

## Energy Trust Board of Directors

April 6, 2022

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### Energy Trust of Oregon Board of Directors' Meeting Zoom Webinar

Register in advance for this meeting:  
<https://us06web.zoom.us/meeting/register/tZUrcOqgrz8pGNwdhXGzYIAwsfAWilLuCO66>

**After registering, you will receive a confirmation email containing information about joining the webinar.**

#### PUBLIC COMMENT:

There are two PUBLIC COMMENT opportunities during the meeting at 10:00 a.m. and at 1:00 p.m.

To request to speak email meeting host [cheryle.easton@energytrust.org](mailto:cheryle.easton@energytrust.org) with contact information and interested agenda topic.

# 197th Board Meeting

April 6, 2022

Register in advance for this meeting:

<https://us06web.zoom.us/meeting/register/tZUrcOqgrz8pGNwdhXGzYIAwsfAWiLuCO66>:



<b>Agenda</b>	<b>Tab</b>	<b>Purpose</b>
<b>10:00 a.m. Board Meeting Call to Order</b> (Henry Lorenzen)		Info
<b>10:05 a.m. General Public Comment</b> (5 minutes) <i>The president may defer specific public comment to the appropriate agenda topic.</i> <ul style="list-style-type: none"><li>Cascade Natural Gas, Northwest Natural Gas, and Avista joint letter to the Board of Directors</li></ul>		Info
<b>10:20 a.m. President's Report</b> (Henry Lorenzen, 10 minutes)		
<b>Consent Agenda</b> <i>The consent agenda may be approved by a single motion, second and vote of the board. Any item on the consent agenda will be moved to the regular agenda upon the request of any member of the board.</i> <ul style="list-style-type: none"><li>February 23, 2022 Board Meeting Minutes</li><li>February 24, 2022 Board Workshop Minutes</li><li>February 24, 2022 Board Orientation Minutes</li><li>Approve Committee and Advisory Council Appointments R#968</li></ul>	<b>Tab 1</b>	Action
<b>10:30 a.m. Executive Director Report</b> (Michael Colgrove, 30 minutes) <ul style="list-style-type: none"><li>Chief Financial Officer search update</li><li>Workplace of the Future update</li><li>Future Board Meeting Schedule</li></ul>		
<b>11:00 a.m. Oregon Public Utility Commission Report on Energy Trust 2022 Performance Measures</b> (Anna Kim, 30 minutes) <ul style="list-style-type: none"><li>Anna Kim, Sr. Utility Analyst Energy Resources &amp; Planning Liaison to Energy Trust, Oregon Public Utility Commission will present a summary of proposed measures as stated for evaluating performance of Energy Trust of Oregon in 2022.</li></ul>	<b>Tab 2</b>	Info
<b>11:30 p.m. 2022 Legislative Session Update</b> (Hannah Cruz, Jay Ward, 30 minutes) <ul style="list-style-type: none"><li>Staff Present 2022 Legislative Session Report Update</li></ul>	<b>Tab 3</b>	Info
<b>12:00 p.m. Break for Lunch</b> 60 minutes		

<b>Agenda</b>	<b>Tab</b>	<b>Purpose</b>
<p><b>1:00 p.m. Call Meeting to Order</b> (Henry Lorenzen)</p> <p><b>General Public Comment</b> 5 minutes <i>The president may defer specific public comment to the appropriate agenda topic.</i></p>		
<p><b>1:05 p.m. Finance &amp; Audit Committee</b> (Anne Root, 30 minutes)</p> <ul style="list-style-type: none"> <li>Presentation and review of results from 2021 Financial Audit by Moss Adams (Jack Strother-Blood, Scott Simpson, Ashley Osten &amp; Wendy Campos)</li> </ul>		Info
<p><b>1:35 p.m. Adjourn to Executive Session</b> (Henry Lorenzen, 20 minutes)</p> <ul style="list-style-type: none"> <li>Adjourn the public meeting and meet virtually in Executive Session pursuant to bylaws <i>section 3.19.1 to discuss trade secrets, proprietary or other confidential commercial or financial information. <b>The Executive Session is not open to the public.</b></i></li> </ul>		Info
<p><b>1:55 p.m. Call Meeting to Order</b> (Henry Lorenzen)</p> <p><b>Finance &amp; Audit Committee</b> (Anne Root, 5 minutes)</p> <ul style="list-style-type: none"> <li>Propose acceptance of the Moss Adams audited financial report for period ending 12-31-2021. R969</li> </ul>	<b>Tab 4</b>	Action
<p><b>2:00 p.m. Committee Reports</b> (Board Chairs, 75 minutes)</p> <ul style="list-style-type: none"> <li>Compensation &amp; Human Resources Committee (Erik Andersson)</li> <li>Nominating &amp; Governance Committee (Roland Risser) <ul style="list-style-type: none"> <li>Proposed changes to Energy Trust Bylaws R970</li> </ul> </li> <li>Ad hoc Diversity Equity and Inclusion Committee (Melissa Cribbins)</li> <li>Conservation Advisory Council (Lindsey Hardy)</li> <li>Diversity Advisory Council (Melissa Cribbins)</li> <li>Renewable Advisory Council (Alexia Kelly)</li> <li>Finance &amp; Audit Committee (Susan Brodahl) <ul style="list-style-type: none"> <li>Finance &amp; Audit Committee Recommendation for 2020-2024 Strategic Planning Reporting Dashboard</li> </ul> </li> </ul>	<b>Tab 5</b> <b>Tab 6</b> <b>Tab 7</b> <b>Tab 7</b> <b>Tab 7</b> <b>Tab 8</b>	Info Action Info Info Info Info
<p><b>3:15 p.m. Board Discussion</b> (Henry Lorenzen, 15 minutes)</p> <ul style="list-style-type: none"> <li>Meeting format successes and changes for future meetings</li> </ul>		
<p><b>3:30 p.m. Adjourn meeting</b> (Henry Lorenzen)</p>		

**The next meeting of the Energy Trust of Oregon Board of Directors will be held virtually on Zoom May 18, 2022, at 10:00 a.m.**

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**Tab 2 Oregon Public Utility Commission Report on Energy Trust 2022 Performance Measures**

- Oregon Public Utility Commission Staff Report

**Tab 3 2022 Legislative Session Update**

- Board Briefing Paper 2022 Legislative Session Update

**Tab 4 Finance & Audit Committee**

- Resolution to Accept the Moss Adams Audited Financial Report for period ending 12-31-2021. R969
- February 14, 2022, Finance Committee Meeting Notes

**Tab 5 Compensation Committee**

- February 15, 2022, Compensation Committee Meeting notes

**Tab 6 Nominating & Governance Committee**

- Proposed Changes to Energy Trust or Oregon Bylaws R970

**Tab 7 Advisory Council Meeting Notes**

- February 16, 2022, Conservation Advisory Council Meeting Notes
- February 15, 2022, Diversity Advisory Council Meeting Notes
- February 16, 2022, Renewable Advisory Council Meeting Notes

**Tab 1**

# Board Meeting Minutes—194th Meeting

February 23, 2022

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**Board members present:** Alan Meyer, Alexia Kelly, Anne Haworth Root, Elee Jen, Eric Hayes, Erik Andersson, Ernesto Fonseca, Henry Lorenzen, Lindsey Hardy, Mark Kendall, Melissa Cribbins (arrived late), Peter Therkelsen, Roland Risser, Silvia Tanner, Susan Brodahl, Ruchi Sadhir for Janine Benner (Oregon Department of Energy special advisor), Letha Tawney (Oregon Public Utility Commission ex officio)

**Board members absent:** none

**Staff attending:** Alex Novie, Alexis Bright, Amanda Thompson, Amanda Zuniga, Amber Cole, Bayoan Ware, Cameron Starr, Cheryl Easton, Dan Rubado, Dave McClelland, Debbie Menashe, Denise Olsen, Elaine Dado, Elizabeth Fox, Emma Clark, Fred Gordon, Greg Stokes, Hannah Cruz, Jay Ward, Julianne Thacher, Kate Wellington, Kathleen Belkhatay, Kesean Coleman, Lizzie Rubado, Matt Getchell, Michael Colgrove, Oliver Kesting, Pati Presnail, Phil Degens, Quinn Cherf, Sarah Castor, Scott Clark, Shelly Carlton, Sloan Schang, Steve Lacey, Sue Fletcher, Thad Roth, Tracy Scott, Tyrone Henry

**Others attending:** Anna Kim (Oregon Public Utility Commission), Brooke Landon (CLEARResult), Chris Smith (Energy 350), Clark Korbisch (Power Take off), Dave Backen (Backen Consulting), Jake Wise (PGE), Josh Weissert (Energy 350), Lisa McGarity (Avista Corp), Misti Nelmes (CLEARResult), Rick Hodges (NW Natural Gas), Scott Scheuneman (RHT Energy), Whitney Rideout (Sky Garden Design), Susan Badger-Jones (Diversity Advisory Council)

## Business Meeting

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Vice President Henry Lorenzen called the meeting to order at 10:03 a.m. Henry reminded board members of their ability to request that consent agenda items be removed to the regular agenda items at any time. He also described the public meeting process and outlined the Zoom process for public comments and presentations for meeting participants and members of the public in attendance.

## General Public Comments

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There were no public comments.

## Acknowledgement of Board Member Lindsey Hardy

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Henry Lorenzen acknowledged and thanked board member Lindsey Hardy. Lindsey announced her decision to leave the board, expressing her respect and care for the board and for Energy Trust. She acknowledged and recognized the time commitment required and thanked board members. Henry thanked Lindsey in particular for her “east of the mountains” perspective, acknowledging that the time commitment is significant, and that Lindsey has fulfilled it very well. Lindsey thanked the board for all of their time, and she thanked the board and all of Energy Trust for giving her the opportunity to support her passion for climate change mitigation.

## Ad hoc Diversity Equity and Inclusion Committee Charter

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Mark Kendall, chair of the board’s ad hoc DEI committee, presented the proposed ad hoc DEI Committee Charter. Mark explained that the development of the charter started early 2021 with committee members. The proposed charter is in a format consistent with the other recently approved committee charters. Board members supported the proposed charter and called for a vote.

**RESOLUTION 961  
RESOLUTION APPROVING BOARD AD HOC DIVERSITY, EQUITY AND INCLUSION COMMITTEE  
CHARTER**

**WHEREAS:**

1. The board of directors of Energy Trust of Oregon, Inc. (the “Board”) supports the appointment of an Diversity, Equity and Inclusion Committee (the “ ad hoc DEI Committee”) whose function and workplan will be completed by December 31, 2022, its planned date of dissolution;
2. It is expected that the ad hoc DEI Committee will make recommendations to the Board on specific actions to, as described in the proposed charter among other things, improve, develop and support the Board’s intercultural competency, its diversity, equity, inclusion and effectiveness in supporting and leading implementation of the 2020-2024 Strategic Plan, the Energy Trust Diversity, Equity and Inclusion Policy and the Energy Trust Diversity, Equity and Inclusion Plan; and
3. In formulating its recommendations to the Board and Board committees, the ad hoc DEI Committee, will consult with and seek the advice of the Diversity Advisory Committee and other Board committees.

**IT IS THEREFORE RESOLVED:** That Energy Trust of Oregon, Inc., Board of Directors approves the ad hoc DEI Committee Charter in the form attached as Appendix A attached hereto.

Moved by: Mark Kendall

Seconded by: Roland Risser

Vote: In favor:12

Abstained:0

Opposed: 0

**Nominating Committee**

Anne Root, Nominating Committee Chair, then reported on the work of the Nominating Committee. The first topic discussed was renewal of terms for four directors, Alexia Kelly, Eric Hayes, Ernesto Fonseca, and Henry Lorenzen. The board took up the resolution for their re-election.

**RESOLUTION R962  
ELECTING ALEXIA KELLY, ERIC HAYES, ERNESTO FONSECA, AND HENRY  
LORENZEN TO NEW TERMS ON THE ENERGY TRUST BOARD OF DIRECTORS**

**WHEREAS:**

1. The terms of incumbent board members Alexia Kelly, Eric Hayes, Ernesto Fonseca, and Henry Lorenzen expire in 2022.
2. The board nominating committee has recommended that these members’ terms be renewed.

**IT IS THEREFORE RESOLVED:** That the Energy Trust of Oregon, Inc., Board of Directors elects Alexia Kelly, Eric Hayes, Ernesto Fonseca, and Henry Lorenzen, incumbent board members, to new terms of office that end in 2025.

Moved by: Roland Risser

Seconded by: Anne Haworth Root

Vote: In favor: 12

Abstained:0

Opposed:0

Anne Root then presented Resolution 963 to the board, expressing her thanks to the Nominating Committee for their work in recruiting and proposing two new directors, Peter Therkelsen and Silvia Tanner. Anne expressed her thanks to the candidates as well. The board then took up the resolution.

**RESOLUTION R963  
ELECTING TO PETER THERKELSEN AND SILVIA TANNER TO THE ENERGY TRUST  
BOARD OF DIRECTORS**

**WHEREAS:**

- 1. Pursuant to Energy Trust’s Bylaws section 3.3, Director Alan Meyer’s current three-year term expires at the later of (i) 2022 annual meeting of the board of directors or (ii) when his successor has been elected to take office.**
- 2. The board Nominating Committee has reviewed candidates for the board seat becoming vacant at the end of Alan Meyer’s term and nominates Peter Therkelsen for a three-year term through 2025.**
- 3. Director Mark Kendall currently serves as director for a term expiring in 2024 or until his successor has been elected to take office, however Director Kendall has notified the board of his intent to resign his position on the board effective February 23, 2022.**
- 4. The board Nominating Committee has reviewed candidates for the board seat vacated by Mark Kendall and nominates Silvia Tanner, to fill the remaining term though 2024.**
- 5. Director Lindsey Hardy currently serves as director for a term expiring at the end of 2024 or until her successor has been elected to take office, however Director Hardy has resigned her position on the board effective February 23, 2022. Her position on the board is open and available to fill and the board Nominating & Governance Committee will begin a search process soon.**

Moved by: Eric Hayes

Seconded by: Lindsey Hardy

Vote: In favor: 12

Abstained:0

Opposed:0



Henry Lorenzen asked the newly elected board members to introduce themselves. Silvia Tanner and Peter Therkelsen introduced themselves. Both expressed their excitement about joining the board and supporting Energy Trust's work.

Anne Root then presented proposed board member committee assignments in Resolution 964. Anne noted that the new board members are not yet assigned; new board members will receive information about committees at their upcoming board orientation. At the next board meeting, board members can expect an updated assignment list which will include the new board members.

**RESOLUTION R964**  
**BOARD COMMITTEE APPOINTMENTS**  
*(REPLACES RESOLUTIONS R932)*

**WHEREAS:**

1. In 2021, the Energy Trust Board of Directors engaged in a review of its roles and responsibilities and its committee structures.
2. This work was supported by Holly Valkama and Eileen Odum O'Neill of 1961 Consulting.
3. 1961 Consulting conducted three workshops to facilitate the board's examination of its roles, responsibilities and committee structures.
4. At the conclusion of the third workshop on October 12, 2021, board members identified several changes to current committee structures, including appointing three standing committees: a Compensation and Human Resources Committee, Finance and Audit Committee, and a Nominating and Governance Committee.
5. The current board ad hoc Diversity Equity and Inclusion Committee will continue, and at its meeting on February 23, 2022, the board approved the ad hoc Diversity, Equity and Inclusion Committee charter.
6. At the conclusion of the board's October 2021 workshop, the board also approved changing the Strategic Planning Committee to an ad hoc committee for strategic plan development and revising the Evaluation Committee from a board committee to another type of forum.
7. Energy Trust's board is authorized to appoint by resolution committees to carry out the Board's business.
8. The board President has nominated new directors to serve on the following committees.

**IT IS THEREFORE RESOLVED:**

1. This resolution replaces Resolution R932 adopted by the board at its February 24, 2021 meeting.
2. That the Board of Directors hereby appoints the following directors to the following committees for terms that will continue until a subsequent resolution changing committee appointments is adopted:

3.

<b>Compensation &amp; Human Resources Committee</b>
<b>Erik Andersson, Chair</b>
<b>Elee Jen</b>
<b>Eric Hayes</b>
<b>Ernesto Fonseca</b>
<b>Henry Lorenzen (ex officio)</b>
<b>Amanda Sales, staff liaison</b>
<b>Finance &amp; Audit Committee</b>
<b>Susan Brodahl, Chair</b>
<b>Anne Haworth Root</b>
<b>Karen Ward (outside expert)</b>
<b>Henry Lorenzen (ex officio)</b>
<b>Pati Presnail, staff liaison</b>
<b>Nomination &amp; Governance Committee</b>
<b>Roland Risser, Chair</b>
<b>Alexia Kelly</b>
<b>Anne Haworth Root</b>
<b>Melissa Cribbins</b>
<b>Janine Benner, (ODOE ex officio)</b>
<b>Letha Tawney (OPUC ex officio)</b>
<b>Henry Lorenzen (ex officio)</b>
<b>Debbie Menashe, staff liaison</b>
<b>Greg Stokes, staff subject matter expert support</b>
<b>Ad hoc Board DEI Committee</b>
<b>Melissa Cribbins, Chair</b>
<b>Elee Jen</b>
<b>Eric Hayes</b>
<b>Susan Brodahl</b>
<b>Ruchi Sadhir (ODOE ex officio)</b>
<b>Henry Lorenzen (ex officio)</b>
<b>Cheryle Easton, staff liaison</b>
<b>Tyrone Henry, staff subject matter expert support</b>



Moved by: Erik Andersson

Seconded by: Ernesto Fonseca

Vote: In favor:12

Abstained:0

Opposed: 0

### **Incoming President's Report**

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Newly-elected President Henry Lorenzen delivered his first President's Report. Henry described the work of the board over the last year to restructure the board's committees and to encourage more discussion in board meetings. Henry then described his focus on supporting Energy Trust's foundational purpose of providing cost-effective energy efficiency and renewable energy resources to its funding utilities and customers and noted some challenges related to evolving energy resources and resource cost trends. Through its work, Energy Trust reduces system costs and provides benefit to all utility customers, and he urged board members and the organization to focus on these objectives.

Henry acknowledged that there are other desirable outcomes of Energy Trust's work, and that the Oregon legislature and the OPUC establish additional specific goals for the organization. Henry asked the board to be ever mindful and intentional of how these goals can complement Energy Trust's foundation and purpose. Henry expressed his desire that with the new committee structure, board members will have more time to leverage their experience and talents for the benefit of the organization.

Commissioner Letha Tawney, ex officio member of the board, thanked Henry for his service and for agreeing to serve as board president. She stressed how a focus on cost effectiveness for energy efficiency is critical. Commissioner Tawney encourages and supports Energy Trust's continued focus on harvesting all cost effective and least cost resource from communities who have not participated in Energy Trust programs. Paying attention to environmental justice, diversity, equity and inclusion, and DEI metrics to advance progress is critical. From an equity perspective, all customers pay towards Energy Trust funding, and it is important for Energy Trust to focus on all customers. Letha also noted recent legislation permitting differentiated rates based on considerations of energy burden as an example of the way in which policy makers are focused on this work. Henry agreed and expressed his interest in working together towards these objectives.

## **Consent Agenda**

*The consent agenda may be approved by a single motion, second and vote of the board. Any item on the consent agenda will be moved to the regular agenda upon the request from any member of the board.*

### **MOTION: Approve consent agenda**

Consent agenda includes:

1. December 17, 2021, Board Meeting Minutes
2. Authorizing approved Bank Signers R#966

Moved by: Roland Risser

Seconded by: Elee Jen

Vote: In favor:11

Abstained: 1

Opposed: 0

## **RESOLUTION R966 AUTHORIZING APPROVED BANK SIGNERS**

### **WHEREAS:**

1. Umpqua Bank and First Interstate Bank provide general banking services to Energy Trust (collectively, the “Banks”).
2. Section 7.3 of the Energy Trust bylaws requires that the board of directors authorize officers or agents to sign checks, drafts, or other orders for the payment of money, notes and other evidences of indebtedness (“authorized bank signers”) by way of resolution from time to time.
3. Effective February 23, 2022, Melissa Cribbins’ term as Energy Trust Board President ended and Henry Lorenzen was elected Energy Trust Board President.
4. Effective February 23, 2022, Tracy Scott, the Energy Programs Director is being added to the list of signers.

