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**CHARTER
of the
DISADVANTAGED COMMUNITIES ADVISORY GROUP**

1. ARTICLE ONE: NAME

1.1 Name

The name of this advisory group shall be the Disadvantaged Communities Advisory Group (Advisory Group).

2. ARTICLE TWO: PURPOSE

2.1 Purpose

The purpose of the Advisory Group pursuant to Pub. Util. Code § 400(g), is to advise the California Public Utilities Commission (CPUC) and the California Energy Commission (Energy Commission) regarding the development, implementation, and impacts of proposed programs related to the Clean Energy and Pollution Reduction Act of 2015 (also known as Senate Bill 350) in disadvantaged communities.¹ In consideration of future programs, the Advisory Group may at times, also need to consider existing programs.

The Guiding Principles of the Advisory Group are the following:

1. Increase *access* to clean energy technologies for disadvantaged communities.

¹“Disadvantaged Communities” in SB 350 are defined by Health and Safety Code 39711 as the most burdened census tracts in California. Burden scoring is determined by 20 pollution/health and socio-economic factors.

2. Maintain or enhance the *affordability* of energy service in disadvantaged communities, by considering potential rate impacts of any proposed program.
3. Increase the *benefits* of clean energy programs in disadvantaged communities (e.g. by supporting growth in local employment and small business development, as well as other non-energy benefits including reducing pollutants and health risks).

In consideration of these principles, the Advisory Group shall review and advise the Commissions so that programs designed to benefit disadvantaged communities effectively reach low-income households, small businesses, and hard-to-reach customers (including rural and tribal communities) within disadvantaged communities.

The Advisory Group will advise the CPUC and the Energy Commission on clean energy programs, including programs related to renewable energy, energy efficiency and transportation electrification.

3. ARTICLE THREE: MEMBERSHIP

3.1 Members. The Advisory Group shall be composed of 11 members from or representing disadvantaged communities. The CPUC and Energy Commission will jointly choose and separately approve the selection of ten members. The Governor's tribal liaison will choose one tribal representative. Members should represent the diverse nature of disadvantaged communities of the state and reflect the rural and urban, cultural and ethnic, and geographic regions of the state.

3.2 Non-voting Liaisons. The non-voting liaisons will be as follows:

3.2.1 Agency Staff Liaisons. The CPUC and the Energy Commission will each assign a liaison from their respective agencies. These liaisons will inform the Advisory Group of relevant activities at their respective commissions, and may assist the Advisory Group in preparation of the Annual Report and activities. In addition, both the CPUC's Legal Division and the Energy Commission's Chief

Counsel's Office will assign an attorney to serve as a legal liaison from each agency to the Advisory Group.

3.3 Selection of Members. Individuals interested in participating in the Advisory Group shall submit a completed application and may provide letters of support from the organizations or constituencies they wish to represent. Names and affiliations of applicants will be posted on websites of the commissions. The CPUC and Energy Commission will jointly choose and separately approve the selection of ten members. The Governor's Tribal Liaison will appoint the tribal representative.

3.4 Qualifications of Members. Members must have interest or expertise sufficient to effectively discuss environmental, health, and economic issues that arise in connection with advising the CPUC and the Energy Commission about clean energy programs. Members should also be able to demonstrate a leadership role within the community they represent and must hold regular meetings (apart from the Advisory Group meetings) to keep constituents apprised of Advisory Group developments and solicit input to bring to Advisory Group discussions. In addition, consistent with the Disclosure and Conflict of Interest Policy, members shall be responsible for disclosing economic interests prior to joining the Advisory Group (see Section 4.2).

3.5 Term of Appointment. Each Advisory Group member will serve a term of two years. If any member is unable to serve the full two years of his or her term, a replacement will be selected to fill the vacancy and complete the term in the process noted in Section 3.3. A member may be reappointed, but no member shall serve for more than two consecutive full terms. A partial term of one year or shorter shall not be counted as a full term. After serving two consecutive full terms, a member is ineligible to serve another term until that individual has been off the committee for two years.

3.6 Removal. Two-thirds of the Advisory Group members present and voting may vote to recommend removal of a member upon demonstration of reasonable cause, provided, however, that reasonable cause shall not include any policy

position taken by the member in his or her capacity as a member of the Advisory Group.

3.7 Resignation. Any member who wants to resign should give 30 days' written notice to the Advisory Group Chair. The member's appointment shall terminate upon the expiration of the thirty 30-day notification period.

