



Attachment 4 – Meeting Minutes:

Board of Directors Meeting

Wednesday, February 15, 2017

6:00 pm

City of Hayward Council Chambers

777 B Street, Hayward, CA

MEETING AGENDA

Meetings are accessible to people with disabilities. Individuals who need special assistance or a disability-related modification or accommodation to participate in this meeting, or who have a disability and wish to request an alternative format for the meeting materials, should contact Bruce Jensen, Senior Planner at the County of Alameda, at least 2 working days before the meeting at (510) 670-5400 or Bruce.jensen@acgov.org.

If you have anything that you wish to be distributed to the Board please hand it to a member of EBCE staff who will distribute the information to the Board members and other staff.

The live proceedings may viewed remotely on Youtube at the City of Hayward Live Stream beginning at 6 pm:

<https://www.youtube.com/watch?v=fZieTEmz--o>

Video programs can also be found the day following the meeting at the following web address: <http://www.acgov.org/cda/planning/meetings/broadcast.htm> (Scroll down to East Bay Community Energy Meetings and click “Audio.”)

1. Roll Call

2. Oath of Office

For Directors and Alternates not in attendance on January 30, 2017

3. Approval of Agenda

Motion to approve the agenda was made by Member Arreguin. The motion was seconded by Member Mendall and carried 11/1; Excused: Vice-Chair Kalb

4. Public Comment

This item is reserved for persons wishing to address the Board on any EBCE-related matters that are not otherwise on this meeting agenda. Public comments on matters listed on the agenda shall

be heard at the time the matter is called. As with all public comment, members of the public who wish to address the Board are customarily limited to two minutes per speaker, but an extension can be provided at the discretion of the Chair.

CONSENT AGENDA

5. Approval of Minutes from January 30, 2017 Board Meeting

Member Spedowfski motioned to approve the minutes with corrections. The motion was seconded by Member /Biddle and carried 11/0; Excused Vice-Chair Kalb

REGULAR AGENDA

6. County Staff update

- **Bid challenge status**

County staff has received letters of protest for RFP CCA-16-1. Staff will process appeals and report back to Alameda County Board of Supervisors with their findings. Due to the Protest process, a 2017 launch date may be unattainable.

- **Gantt (Timeline) Chart**

In response to a request by the Board, Staff and the consulting team prepared a timeline of events. Staff requested that the timeline be allowed to play out in order to meet the tight schedule.

Consultant Shawn Marshall explained that the timeline had been sectioned into critical path steps and that each step had several parts. The overlap of the bid challenge and the implementation plan development would run from the end of February into March. The implementation plan is the statutory required document stating that the EBCE CCA exists and allowing a number of steps to occur once the CCA is certified.

The California Public Utilities Council (CPUC) has 90 days to certify the plan. If EBCE were to submit a plan by the end of April they may be able to start procurement by June. The Implementation plan must be approved at a hearing before it can be presented to CPUC. The current timeline includes little leeway.

Positive and negative implications were identified if the timeline did not meet the October 2017 deadline.

Positive:

- Issuing Request for Purchase of power in 2017 to launch by Spring 2018
- Allows the CCA to roll in the interested Contra Costa County cities
- The summer tariff schedule ends in October making revenue higher in the first 6 months of operations

Negative

- Extending the time may drain the implementation budget
- Unsure of what the market will be like in 2018 or how it will affect rates

Community Development Agency (CDA) Director, Chris Bazar stated that if the deadline were pushed back there are local providers that have shown interest and may be an ideal fit for procurement in 2017. The Board would then be engaged and able to award contracts to meet the launch date.

- LDBP bid status

Staff initiated the process and received bids from 5 qualified vendors. There are 3- Small Local and Emerging Business (SLEB) firms and 2 non SLEB firms. The interviews will take place 2/16/17.

- Community Advisory Committee Update

Staff has sent the committee application to the EBCE mailing list of over 1000 individuals, started collecting nominations and identified the 5 person vetting committee who will select nominees. The first meeting could occur in late March or early April.

- Board Committees and Subcommittees

Staff recommends that the Community Advisory Committee be established and running before any other committees or subcommittees are created.

- CEO search/HR support

Staff is working on the CEO recruitment process with the County's Human Resource Services agency with a goal to hire the CEO by April. Staff is also considering if an Ad Hoc committee should be created to assist in the hiring of other EBCE staff

Consultant Shawn Marshall suggested a hybrid solution with a search firm advertising the position to tap into some of the firm's resources and contacts. Hiring a firm to do the recruitment would add more months to the timeline due to the Request for Proposal process

Jessica Tovar – Requested that the application date be extended to 3/8/17 and if the potential committee members would be allowed an alternate. Ms. Tovar also suggested that the application categories Environmental/Energy Advocate be split into two categories.