### **IT IS THEREFORE RESOLVED that:**

1. Melissa Cribbins is to be removed from the list of authorized bank signers for the Banks.
2. Henry Lorenzen is to be added to the list of authorized bank signers for the Banks.
3. Tracy Scott the Energy Programs Director is to be added to the list of authorized bank signers for the Banks.
4. The resulting list of authorized bank signers for the Banks is as follows:
  - A. Henry Lorenzen, Board President
  - B. Susan Brodahl, Board Treasurer
  - C. Michael Colgrove, Executive Director
  - D. Debbie Goldberg Menashe, Director of Legal and Human Resources, chief legal officer
  - E. Pati Presnail, Director of Finance
  - F. Steve Lacey, Director of Operations
  - G. Tracy Scott, Energy Programs Director
5. The Director of Legal and Human Resources/chief legal officer is authorized to execute all required documentation to implement this resolution.



impressive results particularly during very dynamic and challenging times. Board members commended staff for their efforts and hard work.

### ***Quick update on Chief Financial Officer Recruitment***

Michael Colgrove updated the board on the status of the Chief Financial Officer recruitment process and expressed his appreciation for Pati Presnail, retiring Director of Finance. The search process is on track to make an offer to a finalist in April. Michael thanked board members who are participating in the search process.

### **Legislative Session Report**

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Hannah Cruz and Jay Ward, Energy Trust Senior Stakeholder Relations and Policy Managers, updated board members on the current Oregon legislative session. Information on bills being tracked was provided in the board packet for this meeting. Hannah and Jay provided brief supplemental information on bills progressing in the short session and provided updates on activities related to relevant bills passed by the Oregon Legislature in 2021.

Staff is monitoring about 25 bills, with focus on three that may have a connection to Energy Trust program offers or the customers we serve: A heat relief bill with funds allocated to Oregon Housing Authority for cooling, an ODOE grant program for heat pump installation, and a “right to cooling bill,” with potential funding to be directed to Energy Trust to incent landlords to create cooling spaces.

Hannah also described the work underway to implement the various clean energy policies passed last session

Board members discussed Energy Trust’s approach to collaborating with state agencies on the policies and bills passed and under consideration. Board members also asked questions about wildfire relief efforts and how resources are being provided equitably across all parts of the state, rural and urban, and staff provided updates on this work.

### **Lunch**

The board recessed for lunch at 12:04 p.m. and returned to the meeting at 1:00 p.m.

### **Committee Reports**

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#### ***Evaluation Committee (Henry Lorenzen, Fred Gordon)***

Henry Lorenzen and Fred Gordon, Energy Trust Director of Planning and Evaluation, updated the board on the recent Evaluation Committee meeting. At that meeting, staff presented plans for a transition from a standing board committee to an “Evaluation Group” which will include outside experts including volunteers from peer groups and paid experts from consulting firms.. Henry reiterated the board’s belief that evaluation work is critical and reported that the staff’s approach going forward is aimed at improving expert input on evaluation work. Board members will no longer be assigned Evaluation as a committee assignment but are welcome to attend any meeting. In addition, high level results of important evaluation studies will be presented to the full board twice a year.

#### ***Finance Committee (Susan Brodahl)***

Susan Brodahl, Finance Committee Chair, reported on the recent Finance Committee meeting. At that meeting, the Committee reviewed preliminary annual results. In addition, the board reviewed staff’s detailed recommendation to extend the New Buildings Program Management Contractor Agreement with CLEARResult. Susan referred board members to the written materials in the meeting packet and advised that the Committee recommended supporting staff’s recommendation to extend the CLEARResult agreement. Susan then asked whether any board members objected to the extension. There were no objections, and Susan advised staff that they may proceed to with an extension of the agreement with CLEARResult for this program.

***Policy Committee (Henry Lorenzen)***

Henry Lorenzen, Policy Committee Chair, gave a short report, noting approval of two new Conservation Advisory Council members: Jake Wise of PGE and Andy Cameron of ODOE. The Committee also discussed upcoming review of governance policies and plans for this work to be taken up by the new Nominating & Governance Committee.

***Strategic Planning Committee (Mark Kendall)***

Mark Kendall chaired the Strategic Planning Committee. President Henry Lorenzen gave a short report on the Committee's last meeting, reiterating the importance of the work. Going forward, development of the next strategic plan will be taken up by an ad hoc Strategic Planning Committee. The full board will be monitoring Strategic Plan performance.

***Conservation Advisory Council (CAC) (Hannah Cruz)***

Hannah Cruz reported on the recent CAC meeting, noting that new members Jake Wise and Andy Cameron were in attendance. CAC members discussed several topics, including a pilot for no-cost DHP installation intended to reduce energy burden and the planned new recruitment process for CAC members.

***Diversity Advisory Council (DAC) (Henry Lorenzen)***

Board members reviewed the DAC notes in the packet, and asked questions regarding the Working Together Grant Program described there. Amber Cole, Energy Trust Director of Communications and Customer Service, explained the program and its reach across the state. Amber also promised to provide more detailed information to the board on the program.

***Renewable Energy Advisory Council (RAC) (Alexia Kelly)***

Alexia Kelly reported on the February RAC meeting, noting that meeting notes will be in the board packet for the next board meeting. At the February meeting, RAC members discussed the guidelines for low and moderate expenditures under HB 3141 and reviewed the Renewables program strong year-end results. RAC members also discussed the new recruitment process for the RAC. RAC members expressed support for a more formal process as proposed by staff at the meeting.

***Ad hoc DEI Comm (Henry Lorenzen)***

Henry Lorenzen noted that the work of the ad hoc DEI Committee will be discussed in some detail at the workshop scheduled for February 24<sup>th</sup>. The committee is planning on engaging the board in a discussion on how the full board will be undertaking DEI continuing education and training in the coming year.

***Presentation on DEI Plan-2022 (Michael Colgrove and Tracy Scott)***

Michael Colgrove and Tracy Scott discussed Energy Trust's DEI Plan-2022. Michael and Tracy highlighted three key elements of the plan:

1. Strategy of community engagement
2. Utilizing a goal-outcome-annual metric framework
3. It is considered a living document

Board members had a full discussion regarding the plan and asked questions of Michael and Tracy. Board members asked questions regarding outreach approaches and expressed appreciation for the approach and how it will help program design based on what customers want. In addition, board members asked additional questions about managing expectations on the pace of change that emerges out of community engagement and provided strategies for managing expectation based on their own experiences. Board members also asked about Energy Trust's definition of rural communities, noting that there is not a single definition. Michael and Tracy confirmed that there is no single approach,



and that staff will listen and discover what rural communities mean through community engagement. Tracy described how rural communities reflect diversity in income and ethnicity. Learning from the communities will help Energy Trust continue to build diverse approaches into its program design and delivery. Board members also discussed the role of Tyrone Henry, Energy Trust's DEI Lead, in the plan and how Energy Trust considers some of the structural barriers to participation in its programs. Michael and Tracy expressed appreciation for the board's excellent questions and feedback on the plan, noting that the discussion at the meeting will help the Energy Trust team as they build out and implement the plan.

**The Board recessed for a 15 minute break and reconvened at 2:35 p.m.**

### **Board Discussion on Meeting Format**

As a part of the board's work to restructure board committees board meetings, board members reflected on the meeting. Board members expressed pleasure at the level and amount of board discussion at the meeting. They also expressed appreciation for staff's work in preparing materials. Time for this type of reflection will be included on every board meeting agenda for the coming year.

### **Board Discussion on Fuel Switching Policy**

Michael Colgrove reported on ongoing discussions in response to a letter received from a group of stakeholders who request that Energy Trust reconsider its current Fuel Switching Policy. Energy Trust's fuel switching policy remains in place. In brief, it says that fuel choice is a customer decision, that Energy Trust incentives are not intended to affect fuel choice, and that Energy Trust can provide fuel neutral technical information to help customers consider their options. The OPUC has an open docket on natural gas costs and levers for addressing decarbonization and natural gas efficiency (UM 2178). Fuel switching is one of the levers under discussion. Energy Trust is tracking these docket discussions and will keep the board informed of developments.

In addition to monitoring the policy discussion, Michael reported that staff is making changes in educational content and materials for customers to better align with the fuel switching policy. Materials will be more specific to answer questions about specific technologies, both gas and electric, because we are finding more customers are inquiring with Energy Trust through the call center. These changes aim to provide more customer support in understanding equipment choices they are considering. Cameron Starr, Energy Trust Senior Operations Customer Experience Manager, described the changes to educational content on the web site and also in customer communications through the call center and other communication strategies. Energy Trust is also working to ensure that trade allies and other contractors know that they can discuss different fuel equipment options with customers.

Board members asked questions regarding the timing of the UM 2178 process, changes to Energy Trust education content and communications, tracking on the policy discussions at the OPUC and among other policy makers, and the importance of tracking on this policy issue in terms of public health, decarbonization and utility system planning.

### **Adjourn**

The meeting adjourned at 3:27 p.m.

**The next regular meeting of the Energy Trust Board of Directors** will be held Wednesday April 6, 2022, at 10:00 a.m. on Zoom.

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Signed: Eric Hayes

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Date

**PINK PAPER**

# Board Workshop Minutes—195th Meeting

February 24, 2022

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**Board members present:** Anne Haworth Root, Elee Jen, Eric Hayes, Henry Lorenzen, Melissa Cribbins, Peter Therkelsen, Roland Risser, Susan Brodahl, Janine Benner (Oregon Department of Energy special advisor, ex officio), Letha Tawney (Oregon Public Utility Commission, ex officio)

**Board members absent:** Alexia Kelly, Erik Andersson, Ernesto Fonseca, Silvia Tanner

**Staff attending:** Amber Cole, Bayoan Ware, Cameron Starr, Cheryle Easton, Debbie Menashe, Elaine Dado, Elizabeth Fox, Emma Clark, Emily Findley, Fred Gordon, Hannah Cruz, Jay Ward, Julianne Thacher, Lizzie Rubado, Michael Colgrove, Quinn Cherf, Steve Lacey, Sue Fletcher, Tracy Scott, Tyrone Henry

**Others attending:** Anna Kim, (Oregon Public Utility Commission), Mark Kendall, Susan Badger-Jones (Diversity Advisory Council)

President Henry Lorenzen called the meeting to order at 9:04 a.m.

Henry explained that the format of the workshop. There will be no public comment, and only board members are panelists and able to participate by speaking and video.

## Discussion Board Diversity Equity and Inclusion (DEI) Focus-2022

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Melissa Cribbins, 2022 chair of the Board's ad hoc DEI Committee, explained her aspirations for the Board's focus on DEI in the coming year. She's expressed her excitement that the board is focused on these critical issues. Outgoing board member and 2021 chair of the ad hoc DEI Committee Mark Kendall reminded Board members of the Board's DEI Policy and the focus on board diversity and DEI learning in Focus Area 5 of the 2020-2024 Strategic Plan. Mark asked for board's input on the committee's next steps in engaging a consultant to assist with their work. Tyrone Henry, Energy Trust DEI Lead, then addressed the board offering his support in their work together, acknowledging that DEI conversations are difficult and that the board should move forward together in an environment of mutual trust.

Board members then had a candid discussion about their objectives, engagement, and capacity for their upcoming DEI work. Board members expressed the need to discuss the board's past behaviors and to become a learning community, learning to engage in meaningful discussions with healthy conflict and without microaggression. Board members also discussed the importance of acknowledging that harm can be done unintentionally both in the work of the organization and in interactions among and between board members and between board members and others. Board members expressed their appreciation for the opportunity to have candid conversations on these topics.

In order to continue to make time for ongoing discussions and learning, board members discussed devoting time at each board meeting for DEI reflection. In addition, board members agreed to devote significant time at upcoming board workshops for DEI learning. The ad hoc DEI Committee will move forward to select a consultant to support this work, carrying on the work to select a consultant that started in 2021. Next steps in organizing a plan for these future activities, including the possibility of a board DEI assessment, will be addressed at the ad hoc DEI Committee meetings to be schedule. Melissa, as committee chair, will continue to keep the board informed of this planning work.

## Discussion Strategic Plann2020-2024 Metrics for Focus Area 4

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Mark Kendall also served as chair of the board's Strategic Planning Committee through February 2022. Mark explained the Strategic Planning Committee's recent work to identify metrics for two of the progress indicators for Focus Area 4 of the Strategic Plan: (i) Acquiring more energy savings and

renewable generation with leveraged funding and (ii) coordinating with more community partners to achieve mutually supportive objectives. Hannah Cruz and Lizzie Rubado, staff liaisons to the Strategic Planning Committee, presented alternatives for board consideration which were distributed to board members as pre-read materials in advance of the workshop.

Board members discussed the leveraged funding metric proposal and alternative first. Board members asked for clarification of what constitutes leveraged funding and the how financial investments in projects that receive leveraged funding could be tracked. Board members expressed interest in ensuring that any metrics track outcomes. The board then discussed how and whether either the proposed or alternative metric supports board decision-making. Based on this discussion, the most board members present concluded that neither the proposed nor alternative metric would be useful and asked staff to update the board regarding leveraged funding progress without reference to a metric.

At the next Finance & Audit Committee, staff will present a revised proposal based on the board's discussion and conclusion at the workshop. In addition, staff will discuss the proposed metric for the Focus Area 4 progress indicator on community partnerships. The Finance & Audit Committee will report back to the full board with any recommendations.

**Adjourn**

President, Henry Lorenzen adjourned the meeting at 12:05 p.m.

**The next regular meeting of the Energy Trust Board of Directors** will be held Wednesday April 6th at 10:00 a.m. held virtually on Zoom.

\_\_\_\_\_  
Signed: Eric Hayes

\_\_\_\_/\_\_\_\_/\_\_\_\_  
Date

**PINK PAPER**

# Board New Director Orientation Minutes—196th Meeting

February 24, 2022

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**Board members present:** Elee Jen, Henry Lorenzen, Melissa Cribbins, Peter Therkelsen, Roland Risser, Silvia Tanner, Susan Brodahl, Janine Benner (Oregon Department of Energy special advisor, ex officio)

**Board members absent:** Alexia Kelly, Anne Haworth Root, Eric Hayes, Ernesto Fonseca, Erik Andersson, Letha Tawney (Oregon Public Utility Commission, ex officio)

**Staff attending:** Amanda Thomson, Amber Cole, Bayo Ware, Cheryle Easton, Debbie Menashe, Elaine Dado, Elizabeth Fox, Emily Findley, Hannah Cruz, Jay Ward, Julianne Thacher, Lizzie Rubado, Mia Deonate, Michael Colgrove, Steve Lacey, Tracy Scott, Tyrone Henry

**Others attending:** Anna Kim (Oregon Public Utility Commission)

Energy Trust Board President Henry Lorenzen opened the orientation session at 1:04 p.m. Henry welcomed the new board members, Silvia Tanner and Peter Therkelsen.

## Overview of Energy Trust

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Energy Trust Executive Director Michael Colgrove explained that this orientation is the first of two for new board members, with the second to be scheduled later in the year after new board members have had a chance to learn and experience Energy Trust and their board roles. All board members present introduced themselves. Then, Mike presented an overview of Energy Trust, its history, funding, and oversight structure.

## Board Calendar and Meeting Schedule/Committee Introductions

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Cheryle Easton, Energy Trust Board Administration Services Manager, provided information on scheduling of board meetings and board workshops. Cheryle also reviewed the board committee structure then explained the committee structure. Board committee chairs, or their representatives, presented information on the board's committees. Roland Risser described the work of the Compensation & Human Resources Committee. Susan Brodahl, chair of the committee, described the work of the Finance & Audit Committee. Roland Risser, chair of the committee, described the work of the Nominating & Governance Committee. Melissa Cribbins, chair of the ad hoc DEI Committee, described the upcoming work of that committee as well. New board members asked questions about the committees and their schedules.

## History of Energy Policy in the Northwest

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Hannah Cruz, Senior Stakeholder Relations and Policy Manager, presented background and information on the history of energy policy in the Pacific Northwest; this information provides context and foundation for understanding the creation and role of Energy Trust. Board members present had a good discussion on the history and evolution of energy policy, from the Northwest Power Act, passed in 1980, until now. New board members expressed appreciation and compliments for the presentation and how it grounds the work of Energy Trust in context.

## 2020-2024 Strategic Plan

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Hannah Cruz and Lizzie Rubado, Senior Program Strategies Manager, presented information on the Energy Trust 2020-2024 Strategic Plan. Hannah and Lizzie are the chairs of Energy Trust's staff Strategic Planning Committee. This staff committee supports the board's work in developing Energy

Trust's 5-year strategic plans and monitoring plan performance. Hannah and Lizzie explained the structure of the plan: its five Focus Areas and corresponding Progress Indicators and Metrics. Hannah and Lizzie also explained how the plan was developed, the scenarios considered and envisioned to develop it. On an ongoing basis, staff and board members monitor the plan as well as organizational and market changes. If there are changes that could have a foundational impact on Energy Trust, staff and the board would revisit the plan. Currently, discussions regarding the plan are covered by the Finance & Audit Committee, but an ad hoc Strategic Planning Committee will be appointed for the development of Energy Trust's next strategic plan.

### **Oregon Public Utility Commission (Anna Kim)**

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Anna Kim, OPUC Senior Utility Analyst and OPUC liaison to Energy Trust, made a presentation on the work of the OPUC and Energy Trust. Anna started with the mission of the OPUC: "To ensure Oregon utility customers have safe, reliable, and high-quality utility services at just and reasonable rates." Anna noted that as of 2022, as the result of laws passed in the 2021 Oregon legislature, the OPUC must now also consider equity and environmental justice in its work and policy-making. Anna explained the structure of the OPUC, as well as its legislative, executive, and judicial functions.

Energy Trust's funding for delivering cost effective energy efficiency and certain renewable energy resources is subject to Energy Trust's Grant Agreement with the OPUC. Anna explained the structure of the OPUC/Energy Trust Grant Agreement and, through it, oversight of Energy Trust. The OPUC monitors Energy Trust for its transparency, fiscal prudence, efficacy and cost-effectiveness. To track and effectively monitor Energy Trust, the OPUC has many levers including, but not limited to, performance measures, regular reporting, the appointment of an OPUC commissioner as an ex officio member of the board, and ongoing interactions among OPUC and Energy Trust staff.

Board members thanked Anna for her presentation.

### **Adjourn Meeting**

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The orientation session ended at 4:04

**The next regular meeting of the Energy Trust Board of Directors will be held Wednesday April 6<sup>th</sup> at 10:00 a.m. held virtually on Zoom.**

**PINK PAPER**



**BOARD DECISION RESOLUTION 968**  
**BOARD COMMITTEE APPOINTMENTS**  
 April 6, 2022

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**RESOLUTION R968**  
**BOARD COMMITTEE APPOINTMENTS**  
*(REPLACES RESOLUTIONS R964)*

**WHEREAS:**

1. Energy Trust’s board is authorized to appoint by resolution committees to carry out the Board’s business.
2. The board President has nominated new directors to serve on the following committees.