3.8 Vacancies. An individual may nominate him or herself to fill a vacancy. After the initial seating of the full 11-member Advisory Group, subsequent members will be jointly chosen and then appointed by either commission. The Governor's Tribal Liaison will appoint a new tribal representative, as needed. Expired term vacancies will be filled with full-term appointments; un-expired term vacancies will be filled for the remainder of the term, except as provided in Section 3.5.

3.9 Indemnification. Members of the Advisory Group are uncompensated servants of the state of California within the meaning of Gov. Code § 810.2. Accordingly, the state will indemnify Advisory Group members as it indemnifies its compensated employees and will provide them with representation for their acts done within the course and scope of the services they perform for the Advisory Group, pursuant to Gov. Code §§ 815-825.6 and 995-996.6. The Advisory Group budget may include the purchase of Errors and Omissions (E&O) and Directors and Officers (D&O) or similar insurance to indemnify Advisory Group members for acts done within the scope of services performed for the Advisory Group, to the extent that such activities are held not to be indemnified by the state under Gov. Code §§ 810.2, 825-825.6 or 995-996.6.

3.10 Expenses and Per Diem. Members of the Advisory Group who are not employees of the commissions or who are not otherwise reimbursed by a governmental agency of the state of California or of any local government within the state of California shall be entitled to reimbursement from the Advisory Group Fund for reasonable expenses and per diem incurred in connection with their service on the Advisory Group or subcommittees of the Advisory Group authorized by the commissions, in accordance with Pub. Util. Code § 400(g), subject to budget availability and approval. Members shall receive a full day per

diem rate or partial day per diem rate if the meeting lasts for less than two hours, subject to budget availability and approval. Per diem and expenses are authorized for quarterly meetings for Advisory Group members that attend. Reasonable expenses shall include transportation, lodging, meals and incidental expenses incurred in connection with service on the Advisory Group, in conformance with state rules and regulations for state management employees, as outlined in Standard Form 262 or its successor.

Advisory Group members shall receive no per diem for preparation work. Eligible members must seek reimbursement of expenses and per diem through the state's Travel Expense Claim (TEC) process. Each member seeking reimbursement must submit a completed TEC to the designated administrative unit for review. Such claims are subject to review or audit by one or both commissions.

Advisory Group members shall not be eligible to receive intervenor compensation under Pub. Util. Code §§ 1801 et seq. for their work related to the Advisory Group.

4. ARTICLE FOUR: DUTIES AND RESPONSIBILITIES

4.1 Duties. The Advisory Group shall have the following duties and responsibilities. While performing these duties and responsibilities, the Advisory Group shall act in an advisory capacity to the CPUC and the Energy Commission. The commissions will have all policy and program decision-making authority. The Advisory Group will undertake the following actions and report to the commissions:

- a) Identify priority clean energy programs or related subject areas which impact disadvantaged communities.
- b) Meet in a public setting, no less frequently than once per quarter.
- c) Advise the commissions on key issues related to the design and implementation of Clean Energy programs, with respect to potential benefits and impacts in disadvantaged communities.

- d) Provide advice regarding the design of evaluations to measure program effectiveness with respect to goals for disadvantaged communities.
- e) Allow participation by new members after the commissions approve them and determine that they have no conflicts of interest.
- f) File an annual report with the commissions.
- g) Provide advice to the commissions on a more frequent basis, if determined appropriate by the Advisory Group.
- h) The Chair shall designate one or two members of the Advisory Group to obtain an update from the Environmental Justice Advisory Committee (advisory to the Air Resources Board) and another from the Low Income Oversight Board (advisory to the CPUC), for delivery at each meeting.
- i) The Advisory Group will specify those members or other designees authorized to represent the views of the Advisory Group in public on a case-by-case basis. Members must clearly designate whether they represent the views of the Advisory Group, the views of their community, or their own individual views. The Advisory Group members who appear publicly must state that they do not represent the views of the commissions unless requested to do so by the commissions.

4.2 Conflict of Interest Policy. Although committee members are not considered to be public officials under the Political Reform Act, to identify potential conflicts of interest and any appearance of impropriety committee members shall complete a Statement of Economic Interests (Form 700) prior to taking a seat on the Advisory Group, annually, and upon the conclusion of the member's term. Each member shall disclose on his or her Form 700 each economic interest, as defined, in any entity seeking to provide any product or service related to the Advisory Group's function, or that has plans to come before the Advisory Group or either the CPUC or the Energy Commission to seek funds from the monies under the control of either Commission, or in a parent or subsidiary of such an

entity. Each Advisory Group member will maintain his or her own Form 700, and the CPUC and the Energy Commission will also maintain a copy of the Form 700s for all members. The Form 700 for any member will be provided to any person upon request within a reasonable period.

