



Draft Minutes

Board of Directors Meeting

Wednesday, April 17, 2019

6:00 pm

City of Hayward

Council Chambers

777 B Street,

Hayward, CA 94544

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1. Welcome & Roll Call

Present: Directors Pilch (Albany), Hernandez (Dublin), Martinez (Emeryville), Bacon (Fremont), Mendall (Hayward), Munro (Livermore), Rood (Piedmont), Lopez (San Leandro), Vernaci-Dutra (Union City), Eldred (Community Advisory), Vice-Chair Kalb (Oakland) , and Chair Haggerty (Alameda County)

Excused: Arreguin (Berkeley)

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. The Board Chair may increase or decrease the time allotted to each speaker.

Barbara Stebbins - Requested that the Board agendaize the LDBP and continue to engage with staff and the public to keep the LDBP and the forefront. Ms. Stebbins also shared concerns with changes to early action items.

CONSENT AGENDA

4. Approval of Minutes from March 20, 2019
5. Contracts entered into (Informational Item)

The Board requested that staff create only one agreement per vendor to ensure \$100,000 signing limit is not exceeded.

Director Mendall motioned to approve the consent agenda as amended:

- A. Correct date on minutes to 3/20/19

Director Pilch seconded the motion which carried 10/0; Excused: Vice-chair Kalb

REGULAR AGENDA

6. CEO REPORT

- A. Executive Committee Meeting;
- B. New Staff;
- C. Marketing and Outreach update;
- D. Update on Opt-out

7. Community Advisory Committee Report

The Chair reported on the 4/15/19 CAC meeting stating that Vice-Chair O'Neil vacated her seat and Member Sutter has been elected as interim vicechair. The Chair also reminded the Board of three committee seats becoming available at the end of June and thanked Staff for the Community Grant, working with the public, and incorporating input.

8. Treasurer's Report (Informational Item)

Receive report on EBCE cash position.

The Board discussed:

- Board requested additional information on why EBCE does not bank with Barclays.
- Reserve requirements
- Additional information on River City branch locations

9. Appointment of Interim General Counsel (Action Item)

Adopt a resolution appointing Inder Khalsa of Richards, Watson, and Gershon (RWG) as Interim General Counsel to the EBCE and authorizing the Chair to execute an amendment to the Legal Services Agreement between EBCE and RWG.

Vice-Chair Kalb motioned to adopt a resolution to appoint Inder Khalsa of Richards, Watson and Gershon as Interim General Counsel. Director Martinez seconded the motion which carried 11/0; Excused: Director Arreguin

10. Demand Response Program (Action Item)

Approve the proposed Demand Response program, called PDP-EBCE to be offered to up to 100 A10 (Small Commercial)/ E19 (Large Commercial/Industrial)/ E20 (Largest Commercial/Industrial) customers as a way to encourage continued demand response in exchange for a bill credit on par with current the PG&E PDP program

The Board Discussed load shapes.

Director Dutra-Vernaci motioned to approve the proposed Demand Response program. Director Mendall Seconded the motion which carried 11/0; Excused: Director Arreguin

R-2019-7

11. Board Member and Staff Announcements including requests to place items on future Board Agendas

The Chair requested to add the CAC Appointment discussion to the April 26, 2019 Executive committee meeting agenda.

12. Adjourned