**IT IS THEREFORE RESOLVED:**

1. This resolution replaces Resolution R964 adopted by the board at its April 6, 2022, meeting.
2. That the Board of Directors hereby appoints the following directors to the following committees for terms that will continue until a subsequent resolution changing committee appointments is adopted:

<b>Compensation &amp; Human Resources Committee</b>
Erik Andersson, Chair
Elee Jen
Eric Hayes
Ernesto Fonseca
Henry Lorenzen (ex officio)
Amanda Sales, staff liaison
<b>Finance &amp; Audit Committee</b>
Susan Brodahl, Chair
Anne Haworth Root
Peter Therkelsen
Silvia Tanner
Karen Ward (outside expert)
Henry Lorenzen (ex officio)
Pati Presnail, staff liaison

<b>Nomination &amp; Governance Committee</b>
<b>Roland Risser, Chair</b>
<b>Alexia Kelly</b>
<b>Anne Haworth Root</b>
<b>Melissa Cribbins</b>
<b>Janine Benner, (ODOE ex officio)</b>
<b>Letha Tawney (OPUC ex officio)</b>
<b>Henry Lorenzen (ex officio)</b>
<b>Debbie Menashe, staff liaison</b>
<b>Greg Stokes, staff subject matter expert support</b>
<b>Ad hoc Board Diversity Equity and Inclusion Committee</b>
<b>Melissa Cribbins, Chair</b>
<b>Elee Jen</b>
<b>Eric Hayes</b>
<b>Susan Brodahl</b>
<b>Ruchi Sadhir for Janine Benner (ODOE, ex officio)</b>
<b>Huon Tran, Diversity Advisory Council subject matter expert support</b>
<b>Susan Badger-Jones, Diversity Advisory Council subject matter expert support</b>
<b>Henry Lorenzen (ex officio)</b>
<b>Cheryle Easton, staff liaison</b>
<b>Tyrone Henry, staff subject matter expert support</b>

**3. The executive director, chief legal officer or chief financial officer are authorized to sign routine 401(k) administrative documents on behalf of the board, or other documents if authorized by the Compensation & Human Resources Committee.**

The board also acknowledges that the following board members have committed to attend advisory council meetings:

- a. Conservation Advisory Council: Peter Therkelsen
- b. Renewable Energy Advisory Council: Alexia Kelly, Elee Jen, Susan Brodahl
- c. Diversity Advisory Council: Melissa Cribbins, Ruchi Sadhir for Janine Benner (Oregon Department of Energy, ex officio)

Moved by:

Seconded by:

Vote:

In favor:

Abstained:

Opposed:

# Tab 2

ITEM NO. RA2

**PUBLIC UTILITY COMMISSION OF OREGON  
STAFF REPORT  
PUBLIC MEETING DATE: February 22, 2022**

REGULAR  X  CONSENT \_\_\_\_\_ EFFECTIVE DATE  February 23, 2022

**DATE:** February 14, 2022

**TO:** Public Utility Commission

**FROM:** Anna Kim

**THROUGH:** Bryan Conway, JP Batmale, and Sarah Hall **SIGNED**

**SUBJECT:** OREGON PUBLIC UTILITY COMMISSION STAFF:  
(Docket No. UM 1158)  
2022 performance measure recommendations for Energy Trust of Oregon.

**STAFF RECOMMENDATION:**

Staff recommends the Oregon Public Utility Commission (Commission or OPUC) adopt the proposed performance measures as stated in this memo for evaluating the performance of Energy Trust of Oregon (Energy Trust) in 2022.

**DISCUSSION:**

Issue

Whether the Commission should adopt the proposed performance measures for evaluating the performance of Energy Trust in 2022.

Applicable Law

Energy Trust operates under a grant agreement with the Commission, as authorized under ORS 757.054(4), ORS 757.612(3), and ORS 757.746. The grant agreement requires the PUC to establish quantifiable performance measures that clearly define its expectation of Energy Trust's performance. The following statement can be found on page 3 of the grant agreement:

The Energy Trust and the PUC recognized the need for having valid and quantifiable performance measures that clearly define the PUC's expectation of the Energy Trust's performance. The performance measures are developed to

clarify minimum expectations for Energy Trust on an ongoing basis and may be adjusted from time-to-time. The Energy Trust will regularly report to the PUC, comparing actual performance to the PUC established performance measures. Should the Energy Trust fail to meet the performance measures adopted by the PUC, the PUC, at its discretion, may issue a Notice of Concern. In choosing to issue such a Notice of Concern, the PUC will take into account reasonable causal factors and any mitigating actions taken by the Energy Trust.

### Analysis

This memo provides: (1) an overview of the performance measure development; (2) descriptions of each performance measure proposed for 2022; and (3) a table summary of the 2022 performance measures.

### *Purpose and Process*

The purpose of Energy Trust performance measures is to clearly define the Commission's minimum expectations. Performance measures are not meant to be targets or goals. Rather, they reflect a threshold by which regulators can determine the health of Energy Trust programs. They are meant to provide early indicators of poor performance, which if not met, signal that intervention may be required. Energy Trust sets specific goals, collaboratively developed with utilities and Staff, in its annual budget and action plan. These goals are based on available conservation and renewable generation as indicated by utility Integrated Resource Plan (IRP) targets and market studies.

While the annual update of performance metrics primarily takes place between Energy Trust and Staff, a substantial amount of work happens between the utilities and Energy Trust each year to develop Energy Trust's energy efficiency and renewable goals as a part of the budget development process. Under ORS 757.746(1), Energy Trust will be developing jointly with the utilities public utility-specific budgets, action plans, and agreements. Energy Trust is working with utilities in 2022 to establish a process to develop these items jointly, and will implement the new process for the 2023 budget and action plan. In November each year, Energy Trust presents its annual budget and action plan to the Commission. The Commission then offers insight, direction, and recommendations to Energy Trust, before finalization of the budget in December by the Energy Trust Board.<sup>1</sup> Energy Trust presented its 2022 budget and action plan to the Commission at a special public meeting on November 16, 2021.<sup>2</sup>

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<sup>1</sup> For more information on Energy Trust's budget process please see <https://www.energytrust.org/about/reports-financials/budget-action-plan/>.

<sup>2</sup> For more information on this special public meeting please go to [https://oregonpuc.granicus.com/GeneratedAgendaViewer.php?view\\_id=2&clip\\_id=856](https://oregonpuc.granicus.com/GeneratedAgendaViewer.php?view_id=2&clip_id=856).

### *Overview of Performance Measure Categories*

Energy Trust performance measures cover a wide range of operational aspects as follows:

- 1) Electric Energy Efficiency;
- 2) Natural Gas Energy Efficiency;
- 3) Renewable Energy;
- 4) Financial Integrity;
- 5) Program Delivery Efficiency;
- 6) Staffing;
- 7) Customer Satisfaction;
- 8) Benefit/Cost Ratios;
- 9) NEEA and Market Transformation; and
- 10) Diversity, Equity, and Inclusion.

In 2012, the Commission approved a more systematic approach to developing Energy Trust's annual performance measures.<sup>3</sup> Each performance measure was explicitly linked to either Energy Trust's annual budget goals and/or references Integrated Resource Plan (IRP) targets for a specific utility. Below, Staff reviews each metric and identifies proposed changes for 2022.

### *Descriptions of Performance Measure Categories*

#### *Measures 1 and 2: Electric and Natural Gas Efficiency Savings and Levelized Costs*

These performance measures for savings and levelized costs use the Board-approved savings goal as the basis for their calculations. The single savings objective per utility is calculated each year as 85 percent of Energy Trust's Board-approved savings goal at a levelized cost ceiling.<sup>4</sup> The table below compares the 2021 and 2022 savings and proposes a levelized cost performance measure for each utility.

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<sup>3</sup> See UM 1158, Commission Order No. 12-094.

<sup>4</sup> The OPUC's levelized cost ceiling for Energy Trust is 115 percent of the Board-approved levelized cost goal for that year.

**Table 1 – Efficiency Performance Measures by Utility, 2021 and 2022**

<b>Utility</b>	<b>2021 Performance Measure (Minimum aMW/therm and Levelized Cost)</b>	<b>2022 Performance Measure (Minimum aMW/therm and Levelized Cost)</b>
<b>Portland General Electric (PGE)</b>	21.1 aMW at no greater than \$0.046/kWh	24.7 aMW at no greater than \$0.040/kWh
<b>PacifiCorp (PAC)</b>	17.1 aMW at no greater than \$0.040/kWh	18.3 aMW at no greater than \$0.039/kWh
<b>Northwest Natural (NWN – Oregon Only)</b>	4.3 M therms at no greater than \$0.51/therm	4.9 M therms at no greater than \$0.54/therm
<b>Cascade (CNG)</b>	0.49 M therms at no greater than \$0.63/therm	0.64 M therms at no greater than \$0.63/therm
<b>Avista</b>	0.38 M therms at no greater than \$0.48/therm	0.56 M therms at no greater than \$0.59/therm

Staff notes the continuing year-over-year increase in levelized costs for two of the natural gas utilities, and reductions for the electric utilities. This is an improvement over the 2021 budget, in which Energy Trust anticipated increasing levelized costs in four out of five utilities. As discussed in Staff’s memo on Energy Trust’s budget, Energy Trust predicted an overall increasing levelized costs for gas. Energy Trust cautions that these declining levelized costs for 2022 are not a trend, and many factors led to these forecasts, with no dominant factor.<sup>5</sup>

While levelized costs are an important indicator of performance, Staff anticipates net peak reductions, greenhouse gas reductions, and other forms of targeted energy efficiency to alleviate energy burden or localized distribution needs will become as important in future budgets. These key considerations may translate to future discussions on additional performance metrics.

**Measure 3: Renewable Energy**

In 2020, the Commission adopted Staff’s recommendation to make minor adjustments within the metric. The new measures report on trends over time and allow OPUC to

<sup>5</sup> Staff Memo, Presentation of 2022 Draft Budget and 2022-23 Action Plan. p 12. found at [https://oregonpuc.granicus.com/MetaViewer.php?view\\_id=2&clip\\_id=856&meta\\_id=31180](https://oregonpuc.granicus.com/MetaViewer.php?view_id=2&clip_id=856&meta_id=31180).

offer more customized insights without penalizing Energy Trust for the normal variations in custom, non-solar project development and completion.

- 1) Deploy \$1.5 Million in project and market development assistance with a project pipeline of non-solar projects in excess of 15 projects. Energy Trust will report the number of projects served, total funds spent, and summarize progress.
- 2) For project and market development assistance, Energy Trust will report annual results, including number of projects supported, milestones, and documentation or results from market and technology perspectives.
- 3) For the standard net-metered solar program, obtain at least 3.4 aMW of installed generation.
- 4) For solar projects funded outside of the program's standard net-metered incentive offer, Energy Trust will report all sources of funding for projects and the criteria for selection.

Staff proposes a fifth metric for the Renewables Program for 2022. HB 3141 requires that Energy Trust spend 25 percent of renewables funds (including self-direct customers) on activities, resources, and technologies that serve low and moderate income customers starting this year.<sup>6</sup> Energy Trust expects to be close to the 25 percent target in 2021 and is prepared to spend the target in 2022.

- 5) Invest at least \$3.8 million, 25 percent of public purpose revenue for renewables, to provide activities, resources and technologies for low and moderate income customers.

In the future, Staff is considering changes to the first four performance metrics for the Renewables Program. Renewables metric 2 appears duplicative of metric 1 as both report on the same activities. Staff also notes that Energy Trust has been making a range of changes to its solar offerings and metrics 3 and 4 may need to be updated to reflect the changes.

#### *Measure 4: Financial Integrity*

Energy Trust engages a third party annually to conduct a financial audit once the calendar year has closed. Staff proposes to maintain the current performance measure for financial integrity, which is to receive an unmodified financial opinion. Energy Trust has met this measure every year since launching.

#### *Measure 5: Program Delivery Efficiency (Administration)*

The program delivery efficiency measure is a maximum threshold for administrative and program support costs and is calculated as a percentage of total annual revenues. The

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<sup>6</sup> OR Laws 2021, Ch. 547, Section 11.



initial target of 11 percent was set in 2004 when establishing Energy Trust's performance measures.<sup>7</sup> Currently, the performance measure is set to 8 percent of revenues.<sup>8</sup>

Since the 2019 budget cycle, Energy Trust has updated its annual budget documents to make it easier to determine applicable costs for this OPUC performance measure.<sup>9</sup>

Administrative costs fall under the following categories:

- Employee Salaries and Fringe Benefits if not directly related to program delivery;
- Agency Contractor Services if not billed to program delivery;
- Planning and Evaluation Services if not billed to program delivery;
- Advertising and Marketing Services if not billed to program delivery;
- Other Professional Services if not billed to program delivery;
- Travel, Meetings, Trainings and Conferences;
- Dues, Licenses and Fees;
- Software and Hardware;
- Depreciation and Amortization;
- Office Rent and Equipment;
- Materials Postage and Telephone; and
- Miscellaneous Expenses.<sup>10</sup>

Staff proposes to keep this measure the same as last year.

#### *Measure 6: Staffing*

A performance measure for Energy Trust's staffing costs has been in effect since 2015.<sup>11</sup> The measure is determined by calculating a three-year rolling average of total staffing costs divided by total annual expenditures. The three years used in the average are: the proposed next year's budget, current year budget forecast, and prior year actual costs. In 2017, Staff worked with Energy Trust to revise the performance metric from a 7.75 percent three-year rolling average, including contractor costs, to a 7.25 percent three-year rolling average, *not including agency contractor costs*. The metric was also modified to include a 10 percent cap on year-over-year increases.<sup>12</sup>

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<sup>7</sup> See Order No. 04-593.

<sup>8</sup> See Order No. 15-127.

<sup>9</sup> See Order No. 18-076.

<sup>10</sup> See Staff Report at Special Public Meeting on Energy Trust's 2019 Budget, November 8, 2018, pg. 10-11.

<sup>11</sup> See Order No. 15-127.

<sup>12</sup> See Order No. 18-076.

To increase transparency and accountability, Energy Trust began to report employee (staffing) costs and agency contractor costs separately in the 2019 budget. Agency contractors became a new line item in the budget.

In August 2019, in Order No. 19-292, the Commission adopted the following changes to Staffing metrics:

- 1) For the next two years (2020-2021), reduce the annual growth in staffing costs from 10 percent to no more than 9 percent from year to year.
- 2) Remove the rolling average of staffing costs as a percent of total costs as the relationship between the two cost categories is continuing to evolve.
- 3) Report to the Commission on staffing trends and provide a recommendation for 2022 performance measures.<sup>13</sup>

These changes were enacted in response to the combination of declining savings projections and steeply increasing medical benefits costs at the time, which indicated that the existing performance metric was not providing the information the Commission sought. In this section, Staff provides some background and analysis, and concludes with a recommendation for the Staffing performance metric.

Staff worked with Energy Trust and stakeholders in early 2020 to identify opportunities to reduce costs and monitor changes in staffing cost needs. In response to the changing impacts of the COVID-19 pandemic, Energy Trust has faced a variety of new challenges and has been making ongoing adjustments. These include encouraging employees to use accrued vacation balances in 2021, which are a financial liability within this metric.

The following table shows staffing costs by category as represented in past budgets, and estimated projections. Beginning with the 2020 budget, Energy Trust has reported numbers specifically related to the OPUC grant agreement, excluding activities in Washington and its contract with the Community Solar Program. In Table 2 below, these costs have also been removed from past budgets to ensure numbers represent the OPUC grant only.

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<sup>13</sup> See Order No. 19-292 pg. 6.

**Table 2 – Budgeted Staffing Costs by Category**

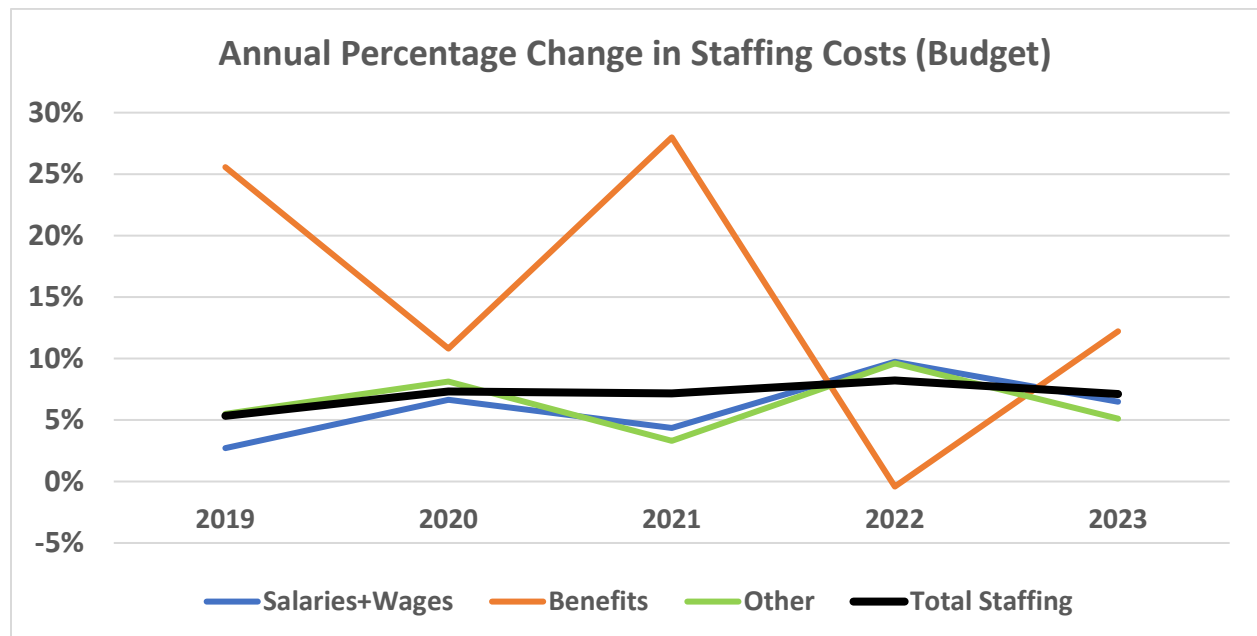
	2019 Budget	2020 Budget	2021 Budget	2022 Budget	2023 Projection
<b>Salaries + Wages</b>	\$10,694,487	\$11,404,360	\$11,901,167	\$13,059,737	\$13,906,577
<b>Benefits</b>	\$1,682,802	\$1,864,746	\$2,386,672	\$2,376,851	\$2,667,432
<b>Other</b>	\$1,649,684	\$1,783,992	\$1,843,003	\$2,020,051	\$2,123,359
<b>Total Staffing</b>	\$14,026,973	\$15,053,097	\$16,130,842	\$17,456,639	\$18,697,368

The Benefits category includes medical, dental, life insurance, and disability insurance.

The Other category contains:

- Payroll taxes;
- 401k;
- Net change in accrued vacation liability;
- Fees the organization pays to the 401k and savings plan providers; and
- Employee recognition.

The following chart shows the amount of change across staffing cost categories. The Benefits category continues to have the largest fluctuations and is primarily driven by medical benefits costs.



Staff notes that medical benefits costs continue to be an uncertainty and remain a cost that Energy Trust has little control over. After monitoring medical benefits costs and other staffing considerations over the last two years, Staff recommends that starting next year, the Commission exclude the benefits category from the Staffing cost metric.

In Order No. 19-292, Staff was directed to return with recommendations on staffing performance measures. Staff recommends that the Commission maintain the Staffing performance measure for 2022:

Staffing cost growth is limited to 9 percent year-over-year increase

Staff anticipates requesting a change in the Staffing performance metric for 2023 to:

Staffing cost growth (excluding benefits) is limited to 9 percent year-over-year increase

Staff believes that making this minor change in the future will lead to a more accurate picture of Energy Trust's management of staffing costs while maintaining Energy Trust's flexibility to adjust to changing markets, including changes due to the ongoing impacts of the COVID-19 pandemic. This change is not reflected in Staff's recommendation for 2022 performance metrics. Staff presents this potential change now so that Energy Trust has the opportunity to develop its next budget under these assumptions.

