the subject line.

Due to the current circumstances, there may be limited opportunity to address comments during the meeting. All comments received will be submitted into the record.

1. Welcome and Introductions

Call to order.

Angela Walton, ABAG POWER Executive Committee Chair, City of Richmond

Roll Call / Confirm Quorum.

Cindy Chen, Energy Programs Coordinator, ABAG/MTC

2. Public Comment

The public is encouraged to provide comment at Committee meetings. This public comment period is intended for items not agendaized.

3. Consent Calendar

[22-1823](#) Approval of ABAG POWER Resolution No. 22-12 Assembly Bill 361 (Rivas) Remote Meetings.

Action: Approval

Presenter: Ryan Jacoby, Program Manager, ABAG/MTC

Attachments: [3.a.- ABAG POWER Resolution No. 22-12 AB361 \(Rivas\) Remote Meetings](#)

[22-1824](#) Approval of Minutes from August 18, 2022 Executive Committee Meeting.

Action: Approval

Presenter: Ryan Jacoby, Program Manager, ABAG/MTC

Attachments: [3.b.- ABAG POWER EC Summary Minutes of 20220818](#)

[22-1825](#) Approval of Minutes from September 15, 2022 Executive Committee Meeting.

Action: Approval

Presenter: Ryan Jacoby, Program Manager, ABAG/MTC

Attachments: [3.c.- ABAG POWER EC Summary Minutes of 20220915](#)

[22-1826](#) Approval of Minutes from November 17, 2022 Executive Committee Meeting.

Action: Approval

Presenter: Ryan Jacoby, Program Manager, ABAG/MTC

Attachments: [3.d.- ABAG POWER EC Summary Minutes of 20221117](#)

[22-1827](#) Calendar Year 2023 Meeting Schedule.

Action: Approval

Presenter: Ryan Jacoby, Program Manager, ABAG/MTC

Attachments: [3.e.- Approval of Calendar Year 2023 Meeting Schedule](#)

4. Energy Programs Manager's Report

[22-1828](#) Staff will provide a verbal report of recent energy industry developments and programmatic updates regarding the Bay Area Regional Energy Network (BayREN).

Action: Information

Presenter: Jennifer Berg, Director, Energy Section, ABAG/MTC

5. Request for Offers for Senate Bill 1383-Compliant Renewable Natural Gas

[22-1829](#) Request for authority to 1) begin negotiations with the SB 1383 RFO proposer(s) and any ABAG POWER member interested in purchasing the SB 1383-compliant gas; 2) initiate discussion with CalRecycle to confirm that the existing offer(s) and supporting materials are SB 1383-compliant; and, 3) take actions to begin establishing a SB 1383-compliant renewable natural gas (RNG) program.

Action: Approval

Presenter: Ryan Jacoby, Program Manager, ABAG/MTC

Attachments: [5.a.- Summary Sheet RFO for SB 1383 RNG](#)

6. Report on Natural Gas Program

[22-1830](#) Staff will review recent gas operations, including gas purchases; the program's long-term hedge position; gas imbalances; regulatory updates; and other miscellaneous program items.

Action: Information

Presenter: Ryan Jacoby, Program Manager, ABAG/MTC

Attachments: [6.a.- Monthly Summary of Operations \(Presentation\)](#)
[6.b.- Monthly Summary of Operations \(Summary Sheet\)](#)

7. Natural Gas Purchasing Strategy Policy Amendment

[22-1831](#) Staff will review the current general gas purchasing strategy and propose an amendment to permit temporary authority for staff to enter into fixed-price purchase contracts with a value less than \$1 million and for a term not to exceed four months.

Action: Approval

Presenter: Ryan Jacoby, Program Manager, ABAG/MTC

Attachments: [7.a.- Natural Gas Purchasing Strategy Policy Amendment](#)
[7.b.- Summary Approval- Gas Purchasing Strategy Policy Amendment](#)

8. Other Business

Committee to provide update on items within member agencies relevant to ABAG POWER and/or the ABAG/MTC energy programs.

9. Adjournment / Next Meeting

The next meeting is the ABAG POWER Executive Committee Special Meeting scheduled to be held on January 19, 2023.

Public Comment: The public is encouraged to comment on agenda items at Committee meetings by completing a request-to-speak card (available from staff) and passing it to the Committee secretary. Public comment may be limited by any of the procedures set forth in Section 3.09 of MTC's Procedures Manual (Resolution No. 1058, Revised) if, in the chair's judgment, it is necessary to maintain the orderly flow of business.

Meeting Conduct: If this meeting is willfully interrupted or disrupted by one or more persons rendering orderly conduct of the meeting unfeasible, the Chair may order the removal of individuals who are willfully disrupting the meeting. Such individuals may be arrested. If order cannot be restored by such removal, the members of the Committee may direct that the meeting room be cleared (except for representatives of the press or other news media not participating in the disturbance), and the session may continue.

Record of Meeting: Committee meetings are recorded. Copies of recordings are available at a nominal charge, or recordings may be listened to at MTC offices by appointment. Audiocasts are maintained on MTC's Web site (mtc.ca.gov) for public review for at least one year.

Accessibility and Title VI: MTC provides services/accommodations upon request to persons with disabilities and individuals who are limited-English proficient who wish to address Commission matters. For accommodations or translations assistance, please call 415.778.6757 or 415.778.6769 for TDD/TTY. We require three working days' notice to accommodate your request.

可及性和法令第六章: MTC 根據要求向希望來委員會討論有關事宜的殘疾人士及英語有限者提供服務/方便。需要便利設施或翻譯協助者，請致電 415.778.6757 或 415.778.6769 TDD / TTY。我們要求您在三個工作日前告知，以滿足您的要求。

Acceso y el Titulo VI: La MTC puede proveer asistencia/facilitar la comunicación a las personas discapacitadas y los individuos con conocimiento limitado del inglés quienes quieran dirigirse a la Comisión. Para solicitar asistencia, por favor llame al número 415.778.6757 o al 415.778.6769 para TDD/TTY. Requerimos que solicite asistencia con tres días hábiles de anticipación para poderle proveer asistencia.

Attachments are sent to Committee members, key staff and others as appropriate. Copies will be available at the meeting.

All items on the agenda are subject to action and/or change by the Committee. Actions recommended by staff are subject to change by the Committee.



Metropolitan Transportation Commission

375 Beale Street, Suite 800
San Francisco, CA 94105

Legislation Details (With Text)

File #: 22-1823 **Version:** 1 **Name:**
Type: Action Item **Status:** Committee Approval
File created: 11/10/2022 **In control:** ABAG POWER Executive Committee
On agenda: 12/15/2022 **Final action:**
Title: Approval of ABAG POWER Resolution No. 22-12 Assembly Bill 361 (Rivas) Remote Meetings.
Sponsors:
Indexes:
Code sections:
Attachments: [3.a.- ABAG POWER Resolution No. 22-12 AB361 \(Rivas\) Remote Meetings](#)

Date	Ver.	Action By	Action	Result
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Subject:
Approval of ABAG POWER Resolution No. 22-12 Assembly Bill 361 (Rivas) Remote Meetings.

Presenter:
Ryan Jacoby, Program Manager, ABAG/MTC

Recommended Action:
Approval

Attachments: List any attachments.

Association of Bay Area Governments Publicly Owned Energy Resources

ABAG POWER

Executive Committee

December 15, 2022

Agenda Item 3.a.

Resolution No. 22-12 Providing for Remote Meetings Pursuant to AB 361

Subject:

Approval of Resolution No. 22-12 regarding remote meetings pursuant to AB 361.

Background:

AB 361 provides for continuing availability of remote meetings during the pandemic-related state of emergency in California. In order to invoke this option, governing boards of Brown Act bodies, or their authorized designated committees must make certain findings in support of remote meetings within 30 days of the first meeting occurring after October 1, 2021, and every 30 days thereafter. Attached for your review and approval is a resolution invoking AB 361 and providing for remote meetings retroactive to Oct. 1 of this year and prospectively for 30 days following the action of the Board of Directors for the Association of Bay Area Governments Publicly Owned Energy Resources (ABAG POWER).

Issues:

Findings in support of Resolution No. 22-12 are found in the attached. Given the continuing state of public health emergency and the improved public access afforded by holding public meetings of regional bodies in a virtual setting, the resolution under AB 361 is supportable.

