

City of San Leandro

Civic Center, 835 E. 14th Street
San Leandro, California 94577
www.sanleandro.org



June 1, 2016

To: East Bay Community Energy (EBCE) Steering Committee
Bruce Jensen, Alameda County Planning Department

From: Corina Lopez, EBCE Steering Committee Member

RE: Draft JPA Agreement and MRW Draft CCA Feasibility Study to be discussed
at the June 1, 2016 EBCE Steering Committee meeting

I am unable to attend tonight's EBCE Steering Committee meeting, which will include significant discussion with respect to the MRW draft technical feasibility study and the updated JPA Agreement. I feel it is very important for the City of San Leandro's input to be included in that discussion. The following comments reflect my concerns, as well as City staff and City Attorney concerns.

Draft JPA Agreement

San Leandro is in substantial agreement with most of the draft JPA Agreement provisions. However, we are advocating that the required majority for the voting shares vote specified in Section 4.10.2 be at least a percentage that would meaningfully protect the interests of the members whose voting shares are 10% or less. In concert with Section 4.10.1, this will mean that, in a voting shares vote, the three largest members of EBCE would need the votes of at least three other members to create a voting shares majority. In addition, with respect to Section 7.2 (Continuing Liability; Refund), we would like some examples of what would constitute the "damages, losses or costs incurred by the Authority resulting from the Party's withdrawal, including but not limited to losses from the resale of power contracted for by the Authority to serve the Party's load." One specific example we would like to see evaluated is the interplay and impacts related to a city's potential withdrawal from EBCE versus a City resident's potential transfer from EBCE to PG&E.

Draft MRW CCA Feasibility Study

In order to fully evaluate the MRW study, and following up on our City Manager's request of Bruce Jensen at the May 16, 2016 San Leandro City Council meeting, we would like an electronic copy of MRW's spreadsheet model or models and input assumptions used to produce projected EBCE cost and revenues, as well as projected PG&E costs. This is the only effective way for us to see how Appendices A through E of the MRW study are developed. Further, we would like the 9-day period noted in Mr. Jensen's May 31 email to Steering Committee members for reviewing the MRW study be extended to at least June 24, 2016

Request for Presentation by MRW at the June 20, 2016 San Leandro City Council Meeting

Tentatively, the City has scheduled June 20, 2016 for a presentation to the City Council by MRW of the draft technical feasibility study. We would like to confirm this presentation and date as soon as practicable. This presentation would be quite valuable to furthering the establishment of the EBCE JPA.

Thank you,

Corina Lopez
Councilmember, City of San Leandro

Pauline Russo Cutter, Mayor

City Council:

Deborah Cox

Benny Lee

Corina N. López

Jim Prola

Ursula Reed

Lee Thomas