*Measure 7: Customer Satisfaction*

Energy Trust should maintain a minimum of 85 percent of customers indicating they are satisfied or very satisfied with interaction with program representatives where they are utilized (e.g., Existing Buildings Program), and overall satisfaction. Staff proposes to keep the customer satisfaction performance measure the same as last year.

*Measure 8: Benefit/Cost Ratios*

Staff proposes to maintain the current performance measures for benefit/cost ratios as shown in Table 4 below.

*Measure 9: NEEA and Market Transformation*

Staff proposes to maintain the current performance measures for work with the Northwest Energy Efficiency Alliance (NEEA) as shown in Table 4 below.

*Measure 10: Diversity, Equity, and Inclusion*

In Order No. 19-292, the Commission established a new category of performance measures to support and monitor Energy Trust's work in diversity, equity, and inclusion (DEI). The existing performance measures for 2021 are:

- 1) Implement a supplier diversity tracking system as outlined in the 2021 Budget and Action Plan.
- 2) Develop a trade ally dashboard to track diverse spend in trade ally activities with stakeholder participation.
- 3) Complete implicit bias training for all hiring managers.

As of February 7, 2022, Energy Trust has completed DEI performance metrics 2 and 3. Energy Trust is unfortunately behind on DEI performance metric 1. Energy Trust did not budget sufficient time to meet with all of the necessary stakeholders during the scoping process and needed more time to complete this metric. Energy Trust expects to complete the supplier diversity tracking system mid-2022. Once complete, these three measures are no longer necessary. Staff recommends removing these performance measures and replacing them for 2022.

For 2022, Staff has been preparing to engage with stakeholders on developing environmental justice equity metrics as required by House Bill 3141, which requires the OPUC to establish in 2022 and update no less than every four years equity metrics to assess, address, and create accountability for environmental justice in the expenditure and investment of funds provided to a non-governmental entity to acquire energy efficiency and small-scale renewables.<sup>14</sup> Staff notes significant overlap between this new statutory requirement and the existing category for DEI in support of Energy Trust's own DEI initiative.

Staff expects to begin meeting with stakeholders in early Q2 on the development of these equity metrics as required by House Bill 3141. Staff recently posted a Request for Information for a third-party consultant to assist with outreach and engagement activities related to development of these metrics.<sup>15</sup> Staff plans to select a consultant by the end of Q1 and lead a public process to collaboratively develop equity metrics.

Given the timing of this requirement, Staff does not want to create more DEI performance metrics that will preempt the discussions to come on the equity metrics. At this time, Staff recommends that Energy Trust focus on activities that will help prepare for the larger stakeholder discussions that will take place later this year. In Staff's analysis of Energy Trust's 2022 budget and action plan, Staff discussed some opportunities for Energy Trust to collect information that will be useful for these discussions. The Commission adopted the following recommended activities for Energy Trust:

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<sup>14</sup> OR Laws 2021, Ch. 547, Section 11.

<sup>15</sup> RFI# S-86000-00001999 found at: <https://oregonbuys.gov/bsol/>.

- Work with utilities to identify environmental justice communities in their service territories.
- Estimate the prevalence and impacts of alternative fuels within the service territory.
- Research opportunities to provide low-cost cooling measures.<sup>16</sup>

Staff recommends that these activities be captured in a performance metric:

1. Energy Trust will come to the equity metrics development process prepared to discuss information requested by the Commission as outlined in the Budget related to: key communities by utility service territory, impact of alternative fuels, and cooling measure opportunities.

In addition to these actions, Staff recommends additional outreach activities that Energy Trust can conduct leading up to the discussions of equity metrics.

2. Energy Trust shall conduct a minimum of four engagement activities with community organizations to present, refine, and finalize Energy Trust goals for DEI Operations.

Staff recommends this activity as these interactions will improve Energy Trust’s relationships with stakeholder communities and collect additional information on opinions related to performance metrics.

Staff summarizes the proposed 2022 DEI measures below compared to 2021. Please note that there is also a new metric for renewables spending on low and moderate income customers discussed in the renewables section.

**Table 3 – DEI Performance Measures for 2021 and 2022**

2021 Measures	Proposed 2022 Measures
<ul style="list-style-type: none"> <li>• Implement a supplier diversity tracking system as outlined in the 2021 Budget and Action Plan.</li> <li>• Develop a trade ally dashboard to track diverse spend in trade ally activities with stakeholder participation.</li> <li>• Complete implicit bias training for all hiring managers.</li> </ul>	<ul style="list-style-type: none"> <li>• Energy Trust will come to the equity metrics discussions prepared to provide information requested by the Commission as outlined in the Budget related to:                             <ul style="list-style-type: none"> <li>• Key communities by utility service territory</li> <li>• Impact of alternative fuels</li> <li>• Low-cost cooling measure opportunities.</li> </ul> </li> <li>• Energy Trust shall conduct a minimum of four engagement activities with community organizations to present, refine and finalize Energy Trust goals for DEI Operations.</li> </ul>

<sup>16</sup> Staff Memo, Presentation of 2022 Draft Budget and 2022-23 Action Plan. p 15. found at [https://oregonpuc.granicus.com/MetaViewer.php?view\\_id=2&clip\\_id=856&meta\\_id=31180](https://oregonpuc.granicus.com/MetaViewer.php?view_id=2&clip_id=856&meta_id=31180).

*Proposed 2022 Performance Measures*

The proposed 2022 performance measures for Energy Trust are detailed below. They include the previous year’s performance measures for comparison purposes.

**Table 4 – Performance Measures for 2021 and 2022**

Category	2021 Performance Measure	Proposed 2022 Performance Measure
1. Electric Energy Efficiency	Annual utility savings and levelized cost measure: <ul style="list-style-type: none"> <li>• PGE: Obtain at least 21.1 aMW; Levelized cost not to exceed 4.6 cents/kWh.</li> </ul> Pacific Power: Obtain at least 17.1 aMW; Levelized cost not to exceed 4.0 cents/kWh.	Annual utility savings and levelized cost measure: <ul style="list-style-type: none"> <li>• PGE: Obtain at least 24.7 aMW; Levelized cost not to exceed 4.0 cents/kWh.</li> <li>• Pacific Power: Obtain at least 18.3 aMW; Levelized cost not to exceed 3.9 cents/kWh.</li> </ul>
2. Natural Gas Energy Efficiency	Annual utility savings and levelized cost measure: <ul style="list-style-type: none"> <li>• NW Natural: Obtain at least 4.3 million annual therm savings; Levelized cost not to exceed 51 cents/therm.</li> <li>• Cascade Natural Gas: Obtain at least 0.49 million annual therm savings; Levelized cost not to exceed 63 cents/therm.</li> </ul> Avista: Obtain at least 0.39 million annual therm savings; Levelized cost not to exceed 48 cents/therm.	Annual utility savings and levelized cost measure: <ul style="list-style-type: none"> <li>• NW Natural: Obtain at least 4.9 million annual therm savings; Levelized cost not to exceed 54 cents/therm.</li> <li>• Cascade Natural Gas: Obtain at least 0.64 million annual therm savings; Levelized cost not to exceed 63 cents/therm.</li> <li>• Avista: Obtain at least 0.56 million annual therm savings; Levelized cost not to exceed 59 cents/therm.</li> </ul>

Category	2021 Performance Measure	Proposed 2022 Performance Measure
3. Renewable Energy	<ul style="list-style-type: none"> <li>• For project and market development assistance (part 1), deploy at least \$1.37 million in non-solar project development assistance incentives. Maintain a non-solar project development assistance pipeline in excess of 25 projects. Report number of projects served total dollars spent, and summarize project progress through development stages.</li> <li>• For project and market development assistance (part 2), report annual results, including number of projects supported, milestones met and documentation of results from market and technology perspective.</li> <li>• Obtain at least 2.5 aMW of installed generation of standard net-metered Solar program projects.</li> <li>• For solar projects funded outside of the Solar program's standard, net-metered incentive offer, report sources of funding for projects and the criteria for selection.</li> </ul>	<ul style="list-style-type: none"> <li>• For project and market development assistance (part 1), deploy at least \$1.5 million in non-solar project development assistance incentives. Maintain a non-solar project development assistance pipeline in excess of 25 projects. Report number of projects served total dollars spent, and summarize project progress through development stages.</li> <li>• For project and market development assistance (part 2), report annual results, including number of projects supported, milestones met and documentation of results from market and technology perspective.</li> <li>• Obtain at least 3.4 aMW of installed generation of standard net-metered Solar program projects.</li> <li>• For solar projects funded outside of the Solar program's standard, net-metered incentive offer, report sources of funding for projects and the criteria for selection.</li> <li>• Invest at least \$3.8 million, 25 percent of public purpose revenue for renewables, to provide activities, resources and technologies for low and moderate income customers.</li> </ul>
4. Financial Integrity	Unmodified financial opinion	Unmodified financial opinion
5. Program Delivery Efficiency	<ul style="list-style-type: none"> <li>• Administrative and program support costs must be below 8% of annual revenues (no more than \$14,443,806).</li> <li>• Administrative and program support cost growth is limited to 10% year-over-year increase (no more than \$1,383,127).</li> </ul>	<ul style="list-style-type: none"> <li>• Administrative and program support costs must be below 8% of annual revenues (no more than \$15,980,475).</li> <li>• Administrative and program support cost growth is limited to 10% year-over-year increase (no more than \$1,408,400).</li> </ul>
6. Staffing	<ul style="list-style-type: none"> <li>• Staffing cost growth is limited to 9% year-over-year increase (no more than \$1,354,779).</li> </ul>	<ul style="list-style-type: none"> <li>• Staffing cost growth is limited to 9% year-over-year increase (no more than \$1,451,776).</li> </ul>



Category	2021 Performance Measure	Proposed 2022 Performance Measure
7. Customer Satisfaction	Greater than 85% satisfaction rates for: <ul style="list-style-type: none"> <li>• Interaction with program representatives</li> <li>• Overall satisfaction</li> </ul>	Greater than 85% satisfaction rates for: <ul style="list-style-type: none"> <li>• Interaction with program representatives</li> <li>• Overall satisfaction</li> </ul>
8. Benefit/Cost Ratios	<ul style="list-style-type: none"> <li>• Report both utility system and societal perspective annually.</li> <li>• Report significant mid-year changes as warranted in quarterly reports.</li> </ul>	<ul style="list-style-type: none"> <li>• Report both utility system and societal perspective annually.</li> <li>• Report significant mid-year changes as warranted in quarterly reports.</li> </ul>
9. NEEA and Market Transformation	Report annually: <ul style="list-style-type: none"> <li>• Savings and costs</li> <li>• Savings strategies</li> <li>• Show Energy Trust direction to NEEA through committee membership</li> <li>• Summary of Energy Trust direction to NEEA</li> <li>• Summary of NEEA initiatives Energy Trust opts out of and why</li> </ul>	Report annually: <ul style="list-style-type: none"> <li>• Savings and costs</li> <li>• Savings strategies</li> <li>• Show Energy Trust direction to NEEA through committee membership</li> <li>• Summary of Energy Trust direction to NEEA</li> <li>• Summary of NEEA initiatives Energy Trust opts out of and why</li> </ul>
10. Diversity, Equity, & Inclusion	<ul style="list-style-type: none"> <li>• Implement a supplier diversity tracking system as outlined in the 2021 Budget and Action Plan.</li> <li>• Develop a trade ally dashboard to track diverse spend in trade ally activities with stakeholder participation.</li> <li>• Complete implicit bias training for all hiring managers.</li> </ul>	<ul style="list-style-type: none"> <li>• Energy Trust will come to the equity performance metrics discussions prepared to provide information requested by the Commission as outlined in the Budget related to:               <ul style="list-style-type: none"> <li>• Key communities by utility service territory</li> <li>• Impact of alternative fuels, and</li> <li>• Low-cost cooling measure opportunities.</li> </ul> </li> <li>• Energy Trust shall conduct a minimum of four engagement activities with community organizations to present, refine and finalize Energy Trust goals for DEI Operations.</li> </ul>

Conclusion

Staff proposes adopting the performance measures listed in Table 4.

Docket No. UM 1158  
February 14, 2022  
Page 15

**PROPOSED COMMISSION MOTION:**

Adopt the proposed performance measures as stated in this memo for evaluating the performance of Energy Trust in 2022.

RA2 UM 1158

# Tab 3

# Briefing Paper

## 2022 State Legislation Update

April 6, 2022

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### Summary

This briefing paper summarizes bills considered in the 2022 Oregon legislative session. Bills highlighted here are, or might be, connected to Energy Trust programs and the customers we serve. The table at the end of the paper lists all 2022 bills staff monitored, with URL links in the bill number.

### Background

- Staff monitor state legislative bills that could impact our programs, goals and objectives and the ability of customers, communities and partners to work with us. During and outside of legislative sessions, staff responds to requests for information from legislators, the Governor, the Oregon Public Utility Commission (OPUC) and other interested parties. We do not take positions for or against any legislative concept or bill, pursuant our grant agreement with the OPUC.
- The 2022 legislative session started February 1 and adjourned March 4.
- Due to the COVID-19 pandemic and local health regulations, committee hearings were virtual as they were last year. Many legislators held their meetings virtually with their staffers working from home. The Capitol was open to the mask-wearing members of the public, who could watch in-person floor proceedings from the gallery.
- The 2022 legislative session was marked by issues like higher than expected 2021 tax revenues and new federal funding, job training and worker shortages, social justice issue considerations, affordable housing and housing availability, farmworker overtime, education and schools, and programs to address the effects of the pandemic and the effects extreme temperatures on Oregonians due to climate change.
- Among the bills that passed, SB 1536 includes direction to the Oregon Department of Energy to issue a grant to the nongovernmental entity administering the public purpose charge (Energy Trust of Oregon) to assist landlords in creating or operating community cooling spaces during an extreme heat event. The bill further appropriates \$2 million to ODOE to provide the grant.

### 2022 Bills of Particular Interest

#### Extreme weather

- **SB 1536 Enrolled** is a broad bill related to indoor temperature control. The bill that was passed is a combination of the concepts of **SB 1536** and **HB 4058**. Among other things, the bill:
  - Limits restrictions on residences from installing portable cooling devices—air conditioners or evaporative coolers mounted in a window or sitting on the floor.
  - Requires landlords to provide a cooling room or make reasonable access for tenants to a cool space during extreme heat events.

- Directs ODOE to issue a grant to the nongovernmental entity administering the public purpose charge (Energy Trust of Oregon) to support landlords in creating and operating community cooling spaces for tenants during hot weather. Appropriates \$2 million.
- Establishes an air conditioning and air filter deployment program at Oregon Health Authority for grant making to eligible entities to distribute these products to Oregonians eligible for medical assistance. Appropriates \$5 million.
- Establishes a heat pump deployment program at ODOE to distribute grants to eligible entities for up to the full cost of installing heat pumps (as well as most costs for related upgrades) in homes and buildings, including in instances of switching from bulk fuels. Appropriates \$10 million.
- Establishes a residential heat pump program at ODOE to issue rebates to contractors installing qualifying heat pumps, including installations prioritized for low- and moderate-income tenants. Appropriates \$15 million.
- Establishes a grant program at Department of Human Services to help local governments, public education providers and federally recognized Indian tribes in Oregon establish emergency centers for relief from smoke and extreme hot or cold temperatures. Appropriates \$2 million.
- Directs ODOE to study the cooling needs of publicly supported housing, manufactured parks and RV parks.
- Directs ODOE to report to the legislature by September 2023 on the heat pump programs, cooling needs study and community cooling spaces grant.
- Directs Oregon Housing and Community Services to provide online information for landlords on cooling and related programs, including Energy Trust programs.
- Modifies the Healthy Homes Program (passed in 2021) to include Indian health centers and manufactured parks as eligible to participate while expanding the definition of health and safety to include electrical upgrades that support the use of efficient heating and cooling devices.
- Requires multifamily buildings permitted after April 2024 to include at least one room for cooling.
- **SB 1533 Enrolled** makes federally recognized tribes and public education providers eligible for grants related to cleaner air spaces and smoke filtration systems.

### Energy efficiency

- **SB 1518 Enrolled** establishes and lists membership for a Resilient Efficient Buildings Task Force (the REBuilding Task Force) to identify and evaluate policies related to building codes and building decarbonization for new and existing buildings. The direction of the bill was originally to allow local governments to set the REACH code as the minimum energy code in new residential and commercial construction. After committee hearings and work sessions, the bill was modified.

### Renewable energy

- **HB 5202 Enrolled**, a budget bill, appropriates \$5 million to the ODOE Solar + Storage rebate program.
- **SB 1519 Enrolled** establishes a property tax exemption for a proportion of a community solar project that is owned or leased by residential customers.

- **HB 4059 Enrolled** requires community solar systems at least 3 megawatts (MW) in size and other renewable energy systems between 2 and 10 MW in size to use specific contractor labor standards, joining renewable energy systems of at least 10 MW subject to the same standards via HB 2021. The bill made changes to the use of apprentices on these projects, excluded contractor labor standard requirements on contracts with a tribal government, and required electric utility RFPs for resource procurement to include the contractor labor standards while allowing the OPUC adopt rules to implement them.

### Greenhouse gas emissions

- **HB 4139 Enrolled** establishes a program to assess greenhouse emissions from materials the Department of Transportation uses in construction and maintenance, and to identify ways to reduce emissions. The bill also establishes a medium and heavy-duty electrification charging grant program at the Department of Environmental Quality.
- **HB 5202 Enrolled**, a budget bill, appropriates \$15 million for DEQ zero-emission and electric vehicle rebates, and \$15 million for DEQ medium and heavy-duty electrification charging grants.

### Equity

- **HB 4077 Enrolled** renames the Environmental Justice Task Force as the Environmental Justice Council and assigns state resources to the council. The bill also directs the council to develop an environmental justice mapping tool that can be used by natural resource agencies during administrative rulemaking or when establishing agency policies or programs. Adds the Oregon Department of Energy as a natural resource agency.
- **SB 1579 Enrolled** directs Business Oregon to award Economic Equity Investment grants to organizations that provide culturally responsive services to support disadvantaged Oregonians and businesses. Appropriates \$15 million.
- **SB 1545 Enrolled** establishes workforce development programs and grants like the Prosperity 10,000 Program to provide coaching, training and job placement opportunities for priority populations and a grant program to support (pre)apprenticeship training programs in the fields of construction and manufacturing.
- **HB 4157 Enrolled** provides for a one-time payment of \$600 to low-income households to address the negative economic impacts of COVID-19.

## List of 2022 bills monitored by staff

Gray highlight indicates the bill was not advanced in the session.

