



Special Meeting
Board of Directors Meeting
Wednesday, September 26, 2018
6:00 pm
City of San Leandro
Council Chambers
835 E. 14th Street,
San Leandro, CA 94578

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) 736-4981 or Scabrera@ebce.org.

If you have anything that you wish to be distributed to the Board, please hand it to the clerk who will distribute the information to the Board members and other staff. Please bring at least 25 copies.

1. Welcome & Roll Call
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 three minutes per speaker. The Board Chair may increase or decrease the time allotted to each speaker.

CONSENT AGENDA

4. Contracts entered into (Informational Item)
5. **Agreement with Troutman Sanders for Power Procurement Legal Services (Action Item)**
Approve an agreement with Troutman Sanders in the amount of \$225,000 for the term commencing September 1, 2018 through August 31, 2019.

6. Printing and Mailing Services

Approve an agreement with FinalOption Corp, dba Pacific Printers (Principal: Location:) for Printing and Mailing Services, for the period of 9/26/18 – 12/31/19, in an amount not to exceed \$925,000.

REGULAR AGENDA

7. Approval of Minutes from July 18, 2018

8. CEO REPORT

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

9. Community Advisory Committee Report

10. Treasurer's Report

Receive report on EBCE Financials.

11. Legislative and Regulatory Update (Informational Item)

Receive an update on the 2018 California Legislative session.

12. EBCE Co-Branding and Collaboration Policy (Action Item)

Review and approve a policy on EBCE co-branded marketing materials.

13. Rate Setting Protocol (Action Item)

Authorize EBCE staff to ministerially modify EBCE rate schedules as needed to be consistent with the rate objectives established by the Board in setting rates, and work with the billing services vendor to implement any rate adjustments so that all EBCE customers receive the published value proposition for the service level they receive. Staff will report to the Board in advance of, and at the Board meeting immediately following, any adjustments to the rate schedules.

14. Carbon emission Benchmarking and Accounting Methodology (Informational Item)

Receive information regarding EBCE's Carbon emissions benchmarking and Accounting methodologies.

15. Auditor Appointment (Action Item)

Approve the following recommendations:

- 1. Adopt a resolution appointing Pisenti & Brinker LLP to complete the audit of EBCE's annual financial statements for the years ending June 30, 2017 and June 30, 2018.
- 2. Approve an agreement with Pisenti & Brinker, LLP for audit services in the amount of \$11,250, for a term ending 6/30/19.

- 16. Amendments to the Joint Powers Agreement (Action Item)**
Discuss proposed amendments to the East Bay Community Energy Joint Powers Agreement (JPA) and Direct staff to bring back proposed language relating to proposed JPA amendments.
- 17. Approve EBCE application for voluntary enrollment in the California State Disability Insurance Program (Action Item)**
Adopt a resolution to allow East Bay Community Energy (EBCE) to submit an application to voluntarily enroll in the California State Disability Insurance program to provide EBCE employees' access to Paid Family Leave and State Disability Insurance coverage.
- 18. Board Member and Staff Announcements including requests to place items on future Board Agendas**
- 19. Adjournment - to** Date: Wednesday, October 17, 2018
Location: City of Hayward,
Council Chambers
777 B Street
Hayward, CA 94541