



Draft Minutes

Board of Directors Meeting

Wednesday, November 16, 2022

6:00 pm

In Person:

The Lake Merritt Room
Cal State East Bay - the Oakland Center
In the Transpacific Center
1000 Broadway, Suite 109
Oakland CA 94607

or via Zoom:

<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.

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: Tiedemann (Albany), Kumagai (Dublin), Cox (Fremont), Marquez (Hayward), Munro (Livermore), Hannon (Newark), Kalb (Oakland), Cavanaugh (Piedmont), Narum (Pleasanton), Arriola (Tracy), Eldred (Community Advisory Vice-Chair Lopez (San Leandro) and Chair Martinez (Emeryville)

Excused: Directors: Valle (Alameda County), Harrison (Berkeley), Patino (Union City)

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

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.*

Jessica Tovar spoke regarding the December 15, 2022 vote at the California Public Utilities Commission to change the amount that rooftop solar customers are compensated when their systems generate excess electricity. Jessica Tovar stated that EBCE should support net energy metering policies that incentivizes the production of local clean energy. Jessica Tovar also spoke in support of the Community Advisory Committee, stating that it provides a means for the community's voices to be heard at the Board.

CONSENT AGENDA

4. Approval of Minutes from October 19, 2022

5. 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)

6. Contracts Entered Into (Informational Item)

7. Fiscal Year 2021-2022 Budget to Actuals

Present the actual financial performance relative to the planned budget for 2021-2022 FY

8. Update EBCE Credit Card Use Policy

Approve updates to EBCE's credit card policy

9. Tumbleweed Contract Amendment

Authorize CEO to execute a contract amendment to the Tumbleweed ES

10. Komorous-Towey Architects Contract Amendment

Amend existing CSA to expand architectural and engineering services into design and construction phase and increase compensation

Director Hannon requested to pull Item 11 - Sixth Dimension Contract Amendment, from the Consent Agenda.

Director Hannon motioned to approve Consent Items 4-10. Director Tiedemann seconded the motion which passed 12/0. Excused: Directors Valle (Alameda County), Harrison (Berkeley) and Patino (Union City).

REGULAR AGENDA

11. Sixth Dimension Contract Amendment (Consent Item)

Amend existing CSA to expand construction management services into design and construction phase and increase compensation

Director Hannon motioned to approve Consent Item 11 - Sixth Dimension Contract Amendment. Director Cox seconded the motion, which passed 12/0. Excused: Directors Valle (Alameda County), Harrison (Berkeley) and Patino (Union City).

12. CEO REPORT

- A. Executive Committee Report
- B. Finance, Administration and Procurement Subcommittee Meeting
- C. Marketing, Regulatory and Legislative Subcommittee Meeting
- D. New Staff
- E. Marketing and Account Services Update

13. Community Advisory Committee Report

- Chair Eldred provided an update about the upcoming end of the state of emergency and its ramifications for future meetings.
- Chair Eldred also provided highlights from the past month's legislative summary and discussed upcoming Executive Committee meeting.

14. Health-E Communities Partnership (Action Item)

Direct EBCE staff to develop a program proposal to deploy \$15,000,000 in local development funds to deliver home electrification to households where one or more resident suffers from asthma

Jessica Tovar spoke regarding the Health-E Communities Partnership, stating that lung diseases other than asthma should be included in the program scope. Jessica Tovar stated that program funding should be earmarked to address the needs of disadvantaged communities in the EBCE service area. Jessica Tovar also requested additional information about metrics and program proposal reporting.

The Board Discussed:

- Prioritizing disadvantaged communities and communities that fall just short of the "disadvantaged" designation.
- Community Advisory Committee unanimous vote in support of the program
- Partnerships with community organizations

Director Marquez motioned to approve the staff recommendation for Item 14, Health-E Communities Partnership, prioritizing support for disadvantaged communities. Director Arriola seconded the motion, which passed 12/0. Excused: Directors Valle (Alameda County), Harrison (Berkeley) and Patino (Union City).

15. Fiscal year 2021-2022 Financial Audit (Informational Item)

Present the findings from the audit of the previous fiscal year

There were no speakers for public comment.

16. Financial Reserve Contribution (Action Item)

Seek approval to contribute to EBCE's financial reserves

There were no speakers for public comment.

