



## Board of Directors Meeting

Wednesday, July 21, 2021

5:00 pm

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

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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

### 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

### 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. Members of the public who wish to address the Board are limited to **two 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

6. **Approval of Minutes from June 16, 2021**
7. **Contracts entered into (Informational Item)**
8. **Treasurer's Report**  
Status of EBCE cash accounts.
9. **Contract Amendment for Chapman & Cutler**  
Amend existing contract with Chapman & Cutler LLP to increase scope.
10. **Increase NTE with PFM for Building Finance Advisory Services**  
Amend the current contract NTE to \$80,000 from \$40,000 to include building purchase financial advising services in scope
11. **Extension of Payment Policy Suspension**  
Extend our suspension policy until 9/30/21 to match PG&E moratorium.
12. **Amendment to Subscription Agreement with Myst AI Inc.**  
Resolution for Board to authorize CEO to negotiate and execute an amendment to the existing contract with Myst. Memo describing background; attachments
13. **Request to Change the Default Rate Product for Certain Residential & Commercial Customers in the Cities of Albany, Berkeley, and Hayward to Renewable 100**  
Seek Board approval for the requested default product transitions/citywide opt ups to R100 in the cities of Albany, Berkeley, and Hayward

## REGULAR AGENDA

14. **CEO REPORT**
15. **Community Advisory Committee Report**  
*One of the outcomes of the CAC work with staff on environmental and social justice (ESJ) metrics is a public meeting that will occur on Thursday, September 2<sup>nd</sup> from 6-8 PM. Staff has contracted with EJ Solutions to facilitate the meeting that will discuss possible ESJ metrics.*
16. **Prepay Transaction Review & Approval (Action)**  
Review and approve 30-year energy prepayment transaction with Morgan Stanley
17. **Reimbursement Resolution for Financing Office Building Purchase (Action)**  
Adopt a Resolution declaring EBCE's intent to incur debt to reimburse the costs of purchasing real property for an office site at 251 8th Street, in Oakland.
18. **Power Resources RFO Contract Approval (Action)**  
Approval of contracts from EBCE's 2020 Long-Term Resource RFO  
*CAC unanimously supports staff's request.  
Note that CAC members discussed transmission costs and several members would like to see more Alameda county based projects in the future.*

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

**20. Adjournment to Wednesday, September 22, 2021**