



Draft Minutes

Board of Directors Meeting

Wednesday, July 15, 2020

5:00 pm

<https://us02web.zoom.us/j/87023071843>

Or Telephone:

Dial (for higher quality, dial a number based on your current location):

US: +1 669 900 6833 or +1 346 248 7799 or +1 253 215 8782 or +1 929 205 6099 or
+1 301 715 8592 or +1 312 626 6799 or 888 475 4499 (Toll Free) or 877 853 5257 (Toll
Free)

Webinar ID: 870 2307 1843

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 cob@ebce.org.

If you have anything that you wish to be distributed to the Board, please email it to the clerk by 5:00 pm the day prior to the meeting.

1. Welcome & Roll Call

Present: Directors: Haggerty (Alameda County), Pilch (Albany), Arreguin (Berkeley) Hernandez (Dublin), Mendall (Hayward), Munro (Livermore), Hannon (Newark), Rood (Piedmont), Pentin (Pleasanton), Hernandez (San Leandro), Arriola (Tracy), Patino (Union City), Sutter (Community Advisory), Vice-chair Martinez (Emeryville), and Chair Kalb (Oakland)

Excused: Director Mei (Fremont)

2. Pledge of Allegiance

3. Closed Session

A. PUBLIC EMPLOYEE PERFORMANCE EVALUATION under California Government Code Section 54957: Performance Evaluation of Chief Executive Officer Nicolas Chaset

4. General Counsel Report Out of Closed Session

There was no report out of closed session.

5. 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.

Aleta Dupree - Spoke regarding EBCE relationship building within the community, in appreciation to the Board for reducing generation costs, and ways to increase renewable content.

Jessica Tovar - Spoke for regarding the Community Advisory Committee and requested the Board take action to fill the vacant seats.

6. Chair and Vice-Chair Elections (Action Item)

Director Hernandez motioned to continue with Chair Kalb and Vice-Chair Martinez. Director Patino seconded the motion which carried 14/0; Excused: Director Mei (Fremont)

CONSENT AGENDA

7. Approval of Minutes from June 17, 2020

8. Contracts entered into (Informational Item)

9. Legislative Position on SB 1215
Take a “support” position on SB 1215 (Stern).

10. Amendment to Consulting Services Agreement with Celery Design Collaborative
Adopt a Resolution authorizing the CEO to negotiate and execute the Second Amendment to EBCE’s Consulting Services Agreement with Celery Design Collaborative to extend the term to June 30, 2021 and set a budget of \$200,000 for the remaining term.

R-2020-14

11. Subscription Agreement with Salesforce, Inc.
Adopt a Resolution authorizing the CEO to negotiate and execute a Master Subscription Agreement with Salesforce.com Inc. (“Salesforce”), for software services to establish a Customer Relationship Management (CRM) system, with an annual licensing fee not to exceed \$150,000 as a sole-source procurement.

R-2020-15

12. Authorize CEO to Amend the Consulting Services Agreement with Frontier Energy, Inc.
Adopt a Resolution authorizing the CEO to amend the Consulting Services Agreement with Frontier Energy, Inc. to conduct services necessary to assist with completion of municipal fleet electrification assessments and deployment plans on behalf of Alameda County and the City of Hayward.

R-2020-16

13. Authorize CEO to Negotiate and Execute an Agreement with CALSTART

Adopt a Resolution authorizing the CEO or his designee to negotiate and execute a two-year Consulting Services Agreement with CALSTART to conduct services necessary to assist with medium and heavy-duty commercial fleet electrification pilot project development and implementation.

Director Hernandez informed the Board of a conflict of interest due to an employment interested with a vendor listed in Item 8 - Contracts Entered into (Informational Item) and recused himself from the vote

R-2020-17

Director Haggerty motioned to approve the consent calendar (Items 7, 9, 10, 11, 12 and 13) with the exception of Item 8 - Contracts Entered into (Informational Item). Director Arreguin seconded the motion which carried 13/0; Excused: Directors: Mei (Fremont) and Rood (Piedmont)

Director Pilch motioned to approve Item 8 - Contracts Entered into (Informational Item). Director Mendall seconded the motion 12/0; Recused: Director Hernandez (San Leandro) Excused Directors: Mei (Fremont) and Rood (Piedmont)

REGULAR AGENDA

14. Approval of the CEO Contract Amendment (Action Item)

The Board thanked CEO Nick Chaset for his work with EBCE agency, other CCA agencies and in the regulatory space.

Director motioned to approve the 3-year employment agreement with Nick Chaset. Director Munro seconded the motion which passed 14/0; Excused: Director Mei (Fremont)

15. CEO REPORT

- A. Executive Committee Meeting;
- B. New Staff; and
- C. Marketing and Account Service Update

Presented

Blair Beekman - Spoke regarding Closed Session requesting an estimated time for future closed sessions. B. Beekman also spoke regarding working towards solar energy goals.

16. Community Advisory Committee Report

Chair Sutter spoke regarding the July 13, 2020 CAC meeting where Chair Sutter and Vice-chair Franch were reappointed as chairs. Chair Sutter also informed the Board of CAC vacancies.