Bill Number	Status	Relating To	Bill Summary	Bill Sponsor
<a href="#">HB 4043</a> <a href="#">INTRO</a>	Failed	Relating to tax credits for the preservation of publicly supported housing; prescribing an effective date.	Creates credit against income taxes for purchasing publicly supported housing to retain as affordable housing.	Rep Fahey; Rep Grayber; Rep Hoy; Rep Levy; Rep Lively; Rep Marsh; Rep Neron; Rep Reardon; Sen Patterson (Pre-session filed)
<a href="#">HB 4057 EN</a>	Passed	Relating to minimum energy efficiency standards; and prescribing an effective date.	Adds "spray sprinkler bodies" to minimum energy efficiency standards.	Pre-session filed (at the request of House Interim Committee on Environment and Natural Resources for Representative Pam Marsh)
<a href="#">HB 4058 A</a>	Failed	Relating to heat relief; declaring an emergency.	Directs Oregon Health Authority to create program to acquire and distribute air conditioners and air filters on emergency basis to individuals eligible for medical assistance.	Pre-session filed (at the request of House Interim Committee on Environment and Natural Resources for Representative Pam Marsh)
<a href="#">HB 4059 EN</a>	Pending Governor signature	Relating to large-scale project labor standards; and declaring an emergency.	Redefines "large-scale project" as "covered project" for purposes of contractor labor standards.	Pre-session filed (at the request of House Interim Committee on Environment and Natural Resources for Representative Pam Marsh)
<a href="#">HB 4060 A</a>	Failed	Relating to federal funding opportunities for natural resource programs; declaring an emergency.	Directs Department of Transportation to establish program to provide administrative and technical assistance to certain entities in this state for activities related to certain federal funding opportunities.	Pre-session filed (at the request of House Interim Committee on Agriculture, Land Use, and Water for Representative Ken Helm)
<a href="#">HB 4063 B</a>	Failed	Relating to housing; prescribing an effective date.	Requires Department of Consumer and Business Services to enter into public contract to research and analyze administrative procedures for approving residential construction projects in this state and to develop recommendations, including recommendations for best practices, for reducing amount of time necessary for approval.	Pre-session filed (at the request of House Interim Committee on Housing for Oregon Home Builders Association (OHBA))
<a href="#">HB 4064 EN</a>	Pending Governor signature	Relating to manufactured structures; and declaring an emergency.	Prohibits local governments from prohibiting siting of prefabricated structures in all residential zones.	Pre-session filed (at the request of House Interim Committee on Housing for Representative Pam Marsh)
<a href="#">HB 4065</a> <a href="#">INTRO</a>	Failed	Relating to housing developments.	Allows certain cities to adopt unique requirements and incentives for inclusion of affordable housing within certain housing developments.	Pre-session filed (at the request of House Interim Committee on Housing for City of McMinnville)

<a href="#">HB 4077 EN</a>	Pending Governor signature	Relating to environmental justice; and prescribing an effective date.	Renames Environmental Justice Task Force as Environmental Justice Council.	Presession filed (at the request of Governor Kate Brown for Office of the Governor)
<a href="#">HB 4079 INTRO</a>	Failed	Relating to programs to aid low-income adults; prescribing an effective date; providing for revenue raising that requires approval by a three-fifths majority.	Establishes Oregon Freedom Pilot Program in Department of Human Services to provide monthly stipends to low-income families.	Rep Witt (Presession filed)
<a href="#">HB 4092 EN</a>	Pending Governor signature	Relating to telecommunications; and declaring an emergency.	Modifies composition and duties of Oregon Broadband Advisory Council.	Rep Campos; Rep Dexter; Rep Evans; Rep Gomberg; Rep Grayber; Rep Hayden; Rep Helm; Rep Holvey; Rep Hoy; Rep Hudson; Rep Kropf; Rep Marsh; Rep McLain; Rep Nathanson; Rep Neron; Rep Owens; Rep Pham; Rep Power; Rep Prusak; Rep Reynolds; Rep Ruiz; Rep Sanchez; Rep Schouten; Rep Smith DB; Rep Smith G; Rep Valderrama; Rep Wilde; Rep Williams; Rep Witt; Rep Wright; Sen Armitage; Sen Beyer; Sen Dembrow; Sen Findley; Sen Frederick; Sen Golden; Sen Jama; Sen Lawrence Spence; Sen Lieber; Sen Manning Jr; Sen Patterson; Sen Prozanski; Sen Taylor (Presession filed)
<a href="#">HB 4104 INTRO</a>	Failed	Relating to workforce development; declaring an emergency.	Establishes Prosperity 10,000 Program to provide career coaching, occupational training and job placement services for at least 10,000 low-income job seekers most impacted by COVID-19 pandemic.	Rep Reardon; Rep Sosa (Presession filed)
<a href="#">HB 4139 EN</a>	Pending Governor signature	Relating to reductions of greenhouse gas emissions in the state's transportation system; and prescribing an effective date.	Requires Department of Transportation to establish program to reduce greenhouse gas emissions that assesses greenhouse gas emissions attributable to certain covered materials department uses in construction and maintenance activities for state's transportation system, conducts life cycle assessments for selected set of construction and maintenance activities and devises strategies for reducing greenhouse gas emissions.	Rep Dexter; Rep Evans; Rep Fahey; Rep Grayber; Rep Helm; Rep Holvey; Rep Hoy; Rep Kropf; Rep Moore-Green; Rep Nelson; Rep Noble; Rep Nosse; Rep Owens; Rep Pham; Rep Power; Rep Reardon; Rep Reynolds; Rep Salinas; Rep Sanchez; Rep Speaker Rayfield; Rep Williams (Presession filed)



<a href="#">HB 4141 A</a>	Failed	Relating to diesel fuel; prescribing an effective date.	Establishes Task Force on Renewable Diesel.	Rep Alonso Leon; Rep Campos; Rep Evans; Rep Helm; Rep Hoy; Rep Ruiz; Rep Sanchez; Rep Schouten; Rep Smith G; Rep Wilde; Sen Dembrow; Sen Hansell; Sen Patterson (Pre-session filed)
<a href="#">HB 4157 EN</a>	Passed	Relating to relief payments to low-income households; and declaring an emergency.	Directs Department of Revenue to establish and administer program to provide one-time assistance payments to low-income households to address negative economic impacts of COVID-19 public health emergency.	Rules (H)
<a href="#">HB 5202 EN</a>	Pending Governor signature	Relating to state financial administration; and declaring an emergency.	Appropriates moneys from General Fund to specified state agencies and Emergency Board for biennial expenses.	Ways and Means (J)
<a href="#">HCR 203 INTRO</a>	Failed	Declaring legislative intent to address risk to workers due to climate change impacts and climate hazards.	Declares legislative intent to address risk to workers due to climate change impacts and climate hazards.	Rep Alonso Leon; Rep Bynum; Rep Campos; Rep Dexter; Rep Helm; Rep Nelson; Rep Neron; Rep Pham; Rep Power; Rep Reynolds; Rep Ruiz; Rep Sanchez; Sen Frederick; Sen Patterson (Pre-session filed)
<a href="#">SB 1518 EN</a>	Pending Governor signature	Relating to building codes; and declaring an emergency.	Establishes Task Force on Resilient Efficient Buildings and specifies task force membership.	Pre-session filed (at the request of Senate Interim Committee on Energy and Environment)
<a href="#">SB 1519 EN</a>	Pending Governor signature	Relating to property tax exemption for community solar projects; and prescribing an effective date.	Grants property tax exemption for proportion of community solar project that is owned by residential customers or leased by residential subscribers.	Pre-session filed (at the request of Senate Interim Committee on Energy and Environment)
<a href="#">SB 1533 EN</a>	Pending Governor signature	Relating to wildfire; and prescribing an effective date.	Makes public education providers and federally recognized Indian tribes in Oregon eligible for certain grants related to cleaner air spaces and smoke filtration systems.	Pre-session filed (at the request of Senate Interim Committee on Natural Resources and Wildfire Recovery)
<a href="#">SB 1534 A</a>	Failed	Relating to biological carbon sequestration; prescribing an effective date.	Establishes state policy to increase net carbon sequestration and storage in natural and working lands .	Pre-session filed (at the request of Senate Interim Committee on Natural Resources and Wildfire Recovery)
<a href="#">SB 1535 INTRO</a>	Failed	Relating to housing.	Directs Housing and Community Services Department to study issues relating to housing and to report to appropriate committee or interim committee of Legislative Assembly on or before September 15, 2023.	Pre-session filed (at the request of Senate Interim Committee on Housing and Development)

<a href="#">SB 1536 EN</a>	Pending Governor signature	Relating to indoor temperature control; and declaring an emergency.	Limits restrictions on portable cooling devices in residences by landlords, homeowners associations, condominium associations and local governments.	Pre-session filed (at the request of Senate Interim Committee on Housing and Development)
<a href="#">SB 1537 INTRO</a>	Failed	Relating to housing cost impact statements.	Modifies requirements for housing cost impact statement required for adoption of certain rules.	Pre-session filed (at the request of Senate Interim Committee on Housing and Development for Oregon Home Builders Association)
<a href="#">SB 1545 EN</a>	Pending Governor signature	Relating to workforce development; and declaring an emergency.	Establishes grant programs in Higher Education Coordinating Commission to provide funding for workforce development activities that aim to increase access for priority populations to training opportunities in technology, health care and manufacturing and to workforce development services and benefits.	Pre-session filed (at the request of Governor Kate Brown for Office of the Governor)
<a href="#">SB 1558 EN</a>	Passed	Relating to transportation; and prescribing an effective date.	Provides that enhanced penalty for failure to use vehicle traction tires or chains applies to motor vehicles registered as commercial vehicles or registered as proportionally registered vehicles at time of offense.	Pre-session filed (at the request of Joint Committee on Transportation)
<a href="#">SB 1567 EN</a>	Pending Governor signature	Relating to energy infrastructure resilience; and prescribing an effective date.	Requires owners or operators of bulk oils and liquid fuels terminals located in Columbia, Multnomah or Lane County to conduct and submit to Department of Environmental Quality seismic vulnerability assessments.	Rep Alonso Leon; Rep Campos; Rep Dexter; Rep Evans; Rep Gomberg; Rep Grayber; Rep Helm; Rep Holvey; Rep Hudson; Rep Nathanson; Rep Nelson; Rep Nosse; Rep Pham; Rep Power; Rep Reardon; Rep Reynolds; Rep Ruiz; Rep Sanchez; Rep Schouten; Rep Witt; Sen Armitage; Sen Dembrow; Sen Frederick; Sen Gelser Blouin; Sen Gorsek; Sen Jama; Sen Lawrence Spence; Sen Manning Jr; Sen Patterson; Sen Steiner Hayward; Sen Taylor; Sen Wagner (Pre-session filed)

<a href="#">SB 1579 EN</a>	Pending Governor signature	Relating to a program to address economic inequity; and prescribing an effective date.	Directs Oregon Business Development Department to develop and implement Economic Equity Investment Program to award grants to organizations that provide culturally responsive services to support economic stability, self-sufficiency, wealth building and economic equity among disadvantaged individuals, families, businesses and communities in Oregon.	Rep Alonso Leon; Rep Bynum; Rep Campos; Rep Dexter; Rep Fahey; Rep Grayber; Rep Helm; Rep Holvey; Rep Kropf; Rep McLain; Rep Meek; Rep Nathanson; Rep Nelson; Rep Nosse; Rep Pham; Rep Power; Rep Reardon; Rep Reynolds; Rep Ruiz; Rep Schouten; Rep Sosa; Rep Valderrama; Rep Williams; Sen Armitage; Sen Dembrow; Sen Frederick; Sen Gelser Blouin; Sen Jama; Sen Lawrence Spence; Sen Lieber; Sen Manning Jr; Sen Prozanski; Sen Sollman (Presession filed)
<a href="#">SB 5702 EN</a>	Pending Governor signature	Relating to state financial administration; and declaring an emergency.	Establishes and modifies limits on payment of expenses from specified funds by certain state agencies for capital construction.	Ways and Means (J)
<a href="#">SB 5703 EN</a>	Pending Governor signature	Relating to state financial administration; and declaring an emergency.	Modifies amounts allocated from Administrative Services Economic Development Fund to state agencies.	Ways and Means (J)

# Tab 4

## **BOARD DECISION RESOLUTION 969**

### **ACCEPTANCE OF AUDITED FINANCIAL REPORT**

April 6, 2022

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#### **RESOLUTION R969 ACCEPTANCE OF AUDITED FINANCIAL REPORT**

**BE IT RESOLVED: That Energy Trust of Oregon, Inc., Board of Directors accepts the auditor's report on the financial statements, including an unmodified opinion, submitted by Moss Adams LLP for the calendar year ended December 31, 2021.**

Moved by:

Seconded by:

Vote:

Abstained:

Opposed:

**PINK PAPER**

# Finance Committee Meeting Notes

February 14, 2:00 p.m.

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**Board Attending by teleconference:** Susan Brodahl (Finance Committee Chair), Anne Root, Henry Lorenzen, Melissa Cribbins (ex officio)

**Board absent:** Roland Risser

**Staff attending by teleconference:** Pati Presnail (Finance Committee Staff Liaison), Amber Cole, Cheryle Easton, Debbie Menashe, Michelle Spampinato, Steve Lacey, Tracy Scott

## Others in attendance:

Chair Susan Brodahl called the meeting to order at approximately 2:00p.m.

## Preliminary 2021 Results (Tracy Scott, Pati Presnail)

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Tracy presented a summary of the preliminary 2021 efficiency program savings results, which are displayed in the attached tables. The electrics came in at 92-94% of goal, and the gas utilities came in 90-121% of goal. Tracy provided insights in the underlying causes for the variances. In the electrics, the non-lighting programs came in very close to goal, but lighting fell significantly short of goals. Tracy went on to explain the forecasting methods used in the past, which relied on customer feedback on projects. With supply chain and labor shortages customers may have less insight into project completion dates than in the past. Tracy described some of the ideas for improving forecasting going forward.

Henry presented an independent analysis he performed of Energy Trust levelized and first-year cost based on public reports of electric utility residential rate payer bases, and concluded we get different average results per residential rate payer and spend differently per unit on residential customers between the two utilities. He asked staff to review his analysis and if his method made sense, try to explain why expenditure is higher in PGE than PacifiCorp. Mike and Steve offered some off-the-cuff explanations about measure mix. Staff will review Henry's analysis and respond.

Pati presented and summarized the preliminary 2021 financial results. Total company expenditure is \$27.9 million less than budget, with 61% of that variance from incentives, 14% from program delivery contractors, and 10% in professional services. Net assets are \$33.7 million higher than budget, \$5.7 million from higher-than-budgeted revenue, \$27.9 million lower-than-budgeted expenditure, and \$107 thousand higher-than-budgeted investment income. Roughly half of this was anticipated in the forecast that was part of the 2022 budget.

Henry inquired about the effect on 2022 expenditure when carry over (net assets) are higher than planned. Pati responded that the carryover does roll over to the next year, and would be available to cover the projects that were delayed. Mike responded that where the PMC underperformed because of projects moving to the next year, he and Tracy are working on a plan to reset the goal, so the PMC will continue to acquire savings for new projects.

Pati reported that Community Solar has accumulated \$300,000 available to be transferred to development funding and asked the committee to advocate for a board resolution to approve the transfer. The committee discussed the process and agreed.

Pati summarized performance measures were in alignment for 2021 and cautioned that the staffing performance measure will be tight in 2022 because of the continued see-saw effect the vacation liability buildup and subsequent reduction has on staffing annual expense.

### **Discuss and review of analysis to extend New Building Program Management Contractor (PMC) agreement**

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Oliver Kesting, Sector Lead-Commercial, and Shelly Carlton, Senior Program Manager, recommend the extension of the current New Building PMC agreement with CLEAResult, Inc. This extension would be the final one-year extension permitted under the existing contract. Staff provided the committee with a detailed briefing paper to support their recommendation, noting that CLEAResult has satisfied the performance and savings criteria for extension as set forth in the agreement. Having reviewed the briefing paper, committee members agreed with staff's recommendation and will recommend the extension to the full board at its next meeting. Committee members continued to discuss Energy Trust's work in the New Buildings program. Staff responded to questions regarding Energy Trust's work to manage the program across for both gas and electric efficiency measures, how budget is allocated across the sectors and how funding can be adjusted across sectors to respond to market trends and customer uptake.

Staff will prepare a summary briefing paper for the full board's review in advance of its next meeting.

### **New Budget and Planning Process - Prototypes**

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Greg Stokes, Energy Trust Organization Development Manager, updated the committee on the work of the New Budgeting and Planning Process team. Greg summarized key themes heard from a variety of stakeholders interviewed in 2021, presented a high-level overview of proposed changes and asked the Finance Committee for input. There were no specific objections or concerns expressed regarding any of the proposed process improvements.

Susan expressed interest in reducing the 8-month span of time staff are involved in budgeting and planning each year, although questioned if now is the right time given that additional process changes are likely to come out of the HB 3141 discussions with the Utilities. Steve commented that key elements of these proposed changes will be discussed during the joint planning discussions with our Utility partners. These discussions are on track to conclude by the end of April which allow time to incorporate many of these elements into the process this year.

Henry raised a general question about the role of the Board. Although the Board has a clear role in setting high-level outcomes (and should not be "*too in the weeds*" on budgeting) there are significant policy decisions impacting budget allocations that the Board could play a more active role in. The Strategic Plan does not provide sufficient guidance. What is the appropriate level for the Board to be engaged? Henry expressed interest in having further discussions with staff on this question.

Steve reassured the committee that the proposed changes to the process will provide the Board with earlier engagement on significant policy matters such as cost-effectiveness and cost implications.



Susan asked that the new process also consider the risk of over allocating to residential and under cutting industrial. The committee discussed further, and Mike provided additional insights into the role of the program reserves. The committee agreed to continue to discuss this and gain further clarity.

### **Discuss the proposed Cooling Bill in Legislative Session**

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Mike informed the committee that there are three potential funding opportunities moving through the current short session of the legislature. They all represent all new funding opportunities outside our regular funds.

Hannah Cruz described for the committee the three legislative ideas or new funding opportunities in front of Energy Trust and have been asked to be engaged and provide input. In no particular order:

1. Supporting Tenants and landlords during extreme heating events; dubbed the Right to Cooling Bill and part of two heat relief bills the legislature is exploring. This is a 1 million dollar pass through of funds from ODOE to Energy Trust. OPUC is aware and monitoring this bill.
2. Providing electric water pump heater incentives. Energy Trust could receive up to 15 million dollars pass through funds from ODOE for consumers with a 15% administrative cap.
3. Upgrading HVAC systems in community gathering places like libraries and schools could receive up to receive up to 15 million dollars pass through funds from ODOE for consumers with a 15% administrative cap.

Staff will bring new funding opportunities to the Finance and Audit Committee for review as they develop.

### **Adjourn Meeting**

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Chair Susan Brodahl adjourned the meeting at approximately 4:13 p.m.

**Next meeting is March 29, 2022**

# Tab 5



# Compensation Committee Meeting Notes

February 15, 2022

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**Committee Members Attending by teleconference:** Roland Risser (Chair) and Mark Kendall

**Committee Members Absent:** Susan Brodahl

**Staff attending:** Amanda Sales (Staff Liaison), Cheryle Easton, Debbie Menashe, Mayra Aparicio, Michael Colgrove

**Others in attendance:** Ryan Christiansen (Cable Hill Partners), Tonya Hirte (Principal Financial), Nicolas Running (Principal Financial)

Committee chair Roland Risser called the meeting to order at approximately 2:00 p.m.

## Retirement Plan Update

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Ryan Christiansen from Cable Hill Partners provided a report on economic and market trends for Q4 2021. Ryan advised committee members that the Energy Trust retirement plan Quarterly Fiduciary Investment Report requires no action by the committee. The report does list a few funds on the investment watchlist but nothing that needed immediate action. The committee reviews the Quarterly Fiduciary Investment Report at each of their quarterly meetings.

Ryan and Tonya Hirte of the Principal reported on the Energy Trust retirement plan health, referencing a number of metrics including those regarding participation, contribution, diversification, and average deferral rate. On all dimensions, Energy Trust's plan is very healthy, with an overall health score of over 41.4%. The more typical plan health score is 20%.

Committee members asked questions about the Cable Hill score card methodology, and Ryan provided information. The scorecard focuses on eight quantitative measures and two qualitative measures, with scoring tailored for passively and actively managed funds. The quarterly packets provided to committee members provide information about the scorecard, and Ryan will present more background information at the next committee meeting if desired.

Ryan then provided a summary of the plan asset balances across all investment options. Assets of the Plan as of 12/31/21 were \$22,424,993.46, with 17.56% in Cash Alternatives, 12.80% in Fixed Income instruments, 16.88% in International/Global Equity, and 52.75% in U.S. Equity.

Ryan then introduced Nicolas Running, Retirement Plan Specialist, who will be working with Energy Trust and will be the first point of contact for Energy Trust staff with questions about their 401k plan investments.

Ryan and Nicolas then discussed Cable Hill's new fiduciary portal, *Fiduciary Briefcase*. This tool is a secure and robust shared file portal for documents and communications.

