



Board of Directors Meeting

Wednesday, January 17, 2018

6:00 pm

City of Hayward Council Chambers

777 B Street, Hayward, CA

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

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.

CLOSED SESSION

A. Appointment of General Counsel

GENERAL COUNSEL: Report on action taken in Closed Session

CONSENT AGENDA

4. Approval of Minutes from December 6, 2017

5. Approval of Amendment to Legal Services Agreement with Richards, Watson & Gershon

Approve six-month extension and increase of contract amount of the Agreement for Legal Services with Richards, Watson & Gershon to provide general/special counsel services to East Bay Community Energy until June 30, 2018

6. Amended Employment Agreement with Chief Executive Officer

Adopt a Resolution authorizing the Chair to execute an amended Employment Agreement for Chief Executive Officer (“CEO”) between EBCE and Nicolas Chaset to allow the CEO to remain on COBRA medical insurance until January 1, 2019.

REGULAR AGENDA

7. CEO Report

Accept CEO report on:

- A. Workflow Priorities
- B. Staff Additions; and
- C. Contracts entered into

8. Approval of Contract with Weideman Group for Legislative Advocacy and Advisory Services

Approve selection of Weideman Group to provide legislative advocacy and advisory services and delegate to Chief Executive Officer to negotiate and execute a one year contract not to exceed \$120,000.

9. Designation of the CEO as Personnel Officer and Authorization to Approve and Adopt Employee Handbook

Adopt a Resolution designating the Chief Executive Officer as Personnel Officer for EBCE and authorizing him to approve and adopt the EBCE Employee Handbook.

10. Amend the Conflict of Interest Code

Adopt a Resolution amending the EBCE Conflict of Interest Code to add the positions of Chief Operating Officer, Vice President of Marketing and Customer Accounts, Director of Power Resources, and Director of Regulatory and Legislative Affairs

11. Approve EBCE Customer Confidentiality Policy

Approve the EBCE Customer Confidentiality Policy: Notice for Accessing, Collecting, Storing, Using and Disclosing Energy Usage Information.

12. Approval of Administrative and Operational Policies

Approve the following recommendations:

- A. Approve policies relating to: Customer Confidentiality and Process for Considering Policy or JPA Agreement Amendments;
- B. Discuss Policies relating to: Administrative Procurement Practices and Delinquent Accounts and Collections; and
- C. Adopt two Resolutions regarding: Delegation of Authority to the CEO for Regulatory and Legislative Matters, and Records Retention Policy

13. Discuss Energy Risk Management Policies and Regulations

Receive update and provide feedback on EBCE Risk Policy and Risk Guidelines

14. Power Supply Procurement and Hedging Options

Receive update and provide feedback on EBCE Energy Supply and Hedging Options

15. EBCE Rate Options

Receive update and provide feedback on EBCE Rate Options

16. Alameda County Local Clean Energy Projects Request for Proposals

Receive update, provide feedback on EBCE's planned Local Clean Energy Project Request for Proposals

17. Discussion of Brilliant 100 and Offering a Third Energy Product

Receive update and provide feedback on *Brilliant 100* and potential third energy product.

18. Standard Power Purchase Agreements and Confirms

Receive update and provide feedback on Standard Power Purchase Agreements and Confirms

19. Formation of EBCE Executive Committee

Appoint an Executive Committee of the Board of Directors to provide in-depth review of certain operational and policy matters of the EBCE, as directed by the Board from time to time. The Executive Committee will be comprised of 5 Board members who can serve the anticipated term of at least one year.

20. Board Member and Staff Announcements

21. Adjournment – to Wednesday, February 7, 2018. Location: Castro Valley Library
3600 Norbridge Ave.,
Chabot Room
Castro Valley CA