



## Draft Agenda

### Board of Directors Meeting

Wednesday, September 22, 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

**Present: Directors:** Valle (Alameda County), Cox (Fremont), Marquez (Hayward), Munro (Livermore), Hannon (Newark), Kalb (Oakland), McCarthy (Piedmont), Narum (Pleasanton), Patino (Union City), Vice-Chair Lopez (San Leandro) and Chair Martinez (Emeryville)

**Excused: Directors:** Tiedemann (Albany), Harrison (Berkeley), Hernandez (Dublin), Arriola (Tracy)

*Director Cox served as an Alternate for Director Mei (Fremont).*

*Directors Tiedeman, Harrison and Hernandez joined the meeting during closed session.*

*Director Arriola joined the meeting at 5:45pm.*

#### 2. Pledge of Allegiance

**Chair Martinez motioned to amend the agenda as follows:**

- Defer and delegate Item 15 - LMI Electrification (Informational Item) to the October 1, 2021 Executive Committee meeting.
- Add Public Comment for Closed Session between Items 2 and 3.

**Director Marquez seconded the motion, which passed 8/0. Excused: Director Tiedemann (Albany), Harrison (Berkeley), Hernandez (Dublin), Kalb (Oakland), Arriola (Tracy).**

#### 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**

No reportable actions were taken in closed session.

Directors Tiedeman, Harrison and Hernandez joined the meeting during 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 **one minute per speaker** and must complete an electronic [speaker slip](#). The Board Chair may increase or decrease the time allotted to each speaker.*

There were no speakers for public comment.

**CONSENT AGENDA**

6. **Approval of Minutes from July 21, 2021**

7. **Contracts entered into (Informational Item)**

8. **MRL Subcommittee Appointment Recommendation**

Appoint Director Munro to the Marketing, Regulatory and Legislative Subcommittee.

9. **Municipal Fleet Electrification: Frontier Energy CSA Amendment**

Increase CSA budget and term to provide technical support to additional EBCE member jurisdictions.

**R-2021-39**

10. **CALSTART Consulting Services Agreement**

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 completion of a zero-emissions medium and heavy-duty goods movement blueprint for East Bay Community Energy's service area.

**R-2021-40**

11. **2020 Power Source Disclosure Annual Report and Power Content Label**

Adopt a Resolution to accept the 2020 Power Source Disclosure Program Annual Report (PSDR) and the 2020 Power Content Label (PCL).

**R-2021-41**

Director Narum motioned to approve the Consent Agenda. Director Marquez seconded the motion which passed 14/0. Excused: Director Arriola.

## **REGULAR AGENDA**

### **12. CEO REPORT**

- **Marketing, Regulatory and Legislative Subcommittee Meeting** - September 10, 2021
- **Finance, Administration and Procurement Subcommittee Meeting** - September 10, 2021
- **California Community Choice Financing Authority Meetings** - July 22, 2021 and August 26, 2021
- **New Staff:**
  - **Lori Dynes**, Marketing Programs Manager - 9/13/2021
  - **Sopha Collins**, Intern - 9/13/2021
  - **Celine Lerouder**, Intern - 9/13/2021

### **13. Community Advisory Committee Report**

- Chair Sutter announced that elections have been deferred to the October 18, 2021 CAC meeting.
- Chair Sutter also announced that Vice-Chair Franch will host the October 18, 2021 CAC meeting.
- Chair Sutter offered that CAC applicants should be asked about their interest in serving in a leadership capacity.
- Chair Sutter stated that CAC supports the LMI Electrification as an opportunity for EBCE pending program design.

#### **The Committee discussed:**

- CAC membership compensation
- CAC membership and leadership term limits
- How the Board can encourage CAC leadership applicants
- Two open at-large CAC seats
- CAC membership size

Jessica Tovar spoke regarding CAC membership size, stating that CAC membership applications should be reviewed in a timely manner to keep the membership body full and allow time for CAC members to volunteer for leadership responsibilities.

**Director Arriola joined the meeting at 5:45pm.**

### **14. Default Product Change (Action Item)**

Adopt a Resolution directing staff to make the necessary arrangements to change the default service to Renewable 100 for certain customers in the City of San Leandro consistent with the request of its City Council and in accordance with the elimination of the Brilliant 100 product and the adopted Default Rate Product Change Policy.

**R-2021-42**

**Vice-Chair Lopez motioned to approve the Default Product Change. Director Harrison seconded the motion which passed 15/0.**

### **15. LMI Electrification (Informational Item)**

Opportunity to Invest \$1 M and offer \$400k in incentives to support low to moderate income building electrification in EBCE service area

**The LMI Electrification agenda item was delegated to the October 1, 2021 Executive Committee meeting.**

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

Director Hannon requested that when the LMI Electrification agenda item comes back to the full board, that the staff report include a paragraph or two that discusses the questions that were raised by the Executive Committee.

Director Lopez requested staff to prepare an agenda item that considers changes to the bylaws to augment the number of members on the CAC. Director Lopez suggested to appoint one CAC member from each jurisdiction inside of the Joint Powers Authority.

Director Marquez requested that staff email Directors to gauge interest in establishing a subsidy for cities that do not qualify for low-income programs but may struggle to meet payment for the Renewable 100 fees. Director Marquez requested that staff email Directors individually to assess whether to bring back this item to the Board.

Director Hannon requested that the Executive Director provide information about the salaries or stipends that are paid to community members in other CACs in order to establish compensation comparables.

#### **17. Adjournment to Wednesday, October 20, 2021**