



Draft

**Summary Minutes
Board of Directors Meeting**

Wednesday, May 16, 2018

6:00 pm

City of Hayward
Council Chambers
777 B Street
Hayward, CA 94544

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 Scabrera@ebce.org.

If you have anything that you wish to be distributed to the Board please hand it to the clerk who will distribute the information to the Board members and other staff

1. Welcome & Roll Call

Present: Directors: Pilch (Albany), Hahn (Berkeley), Hernandez (Dublin), Martinez (Emeryville), Bonacorssi (Fremont), Mendall (Hayward), Rood (Piedmont), Thomas (San Leandro), Dutra-Vernaci (Union City), Eldred(Community Advisory), Kalb (Oakland), and Chair Haggerty (Alameda County)

Excused: Director Spedowfski (Livermore)

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.

Al Weinrub - Spoke regarding AB813 Multistate regional transmission system organization: membership and recommended opposing the bill.

CONSENT AGENDA

4. **Contract Amendment with Davis Wright Tremaine, LLP**
Approve an Amendment to the Agreement with Davis Wright Tremaine LLP to add \$50,000 to the Professional Services Agreement and to modify the scope of work to include regulatory work related to resource adequacy.

C-2018-24
5. **Technical Energy Evaluation Services**
Authorize the CEO, or his designee, to negotiate and execute a Professional Services Agreement with Edison Energy in the amount not to exceed \$350,000 for a term of one year to provide Technical Energy Evaluation services to assist in EBCE's CA Renewable Energy Project request for proposals process.

R-2018-18
6. **Approval of 100% Renewable Energy Product Green-e Energy Certification**
Approve use of Green-e Energy certification for 100% Renewable Energy Product.
7. **Authorize CEO to enter into a short-term office space lease agreement**
Authorize CEO Nick Chaset to enter into a short-term office space lease agreement not to exceed six months, in an amount not to exceed \$200,000.

R-2018-19

Director Dutra-Vernaci motioned to approve the Consent Agenda. Director Pilch seconded the motion which carried 10/0; Excused: Directors: Kalb and Spedowfski

REGULAR AGENDA

8. **Approval of Minutes from April 18, 2018**
Director Mendall motioned to approve the April 18, 2018 Minutes as amended:
 - A. Item 11 B - Add "the" after name; and
 - B. Item 11 C - Add "will be" after ratesDirector Pilch seconded the motion which carried 10/0; Excused: Directors Kalb and Spedowfski
9. **Chair and Vice-Chair Elections**

Director Mendall motioned to re-elect Director Haggerty as Chair and Director Kalb as Vice-Chair. Motion seconded by Director Thomas.

Director Pilch motioned to nominated Director Mendall as Vice-Chair. Director Rood seconded the motion

Director Mendall motioned to close the Chair nominations and appoint Director Haggerty as chair. Motion passed 10/0; Excused: Directors: Kalb and Spedowfski

Motion to appoint Director Mendall as Vice-Chair did not pass 4/3/3. Ayes: Bonacorssi, Dutra-Vernaci, Pilch and Chair Haggerty; Noes: Directors: Hahn, Hernandez and Thomas;

Abstained: Martinez, Mendall and Rood

Director Kalb as Vice-chair passed 9/0/1: Ayes: Directors: Hahn, Hernandez, Martinez, Bonacorssi, Mendall, Rood, Thomas, Dutra-Vernaci, and Chair Haggerty; Abstained: Director Pilch; Excused: Directors Kalb and Spedowski

10. CEO Report (Informational Item)

Accept CEO report on:

- A. Executive Committee Meeting;
- B. Update on Opt-outs; and
- C. Local Development Business Plan Update

Presented

11. CAC Appointment Recommendations (Action Item)

Appoint the following applicants to the Community Advisory Council for four-year terms ending, 5/16/2022:

- A. Mary Sutter, Hayward;
- B. Jane Franch, Berkeley; and
- C. Richard O'Connell, Berkeley

Director Dutra-Vernaci motioned to approve the CAC Appointment Recommendations. Director Mendall seconded the motion which carried 10/0 Excused: Kalb and Spedowski

12. East Bay Community Energy Fiscal Year 2018 - 2019 Budget (Discussion Item)

Discuss and Approve Proposed Fiscal Year 2018-2019 Budget. Which includes projections for Revenues, Expenses, Financial Reserves, and Local Development.

The Board discussed:

- Potential uses for Surplus funds- LDBP funding, Reserve fund and opposed dividends for rate payers in favor of re-investing in local projects.
- Customer retention incentives/plans - Lower opt-outs
- Debit repayment prioritization and schedule
- Reserve fund and AAA Credit Rating goals
- Reviewing the Budget after EBCE is operational.

Barbara Stebbins - East Bay Clean Power Alliance (EBCPA) supports having a reserve policy and would like to see more investment in the Local Development Business Plan (LDBP).

Al Weinrub - EBCPA Believes more money should be invested in the LDBP and not go towards ratepayer dividends.

13. Phase 2 Rates and Discount (Action Item)

Adopt the following Phase II rates:

- A. Bright Choice = 1.5% less than PG&E (same as Phase 1)
- B. Brilliant 100 = equal to PG&E (same as Phase 1)
- C. 100% Renewable = \$0.01 per kilowatt hour premium above PG&E

The Board discussed:

- Simplifying the manner in which rates are presented
- Outreach planned for residential customers
- Early Adopter - process and rate. Early adopters limited to first 100 and receive Brilliant 100 at par with PG&E standard mix
- 100% Renewable product - Marketing for residential customers and rate Clarification
- Rate setting Policy - defining and setting a process
- Scheduling a budget review before next rate setting

Megan O'Neil - Thanked Board for appointing new CAC members and spoke regarding concerns with residential rate setting.

Barbara Stebbins - Spoke regarding concerns with the Board setting residential rates without receiving a recommendation from the Community Advisory Committee (due to a lack of quorum) and requested the discussion be continued until it can be heard at the the CAC meeting.

Director Mendall motioned to approve rates for Bright Choice, Brilliant 100 and 100% Renewable products 10/0 Excused Spedowfski and Kalb

14. Demand Response Pilot (Action Item)

Approve the proposed Demand Response Pilot program to be offered to up to 100 E19/E20 customers in the summer of 2018, as a way to encourage continued demand response in exchange for a bill credit on par with current PG&E programs.

The Board discussed:

- Costs and Budgeting for program
- Process to identify peak demand needs
- Customer outreach and notification options (Text, Phone call and/or Email)

Director Dutra-Vernaci motioned to approve the proposed Demand Response Pilot. Director Pilch seconded the motion which carried 11/0; Excused Director Spedowfski

15. California Renewable Energy Request for Proposals (Informational Item)

Discuss EBCE's planned California Renewable Energy Project Request for Proposals

The Board Discussed:

- Bid acceptance/selection process

- **Selection requirements: Costs, preferences and ability to enter into responsive contracts.**

16. Board Member and Staff Announcements

Director Dutra-Vernaci thanked the CEO for attending the May Mayors' Conference.

17. Adjourned