Recommended Action:

The Executive Committee for ABAG POWER is requested to adopt Resolution No. 22-12 authorizing its committees and related entities to meet remotely pursuant to the provisions of AB 361.

Attachments:

- ABAG POWER Resolution 22-12

Reviewed:

DocuSigned by:

8C3380BA165B4D1...

Brad Paul

**ABAG PUBLICLY OWNED ENERGY RESOURCES
EXECUTIVE COMMITTEE**

RESOLUTION NO. 22-12

ABSTRACT

This resolution makes findings pursuant to AB 361 to continue virtual public meetings for the Association of Bay Area Governments (ABAG) Publicly Owned Energy Resources (ABAG POWER), its related entities and committees during the COVID-19 State of Emergency.

Further discussion of this subject is contained in the ABAG POWER Summary Sheet dated December 15th, 2022.

**ABAG PUBLICLY OWNED ENERGY RESOURCES
EXECUTIVE COMMITTEE**

RESOLUTION NO. 22-12

**FINDINGS PURSUANT TO AB 361 TO CONTINUE VIRTUAL PUBLIC MEETINGS FOR THE
ASSOCIATION OF BAY AREA GOVERNMENTS PUBLICLY OWNED ENERGY
RESOURCES (ABAG POWER) AND ITS RELATED ENTITIES AND COMMITTEES DURING
THE COVID-19 STATE OF EMERGENCY**

WHEREAS, on March 4, 2020, the Governor of the State of California declared a state of emergency, as defined under the California Emergency Services Act, due to the COVID-19 pandemic; and

WHEREAS, the State of Emergency remains in effect; and

WHEREAS, beginning in March 2020, the Governor's Executive Order N-29-20 suspended Brown Act requirements related to teleconferencing during the COVID-19 pandemic provided that notice, accessibility, and other requirements were met, and the public was allowed to observe and address the legislative body at the meeting; and

WHEREAS, Executive Order N-08-21 extended the previous order until September 30, 2021; and

WHEREAS, the Association of Bay Area Governments Publicly Owned Energy Resources (ABAG POWER) and its related entities and committees have conducted their meetings virtually, as authorized by the Executive Order, since March 17, 2020; and

WHEREAS, on September 16, 2021, the Governor signed into law AB 361, an urgency measure effective upon adoption, that provides flexibility to government bodies, allowing them to meet virtually without conforming to the Brown Act teleconferencing rules if: (i) the legislative body holds a meeting during a proclaimed state of emergency, and state or local officials have imposed or recommended measures to promote social distancing; (ii) the legislative body holds a meeting during a proclaimed state of emergency for the purpose of determining, by majority vote, whether, as a result of the emergency, meeting in person would present imminent risks to the health or safety of attendees; or (iii) the legislative body holds a meeting during a proclaimed state of emergency and has determined, by majority vote, that, as a result of the emergency, meeting in person would present imminent risks to the health or safety of attendees; and

WHEREAS, the San Francisco Public Health Department continues to recommend and/or require measures to promote social distancing in combination with other safety precautions when activities occur in shared indoor spaces to mitigate the risk of COVID-19 transmission; and

WHEREAS, recently, multiple COVID-19 variants have surged in the United States and are believed by medical experts to be more contagious than previous variants, and data has shown these variants to have increased transmissibility even among some vaccinated people; and

WHEREAS, due to uncertainty and concerns about recent COVID-19 variants and current conditions, many workplaces that had announced a return to regular in-person operations have pushed back the full return date; and

WHEREAS, virtual meetings have not diminished the public's ability to observe and participate and have expanded opportunities to do so for some communities; and

WHEREAS, given the heightened risks of the predominant variant of COVID-19 in the community, holding meetings with all members of the legislative body, staff, and the public in attendance in person in a shared indoor meeting space would pose an unnecessary and immediate risk to the attendees;

NOW, THEREFORE, BE IT RESOLVED, that the Executive Committee on behalf of ABAG POWER hereby determines that, as a result of the emergency, meeting in person presents imminent risks to the health or safety of attendees; and be it further

RESOLVED, that in accordance with AB 361, based on the findings and determinations herein, meetings of ABAG POWER, its related entities and its committees will be held virtually, with Brown Act teleconferencing rules suspended; and be it further

RESOLVED, that this resolution shall be effective upon adoption and remain in effect for 30 days after the first meeting held in accordance with AB 361.

This foregoing was adopted by the Executive Committee at its meeting on this 15th day of December, 2022.

By: _____
Angela Walton, Chair

AYES:
NOES:
ABSENT:
ABSTAIN:

Certification of Executive Committee Approval

I, the undersigned, the appointed and qualified Secretary of the ABAG Publicly OWned Energy Resources (ABAG POWER), do hereby certify that the foregoing resolution was adopted by the Executive Committee of ABAG POWER at a duly called meeting held on the 15th day of December, 2022.

Jennifer Berg, Secretary
ABAG POWER



Metropolitan Transportation Commission

375 Beale Street, Suite 800
San Francisco, CA 94105

Legislation Details (With Text)

File #: 22-1824 **Version:** 1 **Name:**
Type: Action Item **Status:** Committee Approval
File created: 11/10/2022 **In control:** ABAG POWER Executive Committee
On agenda: 12/15/2022 **Final action:**
Title: Approval of Minutes from August 18, 2022 Executive Committee Meeting.
Sponsors:
Indexes:
Code sections:
Attachments: [3.b.- ABAG POWER EC Summary Minutes of 20220818](#)

Date	Ver.	Action By	Action	Result
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Subject:
Approval of Minutes from August 18, 2022 Executive Committee Meeting.

Presenter:
Ryan Jacoby, Program Manager, ABAG/MTC

Recommended Action:
Approval

Attachments: List any attachments.



Metropolitan Transportation Commission Meeting Minutes 3 - Draft

375 Beale Street
Suite 700
San Francisco, California

ABAG POWER Executive Committee

Chair, Angela Walton, City of Richmond
Vice Chair, Doug Williams, City of Santa Rosa

Thursday, August 18, 2022

11:00 AM

REMOTE

ABAG Publicly Owned Energy Resources Executive Committee Meeting No. 2022-05

Committee Representative Roster
Andre Duurvoort, City of Cupertino
Diana Oyler, County of Contra Costa
Chris Schroeder, City of Milpitas
Angela Walton, City of Richmond
Doug Williams, City of Santa Rosa

Staff Roster
Brad Paul
Arleicka Conley
Andrea Visveshwara
Jennifer Berg
Ryan Jacoby
Cindy Chen (Clerk)

1. Welcome and Introductions

Vice Chair Williams called the meeting to order at 11:11 a.m. Quorum was present.

Call to order.

Angela Walton, ABAG POWER Executive Committee Chair, City of Richmond

Roll Call / Confirm Quorum.

Cindy Chen, Energy Programs Coordinator, ABAG/MTC

Present: 4 - Committee Member Duurvoort, Committee Member Oyler, Committee Member Schroeder, and Vice Chair Williams

Absent: 1 - Chair Walton

2. Public Comment

Vice Chair Williams invited any member of the public in attendance to provide public comment on items not on the agenda. None was provided.

3. Consent Calendar

[22-1230](#) Approval of ABAG POWER Resolution No. 22-08 Assembly Bill 361 (Rivas) Remote Meetings.

Attachments: [3.a.- ABAG POWER Resolution No. 22-08 AB 361 \(Rivas\) Remote Meetings](#)

[22-1231](#) Approval of Minutes from June 16, 2022 Executive Committee Meeting.

Attachments: [3.b.- Approval of Minutes from June 16, 2022 Executive Committee Meeting](#)

[22-1232](#) Approval of Minutes from July 21, 2022 Executive Committee Meeting.

Attachments: [3.c.- Approval of Minutes from July 21, 2022 Executive Committee Meeting](#)

Motion was made by Committee Member Duurvoort and seconded by Committee Member Oyler to approve the Consent Calendar, consisting of the ABAG POWER Resolution No. 22-08 Providing for Remote Meetings Pursuant to AB361, the Meeting Minutes of June 16, 2022, and the Special Meeting Minutes of July 21, 2022. The motion passed by the following vote:

Aye: 4 - Committee Member Duurvoort, Committee Member Oyler, Committee Member Schroeder, and Vice Chair Williams

Absent: 1 - Chair Walton

4. Energy Programs Manager's Report

Jennifer Berg provided program updates on the Bay Area Regional Energy Network (BayREN) in related to Single Family Incentive Program and the Bay Area Resilient Libraries Network.