Blair Beekman - Spoke regarding the Local Development report presented at the CAC meeting and how to include lower-income areas in the EV charger project. B. Beekman also spoke regarding efforts to become carbon neutral by 2023.

- 17. Accounts Receivable Reporting and Uncollectable Revenue Rate Update (Action Item)**
Receive information on EBCE accounts receivable reports and approve a staff recommended increase in the uncollectable revenue rate for April, May, and June of 2020 from 0.5% of revenues to 1.5% of revenues.

The Board Discussed:

- Collection processes
 - delinquent accounts policy currently suspended

Blair Beekman -Spoke against the Board seeking options to place a lien on delinquent properties and thanked the Board for their progressive actions with managing current delinquent accounts.

Director Pilch motioned to increase the uncollectable revenue rate for April, May and June of 2020 from 0.05% of revenues to 1.5%. Director Pentin seconded the motion which carried 14/0; Excused Director Mei (Fremont)

- 18. Treasurer's Report (Informational Item)**
Receive quarterly report on EBCE cash position.
Presented

The Board Discussed:

- Account names and types
- Lockbox requirements and timeline

- 19. Local Development Update (Informational Item)**
Receive update on Local Development Activities

The Board Discussed:

- The CAC support for current programs and desire for additional metrics
- Heat pump Water Heater costs and cost savings
 - Outreach to Ratepayers
- Engaging Board members when presenting items to Cities
- Requested a summary sheet for member cities to show what EBCE is doing
- Program equity
- Consumer Awareness and education

Jessica Tovar - EBCPA excited about the Local programs that are beginning to roll out and wanted to bring more attention to disadvantaged communities noting only 8% of the presented programs reach these communities. J. Tovar also spoke regarding Social equity and Climate justice.

Ceyda Dumas Dorgan - Spoke regarding Board engagement with allocating LDBP funds and requested the Board to take a more proactive role. C. Dumas Dorgan also recommended the community be more engaged in helping develop metrics to identify community benefits.

Blair Beekman - Spoke regarding an agreement signed by the City of Berkeley to discuss the funding and view programs through a racial equity lens. B. Beekman also spoke regarding technology accountability and ensuring the community understands the programs.

Aleta Dupree - Spoke regarding community outreach and investment in educating ratepayers on electrification. A. Dupree also spoke in support of resiliency programs.

- 20. Enrollment of New Communities: Pleasanton, Newark, and Tracy (Action Item)**
Adopt a Resolution to approve the proposed enrollment of customers within the new member communities of Pleasanton, Newark, and Tracy during the month of April 2021
R-2020-18

Blair Beekman - Spoke regarding the Board's previous decision on nuclear energy.

Director Haggerty motioned to enroll the customers of new member cities of Pleasanton, Newark and Tracy during the month of April 2021. Director Arriola Seconded the motion which passed 12/0; Excused: Directors Hernandez (Dublin), Mei (Fremont) and Pentin (Pleasanton)

- 21. Data Management and Call Center Services Contract Renewal with Sacramento Municipal Utilities District (SMUD) (Action Item)**
- A. Receive an update on the renewal of the contract for Data Management and Call Center Services with Sacramento Municipal Utilities District (SMUD) and;
 - B. Adopt a Resolution authorizing the Chief Executive Officer to negotiate and execute a contract extension with SMUD for a term of two years at the same cost per meter as the current Data Management and Call Center Agreement.

R-2020-19

The Board Discussed:

- The CAC meeting discussing and motion.
- Prioritization of moving call center to Alameda County/EBCE Service area
- Data accessibility

Ceyda Dumas Dorgan - Spoke in support of the CAC amendment recommendation to the Board. C. Dumas Dorgan spoke in support of bringing the Call center and data management to the EBCE service area

Aleta Dupree - Spoke regarding the importance and urgent need to move the call center to EBCE's service territory.

Jessica Tovar - Reiterated comments made by other speakers and the importance of creating local jobs withing EBCE's service area and local economy.

Director Hernandez Motioned to authorize the CEO to negotiate and execute a contract extension with SMUD. Director Mendall seconded the motion which passed 12/0; Excused: Directors Hernandez (Dublin), Mei (Fremont) and Pentin (Pleasanton)

22. Approval of IRP Study for Compliance Filing (Action Item)

- A. Approve and use the analysis and findings resulting from the 2020 Integrated Resource Planning (IRP) study process;
- B. Complete California Public Utilities Commission (CPUC) required IRP documents; and
- C. Authorize the CEO to approve the final IRP reports and file two compliance portfolios by September 1, 2020.

R-2020-19

The Board Discussed:

- IRP filing report back to the Board
- Opportunity for Draft IRP to be made available for public comment

Blair Beekman - Thanked the Board for the opportunity to provide comments on the IRP.

Aleta Dupree - Spoke regarding the importance of generating local clean energy, emphasizing Solar and storage.

Director Martinez motioned to authorize the CEO to approve and file the IRP. Director Hannon seconded the motion which passed 10/0; Excused: Directors: Haggerty (Alameda County), Hernandez (Dublin), Mei (Fremont), Munro (Livermore) and Pentin (Pleasanton)

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

Director Hernandez requested staff seek ways to provide information on community impact regarding community benefits.

24. Adjourned

Key:

R = Resolution

sc
to be Approved on
9/16/20