



Board of Directors Meeting

Wednesday, April 22, 2020

5:00 pm

Please click the link below to join the webinar:

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If you have anything that you wish to be distributed to the Board, please email it to the clerk by 4:00 pm the day of the meeting.

1. Welcome, New Member Swear-in & Roll Call

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 and must complete an electronic [speaker slip](#). The Board Chair may increase or decrease the time allotted to each speaker.

CONSENT AGENDA

4. Approval of Minutes from March 18, 2020

5. Contracts entered into (Informational Item)

REGULAR AGENDA

6. CEO REPORT

- A. Executive Committee Meeting;
- B. Finance, Administration, and Procurement Subcommittee;
- C. Marketing, Regulatory and Legislative Subcommittee; and
- D. Marketing and Account Services update

7. Community Advisory Committee Report

8. Treasurer's Report (Informational Item)

Receive report on EBCE Cash position.

9. OCEI - Vistra Project Upsize (Informational Item)

Receive an update regarding an increase in the project size with Vistra Energy as part of the Oakland Clean Energy Initiative. We are increasing the project from 20MW/80MWh by 80% to 36.25MW/145MWh. There are no other material changes with the contract. The RA contract is expected to begin delivering resource adequacy in January 2022 for a period of 10 years.

10. Resolution Electing to Become Subject to the Uniform Public Construction Cost Accounting Act; Ordinance Establishing Informal Bidding Procedures (Action Item)

- A. Adopt a Resolution of the Board of Directors of the East Bay Community Energy Authority Electing to Become Subject to the Uniform Public Construction Cost Accounting Act; and
- B. Adopt Urgency Ordinance EBCE O-2020-1 and read by title only: AN URGENCY ORDINANCE OF THE BOARD OF DIRECTORS OF THE EAST BAY COMMUNITY ENERGY AUTHORITY ESTABLISHING INFORMAL BIDDING PROCEDURES UNDER THE UNIFORM PUBLIC CONSTRUCTION COST ACCOUNTING ACT

11. Power Content Procurement Floor (Action Item)

Amend the Bright Choice product power content guidelines to instill the clean energy procurement floor starting in 2020.

12. PG&E Carbon-Free Allocations Decision (Action Item)

Staff is not making a specific recommendation to accept or not accept nuclear. Instead, staff has developed two distinct options to lay out the costs and benefits of accepting or not accepting the nuclear allocation. The fundamental question for accepting nuclear or not comes down to a trade-off between having nuclear and lower greenhouse gas emissions, or not having nuclear and accepting higher greenhouse gas emissions.

The current staff position of neutrality on whether to accept the nuclear allocation is premised on the presumption that the EBCE Board of Directors has approved in a previous Board item the modification of EBCE's Bright Choice Power Content Guidelines, and in so doing, has removed any financial benefit to EBCE of accepting the nuclear allocation. If the Bright Choice Power Content Guidelines are not changed, the EBCE staff recommendation shifts to a position of supporting the nuclear allocation to allow EBCE to realize energy procurement cost savings.

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

14. Adjournment - to Date: Wednesday, May 20, 2020