[22-1233](#) Staff will provide a verbal report of recent energy industry developments and programmatic updates regarding the Bay Area Regional Energy Network (BayREN).

5. Report on Natural Gas Program

Ryan Jacoby presented recent updates on natural gas operations, including gas purchases; the program's long-term hedge position; gas imbalances; regulatory updates; FY21-22 usage Budget-to-Actual; and Strategic Implementation Roadmap.

[22-1235](#) Staff will review recent gas operations, including gas purchases; the program's long-term hedge position; gas imbalances; regulatory updates; and other miscellaneous program items.

Attachments: [5.a.- Summary of Natural Gas Program Presentation](#)
[5.b.- Summary Sheet Summary of Natural Gas Program](#)

6. California's Net Energy Metering (NEM) Program

Committee Member Schroeder presented the draft statement of position to the Committee.

[22-1246](#) Request to authorize the ABAG POWER Executive Committee Chair to execute a statement of position regarding the proposed changes to California's NEM program, and to transmit the letter to the appropriate recipient(s).

Attachments: [6.a.- Letter Opposing Proposed Changes to CA NEM Program](#)

Motion was made by Committee Member Schroeder and seconded by Committee Member Oyler to approve the statement of position regarding the proposed changes to California's NEM program, and to transmit the letter to the appropriate recipients. The motion passed by the following vote:

Aye: 4 - Committee Member Duurvoort, Committee Member Oyler, Committee Member Schroeder, and Vice Chair Williams

Absent: 1 - Chair Walton

7. Preliminary Agenda for Annual Board of Directors Meeting

Ryan Jacoby presented the preliminary agenda for Annual Board Meeting.

[22-1234](#) Staff will present for Committee discussion potential agenda items for the annual Board of Directors meeting scheduled to be held October 20, 2022.

Attachments: [7.a.- Preliminary Board Meeting Agenda](#)

8. Other Business

Committee Member Duurvoort provided updates on City of Cupertino's adaptation to its next generation of Climate Action Plan and appreciated the support and the work this Committee is doing.

9. Adjournment / Next Meeting

Vice Chair Williams adjourned the meeting at 12:01p.m. The next meeting is the ABAG POWER Executive Committee Special Meeting scheduled to be held on September 15, 2022.



Metropolitan Transportation Commission

375 Beale Street, Suite 800
San Francisco, CA 94105

Legislation Details (With Text)

File #: 22-1825 **Version:** 1 **Name:**
Type: Action Item **Status:** Committee Approval
File created: 11/10/2022 **In control:** ABAG POWER Executive Committee
On agenda: 12/15/2022 **Final action:**
Title: Approval of Minutes from September 15, 2022 Executive Committee Meeting.
Sponsors:
Indexes:
Code sections:
Attachments: [3.c.- ABAG POWER EC Summary Minutes of 20220915](#)

Date	Ver.	Action By	Action	Result
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Subject:
Approval of Minutes from September 15, 2022 Executive Committee Meeting.

Presenter:
Ryan Jacoby, Program Manager, ABAG/MTC

Recommended Action:
Approval

Attachments: List any attachments.



Metropolitan Transportation Commission Meeting Minutes 3 - Draft

375 Beale Street
Suite 700
San Francisco, California

ABAG POWER Executive Committee

Chair, Angela Walton, City of Richmond
Vice Chair, Doug Williams, City of Santa Rosa

Thursday, September 15, 2022

11:00 AM

REMOTE

ABAG Publicly Owned Energy Resources Executive Committee Special Meeting No. 2022-05

Committee Representative Roster
Andre Duurvoort, City of Cupertino
Diana Oyler, County of Contra Costa
Chris Schroeder, City of Milpitas
Angela Walton, City of Richmond
Doug Williams, City of Santa Rosa

Staff Roster
Brad Paul
Suzanne Bode
Andrea Visveshwara
Jennifer Berg
Noah Cohen
Cindy Chen (Clerk)

1. Welcome and Introductions

Chair Walton called the meeting to order at 11:02 a.m. Quorum was present.

Call to order.

Angela Walton, ABAG POWER Executive Committee Chair, City of Richmond

Roll Call / Confirm Quorum.

Cindy Chen, Energy Programs Coordinator, ABAG/MTC

Present: 3 - Committee Member Duurvoort, Chair Walton, and Vice Chair Williams

Absent: 2 - Committee Member Oyler, and Committee Member Schroeder

2. Public Comment

Chair Walton invited any member of the public in attendance to provide public comment on items not on the agenda. None was provided.

3. Consent Calendar

[22-1293](#) Approval of ABAG POWER Resolution No. 22-09 Assembly Bill 361 (Rivas) Remote Meetings.

Attachments: [3.a.- Summary Sheet Resolution 22-09 AB 361 Remote Meetings](#)

[22-1386](#) Authorization of Amendment to ABAG POWER Conflict of Interest Code (COIC).

Attachments: [3.b.- Authorization of Amendment to ABAG POWER COIC](#)

[3.b.1.- Notice of Intention to Amend the Conflict of Interest Code for ABAG POWER](#)

[3.b.2.- Proposed Second Amended Conflict of Interest Code](#)

[3.c.- Summary Approval COIC Amendment](#)

Motion was made by Vice Chair Williams and seconded by Committee Member Duurvoort to approve the Consent Calendar, consisting of the ABAG POWER Resolution No. 22-09 Providing for Remote Meetings Pursuant to AB361, and the Authorization of Amendment to ABAG POWER Conflict of Interest Code (COIC). The motion passed by the following vote:

Aye: 3 - Committee Member Duurvoort, Chair Walton, and Vice Chair Williams

Absent: 2 - Committee Member Oyler, and Committee Member Schroeder

4. Request for Proposals for Quantification and Management of Carbon Offsets

Jenny Berg provided updates on the proposed options and concluded the final service selection, GPT. Vice Chair Williams requested that staff finds out whether GPT has a way of predicting reductions through a software access or a static report. Committee Member Duurvoort pointed out the risk involving carbon offset credit purchases and further requested that staff takes the next step in a measurable way to demonstrate how and what carbon offsets are purchased.

[22-1294](#) Request for authorization to enter into a professional services agreement with GPT, Inc. in an amount not to exceed \$216,645 for services through June 30, 2024.

Attachments: [4.a.- Summary Sheet RFP for Quantification and Management Carbon Offsets](#)

[4.b.- Summary Approval GPT, Inc.](#)

Motion was made by Vice Chair Williams and seconded by Committee Member Duurvoort to authorize the Executive Director of the Metropolitan Transportation Commission, or her designee, on behalf of ABAG POWER, to enter into a professional services agreement with GPT, Inc., in an amount not to exceed \$216,645, to provide services related to the quantification and management of carbon offsets through June 30, 2024. The motion passed by the following vote:

Aye: 3 - Committee Member Duurvoort, Chair Walton, and Vice Chair Williams

Absent: 2 - Committee Member Oyler, and Committee Member Schroeder

5. Other Business

Meeting participants were invited to provide a verbal report on other related business. There were no reports provided.

6. Adjournment / Next Meeting

Chair Walton adjourned the meeting at 11:17 a.m.

The next meeting is the ABAG POWER Board of Director Meeting scheduled to be held on October 20, 2022.



Metropolitan Transportation Commission

375 Beale Street, Suite 800
San Francisco, CA 94105

Legislation Details (With Text)

File #: 22-1826 **Version:** 1 **Name:**
Type: Action Item **Status:** Committee Approval
File created: 11/10/2022 **In control:** ABAG POWER Executive Committee
On agenda: 12/15/2022 **Final action:**
Title: Approval of Minutes from November 17, 2022 Executive Committee Meeting.
Sponsors:
Indexes:
Code sections:
Attachments: [3.d.- ABAG POWER EC Summary Minutes of 20221117](#)

Date	Ver.	Action By	Action	Result
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Subject:
Approval of Minutes from November 17, 2022 Executive Committee Meeting.

Presenter:
Ryan Jacoby, Program Manager, ABAG/MTC

Recommended Action:
Approval

Attachments: List any attachments.



