1. Welcome & Roll Call

2. Pledge of Allegiance

3. Closed Session
   Conference with Legal Counsel - Initiation of Litigation; Significant exposure to litigation pursuant to paragraph (4) of Subdivision (d) of California Government Code Section 54956.9 -- one case.

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. As with all public comment, members of the public who wish to address the Board are customarily limited to three minutes per speaker. The Board Chair may increase or decrease the time allotted to each speaker.

- Note: Agenda includes the addition of Item 19
  Adopt a resolution authorizing the Chief Executive Officer to execute a credit agreement in an amount up to $400 million for a period of three years to be used for EBCE's operations
CONSENT AGENDA

6. Approval of Minutes from December 5, 2018

7. Contracts entered into (Informational Item)

8. Approve a Consulting Services Agreement with the Weideman Group for Legislative Advocacy and Advisory Services (Action Item)

   Approve a Consulting Services Agreement with the Weideman Group for a term running January 1, 2019 through December 31, 2019, in an amount not to exceed $125,000 to provide regulatory and legislative advocacy and advisory services.

9. Legal Services Agreement with Hall Energy Law PC
   A. Approve a Legal Services Agreement with Hall Energy Law PC for services related to drafting and negotiating Power Purchase Agreements in the amount not to exceed $175,000 for the term January 10, 2019 through August 31, 2019.
   B. Direct the General Counsel to terminate the Legal Services Agreement with Troutman Sanders.

REGULAR AGENDA

10. CEO REPORT
    A. Executive Committee Meeting;
    B. Marketing and Outreach update;
    C. Local Development Business Plan Update and
    D. Update on Opt-out

11. Community Advisory Committee Report

12. Regulatory and Legislative Update (Informational item) Accept staff regulatory and legislative update.

13. Change to Administrative Procurement Policy
    Adopt a Resolution to amend the Administrative Procurement Policy to remove section 5.iv, relating to race and gender conscious preferences.

15.  **EBCE Office Lease (Action Item)**
   A. Authorize CEO to enter into negotiations for a sub-lease agreement of the 2nd floor 1212 Broadway in Oakland; and
   B. Delegate approval of final sub-lease agreement to EBCE Executive Committee

16.  **Audit Report (Informational item)**
    Receive report on audited financial statements for Fiscal years ending June 30, 2017 and June 30, 2018.

17.  **Treasurer’s report (Informational Item)**
    Receive report on EBCE Cash position.

    Accept East Bay Community Energy’s mid-year review of its 2018/2019 Budget

19.  **Adopt a Resolution Authorizing the Chief Executive Officer to Execute a Credit Agreement. (Action Item)**
    Adopt a Resolution authorizing the Chief Executive Officer to execute a credit agreement in an amount up to $400 million for a period of three years to be used for EBCE’s operations.

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

20.  **Adjournment**
    - Date: Wednesday, February 20, 2019
    - Location: City of Hayward, Council Chambers
    - 777 B Street
    - Hayward, CA 94541