The Board saw no issue with extending the Advisory Committee application due date to 3/8/17. The Advisory Committee process has no conflict with the current EBCE deadlines

Member Pilch expressed concern over not allowing the Advisory Committee to have alternates and Vice-Chair Kalb suggested that the Advisory Committee be allowed to run for a few meetings and the need for alternates can be determined at that time.

Chair Haggerty and staff saw no need to separate the Environmental/Energy Advocate and suggested that the box be checked and either Environmental or Energy be circled.

Member Arreguin requested that applicants be able to attach a resume or any supplemental information, including letters of support.

Frank Burton - Requested that the “Rate payer” category be removed due to all applicants being rate payers.

Chair Haggerty stated that someone from the general public may choose to be recognized as only a rate payer.

Barbara Stebbins - Stated she would also like to remove the “Rate Payer” category. Ms. Stebbins also stated that she would like all the applicants to be actual members of the stakeholder group and likes the idea of applicants adding letters of recommendation to their applications. She would also like for the Advisory Committee to weigh in on the EBCE CEO hiring process.

Member Arreguin requested that “please attach a resume, or any supplemental information including letters of support regarding qualification be added to the statement box on the application.

Staff will communicate the updates to the applicants that have already submitted their application. .

7. Approve Treasurer/Auditor and Board Secretary

Alameda County Auditor – Controller Steve Manning was selected to serve as the interim Treasurer/Auditor.

Vice-Chair Kalb stated that he had no objection to Mr. Manning serving as both the Treasurer and the Auditor, but would like to see the permanent positions separate from each other to avoid any possible conflicts.

Mr. Manning stated that his intention was to have his office provide the accounting services and would recommend contracting a separate Auditor.

Member Mendall motioned to approve Steve Manning as the Treasurer/Auditor and Stephanie Cabrera as the Board Secretary. Member Biddle seconded the motion which carried 12/0

8. Elements of a CCA Implementation Plan – Informational Item

- Implementation Plan required for CPUC Approval (Slide Show)

Presented

Kevin - Spoke regarding Photon Power's interest to partner with the EBCE, current programs offered and projects that are underway.

9. Approve New Member Terms and Response to Contra Costa County

- (Slide Show)

Presented

CDA Director Chris Bazar stated that the County received a formal request for information from Contra Costa County. A response letter to Contra Costa County has been drafted outlining the process, cost (there will be no cost to join) and the proposed 6/30/17 deadline to opt-in.

Contra Costa County communities can be seated after the second reading of their Community Choice Aggregation Ordinances and the Joint Power Authority agreement is approved and signed by each one.

Staff has been in contact with Contra Costa County and the individual cities as well. The Board discussed ways to present to Contra Costa county which included:

- A standard powerpoint that can be presented by any EBCE Board member
- Reaching out to Contra Costa Board of Supervisors
- Internal communications outlining which cities have already been contacted, an information cheatsheet and email follow-up with Board members
- Attending City and County meetings; and
- How to reach out to cities that are already a part of Marin Clean Energy (MCE)

The cities that are already a part of MCE:

- Richmond
- Walnut Creek
- Lafayette
- El Cerrito
- San Pablo

Barbara Stebbins – Expressed concern over how Contra Costa County can be added with such a tight schedule and how would it affect the Advisory Council.

Chair Haggerty stated that EBCE would add Contra Costa representatives to the Advisory Council.

Jessica Tovar – Reminded the Board that the Advisory Committee language would need to be updated to include more representatives

Carol Weed – Spoke regarding the need to start presentations in Contra Costa County, requested a definition of what a Local Build out would mean in Contra Costa and gave a summary of the MCE presentation process.

The Board stated the need to be informed of the meetings that have already happened and when the Mayors' conference is scheduled to take place. The Board also discussed the need to present in advance of the 6/30/17 deadline which is later than the MCE deadline.. If Contra Costa County chooses to join, the meetings will then have to rotate between the two counties and the agendas tailored to discuss local topics.

Member Arreguin motioned to approve the response letter to Contra Costa County. Vice-Chair Kalb seconded the motion which carried 12/0

10. Approve Regular Meeting Location, Time and Schedule

- Recommend 1st and 3rd Wednesdays at 6 pm in Hayward, except as noted in Staff memo calendar

Chair Haggerty shared concern over the \$700 per meeting cost of the facility. CDA Director- Chris Bazar informed the Board that he had directed his staff to contact Hayward and work on the cost per meeting. He also suggested other County sites that would be free of charge.

Chair Haggerty expressed interest in other County facilities if the cost for the room was non-negotiable.

The Board discussed different meeting schedule options and agreed to keep the current schedule of 2 meetings per month with the ability to cancel the second meeting if it was unnecessary. The meetings will continue to start at 6:00 p.m.

Member Martinez motioned to approve the Regular Meeting location, time and schedule. Member Mendall seconded the motion which carried 12/0

11. Board Member and Staff Announcements –

Member Arreguin wanted to acknowledge his alternate, Council Member Sophie Hahn in the audience.

12. Adjourned – 8:18pm