Metropolitan Transportation Commission Meeting Minutes 3 - Draft

375 Beale Street
Suite 700
San Francisco, California

ABAG POWER Executive Committee

Chair, Angela Walton, City of Richmond
Vice Chair, Doug Williams, City of Santa Rosa

Thursday, November 17, 2022

11:00 AM

(REMOTE)

ABAG Publicly Owned Energy Resources Executive Committee Special Meeting No. 2022-06

Committee Representative Roster
Andre Duurvoort, City of Cupertino
Diana Oyler, County of Contra Costa
Chris Schroeder, City of Milpitas
Angela Walton, City of Richmond
Doug Williams, City of Santa Rosa

Staff Roster
Suzanne Bode
Matthew Lavrinets
Jennifer Berg
Ryan Jacoby
Sarina Seaton (Clerk)

1. Welcome and Introductions

Chair Walton called the meeting to order at 11:01 a.m. Quorum was present.

Call to order.

Angela Walton, ABAG POWER Executive Committee Chair, City of Richmond

Roll Call / Confirm Quorum.

Sarina Seaton, Section Administrator, ABAG/MTC

Present: 4 - Committee Member Duurvoort, Committee Member Schroeder, Chair Walton,
and Vice Chair Williams

Absent: 1 - Committee Member Oyler

2. Public Comment

Chair Walton invited any member of the public in attendance to provide public comment on items not on the agenda. None was provided.

3. Consent Calendar

[22-1667](#) Approval of ABAG POWER Resolution No. 22-11 Assembly Bill 361 (Rivas) Remote Meetings.

Attachments: [3.a- ABAG POWER Resolution 22-11 AB 361 \(Rivas\) Remote Meetings](#)

Motion was made by Committee Member Schroeder and seconded by Committee Member Duurvoort to approve the Consent Calendar, consisting of ABAG POWER Resolution No. 22-11 Providing for Remote Meetings Pursuant to AB361. The motion passed by the following vote:

Aye: 4 - Committee Member Duurvoort, Committee Member Schroeder, Chair Walton, and Vice Chair Williams

Absent: 1 - Committee Member Oyler

4. Request for Offers for SB 1383-Compliant Renewable Natural Gas (RNG)

Ryan Jacoby presented a summary of Request for offers for Senate Bill 1383-Compliant Renewable Natural Gas (SB 1383 RNG).

[22-1755](#) Request for authorization to survey ABAG POWER members regarding their interest in accepting a response to the program's RFO for SB 1383 RNG, and to report the survey results at the December 15, 2022, Executive Committee meeting.

Attachments: [4.a.- Summary Sheet- RFO for SB 1383-Compliant RNG](#)
[4.b.- SB 1383 RFO Presentation](#)

Motion was made by Committee Member Schroeder and seconded by Committee Member Williams to authorize staff to survey ABAG POWER members regarding their interest in accepting a response to the program's RFO for SB 1383 RNG, and to report the survey results at the December 15, 2022, Executive Committee meeting . The motion passed by the following vote:

Aye: 4 - Committee Member Duurvoort, Committee Member Schroeder, Chair Walton, and Vice Chair Williams

Absent: 1 - Committee Member Oyler

5. Other Business

Committee Member Schroeder provided a verbal update on the California Public Utilities Commission's recently released Proposed Decision, revising California's Net Energy Metering program. He requested staff provide an informational briefing of the Proposed Decision at a future meeting.

6. Adjournment / Next Meeting

Chair Walton adjourned the meeting at 11:18 a.m.

The next meeting is the ABAG POWER Executive Committee Meeting scheduled to be held on December 15, 2022.



Metropolitan Transportation Commission

375 Beale Street, Suite 800
San Francisco, CA 94105

Legislation Details (With Text)

File #: 22-1827 **Version:** 1 **Name:**
Type: Action Item **Status:** Committee Approval
File created: 11/10/2022 **In control:** ABAG POWER Executive Committee
On agenda: 12/15/2022 **Final action:**
Title: Calendar Year 2023 Meeting Schedule.
Sponsors:
Indexes:
Code sections:
Attachments: [3.e.- Approval of Calendar Year 2023 Meeting Schedule](#)

Date	Ver.	Action By	Action	Result
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Subject:
Calendar Year 2023 Meeting Schedule.

Presenter:
Ryan Jacoby, Program Manager, ABAG/MTC

Recommended Action:
Approval

Attachments: List any attachments.

Association of Bay Area Governments Publicly Owned Energy Resources

ABAG POWER

Executive Committee

December 15, 2022

Agenda Item 3.e.

Calendar Year 2023 Meeting Schedule

Subject:

Approval of Calendar Year 2023 Meeting Schedule

Background:

Every December, the ABAG POWER Executive Committee approves the meeting schedule for the following calendar year.

In light of Governor Newsom's State of Emergency declaration regarding COVID-19 and in accordance with Assembly Bill 361 allowing the continuation of remote meetings, certain ABAG POWER meetings listed below will be accessible via webcast, teleconference, and Zoom for all participants who will participate remotely.

On October 17, 2022, Governor Gavin Newsom announced that the COVID-19 State of Emergency will end on February 28, 2023. Staff recommends the Board transition back to a bi-monthly in-person meeting scheduled following the conclusion of the State of Emergency.

Issues:

None.

Recommended Action:

The Executive Committee for ABAG POWER is requested to approve as proposed the Calendar Year 2023 Meeting Schedule.

Attachments:

- Calendar Year 2023 Meeting Schedule

Reviewed:

DocuSigned by:

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Brad Paul



ABAG POWER
Calendar Year 2023 Meeting Schedule

Proposed: December 15, 2022

Agenda available at: <https://abag.ca.gov/meetings>

Roster available at <https://abag.ca.gov/our-work/energy-infrastructure/power>

For information, contact Cindy Chen, the Clerk of the Board at (415) 820-7973.

Executive Committee

Meets the third Thursday of even-numbered months, or as needed.

Day	Date	Start	End	Location
Thursday	January 19	11:00 a.m.	11:10 a.m.	Remote
Thursday	February 16	11:00 a.m.	1:00 p.m.	Remote
Thursday	April 20	11:00 a.m.	1:00 p.m.	Bay Area Metro Center 375 Beale Street San Francisco
Thursday	June 15	11:00 a.m.	1:00 p.m.	Bay Area Metro Center 375 Beale Street San Francisco
Thursday	August 17	11:00 a.m.	1:00 p.m.	Bay Area Metro Center 375 Beale Street San Francisco
(Second) Thursday	December 14	11:00 a.m.	1:00 p.m.	Bay Area Metro Center 375 Beale Street San Francisco

Board of Directors

Meets on the third Thursday annually in October, or as needed.

Day	Date	Start	End	Location
(Fourth) Thursday	October 26	11:00 a.m.	1:00 p.m.	Bay Area Metro Center 375 Beale Street San Francisco



Metropolitan Transportation Commission

375 Beale Street, Suite 800
San Francisco, CA 94105

Legislation Details (With Text)

File #: 22-1828 **Version:** 1 **Name:**

Type: Report **Status:** Informational

File created: 11/10/2022 **In control:** ABAG POWER Executive Committee

On agenda: 12/15/2022 **Final action:**

Title: Staff will provide a verbal report of recent energy industry developments and programmatic updates regarding the Bay Area Regional Energy Network (BayREN).

Sponsors:

Indexes:

Code sections:

Attachments:

Date	Ver.	Action By	Action	Result
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Subject:
Staff will provide a verbal report of recent energy industry developments and programmatic updates regarding the Bay Area Regional Energy Network (BayREN).

Presenter:
Jennifer Berg, Director, Energy Section, ABAG/MTC

Recommended Action:
Information

Attachments: List any attachments.



Metropolitan Transportation Commission

375 Beale Street, Suite 800
San Francisco, CA 94105

Legislation Details (With Text)

File #: 22-1829 **Version:** 1 **Name:**
Type: Action Item **Status:** Informational
File created: 11/10/2022 **In control:** ABAG POWER Executive Committee
On agenda: 12/15/2022 **Final action:**
Title: Request for authority to 1) begin negotiations with the SB 1383 RFO proposer(s) and any ABAG POWER member interested in purchasing the SB 1383-compliant gas; 2) initiate discussion with CalRecycle to confirm that the existing offer(s) and supporting materials are SB 1383-compliant; and, 3) take actions to begin establishing a SB 1383-compliant renewable natural gas (RNG) program.

