



Board of Directors Meeting

Wednesday, October 17, 2018

6:00 pm

City of Hayward
Council Chambers
777 B Street,
Hayward, CA 94544

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 the Clerk of the Board at least 2 working days before the meeting at (510) 736-4981 or Scabrera@ebce.org.

If you have anything that you wish to be distributed to the Committee, please hand it to the clerk who will distribute the information to the Committee members and other staff. Please bring at least 15 copies.

1. Welcome & Roll Call

2. Pledge of Allegiance

3. Appoint Labor Negotiators (Action Items)

Appoint the following Board members as Labor Negotiators:

- A. Chair Haggerty;
- B. Vice-chair Kalb; and
- C. Director Martinez

4. Closed Session

- A. PUBLIC EMPLOYEE PERFORMANCE EVALUATION under California Government Code Section 54957: Performance Evaluation of Chief Executive Officer
- B. CONFERENCE WITH LABOR NEGOTIATORS under California Government Code section 54957.6, EBCE Designated Representatives: Scott Haggerty, Dan Kalb, Diane Martinez, Unrepresented Employee: Chief Executive Officer
- C. CONFERENCE WITH LEGAL COUNSEL--ANTICIPATED LITIGATION Significant exposure to litigation pursuant to paragraph (2) of Subdivision (d) of California Government Code Section 54956.9 -- one case.

5. General Counsel report out of Closed session

6. Public Comment

This item is reserved for persons wishing to address the Committee 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 Committee are customarily limited to three minutes per speaker. The Committee Chair may increase or decrease the time allotted to each speaker.

CONSENT AGENDA

7. Approval of Minutes from September 26, 2018

8. Contracts entered into (Informational Item)

9. EBCE participation in the Special District Risk Management Agency Medical, Vision and Dental Insurance Program (Action Item)

Approve the following Recommendations:

- A. Adopt a resolution authorizing EBCE to participate in the Special District Risk Management Agency (SDRMA) health, vision and dental plans; and
- B. Approve a Memorandum of Understanding between SDRMA and EBCE regarding participation in the SDRMA medical, vision and dental insurance program.

REGULAR AGENDA

10. CEO REPORT

- A. Executive Committee Meeting;
- B. Marketing and Outreach update;
- C. Local Development Business Plan Update; and
- D. Update on Opt-out

11. Community Advisory Committee Report

12. CEO Employment Agreement (Action Item)

13. Risk Oversight Committee Formation (Informational Item)

Receive update on the Risk Oversight Committee process. EBCE staff is in the process of forming the Risk Oversight Committee to monitor power procurement activities and ensure they are consistent with EBCE's Energy Risk Management Policy

14. Regulatory Update - Power Charge Indifference Adjustment (Discussion item)

Receive update on the Power Charge Indifference Adjustment.

15. Community Advisory Committee (CAC) workplan (Action Item)

Review the CAC workplan and either approve it or return it to the CAC with its requested revisions.

- 16. Insured Cash Sweep Memo (Action Item)**
Authorize the CEO to execute the Insured Cash Sweep (ICS) Deposit Placement Agreement and related documents with River City Bank, to establish a mandatory interest-bearing account for excess cash balances.
- 17. Credit Card Policy (Action Item)**
Approve the EBCE credit card policy and authorize the CEO to enter into a credit card agreement with American Express for administrative, travel, and small budget expenses.
- 18. Carbon emission benchmarking and Accounting Methodology (Action Item)**
Approve a calendar year 2018 emissions factor benchmark at 142lbs of CO₂e/MWh for the Bright Choice product utilizing the Electric Power Sector Protocol by the Climate Registry.
- 19. Board Member and Staff Announcements including requests to place items on future Board Agendas**
- 20. Adjournment - to** Date: Wednesday, November 5, 2018
Location: City of Hayward,
Council Chambers
777 B Street
Hayward, CA 94541