



Draft Minutes

Board of Directors Meeting

Wednesday, April 17, 2019

6:00 pm

City of Hayward

Council Chambers

777 B Street,

Hayward, CA 94544

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1. Welcome & Roll Call

Present: McQuaid (Albany), Hernandez (Dublin), Martinez (Emeryville), Mei (Fremont), Mendall (Hayward), Rood (Piedmont), Lopez (San Leandro), Vernaci-Dutra (Union City), Eldred (Community Advisory), Vice-Chair Kalb (Oakland) and Chair Haggerty (Alameda County)

Excused: Arreguin (Berkeley) and Munro (Livermore)

2. Pledge of Allegiance

3. Closed Session

A. CONFERENCE WITH LEGAL COUNSEL--EXISTING LITIGATION (under Paragraph (1) of subdivision (d) of Section 54956.9) In Re PG&E corporation and Pacific Gas and Electric Company, Debtors, Bankruptcy Case No. 19-30088(DM), United States Bankruptcy Court, Northern District of California

4. General Counsel Report out of Closed Session

In closed session the Board provided legal counsel and staff with direction.

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.

CONSENT AGENDA

6. Approval of Minutes from February 20, 2019

7. Contracts entered into (Informational Item)

8. Out of State Travel (Informational Item)

9. Amendment to Legal Services Agreement with Keyes & Fox LLP for Regulatory Advocacy (Action Item)

Approve an Amendment to the Legal Services Agreement with Keyes & Fox LLP in an amount not to exceed \$125,000 to provide regulatory legal advocacy services.

C-2019-17

Director Mendall motioned to approve the Consent Agenda. Director Rood seconded the motion which passed 10/0: Excused: Directors Arreguin and Munro

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

The Board discussed:

- Local youth sports sponsoring opportunities
- Best methods to bring awareness to program and targeted media outreach
- Solar Customer CCA opt-out rates and how to communicate EBCE Programs and policies.
- Advertising at Professional Sporting events

11. Community Advisory Committee Report

Chair Eldred reported that Vice-Chair O'Neil will be stepping down from the CAC. The CAC will hold a chair election at their April 15 meeting and is currently seeking new members.

12. EBCE Office Lease (Action Item)

Approve a Resolution authorizing the Chief Executive Officer to finalize and execute a sub-lease agreement for office space at 1999 Harrison St, Oakland California.

The Board discussed:

- Space Size
- Planned use for space
- Plans for call center location
- Repeated CAC desire to host meetings in a centrally located area

Directors Dutra-Vernaci motioned to approve a resolution authorizing the CEO to finalize and Execute a sub-lease agreement. Director Hernandez seconded the motion which carried 10/0; Excused: Directors Arreguin and Munro

13. Second Amended and Restated Administrative Procurement Policy (Action Item)

Adopt a resolution to approve the Second Amended and Restated Administrative Procurement Policy.

Vice-Chair Kalb motioned to approve a resolution to approve the Second Amended and Restated Administrative Procurement Policy. Director Mendall seconded the motion which carried 10/0; Excused: Directors Arreguin and Munro

R-2019-4

P-2019-3

14. EBCE Rate Modifications (Informational Item)

Receive an update from staff regarding EBCE rate modifications

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

Chair Haggerty announced the Sub-committee assignments.

Marketing Regulatory and Legislative Matters

- Dan Kalb (Oakland)
- Nick Pilch (Albany)
- Trish Munro (Livermore)
- Tim Rood (Albany)

Finance, Administration, and Procurement

- Al Mendall (Hayward)
- Lily Mei (Fremont)
- Ed Hernandez (San Leandro)
- Carol Dutra-Vernaci (Union City)

Director Eldred requested additional information on ex officio member participation on Board Sub-Committees.

16. Adjourned