Sponsors:

Indexes:

Code sections:

Attachments: [5.a.- Summary Sheet RFO for SB 1383 RNG](#)

Date	Ver.	Action By	Action	Result
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Subject:

Request for authority to 1) begin negotiations with the SB 1383 RFO proposer(s) and any ABAG POWER member interested in purchasing the SB 1383-compliant gas; 2) initiate discussion with CalRecycle to confirm that the existing offer(s) and supporting materials are SB 1383-compliant; and, 3) take actions to begin establishing a SB 1383-compliant renewable natural gas (RNG) program.

Presenter:

Ryan Jacoby, Program Manager, ABAG/MTC

Recommended Action:

Approval

Attachments: List any attachments.

Association of Bay Area Governments Publicly Owned Energy Resources

ABAG POWER

Executive Committee

December 15, 2022

Agenda Item 5.a.

Request for Offers (RFO) for Senate Bill (SB) 1383-compliant Renewable Natural Gas

Subject:

Request for authority to: 1) begin negotiations with the SB 1383 RFO proposer(s) and any ABAG POWER member interested in purchasing the SB 1383-compliant gas; 2) initiate discussion with CalRecycle to confirm that the existing offer(s) and supporting materials are SB 1383-compliant; and, 3) take actions to begin establishing a SB 1383-compliant renewable natural gas (RNG) program.

Background:

SB 1383¹ (2016), among other things, establishes population-based procurement requirements for cities and counties to reduce organic waste, a significant contributor to methane, which in turn contributes to climate change. The procurement requirements can be met by procuring these recovered organic waste products:

- Mulch
- Compost
- Renewable fuel
- Renewable electricity
- Renewable heat
- Electricity from biomass

On October 4, 2022, staff released a RFO seeking supplies of RNG compliant with SB 1383 and its implementing regulations. The RFO closed on October 27, 2022. Of the proposal(s) received, staff have learned that the cost to purchase SB 1383 compliant gas is estimated to be 5-7 times higher compared to the current gas offered by ABAG POWER. For example, one proposal offers a volume in the range of 500-1,000 million British Thermal Units (MMBTU or dekatherms (Dth)) per day, a desired multi-year contract term, and a price in the \$30-40 range per MMBTU.

At the November 17, 2022, Executive Committee meeting, staff recommended surveying the membership to assess whether any member was interested in accepting the offer(s). Staff also presented several proposed actions if at least one member was interested in accepting the offer(s). The Executive Committee provided direction to survey the membership, and on

¹ https://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=201520160SB1383

November 28, 2022, a survey was released; survey responses² and follow-up meetings have indicated at least one member intends to accept an allocation of the offered supply.

Given this development, staff recommend:

- continuing to meet with members to evaluate interest, while simultaneously beginning negotiations with the proposer(s) and interested any interested member
- confirming with CalRecycle that the existing offer(s) and supporting materials are SB 1383-compliant
- taking actions to draft a SB 1383 Program that establishes a separate program of ABAG POWER to independently record and allocate costs associated with procurement
 - it is likely that external legal counsel would be engaged to assist with preparing a form agreement, thus resulting in administrative costs, but staff believe utilizing the format of existing membership agreements may reduce the overall cost

Postponing negotiations with the proposer(s) increases the risk that the proposer(s) will decline to supply ABAG POWER with the offered supply, due to competing offers or changing market conditions associated with delayed communication. Furthermore, given the relatively large quantity of offered supply, it is unlikely that members' interest will exceed the current offered supply, thus at this time it is unnecessary to develop a methodology that allocates limited supply.

Issues:

None.

Recommended Action:

The Executive Committee for ABAG POWER is requested to authorize staff to: 1) begin negotiations with the SB 1383 RFO proposer(s) and any ABAG POWER member interested in purchasing the SB 1383-compliant gas; 2) initiate discussion with CalRecycle to confirm that the existing offer(s) and supporting materials are SB 1383-compliant; and, 3) take actions to begin establishing a SB 1383-compliant renewable natural gas (RNG) program.

Attachments:

None.

Reviewed:

DocuSigned by:

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Brad Paul

² https://www.surveymonkey.com/results/SM-ZC4d6d6xK42RI0PFFzddng_3D_3D/



Metropolitan Transportation Commission

375 Beale Street, Suite 800
San Francisco, CA 94105

Legislation Details (With Text)

File #: 22-1830 **Version:** 1 **Name:**
Type: Report **Status:** Informational
File created: 11/10/2022 **In control:** ABAG POWER Executive Committee
On agenda: 12/15/2022 **Final action:**
Title: Staff will review recent gas operations, including gas purchases; the program's long-term hedge position; gas imbalances; regulatory updates; and other miscellaneous program items.
Sponsors:
Indexes:
Code sections:
Attachments: [6.a.- Monthly Summary of Operations \(Presentation\)](#)
[6.b.- Monthly Summary of Operations \(Summary Sheet\)](#)

Date	Ver.	Action By	Action	Result
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Subject:
Staff will review recent gas operations, including gas purchases; the program's long-term hedge position; gas imbalances; regulatory updates; and other miscellaneous program items.

Presenter:
Ryan Jacoby, Program Manager, ABAG/MTC

Recommended Action:
Information

Attachments: List any attachments.

ABAG POWER

Executive Committee Meeting

Thursday, December 15, 2022

Ryan Jacoby
Program Manager



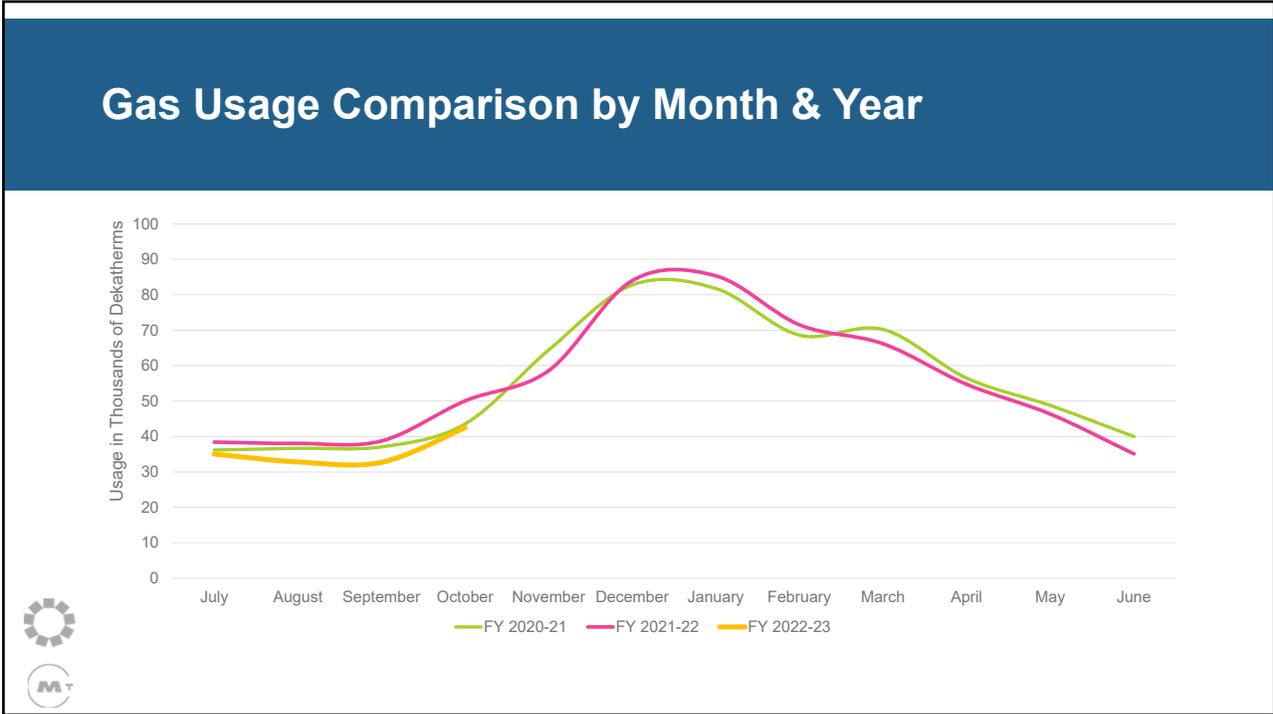
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Monthly Summary of Operations

