

Comments from Seth Capron, MBCP CAC Board Member, on CAC 8/16/2018 Agenda

I'm disappointed not to be attending tonight's meeting due to previous travel plans. I'd like for these comments to be shared with the CAC at the meeting.

I hope that a Committee member requests that approval of the CAC bylaws be pulled from the consent agenda. I'm appreciative that staff has put this draft together for the Committee, but we have been charged with presenting draft bylaws to the Policy Board, and I think at a minimum there should be a Committee discussion of the language presented to us.

The following language was part of the Policy Boards approval of the establishment of the CAC:

"Seated CAC defines their by-laws, scope and priorities; staff brings back a discussion in May and June to the operations and policy boards respectively and attempts to delineate the boards functions and possible responsibilities of the CAC with respect to prioritizing tasks ."

"Include language in the third bullet regarding 'Additional Scope' to state "including power procurement and rates"

Below are two cites from the staff's draft bylaws:

Article I (b)

"Provide an in-depth review of and oversight over MBCP staff ("Staff") proposals and policy recommendations as it relates to power supply mix, rate design, customer programs, community engagements and other function as may be delegated by the Policy and Operations Boards from time to time."

Article II 2.03(b)

The CAC shall be required to provide input on certain matters, as follows:

- (i) Upon the request of MBCP's CEO; and
- (ii) As directed by the Policy Board;

The Policy Board has charged us with drafting what we believe to be the most productive and appropriate Scope for the CAC. I offer these suggested amendments to the draft created by staff:

Article I (b)

I favor a broader scope that makes room for the CAC to address any issues that may arise in the future regarding MBCP's policies and operation. I propose that the language in I(b) be revised to read:

"Provide an in-depth review of and oversight over MBCP staff ("Staff") proposals and policy recommendations as it relates to power supply **procurement** and mix, customer programs, community engagements, **other issues raised by the CAC related to MBCP policy and operation**, and other functions as may be delegated by the Policy and Operations Boards from time to time."

Article II 2.03(b)

Although this description of the CAC's scope is not necessarily all-inclusive, it appears to preclude the CAC from initiating agenda items from the Chair and the Committee's membership. I'd like to suggest that the Chair of the CAC be allowed to add additional agenda items for discussion and action. Committee members should be able to request that the chair add items to the agenda. If the chair were to choose not to include an item as requested by a CAC member for an upcoming meeting, the CAC should have the opportunity to vote on whether to include that item on a future agenda.

Below is suggested revised language:

Article II 2.03(b)

The CAC shall be required to provide input on certain matters, as follows:

- (i) Upon the request of MBCP's CEO; and
- (ii) As directed by the Policy Board;
- (iii) Items placed on CAC meeting agendas by the CAC Chair, in cooperation with staff;
 - A. Any agenda items originating from the CAC shall address issues related to their role of advising the Operations and Policy Boards
 - B. At their discretion, the Chair shall agendaize discussion or action items suggested by CAC members
 - C. If the Chair declines to include an item suggested by a CAC member on a meeting agenda, the full CAC shall vote at that meeting on whether to agendaize this item at the following CAC meeting

Tom has hired a terrific staff and I look forward to working together with them on identifying the best course forward for Monterey Bay Community Power. It's quite possible that if we add this language, it will never be needed. It's likely that staff will welcome suggestions from CAC members for items that are worthy of discussion. That being said, I think that it's important that it's clear that our scope is not confined entirely to agenda items presented to us by the staff and the Policy Board. I think that we can be better partners in channeling the public's input if we have an avenue for raising issues that might not already be on the table.