Tonya Hirte then reported on The Principal's recordkeeper services. Tonya advised the committee that plan lending is at a very low level relative to other similar plans. Tonya also described other Principal services such as employee education, and protecting participants access to their account information through two-factor authentication.

Finally, Tonya notified the committee that the Energy Trust plan documents must be restated in compliance with IRS rules. Principal will provide restated forms of the documents to Energy Trust in the next weeks.

Board members discussed the importance of providing education to Energy Trust employees on the importance of retirement savings. Energy Trust Director of Human Resources Amanda Sales advised committee members know that Cable Hill provides financial wellness seminars that are well attended. Amanda will prioritize recurring seminars to support employees.

Roland Risser then advised the committee that he will not be chairing the board's new Compensation & Human Resources Committee; he will be chairing another board committee. He expressed his thanks to Cable Hill, the Principal, staff, and committee members for their work in supporting Energy Trust's benefit plans.

### **Adjourn meeting**

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Chair Roland Risser adjourned the meeting at approximately 2:21pm.

**The first meeting of the Compensation & Human Resources Committee will be scheduled on March 29, 2022, 9:00-10:00 am.**

# Tab 6

# Board Decision Resolution 970

April 6, 2022



## RESOLUTION 970 AMEND THE BYLAWS OF ENERGY TRUST OF OREGON, INC.

### WHEREAS:

1. In 2021, the Oregon Legislature passed, and Governor Kate Brown signed into law, HB 3141. Among other things, HB 3141 revised existing statutory language regarding funding for energy efficiency program support and public purposes.
2. Section 2 of the Energy Trust bylaws currently reflect and restate statutory language revised by HB 3141 funds language and should be revised to be consistent with the revised statutory language.
3. Also in 2021, Energy Trust's board of directors undertook a review of its governance roles and responsibilities and structure. As a result of this review, the board seeks to update certain bylaw provisions to reflect current approaches and practices as indicated in the revisions proposed.
4. Energy Trust staff undertook an overall review of the bylaws for possible revisions in consultation with Nominating & Governance Committee.
5. Energy Trust's Nominating & Governance Committee reviewed staff's proposed bylaw revisions at its meeting on March 22, 2022, and recommended revisions to the bylaws as set forth in the proposed revisions as shown in the attachment to this Resolution 970.

It is therefore **RESOLVED** that the Energy Trust Bylaws be revised as set forth in the proposed revisions as shown in the attachment to this Resolution 970.

Motion by:

Seconded by:

Vote: In favor:

Abstained:

Opposed:

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**BYLAWS  
OF  
ENERGY TRUST OF OREGON, INC.**

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**SECTION 1  
NAME**

The name of the Corporation is Energy Trust of Oregon, Inc., an Oregon nonprofit corporation.

**SECTION 2  
PURPOSE AND POWERS**

2.1 Purpose. The Corporation is organized and shall be operated to ~~support plan for and pursue the development of~~ cost-effective ~~local energy conservation, market transformation energy conservation energy efficiency resources, and~~ renewable energy ~~resources and distribution system-connected technologies~~ for certain utility customers and such other purposes as are not contrary to the law.

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Commented [DGM2]: 757.612(1)(a)(A) and 757.612(3)(d)

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2.2 Powers. Subject to the foregoing purposes and the requirements of Internal Revenue Code section 501(c)(3), the Corporation shall have and may exercise all the rights and powers of a nonprofit corporation under the Oregon Nonprofit Corporation Act (the "Act").

**SECTION 3  
DIRECTORS**

3.1 Powers. The board of directors shall manage the business and affairs of the Corporation and exercise or direct the exercise of all corporate powers.

3.2 Number. The number of voting directors may vary between a minimum of five (5) and a maximum of thirteen (13), the exact number to be fixed from time to time by resolution of the board of directors. Additionally, the Oregon Public Utility Commission shall be entitled to appoint one "ex officio" member of the board of directors, which member shall have no vote but shall otherwise be afforded all the courtesies and rights of a member of the board of directors.

3.3 Election and Term of Office. Directors may be elected at any meeting of the board of directors by a majority vote of the directors then in office. Directors shall serve rotating three (3) year terms, so that no more than one-third (1/3) of the directors then in office have terms expiring in any year. Upon the expiration of their three (3) year term (except in the case of initial directors, whose terms may be shorter than three (3) years), directors' terms shall effectively end at the later of: (a) the next annual meeting of the board of directors following expiration of their term, or (b) when their successors have been elected and take office. Directors may serve for successive terms.

3.4 Resignation. Any director may resign at any time by delivering written notice of resignation to the President or Secretary. Such resignation shall be effective on

receipt unless it is specified therein to be effective at a later time, and acceptance of the resignation shall not be necessary. Upon the resignation of any designated director, the body who appoints or elects that director shall be immediately notified in writing by the Secretary of such resignation and a request shall be made for said director's immediate replacement.

3.5 Removal. Directors may be removed at any time, ~~with or without cause,~~ by the affirmative vote of seventy percent (70%) of the directors then in office, at any annual or regular meeting of the board of directors specifically called for that purpose. The notice of such meeting shall state that the purpose or one of the purposes of the meeting is the removal of the director or directors involved. At any meeting of the directors called for the purpose of removing any director(s), said meeting notice shall specify that the meeting is called for the purpose of considering the reasons for the removal and any director who is the subject of any such removal proceeding shall be afforded adequate opportunity to respond, in writing and/or by oral presentation, to any charges or allegations made in connection therewith.

**Commented [DGM3]:** 1961 recommends that Board Governance Guidelines be amended to provide more specificity on what "with cause" might mean. At an upcoming meeting, the Nominating & Governance Committee will consider a staff proposal for including a non-exhaustive list of reasons as part of proposed revisions to the Board Governance Guidelines policy document.

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3.6 Vacancies. Any vacancy occurring in the board of directors for any reason, including a vacancy resulting from the removal of a director or an increase in the number of directors, shall be filled by the approval of a majority of the directors then in office.

3.7 Compensation. Directors shall not receive compensation for their services. A director may receive reimbursement for actual and reasonable expenses incurred in performing his or her duties upon the approval of the board of directors.

3.8 Public Meetings. All duly called meetings of the board of directors shall be open to the public, except executive sessions and committees.

3.9 Annual Meetings. The annual meeting of the board of directors shall be held at a date, time, and place determined by the board of directors.

3.10 Regular Meetings. The board of directors may from time to time establish or call monthly or other regular meetings of the board, the specific date, time, and place to be determined by the board of directors.

3.11 Special Meetings. Special meetings of the board of directors may be called by the President or by any two directors.

3.12 Notice of Meetings. Written notice of the annual meeting of the board of directors shall be given at least 30 days before the meeting; written notice of any regular meeting shall be given at least ten days before the meeting; and, written notice of a special meeting shall be given at least 48 hours before the meeting. The notice shall in each case specify the date, time, and place of the meeting, and notice shall be sufficient if ~~emailed actually received~~ at the required time or if mailed not less than five days before the required time. Emailed notices shall be directed to the director's email address shown on the corporate records as provided by each director and shall be effective as of the date and time sent to such address. Mailed notices shall be directed to the director's address shown on the corporate records or to the director's actual address ascertained by the person giving notice, by United States mail, postage prepaid and shall be effective as of the postmarked date of the mailed notice. Except as otherwise required by law, the Articles of Incorporation, or these bylaws, neither the business to be transacted at nor the purpose of any meeting of the board of directors

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need be specified in the notice. Interested parties who are registered with the Corporation shall also be provided with notice of board of director meetings, on the same schedule as above.

3.13 Waiver of Notice. Whenever any notice is required to be given to any director, a waiver thereof in writing, signed by the director entitled to such notice, whether before or after the event specified in the waiver, shall be deemed equivalent to the giving of such notice. Furthermore, the attendance of a director at a meeting shall constitute a waiver of notice of such meeting, except where a director attends a meeting for the express purpose of objecting to the transaction of any business because the meeting is not lawfully called or convened.

3.14 Action Without a Meeting. Any action that is required or permitted to be taken by the directors at a meeting may be taken without a meeting if a consent in writing setting forth the action is approved by all of the directors entitled to vote on the matter. The action shall be effective on the date when the last signature is placed on the consent.

3.15 Meeting by Telephone or Virtual Conference. The board of directors may hold a meeting by conference telephone, virtual platform, or similar ~~equipment by~~ means of which all persons participating in the meeting can speak and hear each other. Participation in such meeting shall constitute presence in person at the meeting.

3.16 Quorum; Majority Vote. Unless otherwise provided in these bylaws or in the Articles of Incorporation, a majority of the number of directors in office at the time of a meeting of the board of directors shall constitute a quorum for the transaction of business at any meeting of the board of directors. The act of a majority of the directors present at a meeting at which a quorum is present shall be the act of the board of directors, unless a different number is required by law, the Articles of Incorporation, or these bylaws. A minority of the directors, in the absence of a quorum, may adjourn and reconvene from time to time but may not transact any business.

3.17 Presumption of Assent. A director who is present at any meeting of the board of directors shall be presumed to have assented to all actions taken at that meeting unless the director's dissent shall be entered in the minutes of the meeting, or unless the director shall file, with the person acting as the secretary of the meeting, his or her written dissent to the action before adjournment of the meeting. Such right to dissent shall not apply to a director who voted in favor of the action.

3.18 Special Board Advisor. There shall be a position named Oregon Department of Energy (ODOE), Special Board Advisor. The ODOE Special Board Advisor shall be entitled to provide a separate report at any regularly scheduled Energy Trust board meeting, to receive all directors' packet material (less confidential material), and to sit with the board during its regular public meeting sessions and strategic planning sessions, and comment on agenda items as the special advisor deems appropriate. The ODOE Special Board Advisor shall have no vote. The ODOE Special Board Advisor shall be appointed by the Director of the Oregon Department of Energy.

3.19 Executive Sessions: Executive sessions of the board of directors may be held at the request of the President or at the request of four board members, for the consideration but not decision of the following matters:

3.19.1 internal personnel matters

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- 3.19.2 participation in litigation, mediation or negotiations to settle a dispute; or discussions with counsel regarding potential litigation affecting a corporate choice of action
- 3.19.3 trade secrets, proprietary or other confidential commercial or financial information; or
- 3.19.4 information regarding negotiations whose disclosure would likely frustrate corporate purposes.

3.20 Notification: Whenever a matter is proposed for consideration in an executive session of the board, the meeting notice shall state the grounds for the executive session.

3.21 Movement of executive session matters to open meeting: During an executive session, any director may request that the matter under discussion be moved into an open meeting. Upon receiving such request, the chair will poll the directors present in the executive session. If a majority agree to move the matter into an open meeting, the chair will conclude the discussion and schedule the matter for consideration at the next open meeting of the board.

#### **SECTION 4 OFFICERS**

4.1 Designation. The officers of the Corporation shall be a President, one or more Vice Presidents, a Secretary, a Treasurer, and an Executive Director. Such other officers as may be deemed necessary may be elected by the board of directors and shall have such powers and duties as may be prescribed by the board. The same individual may hold two or more offices.

4.2 Election and Term of Office. Officers of the Corporation other than the Executive Director shall be elected annually by the board of directors at the annual meeting of the board of directors. Each officer so elected shall hold office until a successor is duly elected or until the officer's resignation, death or removal.

4.3 Resignation. An officer may resign at any time by delivering written notice of resignation to the President or Secretary. Such resignation shall be effective upon receipt unless it is specified to be effective at a later time. The board of directors may reject any postdated rejection by notice in writing to the resigning officer.

4.4 Removal. The board of directors may remove any officer (other than the Executive Director, whose tenure, salary and other terms of employment shall be governed by their employment agreement), with or without cause, by vote of the directors then in office, at any meeting of the board of directors. Removal shall be without prejudice to the contract rights, if any, of the person removed. Election of an officer shall not of itself create contract rights.

4.5 Vacancies. A vacancy in any office because of death, resignation, removal, or otherwise may be filled by the board of directors for the unexpired portion of the term.

4.6 President. The President shall preside at all meetings of the board of directors. The President shall have such other powers and duties as may be prescribed by the board of directors. The President shall also be a nonvoting ex officio member of any committee established pursuant to Section 5.

4.7 Vice President. The Vice President(s) shall perform such duties as the board of directors shall prescribe. In the absence or disability of the President, the President's duties and powers shall be performed and exercised by the Vice Presidents.

4.8 Secretary. The Secretary shall prepare and keep (or cause to be prepared and kept) the minutes of all meetings of the board of directors and any committees of the board of directors and shall have custody of the minute books and other records pertaining to corporate business. The Secretary shall give or cause to be given such notice of the meetings of the board of directors as is required by the bylaws. The Secretary shall be responsible for authenticating resolutions and other records of the corporation. The Secretary shall perform such other duties as may be prescribed by the board of directors.

4.9 Treasurer. The Treasurer shall supervise and monitor the finances of the Corporation, keep and cause to be prepared correct and complete books and records of account of the Corporation, and perform such other tasks as requested by the board of directors.

4.10 Executive Director. The Executive Director shall: (a) serve at the pleasure of the board; (b) execute contracts, agreements and other instruments consistent with the policies and directions of the board of directors; and (c) subject to board policies and resolutions, act as the Corporation's principal executive officer with general supervision, direction and control of the business and affairs of the Corporation.

## **SECTION 5 COMMITTEES**

5.1 Creation. The board of directors shall, by resolution adopted by a majority of the directors then in office, designate and appoint an Audit Committee. The board of directors may, by resolution adopted by a majority of the directors then in office, designate and appoint an Executive Committee and such other committees as may be deemed appropriate

5.2 Authority. Each committee appointed by the board of directors shall have and may exercise such powers and authority as may be conferred by the board of directors, but no committee shall in any event have the power or authority to (a) amend, alter, or repeal these bylaws or the Articles of Incorporation, (b) elect, appoint, or remove any director or officer, or (c) approve the Corporation's dissolution or merger, or any sale, lease, pledge, or transfer of all or substantially all of the Corporation's assets other than in the usual and regular course of the Corporation's business. The designation and appointment of any committees and the delegation thereto of authority shall not operate to relieve the board of directors or any individual director of any responsibility imposed by law. The board of directors shall have the power at any time to fill vacancies in, to change the size or membership of, and to discharge the Executive Committee and any other committee.

5.3 Audit Committee. Each calendar year, annual financial statements shall be prepared in accordance with generally accepted accounting principles, uniformly applied,

audited by an outside independent certified public accountant, and presented to the Audit Committee for review. The Audit Committee may also exercise such other powers and authority as may be conferred by the board of directors consistent with these bylaws.

5.4 Executive Committee. An Executive Committee, if formed, shall consist of the President and at least two other directors, and the President shall act as chairman of the committee. Between meetings of the board of directors, the Executive Committee may, subject to such limitations as may be imposed by resolution of the board of directors or applicable law, have and exercise all the power and authority of the board of directors in the management of the Corporation.

5.5 Other Committees. All other committees shall consist of at least two directors. The President shall be a nonvoting ex officio member of all other committees.

5.6 Advisory Councils on Conservation, Diversity, and Renewable Resources. The board of directors shall create separate advisory councils for (a) conservation, (b) diversity, equity, and inclusion, and (c) ~~for~~ renewable resources, to provide advice and resources to support the Corporation. The role of such advisory councils shall be, among other things, to ~~assist~~ advise the board of directors and the President in the development of a strategic plan and to ~~assist~~ advise the Corporation's staff with implementing key elements of the strategic plan, according to guidelines to be established by the board of directors.

5.7 Meetings. Members of committees shall meet at the call of the chair of the committee at such place as the chair shall designate after reasonable notice has been given to each committee member. Each committee shall keep minutes of its proceedings and within a reasonable time thereafter make a written report to the board of directors of its actions. Any action that may be taken by a committee at a meeting may be taken without a meeting if a consent in writing setting forth the specific action taken and signed by all members of the committee entitled to vote on the matter. The action shall be effective on the date when the last signature is placed on the consent.

5.8 Quorum. A majority of the members of a committee shall constitute a quorum for the transaction of business at any committee meeting, and any transaction of a committee shall require a majority vote of the quorum present at the meeting.

## SECTION 6 INDEMNIFICATION OF DIRECTORS AND OFFICERS

6.1 Generally. The Corporation shall to the fullest extent permitted by law indemnify any person who is or was a director or officer of the Corporation against any and all liability incurred by such person in connection with any claim, action, suit, or proceeding or any threatened claim, action, suit, or proceeding, whether civil, criminal, administrative, or investigative, by reason of the fact that such person is or was a director or officer of the Corporation, if such person acted in good faith and in a manner such person reasonably believed to be in or not opposed to the best interest of the Corporation, and with respect to any criminal proceeding such person had no reasonable cause to believe the conduct was unlawful. Liability includes reasonable attorneys fees and expenses, judgments, fines, costs, and amounts actually paid in settlement. The termination of any action, suit, or proceeding by judgment, order, settlement, conviction, or upon a plea of nolo contendere or its equivalent, shall not of itself create a presumption that such person did not act in good faith and in a

manner which such person reasonably believed to be in or not opposed to the best interests of the Corporation, and, with respect to any criminal proceeding, had reasonable cause to believe that such conduct was unlawful. The foregoing right of indemnification shall be in addition to and not exclusive of any and all other rights to which any such director or officer may be entitled under any statute, bylaw, agreement, or otherwise.

6.2 Actions by or in the Right of the Corporation. In connection with any proceeding brought by or in the right of the Corporation, the Corporation may not indemnify any person who is or was a director or officer of the Corporation if such person has been adjudged by a court of law to be liable to the Corporation, unless the court in which the action or suit was brought shall determine upon application that, despite the adjudication of liability, in view of all of the circumstances of the case such person is fairly and reasonably entitled to indemnity.

6.3 Self-Interested Transactions. The Corporation may not indemnify any person who is or was a director or officer of the Corporation in connection with any proceeding charging improper personal benefit to such person in which such person has been adjudged liable on the basis that personal benefit was improperly received by such person, unless the court in which the action or suit was brought determines upon application that, despite the adjudication of liability, in view of all circumstances of the case such person is fairly and reasonably entitled to indemnity.

6.4 Determination of the Propriety of Indemnification. The determination that indemnification is proper shall be made by the majority vote of a quorum consisting of the directors who were not parties to the proceeding or, if such a quorum cannot be obtained, by the majority vote of a committee, duly designated by the board of directors, consisting of at least two directors who were not parties to the proceeding. If there are not two directors who were not parties to the proceeding, the full board of directors shall select special legal counsel to determine whether indemnification is proper.

6.5 Evaluation of Expenses. An evaluation as to the reasonableness of expenses shall be made by the majority vote of a quorum consisting of directors who were not parties to the proceeding or, if such a quorum cannot be obtained, by the majority vote of a committee, duly designated by the board of directors, consisting of at least two directors who were not parties to the proceeding. If there are not two directors who were not parties to the proceeding, the full board of directors, including directors who were parties to the proceeding, shall evaluate the reasonableness of expenses.

6.6 Advance of Expenses. Expenses incurred with respect to any claim, action, suit, or other proceeding of the character described in this article may be advanced by the corporation prior to the final disposition of such proceeding if (a) the director or officer provides written affirmation to the Corporation of such person's good faith belief that such person satisfies the criteria for indemnification, and (b) the director or officer gives the Corporation a written undertaking to repay the advanced amount if it is ultimately determined that the director or officer is not entitled to indemnification under this article. The undertaking shall be a general obligation of the director or officer, but need not be secured and may be accepted by the board of directors without reference to the director or officer's financial ability to make repayment.

6.7 Insurance. The board of directors shall have the power to purchase insurance on behalf of any individual who is or was an officer or director of the Corporation

against liability asserted against or incurred by such individual arising out of such individual's status as a director or officer of the Corporation, whether or not the Corporation would have the power to indemnify such individual against liability under the provisions of this article.