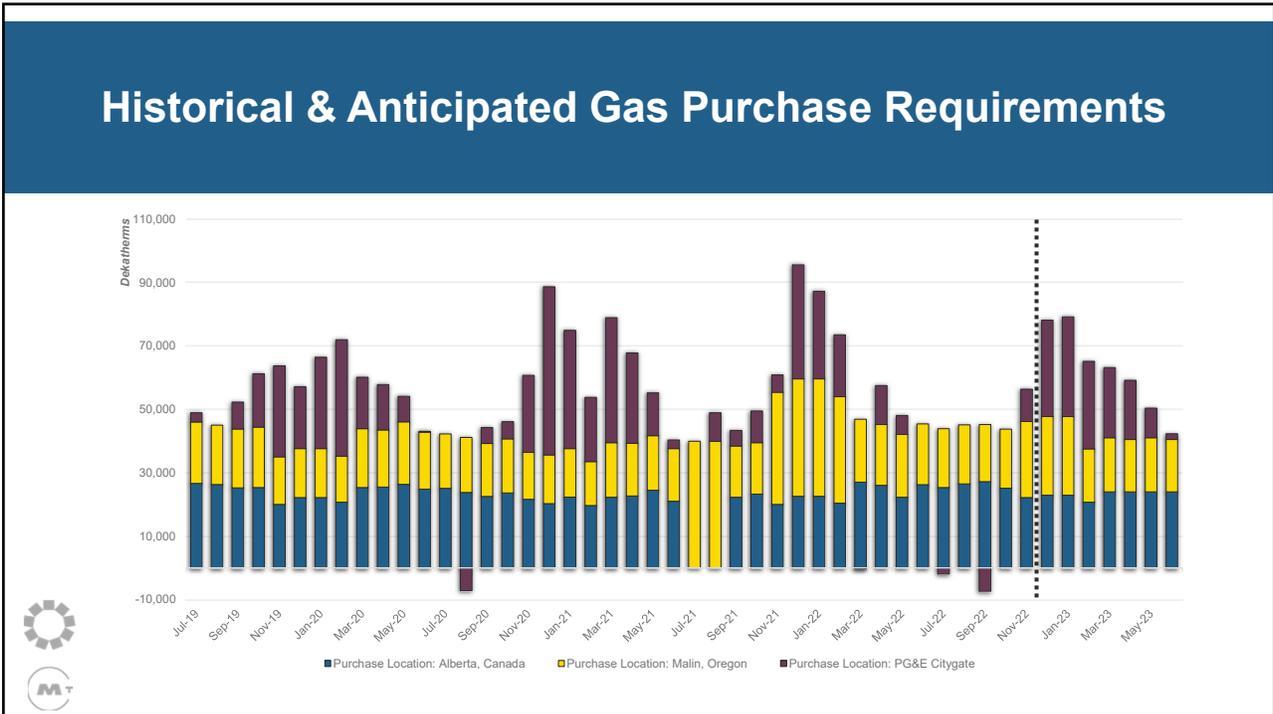
- Preliminary (unaudited) financial statements indicate the following fiscal year cumulative rates relative to PG&E's rate schedules:
 - Small Commercial: +8.4%
 - Large Commercial: +11.4%
 - Residential: -3.1%
 - Natural Gas Vehicle: -1.8%
- Pricing remains volatile and elevated, but within our budgeted range



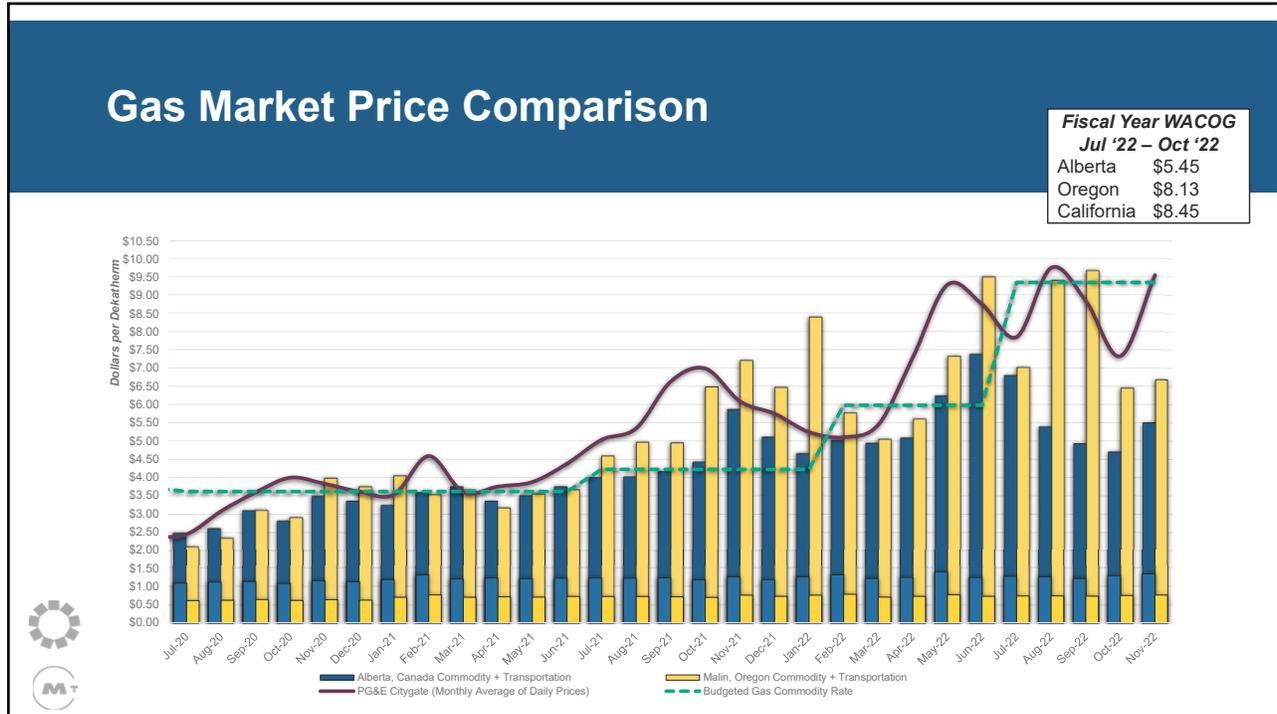
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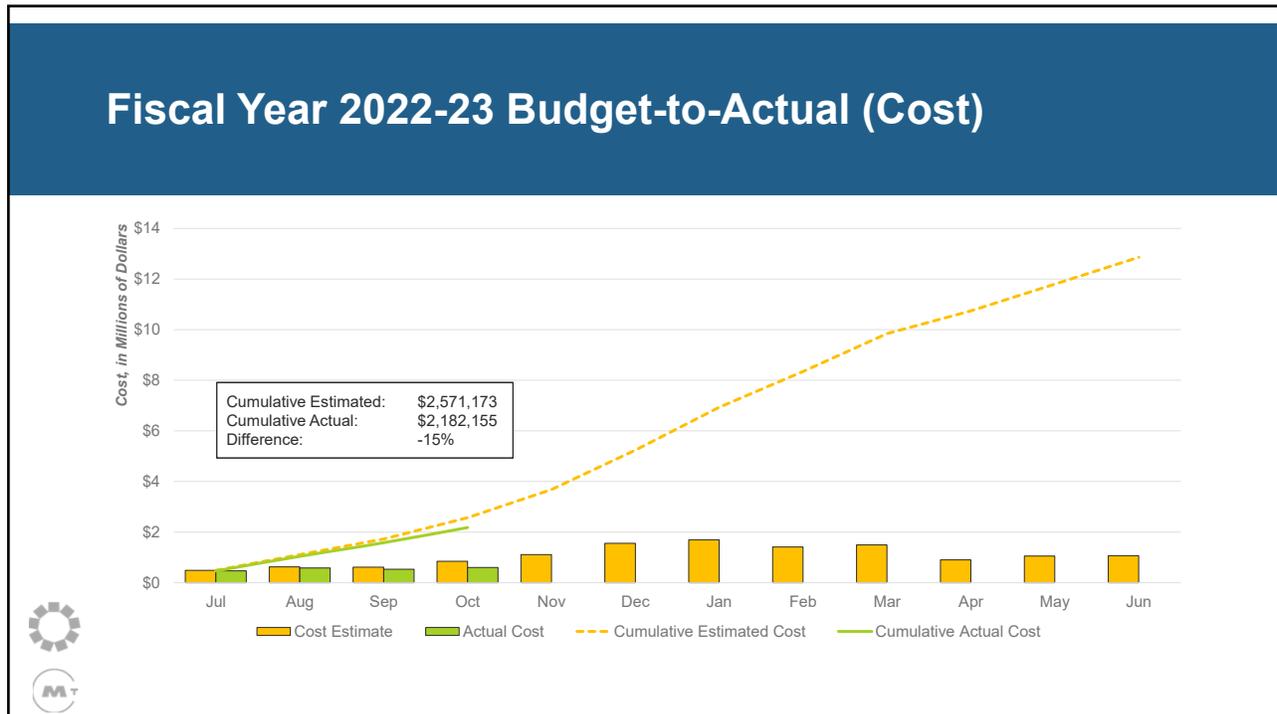
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6