In addition, Advisory Group members may from time to time encounter a situation that presents a potential conflict of interest for the Advisory Group member. In such situations, the Advisory Group or any member should consult with a legal liaison to the Advisory Group to obtain advice on how to proceed.

5. ARTICLE FIVE: MEETINGS AND RECORDS

5.1 General. The Advisory Group shall act only in the course of a duly noticed meeting. With CPUC and Energy Commission concurrence, the Advisory Group shall hold such meetings as it shall decide are necessary or appropriate in order to carry out its functions, but in no event less frequently than once per quarter. The place, time, and location of each meeting shall be scheduled at the preceding meeting. Notification of the date, place, and time of each meeting shall be given to each member and shall be published as required by the Bagley-Keene Open Meeting Act (Gov. Code §§ 11120 et seq.) and in the Commissions' Daily Calendars (or equivalent) at least ten (10) calendar days in advance of the meeting. The notice shall include the name, address, and telephone number of a person who can provide additional information prior to the meeting, as well as a brief general description of the business to be transacted and shall highlight important pending actions, including those to be sent to the Commissions. The agenda, once published, shall not be revised ten (10) days prior to the meeting. The Advisory Group may take action on an item of business not appearing on the published agenda, as long as the action is taken in accordance with Gov. Code § 11125.3.

5.2 Open Meetings. All meetings shall be open to the public and shall be held in accordance with the provisions of the Bagley-Keene Open Meetings Act. A copy of the Act shall be given to all existing and new members of the Advisory Group.

All meetings shall be conducted pursuant to Robert's Rules of Order, 10th Edition (Year 2000) and in accordance with Government Code Sections 1120.

5.3 Quorum. A majority of the members of the Advisory Group shall constitute a quorum for the transaction of business (six of eleven). No action shall be taken at any meeting unless a quorum is present. Each voting member shall have one vote, and the Advisory Group may take action by vote of a majority of the members present and voting at a meeting at which a quorum is present. A majority of the members present at a meeting, whether or not a quorum is present, may adjourn the meeting to another time and place. Any adjourned meeting shall be subject to the same notice requirements as a regular meeting.

5.4 Proxies. Members may not be represented by proxy at any meeting of the Advisory Group.

5.5 Public Participation. The Advisory Group shall provide an opportunity for members of the public to address the Advisory Group directly on each agenda item before or during Advisory Group's discussion or consideration of the item.

5.6 Records. Written minutes shall be taken for each meeting. Written minutes will: (a) identify the date, time, and place of the meeting; (b) identify the Advisory Group members and non-voting liaisons in attendance, and (c) contain a summary. Draft minutes will be provided to members prior to the next regular meeting in order to allow sufficient time for the members to review them for adoption at that meeting. Copies of the minutes will be provided upon request.

5.7 Advisory Group records are public documents under the California Public Records Act, §§ 6250 et seq. of the California Government Code, subject to any exceptions set forth therein.

6. ARTICLE SIX: OFFICERS

6.1 The Chair and Vice-Chair of the Advisory Group shall be members of the Advisory Group. The Advisory Group members shall elect the Advisory Group officers to serve a term of one year, and they may be re-elected to one or

more successive terms. An officer shall continue to hold office until a successor has been elected and assumes office.

6.2 Duties. The Chair shall be responsible for the general supervision and direction of the affairs of the Advisory Group. The Chair shall preside at all meetings of the Advisory Group. In the absence of the Chair, the Vice-Chair shall perform the duties of that office. If the Chair and Vice-Chair are unavailable for a meeting where a quorum nevertheless exists, the Advisory Group may appoint a Chair Pro-Tem for that meeting. The officers shall perform such other duties as the Advisory Group may from time to time prescribe.

7. ARTICLE SEVEN: EFFECTIVE DATE AND EXPIRATION DATE

7.1 Effective Date and Expiration Date. This Charter shall become effective on the date it is approved by both Commissions (or the date of the second commission approval).

8. ARTICLE EIGHT: LIMITATION ON POWER AND AUTHORITY

8.1 Limitation on Power and Authority. The members of the Advisory Group in the performance of their duties and in the actions the Advisory Group takes shall at all times be subject to the direction, control and approval of the commissions.

(End of Appendix A)