## SECTION 7 CONTRACTS, LOANS, CHECKS AND DEPOSITS

7.1 Contracts. The board of directors may authorize any officer or officers, employees, agent or agents, to enter into any contract or execute and deliver any instrument in the name of and on behalf of the Corporation, and such authority may be general or confined to specific instances.

7.2 Loans. No loans shall be contracted on behalf of the Corporation and no evidence of indebtedness shall be issued in its name unless authorized by a resolution of the board of directors. Such authority may be general or confined to specified instances.

7.3 Checks, Drafts, etc. All checks, drafts or other orders for the payment of money, notes, or other evidences of indebtedness issued in the name of the Corporation shall be signed by such officer or officers, agent or agents of the Corporation and in such manner as shall from time to time be determined by resolution of the board of directors.

7.4 Deposits. All funds of the Corporation not otherwise employed, shall be deposited from time to time to the credit of the Corporation in such banks, trust companies, or other depositories as the board of directors may select.

7.5 Facsimile Electronic Signatures. Contracts and agreements of the Corporation, and endorsements, renewals, and amendments of the same, may be authenticated by ~~electronic facsimile of the~~ signature of a duly authorized officer of the Corporation in lieu of a ~~hard-copy~~ signature of such officer. ~~In the event of such authentication by facsimile signature, such contract or agreement shall be valid only if countersigned by an agent of the Corporation authorized to execute such type of contract or agreement.~~ The validity of any such contract or agreement shall not be affected in the event that the delivery of such document occurs after the officer whose ~~electronic~~ signature appears ~~by facsimile~~ is no longer serving as an officer of the Corporation by reason of death or any other cause.

## SECTION 8 CODE OF ETHICS

8.1 Generally. Officers, directors and staff of the Corporation shall at all times be mindful of their responsibilities to the Corporation to conduct its business fairly and honestly, and avoid personal financial activities that might compromise or reasonably create the appearance of compromising the Corporation.

8.2 Conflicts Disclosure. Annually, all officers, directors and non-administrative staff shall disclose in writing to the Corporation's chief legal counsel, on such forms and in such formats as shall be established by the directors, any relationships that may be deemed a "direct or indirect conflict of interest," as defined in section 65.361 of the Act, as may be amended and interpreted from time to time.

8.3 Review of Unusual Transactions. The board or a committee designated by the board shall review policies and procedures with respect to transactions between the

Corporation and its officers, directors, or affiliates of officers or directors, or transactions that are not a normal part of the Corporation's business.

8.4 Executive Director. The Executive Director shall ensure full, fair, accurate, timely and understandable disclosure in the Corporation's required periodic reports and compliance with applicable governmental rules and regulations.

8.5 Reporting Concerns. Any person who is concerned that a violation of this code of ethics has occurred may report such concern to a person or firm to be determined by the board.

### SECTION 9 AMENDMENT

The board of directors may amend or repeal these bylaws or adopt new bylaws by the affirmative vote of more than seventy percent of the directors then in office, at any meeting of the board of directors called for that purpose. The meeting notice shall state that a purpose of the meeting is to consider an amendment to the bylaws and shall contain a copy or summary of the proposed amendment.

The foregoing bylaws were duly adopted by the board of directors on the 31st day of March, 2001, revised on the 30th day of April, 2003, the 4th day of February, 2004, the 8th day of September, 2004, the 3rd day of November, 2004, the 6th day of April, 2005, the 14th day of December, 2005, the 9th day of April, 2008, and the 20th day of February, 2019.

\_\_\_\_\_  
Mark Kendall, Secretary

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# Nominating & Governance Committee Meeting Notes

March 22, 2022

Conducted via Zoom Teleconference

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**Board Members Attending:** Roland Risser (Chair), Anne Root, Anna Kim on behalf of Letha Tawney (Oregon Public Utility Commission ex-officio), and Henry Lorenzen (ex officio).

**Staff Attending:** Debbie Menashe (Staff Liaison), Michael Colgrove, Cheryle Easton, Tracy Scott, and Greg Stokes

Chair Roland Risser called the meeting to order at 1:01 p.m.

## **Director Vacancy Nomination Process**

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The Committee discussed the recruitment and selection process for the current director vacancy. Committee members reviewed the current board skills matrix document and a proposed vacancy announcement. Committee members agreed that the primary focus of the recruitment should be for financial and accounting experience in a prospective board candidate. Additionally, the committee wants to focus on diversity of thought, life experience and geography. Greg Stokes, Energy Trust Organizational Development Manager, was tasked with revising the proposed vacancy announcement to reflect the discussion. Once revised, Greg will circulate the revised announcement to committee members for review. Once finalized, the vacancy announcement will be circulated and the search process will begin.

## **Discussion of Energy Trust Bylaw Revisions to Reflect Board Governance and Structure Changes and New Legislation**

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The committee and Debbie Menashe, Director of Legal and Human Resources, reviewed and discussed proposed bylaw changes to (i) reflect the work of the board on governance and structure and (ii) 2021 legislation revising Energy Trust's energy efficiency funding authorization and scope of renewable resource program work. Committee members asked questions and provided feedback and suggested adjustments to the proposed revisions which will be incorporated by Debbie. At the conclusion of the discussion, committee members recommended that the revised bylaws resulting from the committee discussion be forwarded to the full board for approval at the board's next meeting.

## **Governance Policy Review Process**

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Debbie Menashe described a proposed approach for analyzing current board policies and considering new board policies from a board governance perspective. The calls for sorting current board policies into governance and operational based on factors identified at the last Policy Committee meeting. It also calls for sorting and revising policy language to ensure that a majority of board members would agree on any reasonable interpretation of that language. Board members discussed and supported this approach. At the committee's next meeting, committee members will apply this approach in review of proposed revisions to the existing 2.003.000\_P Board Governance Guidelines.

## **Adjourned meeting**

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The meeting was adjourned at 2:45 pm

**The next meeting of the Nominating & Governance Committee is scheduled for Thursday, April 7, 2022, at 1:00 p.m.**

# Tab 7

## Conservation Advisory Council Meeting Notes

February 16, 2022

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### Attending from the council:

Jeff Bissonnette, NW Energy Coalition  
Jake Wise, Portland General Electric  
Kari Greer, Pacific Power  
Rick Hodges, NW Natural  
Tina Jayaweera, NW Power and Conservation Council  
Alyn Spector, Cascade Natural Gas  
Andy Cameron, Oregon Department of Energy  
Lisa McGarity, Avista  
Anna Kim, Oregon Public Utility Commission  
Tyler Pepple, Alliance for Western Energy Consumers  
Becky Walker, NEEA

### Attending from Energy Trust:

Hannah Cruz	Jay Ward
Tracy Scott	Amanda Zuniga
Elizabeth Fox	Alexis Bright
Emily Findley	Amanda Potter
Debbie Menashe	Emma Clark
Cheryle Easton	Mia Deonate
Fred Gordon	Sue Fletcher
Elaine Dado	Cameron Starr
Shelly Carlton	MacKenzie Kurtner
Quinn Cherf	Tyrone Henry
Kate Wellington	Jessica Kramer
Steve Lacey	Andrew Shepard
Susan Jowaiszas	Ryan Crews
Amanda Thompson	Quinn Parker
Marshall Johnson	
Amber Cole	
Julianne Thacher	
Wendy Gibson	
Thad Roth	

### Others attending:

John Molnar, Rogers Machinery	Wendy Cutts, Cascade Energy
Alan Meyer, Energy Trust board	Alecia Dodd, CLEARResult
Lindsey Hardy, Energy Trust Board of Directors	John Karasaki, Portland General Electric
Andi Rex, Small Business Utility Advocates	Clark Fisher, Energy350
Brooke Landon, CLEARResult	Jenny Sorich, CLEARResult
	Chris Smith, Energy350

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## 1. Welcome and Announcements

Hannah Cruz, senior stakeholder relations and policy manager, convened the meeting at 1:30 p.m. via Zoom. The agenda, notes and presentation materials are available at [www.energytrust.org/about/public-meetings/conservation-advisory-council-meetings](http://www.energytrust.org/about/public-meetings/conservation-advisory-council-meetings).

Hannah opened with a summary of the agenda and led a round of introductions among the Conservation Advisory Council and board members present. Hannah introduced two new members joining the council. Andy Cameron is taking over for Roger Kainu and represents the Oregon Department of Energy. Andy has prior experience as an energy manager for Washington County, where he worked with facilities and parks. Jake Wise joins the council from Portland General Electric, taking over for former council member Jason Klotz. Jake has held several positions with Portland General Electric over the last three years, most recently as a community engagement manager in the diversity, equity and inclusion team.

## 2. Organizational updates

### *Topic summary*

Tracy Scott, director of energy programs, shared Energy Trust's preliminary annual results from 2021, including progress to achieving energy-saving goals. The official annual report will be available on April 15. Tracy reviewed energy efficiency and renewable energy results by fuel type and utility. She provided context that 2021 posed challenges due to supply chain disruptions and labor shortages stemming from the ongoing pandemic. Tracy explained that some shortfalls were due to project completion timelines shifting into 2022, but those are still in progress and will contribute to a strong pipeline for 2022.

### *Discussion*

The council asked when Energy Trust would present the final results to Oregon Public Utility Commission (Kari Greer). Energy Trust will submit its final annual report on April 15 and present the results to the commission in May.

### *Next steps*

Energy Trust's annual report to the Oregon Public Utility Commission will be available on April 15 and will be posted to Energy Trust's website.

## 3. Program Updates

### *Topic summary*

Program staff shared noteworthy program updates with the council.

Thad Roth, Residential sector lead, and Amanda Potter, Industry and Agriculture sector lead, provided an update on upcoming requests for proposal for program management contractors, which will be posted in the coming months. Both solicitations include a supplier diversity requirement, and the program management contractor needs to demonstrate how it will ensure at least 20% of the contract dollars are spent with firms that are certified by the Certification Office for Business Inclusion and Diversity (COBID). Both programs have also hosted informational webinars to help prospective bidders understand the programs, as well as a virtual networking event for prospective bidders and subcontractors to explore teaming opportunities.

Andrew Shepard, Residential senior project manager, gave an update on the development of on-bill financing for the Savings Within Reach offer in Avista territory. With on-bill financing, income-qualified customers can access low-interest financing through a participating lender and pay off the balance of their upgrade on their utility bill. For Avista customers, the lender is Puget Sound Credit Union. For the territories of other utilities that participate in this offer, Energy Trust will continue to work with lender Craft3.

### *Discussion*

Council members asked for more detail on the contracting diversity requirement featured in the two proposal requests. Staff clarified they are looking for program management contractors to weave Energy Trust's diversity, equity and inclusion expectations into their overall proposal and delivery. This should focus on expanding participation of communities of color, customers experiencing lower incomes and rural customers. Staff added that industrial and agriculture programs have historically focused on increasing service to rural small businesses but are now exploring ways to expand the focus to include more minority- and women-owned businesses.

A council member asked how on-bill payments would be applied for a customer whose bill has gone into arrears (Tina Jayaweera). Council members representing utilities confirmed that the customer's payment would be applied to their bill and billing deposit before being put toward the loan. Utilities would also not disconnect a customer due to nonpayment of the loan balance; the loan would be refunded to the lender in that case (Lisa McGarity, Kari Greer).

### *Next steps*

Staff will continue sharing updates with the council as the requests for proposals are released and the process moves forward. More information about on-bill repayment is available on Energy Trust's website.

## **4. Measure development updates and research priorities for 2022**

### *Topic summary*

Alex Novie, measure development manager, presented plans for measure development and related research happening in 2022 for 2023 program planning and budgeting. He reviewed the measure development process and its relationship to program design, explaining that measures may be designed to reach customers at different points in the decision-making process. Energy Trust typically finalizes new and updated measures each September and is inviting input from the council early in the process.

Existing measures being updated for homes and businesses include insulation, windows, heating, water heating and smart thermostats. New measures and offers being explored include residential direct install and no-cost measures, and enhanced offerings for affordable multifamily housing and small businesses. Energy Trust will explore topics like cooling appliances and extreme weather events in its research efforts.

### *Discussion*

The council asked about how this process will be affected if there is a transition to a new program management contractor this year, which may bring interesting ideas to the table (Tina Jayaweera). Staff responded that Energy Trust will be as flexible as possible. While transition planning includes steps to consider this, it will need to remain adaptive.

A council member asked how grid-interactive efficient buildings are reflected in this year's development work (Jake Wise). Staff explained that it is part of the business plan for the Regional Technical Forum, which Energy Trust supports and participates in. In addition, Energy Trust is also working on studies related to system planning, but they are efficiency focused. Energy Trust is looking at energy efficiency benefits that may come with other demand response capabilities and learning from others. The council added that another Regional Technical Forum project is looking at how to develop methodology to value the role of energy efficiency to support flexibility to the grid (Tina Jayaweera).

A council member asked if measure and research prioritization are open to change in response to the public purpose charge modernization law (Rick Hodges). Staff noted that the law has specific language about creating utility-specific budgets, and Energy Trust is figuring out what

that means and how it will impact the budget process. Measure development isn't expected to play into that since budgeting is done at the program level.

The council added that the energy industry is moving in the direction of focusing on grid-interactive efficient buildings and asked how Energy Trust will adapt to these market changes as it starts seeing more overlap between efficiency and other benefits like demand response (Kerry Meade). Staff gave an example of how Energy Trust is working with Portland General Electric on its Smart Grid Test Bed project to test marketing approaches to promote combined efficiency, demand response and renewable energy. Energy Trust is also subcontracting with Portland General Electric to target measures that have intersections with other demand-related benefits.

#### *Next steps*

Council members are encouraged to contribute measure or research ideas for Energy Trust to consider. The new and updated measures will be announced in September.

### **5. Update on heat pump cost-effectiveness exception request**

#### *Topic summary*

Alex Novie, measure development manager, presented an overview of a ductless heat pump cost-effectiveness exception granted by the Oregon Public Utility Commission for 2022-2024. This exception is for efforts in existing single-family, multifamily and manufactured homes to displace electric resistance heat and deliver multiple benefits to customers through trade allies and community partners. One application of the exception will be for Energy Trust to co-create a no-cost ductless heat pump pilot this year and work with community partners to lower energy burdens for customers experiencing lower incomes. One objective of the pilot is to deepen Energy Trust's knowledge about how to form relationships with other organizations to increase adoption of this technology by customers with higher energy burdens. The council was asked how it would like to be involved in these efforts.

#### *Discussion*

The council asked if the pilot is expected to have a cap on total installations (Kari Greer). Staff said there was a dollar cap of \$5 million over three years for the overall pilot. A council member expressed enthusiasm for the co-creation idea, noting that Pacific Power would like to be involved and supportive, as there is a large proportion of renter-occupied homes among their customers (Kari Greer). Staff stated ownership was not specified by the exception request.

The council noted that it is interesting that ductless heat pump measures struggle to achieve cost-effectiveness because savings can vary a lot based on the application. One member asked what nuances are being explored in this no-cost pilot (Tina Jayaweera). Staff said that there will be a focus on quality control and how to optimize savings performance. The ductless heat pump market is bigger than what Energy Trust has focused on specifically in the past. Through the pilot, it expects to gather information about how the conditions of where the technology is being installed can affect savings. Staff added that it's feasible for there to be other funding sources not related to energy efficiency, and Energy Trust is studying a pathway to find out how blended funding can be leveraged to do more. Staff noted savings could also end up being higher in these installation conditions, but Energy Trust can't claim that without knowing for sure through the pilot.

The council asked if the pilot would study savings from the cooling capacity of ductless heat pumps (Jake Wise). Staff explained that this is not a specific goal of the pilot, but staff does assume increased comfort from cooling as part of measure development. Energy Trust hopes to learn more about what is going on in these homes in terms of heating and cooling use and acknowledge some of its assumptions about cooling are likely to change quickly.

### *Next steps*

Council members are invited to share ideas and input about these efforts. Staff will continue bringing updates to utility coordination meetings and to the council as the pilot planning evolves and launches.

## **6. CAC recruitment**

### *Overview*

Hannah Cruz, senior stakeholder relations and policy manager, introduced an update that Energy Trust is proposing to modify its recruitment approach for Conservation Advisory Council and Renewable Energy Advisory Council this year.

The new process would include engaging the council to identify existing skillsets and gaps in desired skillsets. Hannah explained Energy Trust is interested in the council's feedback in refining and implementing the process, which is outlined in full in a memo included with the meeting materials.

The Conservation Advisory Council currently has 14 members, but there's potential for membership to include up to 18 members. Historically, the council has used a more informal recruitment process, but the proposal would be more similar to how the Diversity Advisory Council handles recruitment by using a skillset matrix and a robust outreach, review and selection process. The Energy Trust Board of Directors recent recruitment efforts and nomination process had similar elements. Hannah pointed out there are specific perspectives that would benefit the Conservation Advisory Council, including experience with rural communities, communities of color and customers experiencing lower incomes.

### *Discussion*

The council asked about the council's designated purpose (Becky Walker). Hannah explained the council is intended to advise the board to inform decisions about topics such as strategic planning and budgeting. For staff, the council provides a helpful perspective about experiences with customers in the market that informs proposals, pilots and research.

The council noted that geographic representation is valuable to ensure rural voices are considered. From a technical perspective, members with a climate-forward efficiency approach are desirable. Members stated the council should also seek members who can help view things through an environmental justice and community lens (Jake Wise). A council member added that including members who do not work in the energy efficiency industry could be helpful, but that may require extra work for staff to ensure understanding of the technical topics the council often discusses (Becky Walker).

An attendee said that this reframing of the recruitment process is important because it creates potential for Energy Trust to reach new communities or organizations it wouldn't typically engage with. The attendee added they have found council discussions valuable as they have helped shape their thinking (Lindsey Hardy).

The council stated that the council should look for members who have industry experience across sectors to ensure a balanced market perspective. A regular review cycle to assess skillsets is also worth considering (Tina Jayaweera).

A council member said that rural representation is desirable and expressed interest in broadcasting the opportunity. The member also shared they are supportive of stipends where appropriate (Andy Cameron).

### *Next Steps*

In the next two weeks, Conservation Advisory Council members are asked to complete a skills matrix and are invited to help broadcast the opportunity to their networks to promote awareness among a wider group.

## **7. 2022 State legislative update**

### *Overview*

Jay Ward, senior manager stakeholder relations and policy, presented on energy-related bills that are being monitored during Oregon's 2022 state legislative session. He provided a reminder that pursuant to its grant agreement, Energy Trust does not advocate, lobby or take positions on legislation, and its involvement is limited to monitoring and offering expertise on energy topics when requested. Jay mentioned Energy Trust recently revised the lens used to determine which bills to monitor.

Jay noted that a foundational element of this session is a high degree of change, including in the makeup of legislature in both the house and senate. Due to resignations and retirements, at the end of next session almost half of legislators will be relatively new. Staff identified 25 bills to monitor this session, including three that have a core connection to the organization and programs. These bills relate to building codes, cooling and extreme weather events and equity in clean energy.

### *Discussion*

The council asked about a bill that would create an environmental justice map (Jake Wise). Staff confirmed that bill is House Bill 4077.

### *Next steps*

Staff will continue sharing relevant outcomes from the legislative session with the council.

## **8. Public comment**

There was no additional public comment.

## **9. Adjournment**

The meeting adjourned at 4:30 p.m. The next Conservation Advisory Council meeting was to be scheduled for Tuesday, April 12, from 10:30 a.m. – 2 p.m. as a joint meeting with the Diversity Advisory Council and the Renewable Energy Advisory Council on 2023 organizational goal setting. That joint meeting will be cancelled. The next Conservation Advisory Council meeting will be scheduled at a date TBD.