Fiscal Year 2022-23 Budget-to-Actual (Cost Cont'd)

	YTD Actual As of 10/31/22	Adopted Budget FY 2022-23	Budget Utilization
Revenue	4,306,288	12,869,639	33%
Expense			
Cost of Energy	2,021,952	11,984,226	17%
Staff, Consultant, and Other Expenses	160,204	882,082	18%
Surplus / (Deficit)	2,124,133	3,331	-



7

Strategic Implementation Roadmap

	Carbon Offsets	SB 1383-compliant Renewable Natural Gas	Vehicle Fuel Program Participation	Electrification Incentive
Timeline	Underway; CY 2023	Underway; CY 2023	Pending; CY 2023	Pending; CY 2023
Objective	Indirectly offset emissions	Directly reduce emissions	Directly reduce emissions	Directly reduce emissions
Value	<ul style="list-style-type: none"> CAP alignment Market development 	<ul style="list-style-type: none"> CAP alignment Market development Local gov't solution 	<ul style="list-style-type: none"> CAP alignment 	<ul style="list-style-type: none"> CAP alignment Local gov't solution



8

Strategic Implementation Roadmap

Electrification Incentive

Current concept:

- Enrollment is *voluntary*
- A usage-based volumetric surcharge is applied to each monthly invoice
- Participants accumulate a balance that can be withdrawn for any reason, though intended for electrification upgrades
- Participants are connected to public sector decarbonization programs, including the BayREN Public Sector Programs (if approved)



Association of Bay Area Governments Publicly Owned Energy Resources

ABAG POWER

Executive Committee

December 15, 2022

Agenda Item 6.b.

Report on Natural Gas Program

Subject:

Monthly Summary of Operations

Background:

Fiscal Year 2022-23

From July to November, natural gas prices were extremely volatile, with average prices significantly higher than in recent years. Daily prices per dekatherm (\$/Dth) at PG&E's Citygate ranged from \$6.20 to \$15.91, with an unweighted average of \$8.67. PG&E's small commercial (G-NR1) procurement rate – the rate under which most ABAG POWER accounts would be categorized – averaged \$7.78 during this time.

The program continues to purchase gas exclusively on daily and monthly markets within California, Oregon, and Alberta, Canada.

Preliminary (unaudited) financial statements through June 2022 indicate a cumulative rate difference of +8.4% when compared to PG&E's G-NR1 rate.

Market Price Comparison

Current pricing is driven by limited production of oil and gas. During 2020, the Organization of Petroleum Exporting Countries (OPEC) imposed worldwide production limits in an attempt to balance unusual supply and demand patterns caused by the global COVID-19 pandemic. Rebounding demand has since outstripped production levels, that, while rising, are not expected to return to pre-pandemic levels until late-2022.

Adding to the cause of elevated domestic pricing is record-level liquefied natural gas (LNG) exports, low national storage inventories, and strong-weather driven demand and geopolitical tensions caused by the war in Ukraine and subsequent commitments made by the U.S. to increase exports of LNG to Europe so as to supplant Russian gas supply.

Historical and Anticipated Gas Supply

Since July 1, 2018, the general gas purchasing strategy has been exclusively in the short-term, index-based market.

Agenda Item 6.b. – Monthly Summary of Operations

December 15, 2022

Page 2 of 2

Gas purchases are currently made on monthly and daily indices at three market locations. Fixed-price purchases are made only by exception and with Committee approval.

Issues:

None.

Recommended Action:

None.

Attachments:

- Summary of Natural Gas Program (Presentation)
- Historical and Anticipated Gas Purchase Requirements
- Market Price Comparison
- Summary of Natural Gas Program, Fiscal Year 2022-2023

