

**Attachment 7A**

**RESOLUTION EBCE R-2017-8**

**A RESOLUTION OF THE BOARD OF DIRECTORS  
OF THE EAST BAY COMMUNITY ENERGY AUTHORITY  
APPOINTING A CHIEF EXECUTIVE OFFICER AND  
APPROVING AN EMPLOYMENT AGREEMENT  
BETWEEN THE EAST BAY COMMUNITY ENERGY  
AUTHORITY AND NICOLAS CHASET**

**THE BOARD OF DIRECTORS OF THE EAST BAY COMMUNITY ENERGY  
AUTHORITY DOES HEREBY FIND, RESOLVE, AND ORDER AS FOLLOWS:**

Section 1. The County Board of Supervisors and the City Councils of eleven cities in Alameda County, namely the City of Albany, the City of Berkeley, the City of Dublin, the City of Emeryville, the City of Fremont, the City of Hayward, the City of Livermore, the City of Oakland, the City of Piedmont, the City of San Leandro, and the City of Union City (respectively, "Participant City"; or collectively, "Participant Cities"), adopted ordinances authorizing the implementation of a Community Choice Aggregation Program ("CCA Program") to be operated by EBCE, pursuant to California Public Utilities Code Section 366.2(c)(12).

Section 2. On December 1, 2016, the Participant Cities and County entered into an East Bay Community Energy Authority Joint Powers Agreement (the "JPA Agreement") pursuant to the Joint Exercise of Powers Act of the State of California (Government Code Section 6500 et seq.) (the "Act") to operate and administer the CCA Program.

Section 3. Section 4.10 of the JPA Agreement provides that the EBCE Board shall appoint a Chief Executive Officer ("CEO") for the EBCE, who shall be responsible for the day-to-day operation and management of the EBCE and the CCA Program, and provides for the powers and authority of the CEO.

Section 4. Nicolas Chaset possesses the skill, experience, ability, background and knowledge to perform the duties of the CEO of EBCE.

Section 5. The Board hereby appoints Nicolas Chaset as its Chief Executive Officer pursuant to the terms provided by the Employment Agreement for Chief Executive Officer.

Section 6. The Chair of the Board is directed to execute the Employment Agreement for Chief Executive Officer with Nicolas Chaset, in substantially the form attached to the Agenda Report, with any nonsubstantive revisions approved by the Chair and General Counsel, that accompanied this Resolution, on behalf of the EBCE, and is authorized to take all other actions necessary to implement the Agreement.

**ADOPTED AND APPROVED this 21<sup>st</sup> day of June, 2017.**

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Scott Haggerty, Chair

**ATTEST:**

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Stephanie Cabrera, Secretary