



Board of Directors Meeting

Wednesday, May 18, 2022

5:00pm

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

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If you have anything that you wish to be distributed to the Board of Directors, 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. 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 two minutes per speaker and must complete an electronic speaker slip. The Board Chair may increase or decrease the time allotted to each speaker.

4. Closed Session

a) Conference with Labor Negotiations pursuant to Government Code 54957.6. (Labor negotiators: Dianne Martinez, Board Chair; Corina Lopez, Executive Committee Chair) (Unrepresented employees)

5. General Counsel Report Out of Closed Session

CONSENT AGENDA

6. Approval of Minutes from April 7, 2022 and April 20, 2022

7. AB 361 - Finding for Continued Remote Meetings

Find that conducting in person meetings of the Board would present imminent risks to attendees' health and authorize the Board to continue meeting via teleconferencing pursuant to Government Code Section 54953(e).

8. Contracts entered into (Informational Item)

9. Amendment to Rate setting protocol (Action Item)

Present proposed amendment to rate setting protocol

The CAC heard this item and it resulted in substantive discussion and debate among CAC members. We received Public Comment in Opposition to this item. The Board should consider moving this item from consent to the regular agendas as it changes public engagement opportunities and reduces or removes public workshops.

It seemed everyone was in favor of the addition of remote meetings. The debate centered around the decision to remove public workshops when the value proposition is not changing and to reduce the public meetings from 3 to 2 in years when public workshops do occur.

Arguments in favor:

- when the value proposition is unchanged, public meetings are not needed and staff time is better spent elsewhere
- online meetings are sufficient for public engagement, allowing engagement regardless of where people live

Arguments opposed:

- the public needs more engagement, no less, because prices and their bills are changing even if the value proposition isn't
- as we expand our territory, those new communities should have opportunities for in-person meetings as well

The CAC voted 6 in favor and 4 opposed to supporting the staff recommendation.

In favor: Lakshman, Liu, Muetzenberg, Swaminathan, Souza, Sutter,

Opposed: Eldred, Hernandez, Lutz, Landry

we also received written comment from Member Franch who could not be present with concerns about this item.

10. Amendment to Procurement Policy (Action Item)

Present proposed Amendments to clarify parts of Procurement Policy

REGULAR AGENDA

11. CEO REPORT

12. Community Advisory Committee Report

We ask that you keep Reverend Ken Chambers and his family in your prayers as he is undergoing transplant surgery in the coming weeks.

Please review the discussion items listed below. We will make comments during the specific agenda items.

13. Legislative Update (Action Item)

Update on recommended bill positions and EBCE's bill tracker

The CAC voted unanimously to support positions on staff SB 1020 and AB 2070 but to maintain a neutral position on 2765

Moved by member Sutter, seconded by member Landry

14. FY 2022-2023 Budget (Informational Item)

Present draft FY 2022-2023 Budget

The majority of the CAC discussion was on the Budget. We did not vote, as this is an informational item. The bulk of discussion was around the item proposed by staff to give a one time grant of \$15 million to sponsor a professorship and build a children's asthma treatment center at Children's Hospital. Everyone agrees that children's asthma is a good and worthy cause. Some viewed this as a great and lasting contribution to the community. Others suggested that, while a great thing to do, perhaps we would be better served addressing the things that cause asthma attacks, flare ups, and asthma causing components. There were several questions about how this project was selected. Written comments from a member not present included "It is a worthy cause, but we should be focusing on our core mission as an agency to transition as quickly as possible to local, clean energy through investment in community infrastructure and generation capacity, which will also have a greater ROI on the dollars, since it is within the core competencies and functioning of the agency."

Other questions included making sure we have "community innovation grants" and not just community grants, and making sure those grants exist every year, not just cumulatively over a three year period (proposed \$2.25 million = 3 x \$750,000 annually in community innovation grants, not 1 award of 2.25 million every 3 years to a public health initiative), support of the 3% reduction in Bright Choice, and quite a lot of talk around the value proposition.

- Important to evaluate the Stress version of Budget Revenue and tailoring any investments based on the mid-year review, to move forward with community investments to maintain or enhance the value proposition where possible.
- EBCE's key value proposition is that it is community driven. Keeping EBCE's rates less than PG&E's is a necessary, but not sufficient, part of that value proposition.
- Stable electricity costs to consumers are likely more important than a stable discount from PG&E rates.

A request was made to make the savings clear, show people how much they are saving per month or per year on average, and to think about technology that may satisfy both the endeavor to help children who are exposed to air pollution.

- 15. Energy Prepay Transaction #2 Approval (Action Item)**
Seek approval to enter into a 2nd energy prepay transaction
- 16. Board Member and Staff Announcements including requests to place items on future Board Agendas**
- 17. Adjournment to Wednesday, June 15, 2022 at 5:00pm**