



## Board of Directors Meeting

Wednesday, July 21, 2021

5:00 pm

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

Dial (for higher quality, dial a number based on your current location): US: +1 669 900 6833 or +1 346 248 7799 or +1 253 215 8782 or +1 929 205 6099 or +1 301 715 8592 or 888 475 4499 (Toll Free) or 877 853 5257 (Toll Free)

Webinar ID: 870 2307 1843

*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) 906-0491 or [cob@ebce.org](mailto:cob@ebce.org).*

*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**
- 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
- 19. Board Member and Staff Announcements including requests to place items on future Board Agendas**
- 20. Adjournment to Wednesday, September 22, 2021**