



DRAFT

SUMMARY MINUTES

Board of Directors Meeting

Wednesday, February 28, 2018

7:00 pm

City of Hayward Council Chambers

777 B Street, Hayward, CA

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1. Welcome & Roll Call

The Chair announced that Director Don Biddle passed away on Wednesday, 2/21/18 and requested a moment of silence.

Present: Arreguin (Berkeley), Cavanaugh (Piedmont), Donahue (Emeryville), Mendall (Hayward), McQuaid (Albany) Singh (Union City), Thomas (San Leandro), O’Neil (Community Advisory Committee), Vice-Chair Kalb (Oakland); and Chair Haggerty (Alameda County)

Excused: Haubert (Dublin), Bacon (Fremont), Spedowfski (Livermore)

2. Pledge of Allegiance

3. 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 three minutes per speaker.

Al Weinrub – Spoke regarding BRILLIANT 100 product compositions and requested that the Board reconsider the energy sources.

CONSENT AGENDA

4. Approval of Minutes from February 7, 2018

Continued from Wednesday, 2/21/18 (Item #4)

5. Approval of Terms and Conditions of Service

Approve EBCE customer Terms and Conditions of Service.

Continued from Wednesday, 2/21/18 (Item #5)

6. Appointment of Chief Operating Officer as EBCE Treasurer (Action Item)

Adopt a Resolution appointing Howard Chang, Chief Operating Officer, as Treasurer of the East Bay Community Energy.

Continued from Wednesday, 2/21/18 (Item #9)

R-2018-11

7. Procurement Delegation and Standard Power Purchase Agreements and Confirmations (Action Item)

Adopt a Resolution to:

- A. Delegate authority to the Chief Executive Officer (CEO) to enter into Approved Product transactions as defined in Appendix 6 of the Energy Risk Management Policy (ERM) in accordance with the Authorized Approved Product Transaction Limits set forth in Appendix 4 of the ERM, to secure energy supply agreements that meet power content requirements for Bright Choice and Brilliant100, to meet EBCE's approved customer discount, and to enter into such other supply arrangements for the benefit of the customers of East Bay Community Energy consistent with the requirements of the ERM;
- B. Grant the CEO authority to enter into Approved Product Transactions for a term of up to 60 consecutive months from the calendar month following the date of the transaction ;
- C. Delegate authority to the CEO to execute Confirmations for Approved Product transactions, as needed, in accordance with the requirements of the ERM; and
- D. Delegate authority to CEO to execute Master Agreements with additional suppliers, as needed, in accordance with the requirements of the ERM.

Continued from Wednesday, 2/21/18 (Item #13)

R-2018-13

8. Extension of contract with Energy and Environmental Economics (Action Item)

Adopt a Resolution authorizing the CEO to execute a contract amendment with Energy and Environmental Economics (E3) to provide analytical support for energy procurement, energy market analysis and integrated resource planning, increasing the contract to a not to exceed amount of \$250,000 and extending the term through December 31, 2018

Director Mendall motioned to approve items: 4, 6, 7, 8 and 9. Director Thomas seconded the motion which carried 8/0; Excused: Directors: Bacon, Haubert, Spedowfski and Vice-Chair Kalb

REGULAR AGENDA

9. Authorization to Execute Revolving Credit Agreement with Barclays Bank PLC (Action Item)

Adopt a Resolution authorizing the Chief Executive Officer to execute a revolving credit agreement with Barclays Bank PLC to provide start-up capital prior to launch and credit for power procurement. The revolving credit facility will provide up to \$50 million of capital over a term of 3 years with flexibility to terminate the facility without penalty after 1 year.

Continued from Wednesday, 2/21/18 (Item #8)

R-2018-3

Director Arreguin motioned to Authorize the CEO to execute a revolving credit agreement with Barclays Bank PLC. Director Mendall seconded the motion which carried 9/0; Excused: Directors: Bacon, Haubert and Spedowski

10. Approval of Initial NEM Policy (Action Item)

Adopt a Resolution approving staff proposal for initial Net Energy Metering (NEM) Policy. Amend policy, as necessary, after finalization of Local Development Business Plan. **Continued from Wednesday, 2/21/18 (Item #10)**

The Board Discussed:

- **NEM incentives**
- **Phase 1 customers**
- **Ability to amend policy once LDBP is completed**

R-2018-12

Barbara Stebbins – Spoke in opposition of recommended NEM adders and recommended other community benefit adders be considered.

Director Mendall motioned to Approve the Initial NEM Policy. Director Kalb seconded the motion which carried 9/0; Excused: Directors: Bacon, Haubert and Spedowski.

11. Board Member and Staff Announcements

The Chair thanked the Board Alternates for attending the meeting.

Staff announced the Executive committee meeting will be held on the 4th Friday of the month at 12:00pm, location TBD.

12. Adjourned – to Wednesday, March 21, 2018. Location: City of Hayward,
Council Chambers
777 B street
Hayward CA