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## Diversity Advisory Council Meeting Notes

February 15, 2022

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### Attending from the council:

Dolores Martinez, EUVALCREE  
Indika Sugathadasa, PDX HIVE  
Cheryl Roberts, African American Alliance for Homeownership  
Huong Tran, Bend small business owner  
Susan Badger-Jones, special projects consultant  
Rebecca Descombes, Native American Youth and Family Center  
Oswaldo Bernal, OBL Media  
Kheoshi Owens, Empress Rules  
Terrance Harris, Oregon State University  
Shane Davis, City of Portland

### Attending from Energy Trust:

Elaine Dado	Kenji Spielman
Elizabeth Fox	Khyati Shah
Alex Novie	Kirstin Pinit
Amanda Potter	Lenora Deslandes
Amanda Thompson	Lizzie Rubado
Amanda Zuniga	MacKenzie Kurtzner
Amber Cole	Mana Haeri
Ashley Bartels	Marshall Johnson
Bayoan Ware	Matt Getchell
Betsy Kauffman	Melanie Bissonnette
Cameron Starr	Mia Deonate
Caryn Appler	Mike Colgrove
Cheryle Easton	Ryan Cook
Dan Rubado	Sarah Castor
Dave McClelland	Shelly Carlton
Dave Moldal	Sletsy Dlamini
Emily Estrada	Sue Fletcher
Emma Clark	Susan Jowaiszas
Greg Stokes	Thad Roth
Hannah Cruz	Tom Beverly
Jeni Hall	Tracy Scott
Jessica Kramer	Tyrone Henry
Julianne Thacher	
Karen Chase	
Kate Wellington	
Kathleen Belkhat	

### Others attending:

Mark Kendall, Energy Trust board	Knowledge Murphy, Multnomah County
Lindsey Diercksen, LD Consulting	Victoria Lara, LD Consulting
Alder Miller, CLEAResult	Kwasi Boateng, Burch Energy
Chris Smith, Energy 350	Quinn Parker, Encolor Consulting
Greg Delgado, Causa Oregon	Shelly Beaulieu, Dragonfly Consulting

Ruchi Sadhir, State of Oregon  
Johnathan Budner, Franklin Energy  
Jake Wise, Portland General Electric  
Jenny Sorich, CLEAResult

Brook Landon, CLEAResult  
Anna Kim, Oregon Public Utility  
Commission

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## 1. Welcome, Agenda Review and Group Reflection

Tyrone Henry, Energy Trust diversity, equity and inclusion lead, convened the meeting at 9:00 a.m. The agenda, notes and presentation materials are available at Energy Trust's website at <https://www.energytrust.org/about/public-meetings/diversity-advisory-council-meetings/>.

Tyrone Henry started the meeting by reflecting on the contributions of black inventors, also mentioning Selma Burke, who sculpted the image of Franklyn Roosevelt used on the dime but didn't receive credit for her work.

## 2. Review goals, objectives and metrics in the 2022 DEI Plan

### *Topic summary*

Michael Colgrove and Tracy Scott discussed the 2022 DEI Plan. Energy Trust gathered input from the Diversity Advisory Council; Renewable Energy Advisory Council; Conservation Advisory Council; board ad hoc diversity, equity and inclusion committee; Hispanic Metropolitan Chamber; Oregon Native American Chamber and Existing Buildings community liaisons. Appendix A of the plan details specific input received. The plan doesn't currently present specific tactics as it focuses on the organizations with which Energy Trust wishes to engage. Major goals of the plan are to increase representation and readiness; shift and share leadership and power; increase community capacity; increase investment in BIPOC, low-income and rural communities; increase transparency and accountability; and deepen engagement in BIPOC, low-income and rural communities.

### *Discussion*

Council members discussed their experiences contracting or trying to contract with Energy Trust, including high effort required to secure contracts with the organization and receiving small contracts with few work orders given. If they don't achieve a high enough return on investment, the effort is not considered to be as valued (Oswaldo Bernal, Huong Tran). Members noted that dignity should be built into the plan (Kheoshi Owens, Huong Tran, Greg Delgado). Members stated that many companies meet supplier diversity contract goals but have to subcontract with minority and women-owned businesses to do so. They should meet the requirements on their own, instead of having to subcontract (Rebecca Descombes). Members pointed out that Energy Trust often uses the terms 'marginalized' or 'underserved' but needs to add 'by who' - in this case 'by Energy Trust'. The council stated that Energy Trust also seeks to share leadership and power externally but should also focus on increasing diversity in internal staff and leadership (Victoria Lara). Other attendees pointed out that requests for proposals are structured in a way that can make them inaccessible to minority firms – such as with insurance requirements (Lindsey Dierksen).

Members discussed budget authority, stating that white people have the final say in Energy Trust budget decisions. Staff explained that the budget is built from the ground up based on utility integrated resource plan goals. Energy Trust puts out requests for proposals and firms competitively bid on contracts. They must show that a portion of their costs focus on diverse staff or partners. There is a due diligence process and input is received from groups like the Diversity Advisory Council. Members added that Energy Trust should set aside a large fund for

contracts with people of color because white-owned businesses have received the majority of funding since 2002 (Kheoshi Owens). Members also discussed grants from white-led organizations and how they can be performative (Huong Tran). Staff pointed out that there's a need to look deeper when giving grants to organizations that have almost no minority staff or board members but claim to be focused on diversity.

Members noted Energy Trust needs to consider and meet the local capacity of communities ranging from rural to Latino. Communities across the state are not homogenous and needs are different between places like Hermiston and Ontario, for example (Greg Delgado). Members questioned why contracts need to be a competition, stating that competition is a white construct (Kheoshi Owens).

Council members expressed concern about the perceived progress, stating that after two years we are discussing goals but not seeing the accomplishments in real time. White counterparts receive hundreds of thousands of dollars in contracts while minority and women-owned firms only see small contracts and work orders. Members pointed out that there's a plethora of talent in the room, but the investment isn't seen. Talk is continual, then programs are rolled out that tend to look similar to the last (Cheryl Roberts). Members also pointed out that Energy Trust is a big organization to turn, and it takes time to do so. Early on, there was a nimble approach where a couple of phone calls could address a new opportunity and there is a need to set aside funding to do so again (Susan Badger-Jones).

Council members and staff discussed the need to internalize diversity, equity and inclusion goals, and a staff member stated that these discussions should also happen internally. More people of color are needed in key positions where decisions are made. Staff commented that utilities and municipalities have teams working on diversity, where Energy Trust currently has one person serving as diversity lead. There is a need to cultivate the diverse staff Energy Trust already has and foster participation. Staff noted Energy Trust has an affinity group, but it could benefit from additional direction.

Staff asked for recommendations in the areas discussed so more can be done, including how to diversify staff without the ability to hire several new staff and what a recommended model could look like. Staff noted that there's flexibility in procurement and asked if it has to be competitive if someone is qualified.

Members asked what professional development is provided to Energy Trust staff, stating that they are not in favor of losing staff to recruit more diverse staff members. Instead, Energy Trust staff should be given the tools they need to institutionalize diversity goals, so everyone meets them as part of their jobs and can be held accountable to them. A member asked what Energy Trust is willing to give up and what it hopes to gain in return (Kheoshi Owens). Staff noted it may mean less efficiencies - when a position is open, if a diverse candidate doesn't fill it, it may remain open longer at the cost of work being done, or the work may be split among other staff. Members also suggested more meaningful hiring questions that would demonstrate candidates' commitments and experience toward diversity goals (Huong Tran).

Attendees expressed appreciation for the intensity and honesty of the council's engagement and the opportunities to learn, along with the progress made so far, commenting that it's important to press on faster (Mark Kendall). Council members suggested using Energy Trust's influence on other organizations to help with permitting delays and navigating industry roadblocks (Indika Sugathadasa).

*Next steps*

Staff will share updates on the diversity plan on an ongoing basis.

**3. New Renewable Energy program requirements***Topic summary*

Betsy Kauffman provided an overview of new requirements under House Bill 3141 that 25% of Energy Trust's renewable energy budget go toward low- to moderate-income customers. The target group is defined as people earning no more than 120% of Oregon's median income. Energy Trust and the Oregon Public Utility Commission are currently defining what will count and not count toward this goal, along with what's in a gray area. Items that would count toward the 25% metric include Solar Within Reach projects, direct costs for low- and moderate-income programs, and allocated staff time. Items that are undecided include affordable multifamily buildings, low-income-focused community solar projects and projects for governments that serve low-income citizens.

There will be a stakeholder input process this spring to create longer-term guidelines. The Oregon Public Utility Commission is drawing up guidelines in phases, so there is information to work with now.

*Discussion*

Members asked how prepared Energy Trust is to meet this goal (Susan Badger-Jones). Staff explained that Energy Trust will need to work out what counts and doesn't count. Some areas will directly shift. Solar Within Reach, by itself, may satisfy the goal or come close (Betsy Kauffman).

A member pointed out that recent community engagements with Black, Indigenous and people of color (BIPOC) communities showed that being evicted is a big concern, because solar and other investments turn affordable housing into something more expensive. A council member asked what will prevent owners from evicting people or raising rent (Kheoshi Owens). Members added that they created a loan product with prosper Portland that will reduce the points on the loan if owners are accountable. Members suggested that they would like to see Energy Trust work with other organizations for wraparound services to help people get out of affordable housing, like programs to help people monitor their energy efficiency and receive direct incentives if they reduce energy usage (Kheoshi Owens).

Members stated that they applaud Energy Trust's partnership with Habitat for Humanity, but Community Solar isn't on the priority list. It's an investment in the landlords, adding value to a home that they rent out. It doesn't directly help the BIPOC community (Cheryl Roberts). Members pointed out that it's not easy to get solar because of deferred maintenance needing to happen first including new electrical panels, structural inspections, roof repairs and other investments. A council member stated that the question is around how much tenants are saving, realistically, and they are not building wealth (Cheryl Roberts). Staff replied that many low-income customers are renters and Energy Trust has engaged in many discussions about how to use funds to better serve them (Betsy Kauffman). Other attendees suggested that there can be engagement with landlords who use Energy Trust incentives to not raise the rent based on investments involving Energy Trust (Mark Kendall). A member replied that it has been tried in the past but there is no accountability. No one is watching the landlords and holding them to the agreement (Cheryl Roberts).

A member mentioned working with Tyrone Poole on an application that connects people to apartments for which they are eligible, saving application fees. There is also a solution for home

ownership. Energy Trust should be creative in how it invests money. A down payment is the biggest obstacle for most people (Kheoshi Owens).

*Next steps*

None

#### **4. Announcements**

Empress Rules has three cohorts coming up. One focuses on eliminating whiteness and includes personal, institutional homework to identify whiteness elements and take steps to remove them, as well as develop a process moving forward. The second is a project manager workshop to create excellent supervisors. The third is facilitation using an equity lens. All of them can be found on [www.empressrules.net](http://www.empressrules.net).

The Diversity, Equity and Inclusion Ad-Hoc Committee will meet with Energy Trust's board in two weeks. The topic will be moving forward and accelerating the rate at which the board develops its own cultural competency and diversity.

The Pacific Islander & Native American/Alaskan Native communities are hosting a COVID-19 vaccination and testing event at NAYA Family Center on Thursday, February 24 from 3 p.m. to 5:30 p.m. There will be food boxes and hot meals handed out, along with personal protective equipment and resources.

#### **5. Public Comment**

There was no additional public comment.

#### **6. Adjournment**

The meeting adjourned at 11:07 a.m. The next council meeting is scheduled for March 15, 2022, from 9:00 a.m. to 11:30 a.m.

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## Renewable Energy Advisory Council Meeting Notes

February 16, 2022

### Attending from the council:

Angela Crowley-Koch, Oregon Solar +  
Storage Industries Association  
Anna Kim, Oregon Public Utility  
Commission  
Jaimes Valdez, Portland Clean Energy  
Fund

Josh Peterson, University of Oregon  
Les Perkins, Farmers Irrigation District  
Max Greene, Renewable NW  
Tess Jordan, Portland General Electric

### Attending from Energy Trust:

Alexis Bright  
Alina Lambert  
Amanda Thompson  
Amanda Zuniga  
Amber Cole  
Bayo Ware  
Betsy Kauffman  
Cameron Starr  
Cheryle Easton  
Dave McClelland  
Dave Moldal  
Debbie Menashe  
Elaine Dado  
Elizabeth Fox  
Emily Estrada  
Emma Clark  
Gayle Roughton  
Hannah Cruz

Hannah Levy  
Ivy Draughon  
Jay Ward  
Jeni Hall  
Josh Reed  
Julianne Thacher  
Kesean Coleman  
Laura Schaefer  
Lizzie Rubado  
Matt Getchell  
Robert Wyllie  
Ryan Cook  
Steve Lacey  
Tracy Scott  
Tyrone Henry

### Others attending:

Alexia Kelly, Energy Trust Board  
Andi Rex, Small Business Utility Advocates  
Elee Jen, Energy Trust Board  
Jake Wise, Portland General Electric  
Kacia Brockman, Oregon Public Utility  
Commission

Ryan Harvey, Pacific Power  
Sheila Sahu, City of Beaverton  
Susan Brodahl, Energy Trust Board

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### 1. Welcome, Introductions and Announcements

Bayo Ware, project manager on the Renewables team, convened the meeting at 9:30 a.m. on Zoom. The agenda, notes, and presentation materials are available on Energy Trust's website at <https://www.energytrust.org/about/public-meetings/renewable-energy-advisory-council-meetings/>.



Bayo Ware welcomed Kesian Coleman to the renewables team, who will be working on various tasks related to implementing House Bill 3141 changes. Ryan Cook, program manager on the Renewables team, announced that the second offering of the Oregon Community Solar Program has been released. Energy Trust is a subcontractor to the program administrator for the Community Solar Program.

## **2. 2021 Annual Report Preliminary Results**

### *Topic summary*

Tracy Scott, energy programs director, provided an overview of the preliminary sector-level annual highlights from 2021, including progress to achieving energy generation goals. Renewables achieved 150% of the goal by utility and expects the residential market to continue to be strong in 2022 with equity offerings. In Solar Within Reach offerings, there were five times as many installations in 2021 compared to 2020. Commercial operation of the 600-kW cogeneration project at the Tri-City wastewater recovery facility was achieved in 2021, along with a significant amount of project development assistance incentives distributed in the Other Renewables program.

### *Discussion*

Members asked for more information on Solar Within Reach projects, including the number of projects, and demographic and geographic information of customers (Tess Jordan, Jaimes Valdez). Understanding barriers to participation in Solar Within Reach may be informative for future low- and moderate-income program design in the future (Jake Wise).

### *Next steps*

Staff will be providing additional information on Solar Within Reach projects at an upcoming Renewable Energy Advisory Council meeting. The official 2021 Annual Report will be posted online April 15 and submitted to the Oregon Public Utility Commission and Energy Trust's Board of Directors.

## **3. Program Guidelines for Meeting 25% Low- and Moderate-income Requirement**

### *Topic summary*

Betsy Kauffman, sector lead for renewables, presented planned guidelines for the new requirement that the sector spend 25% of renewable public purpose funds to serve low- and moderate-income customers. Items that would count toward the 25% metric include Solar Within Reach projects, direct costs for low- and moderate-income programs, and allocated staff time. Items that are undecided include affordable multifamily buildings, low-income-focused community solar projects and projects for governments that serve low-income citizens.

### *Discussion*

Members suggested that multifamily buildings be included, as there are many federal barriers to putting solar on housing that Energy Trust could assist with mitigating (Angela Crowley-Koch). Members support community Solar project assistance, especially for those projects that provide more than the 40% discount for low-income subscribers that are mandated in the second offering of the Community Solar program (Angela Crowley-Koch). There is a legal obligation to set money aside for low-income offerings, but Energy Trust will still fund other projects (Anna Kim). Attendees asked for clarification on the demographic information where most of the low-income residents live who participate in Community Solar (Elee Jen). Staff clarified that projects are built in Pacific Power, Portland General Electric or Idaho Power territory and that all projects have a 10% minimum low-income requirement. The 25% requirement is the floor - not a ceiling,

and staff seeks to find ways to serve low-income customers to ensure that this is not exclusively a moderate-income program.

*Next steps*

Staff will have additional conversations regarding the offerings that count toward the 25% minimum.

#### **4. City of Beaverton Sexton Mountain PRV Hydro Project**

*Topic summary*

Josh Reed, project manager for Other Renewables program, presented a review of a net-metered pressure reduction valve hydropower project proposed by the City of Beaverton at the city-owned Sexton Mountain Pump Station. This distributed renewable energy generation project is estimated to produce about 346 MWh per year and is designed to offset a portion of the pump station's electrical load. The renewables sector is proposing an incentive of \$450,000 to be paid in two installments, one at commercial operation and the second payment 12 months later with a required generation threshold. The incentive offer would be conditioned in a 20-year funding agreement between the City of Beaverton and Energy Trust. In alignment with Energy Trust's renewable energy certificate (REC) policy, all environmental attributes (i.e., RECs) from the project would remain with the City of Beaverton. The 90-kW pump-as-turbine, which would be constructed in the city's municipal water delivery system, would assist the city in achieving its climate goals.

*Next steps*

Other Renewables staff will coordinate with Energy Trust's legal department and the City of Beaverton to draft a funding agreement.

#### **5. State Legislative Updates**

*Topic summary*

Hannah Cruz, senior stakeholder relations and policy manager, presented a group of bills that staff are monitoring in the short state legislative session. Staff are focused on monitoring bills that impact Energy Trust's funding, are related to efficiency and renewable energy programs, impact the customers we serve or apply to the organization's annual goals and strategic objectives. Bills of interest include Senate Bill 1518 that would allow local governments the ability to set minimum construction codes at the level of the Oregon Reach Code, a statewide optional energy construction standard approved by the Building Codes Division. This bill has since been modified and now establishes a resilient, efficient building task force. House Bill 4058 and Senate Bill 1536 relate to supporting Oregonians during extreme weather events. House Bill 4059 and Senate Bill 1519 relate to renewable energy, including modifying contractor labor standards and establishing a property tax exemption for certain Oregon Community Solar projects, respectively. House Bill 4077 renames the Environmental Justice Task Force and Senate Bill 1579 would provide funding to award Economic Equity Investment grants.

*Discussion*

None.

*Next steps*

Staff will continue to monitor proposed legislation. The state legislative session must conclude by March 7.

#### **6. Renewable Energy Advisory Council Recruitment**

*Topic summary*

Betsy Kauffman presented a modified recruitment approach and is seeking feedback from council members. The new approach would identify existing skillsets on the council and seek to fill gaps in desired skillsets with an open solicitation for new members. The proposed changes would align with the current recruitment process of the Diversity Advisory Council and would lead to a more credible and inclusive recruiting process. Council seats could have terms moving forward, as well as membership reserved for certain organizations and potential stipends. These broader questions are not addressed in the current recruitment process, but staff are interested in hearing the council's thoughts on them.

*Discussion*

Staff noted that currently, the council is missing a rural community perspective. Members agreed that a more formal recruiting process would be beneficial and would help with diversifying the council, including having perspectives present from more rural communities (Alexia Kelly, Jaimes Valdez, Josh Peterson). Members commented that stipends should be confidential and requested but not necessary for all members (Alexia Kelly, Jaimes Valdez, Max Greene) and tribal members should be prioritized (Jaimes Valdez). A skills matrix tool has been created and will be available for Renewable Energy Advisory Council and Conservation Advisory Council members to complete. An attendee noted the skills matrix may be augmented to include distribution system-connected technology with the passage of House Bill 3141 (Jake Wise). An attendee also noted that the Board of Directors relies on the advisory committees as subject matter experts, so it is also important to keep in mind that they should have deep knowledge in the subjects pertaining to their committees (Susan Brodahl). Members suggested keeping meetings virtual, with occasional in-person meetings in various parts of the state to encourage wider participation (Josh Peterson).

*Next steps*

Staff will distribute the skills matrix for Renewable Energy Advisory Council members to complete in the next few weeks.

**7. Public Comment**

No public comment.

**8. Adjourn**

The meeting adjourned at 11:28 a.m.