Director Narum motioned to approve the staff recommendation to add the proposed contributions to the reserve fund balance. Director Lopez seconded the motion, which passed 12/0. Excused: Directors Valle (Alameda County), Harrison (Berkeley) and Patino (Union City).

17. EV Fast Charging Network Tolling Partners (Action Item)

Authorize CEO to negotiate and execute Tolling Agreements for the development and operation of EBCE's EV Fast Charging Network

There were no speakers for public comment.

Director Munro motioned to adopt a resolution authorizing the CEO to negotiate and execute a ten-year tolling agreement with an affiliate of Calibrant Energy for the financing, design, construction, maintenance and operation of EBCE's Phase 1 portfolio of electric vehicle (EV) fast charging hubs. Director Cox seconded the motion, which passed 12/0. Excused: Directors Valle (Alameda County), Harrison (Berkeley) and Patino (Union City).

Director Tiedemann motioned to adopt a resolution authorizing the CEO to negotiate and execute a ten-year tolling agreement with an affiliate of EV Realty, Inc. for the financing, design, construction, maintenance and operation of EBCE's Phase 1 portfolio of electric vehicle (EV) fast charging hubs. Director Arriola seconded the motion, which passed 12/0. Excused: Directors Valle (Alameda County), Harrison (Berkeley) and Patino (Union City).

18. Local Programs Update (Informational Item)

Receive an update on Local Programs

There were no speakers for public comment.

The Board Discussed:

- E-Bike program costs including incentives for CARE customers
- Proposed requirements to qualify for e-bike program, including updated bike masterplans, dedicated bike lanes, a preference for local e-bike companies, arrangements for bicycle safety classes and distribution of helmets
- Strategies to publicize the municipal electrification program in member cities

19. Appoint Chair and Vice Chair (Action Item)

Appoint an interim Chair and Vice Chair, until such a time that the newly composed Board can re-affirm the appointment or select a new Chair and Vice Chair.

There were no speakers for public comment.

The Board Discussed:

- Appreciation for Chair Martinez for her service to EBCE.
- Vice Chair Lopez's last BOD meeting will be the December 21st BOD meeting.

Chair Martinez motioned to appoint Director Arriola (Tracy) as Interim Chair commencing January 2023. Vice Chair Lopez seconded the motion which passed 12/0. Excused: Directors Valle (Alameda County), Harrison (Berkeley) and Patino (Union City).

Director Kalb motioned to appoint Director Cavanaugh (Piedmont) as Interim Vice Chair commencing January 2023. Director Arriola seconded the motion, which passed 12/0. Excused: Directors Valle (Alameda County), Harrison (Berkeley) and Patino (Union City).

20. Board Member and Staff Announcements including requests to place items on future Board Agendas

Director Munro expressed appreciation to staff and Board at her last meeting.

Director Narum thanked Chair Martinez, the Board and staff at her last meeting.

Vice Chair Lopez requested that members attend a gathering immediately prior to the December 21, 2022 Board meeting to recognize departing members.

Director Kumagai thanked staff and colleagues at his last meeting.

CAC Chair Eldred requested that new Board members reach out to their respective CAC members.

Director Kalb announced that the City of Oakland opened its first climate resiliency hub in cooperation with California Integrated Power and Light and the US Green Building Council.

Director Cox thanked fellow Board members and welcomed new Board members.

Director Hannon thanked Chair Martinez, Vice Chair Lopez and Directors Narum, Munro and Kumagai.

21. Adjournment to Wednesday, December 21, 2022 at 6:00pm



Draft Minutes

Board of Directors Special Meeting

Friday, December 2, 2022

11:00 am

In person:

Conference Room 1
East Bay Community Energy
1999 Harrison Street, Suite 800
Oakland, CA 94612

or via Zoom:

<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)
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Excused: Directors: Valle (Alameda County), Kalb (Oakland)

Director Hu served as an Alternate for Director Kumagai (Dublin).

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

Director Marquez (Hayward) and Director Patino (Union City) joined the meeting during Closed Session.

2. Public Comment

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There were no speakers for public comment.

3. Closed Session

a) Conference with Legal Counsel: Initiation of litigation pursuant to paragraph (4) of subdivision (d) of Section 54956.9: (1 case)

4. General Counsel Report Out of Closed Session

There were no items to report out of Closed Session.

5. Board Member and Staff Announcements including requests to place items on future Board agendas

There were no Board Member or staff announcements.

6. Adjournment to Wednesday, December 14, 2022 at 6:00 pm.