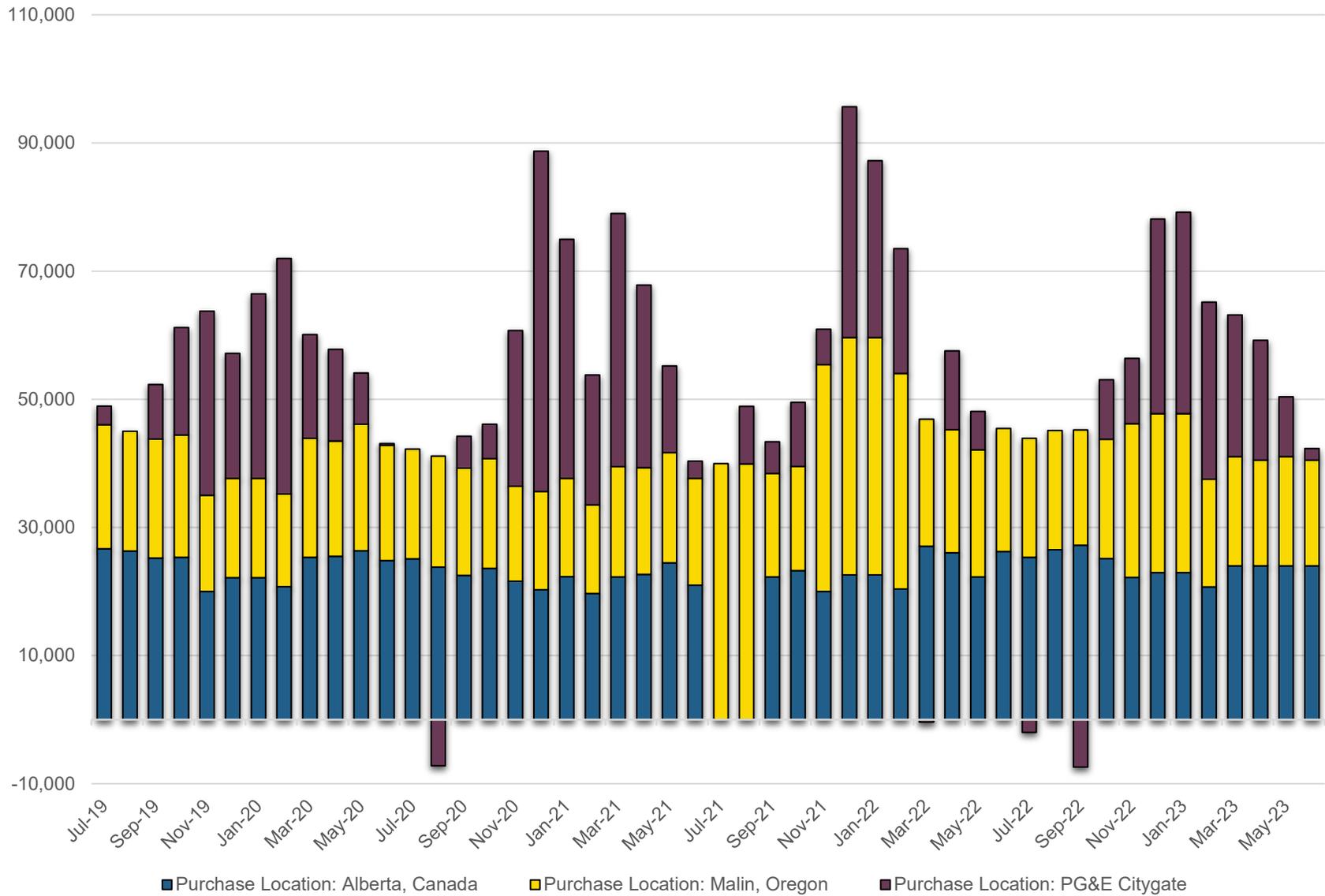
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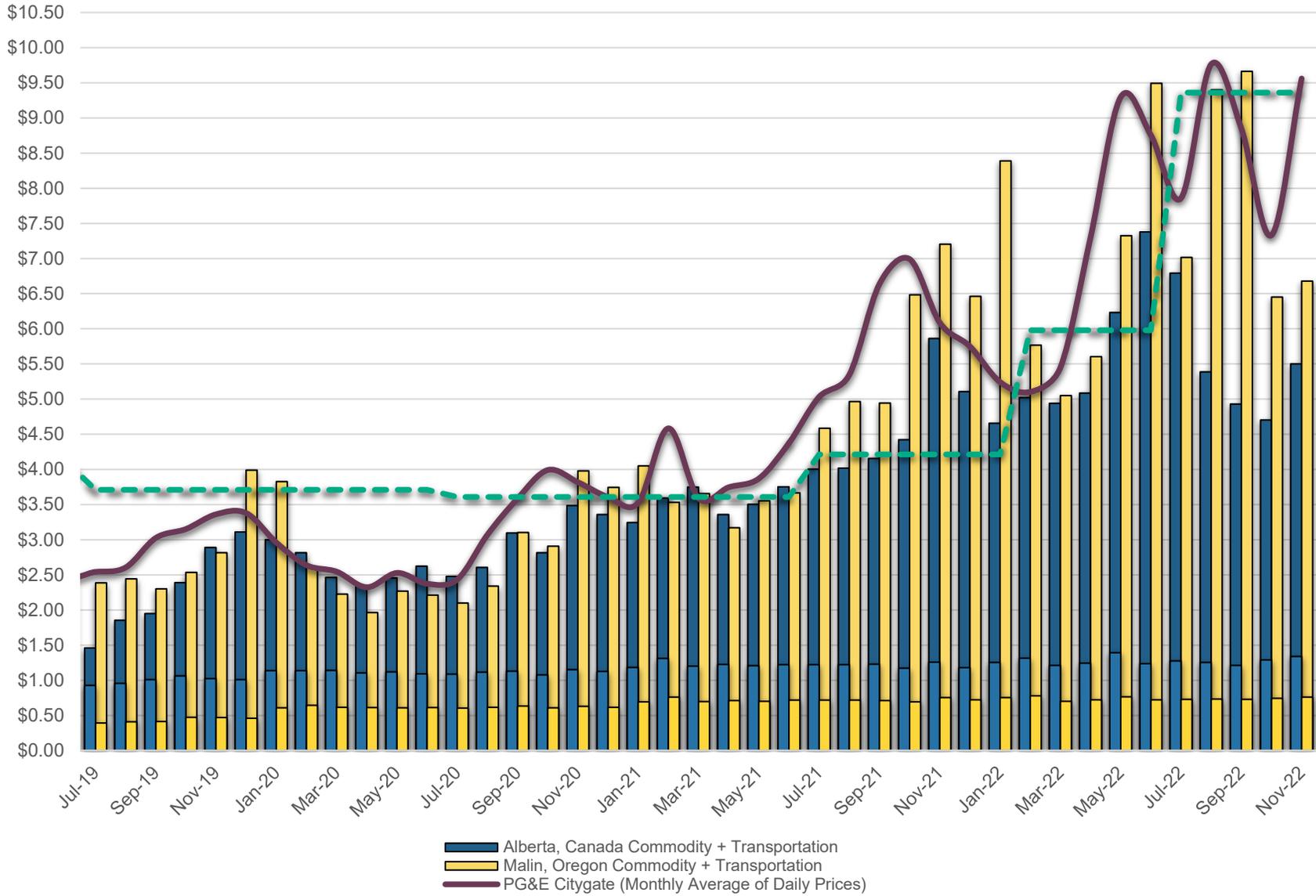
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Brad Paul

Historical and Anticipated Gas Purchase Requirements



Market Price Comparison





Metropolitan Transportation Commission

375 Beale Street, Suite 800
San Francisco, CA 94105

Legislation Details (With Text)

File #: 22-1831 **Version:** 1 **Name:**
Type: Action Item **Status:** Committee Approval
File created: 11/10/2022 **In control:** ABAG POWER Executive Committee
On agenda: 12/15/2022 **Final action:**
Title: Staff will review the current general gas purchasing strategy and propose an amendment to permit temporary authority for staff to enter into fixed-price purchase contracts with a value less than \$1 million and for a term not to exceed four months.

Sponsors:

Indexes:

Code sections:

Attachments: [7.a.- Natural Gas Purchasing Strategy Policy Amendment](#)
[7.b.- Summary Approval- Gas Purchasing Strategy Policy Amendment](#)

Date	Ver.	Action By	Action	Result
------	------	-----------	--------	--------

Subject:

Staff will review the current general gas purchasing strategy and propose an amendment to permit temporary authority for staff to enter into fixed-price purchase contracts with a value less than \$1 million and for a term not to exceed four months.

Presenter:

Ryan Jacoby, Program Manager, ABAG/MTC

Recommended Action:

Approval

Attachments: List any attachments.

Association of Bay Area Governments Publicly Owned Energy Resources

ABAG POWER

Executive Committee

December 15, 2022

Agenda Item 7.a.

Natural Gas Purchasing Strategy Policy Modification

Subject:

Approval of modification to the natural gas purchasing strategy to permit temporary authority for staff to enter into fixed-price natural gas purchase contracts valued at less than \$1 million and for a term not to exceed four months.

Background:

Given the extreme market volatility during FY 2021-22, suppliers were unwilling to enter winter transactions based on a daily index, even at reduced volumes or contract lengths. An inability to secure forward purchase contracts subjects the program to more time-sensitive, expensive, and risky “same-day” and “next-day” purchases that are also administratively burdensome since the transaction’s term is only one day.

In December 2021, to mitigate the risk of same-day and next-day purchases, staff requested a modification to the general gas purchasing strategy to permit temporary authority to enter into fixed-price purchase contracts valued less than \$1 million and for a term that does not exceed four months. The Executive Committee approved the staff recommendation, and in February 2022, staff entered a four-month fixed-price purchase contract that resulted in significant savings.

Extreme volatility has continued during the first half of FY 2022-23 and staff believe suppliers will again be unwilling to enter short-term index-based transactions. Unless suppliers are willing to offer index-based products, it is necessary for the program to again temporarily modify its strategy to reflect market conditions and enable risk management.

Since the prior authorization in FY 2021-22, there has been no change in the number of suppliers that ABAG POWER has an active base contract for the purchase and sale of natural gas. These entities are:

- BP Energy Company
- BP Energy Canada
- Cook Inlet
- DTE Energy
- Macquarie Energy
- Macquarie Energy Canada
- Shell Energy North America
- Shell Energy North America Canada
- Pacific Summit Energy
- United Energy Trading

Issues:

None.

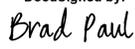
Recommended Action:

The Executive Committee for ABAG POWER is requested to modify the natural gas purchasing strategy to permit temporary authority, expiring June 30, 2023, for staff to enter into fixed-price natural gas purchase contracts valued at less than \$1 million and for a term not to exceed four months.

Attachments:

None.

Reviewed:

DocuSigned by:

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Brad Paul

**S U M M A R Y O F E X E C U T I V E C O M M I T T E E
A P P R O V A L**

Work Item No.:	1707
Consultant:	N/A
Work Project Title:	ABAG POWER
Purpose of Project:	Purchase/transport of natural gas
Brief Scope of Work:	Enable price stability and cost savings by conducting pooled purchasing of natural gas on behalf of local governments.
Project Cost Not to Exceed:	\$1,000,000 per fixed-price contract
Funding Source:	Program Participant Fees
Fiscal Impact:	Funds programmed in FY 22/23 Budget
Motion by Committee:	The ABAG POWER Executive Committee authorizes a modification to the natural gas purchasing strategy to permit temporary authority, expiring June 30, 2023, for staff to enter into fixed-price natural gas purchase contracted valued at less than \$1 million and for a term not to exceed four months.
Executive Committee Approval:	Angela Walton, Chair, Executive Committee
Approval Date:	December 15, 2022