



**Board of Directors Meeting**  
**Draft Minutes**

Wednesday, January 20, 2021

5:00 pm

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

Join by phone:

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

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Webinar ID: 870 2307 1843

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*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:** Valle (Alameda County), Tiedemann (Albany), Harrison (Berkeley), Hernandez (Dublin), Mei (Fremont); Marquez (Hayward), Kiick (Livermore), Hannon (Newark), Narum (Pleasanton), Lopez (San Leandro), Arriola (Tracy), Patino (Union City), Sutter (Community Advisory), Vice-Chair Martinez (Emeryville), and Chair Kalb (Oakland)

**Excused:** Director Cavanaugh (Piedmont)

**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.*

**Aleta Dupree** spoke in support of investing in all-electric kitchen and solar plus storage technologies.

**Jessica Tovar** spoke in support of creating a fund to prevent rate-payer defaults, utilizing solar and storage technology to power critical community facilities, and budgeting for additional community innovation grants.

### **CONSENT AGENDA**

4. **Approval of Minutes from December 16, 2020**
5. **Contracts entered into (Informational Item)**
6. **2021 Meeting Schedule (Informational Item)**

**Director Hannon (Newark) motioned to approve the consent agenda as amended:**

**A. Move the September 15, 2021 BOD meeting to September 22, 2021.**

**Director Arriola (Tracy) seconded the motion which carried 14/0; Excused: Director Cavanaugh (Piedmont)**

### **REGULAR AGENDA**

#### **7. CEO REPORT**

- A. Executive Committee Meeting;
- B. Finance, Administration and Procurement Meeting;
- C. Marketing, Regulatory and Legislative Meeting;
- D. New Staff, and
- E. Marketing and Outreach Update

#### **8. Community Advisory Committee Report**

Chair Sutter reported that quorum was not met at the January 19, 2021 Community Advisory Committee meeting. Chair Sutter informed the Board that applications to join the CAC are open until Feb 15 and encouraged community members to apply.

#### **9. California Community Power Agency Joint Powers Agreement (Action Item)**

Adopt a Resolution approving the California Community Power Agency Joint Powers Agreement (“CC Power”) and authorizing the CEO to execute the Agreement.

#### **The Board Discussed:**

- EBCE membership on CC Power Board
- Decision-making relationship between the EBCE and CC Power Boards
- CCA jurisdictions and CC Power membership status
- Comparison of CC Power to the Northern California Power Agency

**Blair Beekman** spoke in support of the California Community Power Agency Joint Powers Authority, stating that it will encourage communication between CCAs and local communities, and help foster local initiatives. Blair Beekman also spoke in support of dialogue between CCAs and local community members.

Aleta Dupree spoke in support of the California Community Joint Powers Authority.

**Director Harrison (Berkeley) motioned to adopt the resolution approving the California Community Power Agency Joint Powers Agreement and authorizing the CEO to execute the Agreement. Director Hernandez (Dublin) seconded the motion, which passed 14/0. Excused: Director Cavanaugh (Piedmont)**

R-2021-1

**10. Treasurer's Report (Informational Item)**

Receive report on EBCE cash position.

**The Board Discussed:**

- Relationship between the operating reserve and ongoing cash reserve
- Interest cash sweep
- Utilization of interest bearing accounts
- Volatility in prior cash-received amounts
- Delinquency rates

Blair Beekman spoke in support of the Board for its ability to navigate disruptions caused by Covid-19.

**11. Updated Financial Reserve Policy (Action Item)**

Adopt a Resolution to: (i) approve an updated Financial Reserve Policy to simplify the current reserve waterfall and bucket system into a single reserve, and (ii) preserve the fiscal year 2020-21 reserve target equal to the current reserve levels.

**The Board Discussed:**

- Financial Reserve usage options
- Reserve balance levels
- Investment and discretionary spending policies
- Local Development infrastructure investment
- CCA credit rating timelines
- Credit Reserve policies
- Surplus reserve allocation timeline
- Local Development funding structure
- Credit rating timing considerations

Blair Beekman spoke in support of identifying new revenue and renewable energy sources that can replace nuclear. Blair Beekman also spoke regarding the future of energy usage and the October 2020 IPR report.

**Director Harrison (Berkeley) motioned to refer the Updated Financial Reserve Policy to the next Financial, Administrative and Procurement meeting. Director Valle (Alameda County) seconded the motion which failed 5/7. Abstain: Directors Tiedemann (Albany) and Kiick (Livermore); Excused: Director Cavanaugh (Piedmont).**

Consent Item 4

**Director Hannon (Newark) motioned to approve the Updated Financial Reserve Policy. Director Hernandez (Dublin) seconded the motion, which passed 13/0. Abstain: Director Mei (Fremont); Excused: Director Cavanaugh (Piedmont)**

R-2021-2

**12. Extension of Payment Policy Suspension (Action Item)**

Adopt a Resolution to extend the temporary suspension of certain Customer Terms and Conditions and Administrative Policies and extend the suspension of the “Failure to Pay” section of the Service Terms and Conditions of the Delinquent Accounts and Collections Policy for an additional 91 days until April 21, 2021.

**The Board Discussed:**

- Delinquent accounts
- Arrearages management plan

Blair Beekman spoke in support of the extension of the payment policy suspension and CCA subsidy programs. Blair Beekman also spoke regarding the October 2020 IPR report.

**Director Patino (Union City) motioned to approve the staff recommendation. Director Harrison (Berkeley) seconded the motion which passed 14/0; Excused: Director Cavanaugh (Piedmont).**

R-2021-3

**13. Local Development Budget Update (Informational Item)**

Receive update on Local Development Activities.

**Continued to Wednesday, February 17, 2021**

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

Chair Kalb requested to add the Updated Financial Reserve Policy to the March 10, 2021 Financial, Administration and Procurement Subcommittee meeting agenda.

The Board thanked Board Clerk Stephanie Cabrera on her last day for her significant contribution to EBCE.

**15. Adjourned.**