



REGULAR MEETING
of the Community Advisory Council (CAC)
Thursday, August 16, 2018
6:00 pm

Monterey Bay Community Power (MBCP)
70 Garden Court, Suite 300
Monterey, CA 93940

MINUTES

1. The meeting was **called to order by Chair Byron at 6:00 p.m.** with 8 members present and a quorum established:

Councilmembers Present: Dr. Bueno del Bosque, Hartmann, Osmer, Wolfrum, Amezcuita, Stedman; Vice Chair LaVan, Chair Byron

Councilmembers Absent: Groot, Bezzeria Wist, Capron

2. The Chair led the Pledge of Allegiance.
3. The Chair called for members of the public to speak on matters not listed on the agenda. The following individuals addressed the Council:

- Michael Saint, Citizens Climate Lobby
- Brett Garrett, MBPrime Customer from Santa Cruz
- Unknown man

The Chair closed the public comment period.

4. The Chair addressed the Council and asked to set the agenda and approve the Consent Agenda. Agenda Items 5 and 6 were pulled by the Chair for separate discussion. No public comment was taken.

CONSENT AGENDA

5. Minutes of the July 10, 2018 Meeting of the Community Advisory Council were approved as amended to correct the following:

- Page 2: Agenda Item 8, last sentence, was corrected from “opened” to “open”;
- Page 3: Agenda Item 10, was corrected to read and for public reference: “AB-813 Multistate regional transmission system organization: membership. (2017-2018) (Holden)”

MOTION: Councilmember Stedman moved, seconded by Councilmember Osmer, to approve Agenda Item 5 as amended.

ACTION: The motion carried with an 8/3/0/0 vote:

AYES: Dr. Bueno del Bosque, Hartmann, Osmer, Wolfrum, Amezquita, Stedman; Vice Chair LaVan, Chair Byron

NOES: None

ABSENT: Groot, Bezzera Wist, Capron

ABSTAINED: None

6. Community Advisory Council Bylaws were discussed. Councilmembers provided staff with the following modifications. The Bylaws will return with edits made to the next Community Advisory Council meeting on September 20, 2018, proposed for adoption, any further deliberation and additional amendments made, if needed.

- Councilmember Osmer:
 - Section 203(e) – “Reporting Requirements” - page 3, was concerned with amending staff recommendations. General Counsel replied to clarify that the CAC has at its discretion the option to review staff’s recommendations, then make proposed changes to be reported to the Policy Board later;
 - Section 401(b) – “Regular Meetings” - page 6, inquired about clarification on the distinction between “adjourned” versus “continued” meetings. General Counsel replied that the wording should only include “adjourned”;
 - Section 602(a) – “Duties of the Chair” - page 9, inquired about clarification on the Chair to attempt to verify that “...all members understand the issue under discussion...” General Counsel replied that the Chair can attempt to verify if members understand the issues. She also suggested new language to read - “shall seek to ensure...” and the Chair agreed;

Agenda Item 6 (continued)

- Section 602(d) – “Duties of the Chair” - page 9, inquired about clarification on polling the public audience that should also include language to read “...and allow” members of the public to speak;
- Councilmember Hartmann:
 - Echo’s the written comments submitted by Councilmember Capron to the Board Clerk and distributed to Councilmembers and members of the public day of the meeting;
 - Section 402(a)(ii) – “Special Meetings”- page 6, suggested to change the reference to “Doodle Poll” to read “online survey”;
 - Section 302 – “CAC Liaison”- page 4, and Section 602 – “Duties of the Chair”- page 9, may have conflicts related to appointment of a CAC liaison. Suggestions were made to update and make consistent language that includes the Chair to make appointments of an alternate or designee to attend meetings in his/her absence, in both sections;
 - Section 604 – “Duties of the Board Clerk” - page 10, and Section 701 – “Preparation of the Agenda” - page 11, suggested to change language from “prepare” to “coordinate” with the Chair and Vice Chair in preparation of distribution of the agenda packet;
 - Section 702 – “Attendance at Meetings” - page 11, may conflict with 401(c) – “Regular Meetings”- page 6, related to excused/unexcused absences and removal from the CAC. The General Counsel clarified that the distinction between the two would be a call to the Board Clerk with notice one day prior to the meeting to be an excused absence. Councilmember Dr. Bueno suggested new language to read “planned and unplanned excuses;”
 - Provided a reminder that page numbers were off in the document;
- Vice Chair LaVan:
 - Remove random period in Section 2.03(d) – “Reporting Requirements” - page 3, first sentence following the word “liaison;”
- Chair Byron:
 - Section 6.01 – “Officers, Duties and Elections”- page 8, inquired about clarification on term from March to March. Mr. Habashi suggested the terms run from September to September to align with when the Policy Board meets to make new appointments to the CAC. Additionally, Chair Byron suggested the “Elections of Officers” move from April to a date after new appointments of CAC members were made by the Policy Board. General Council replied that she would like to sit with the ideas to ensure the suggestions align with the initial terms of the CAC to avoid shortening any terms. Chair Byron suggested adding an additional 6 months to the terms and the CAC members agreed.

Agenda Item 6 (continued)

- Section 7.03 – “Order of Business”- page 11, suggested that language changes be made based on order of the agenda to be more flexible and suggested a change to the wording from “order...” to “include the following...”;
- Councilmember Stedman:
 - Section 2.01(a) – “Purpose”- page 2, asked to change language to read “reduces greenhouse gases and other associated air pollution;”
 - Section 3.02 – “CAC Liaison”- page 4, clarification of a placeholder on the Operations and Policy Board meetings for liaison to report out on CAC business;
 - Section 7.03 – “Order of Business” – page 11, suggested to add a line item, “Changes to the Agenda by Chair;”
- Councilmember Wolfrum:
 - No comments submitted
- Councilmember Amezcuita:
 - No comments submitted
- Councilmember Dr. Bueno:
 - Section 2.01 – “Purpose”- page 2, inquired about clarification of order of priorities when there are competing policies. Mr. Habashi replied that the items were arranged as listed in the order in the JPA;
 - Section 8.01(d) – “Appointing Subcommittees” - page 13, inquired about clarification of dissenting votes and would who would make the dissensions: staff or CAC members? Mr. Habashi clarified that subcommittee members would have the opportunity to dissent at the point the CAC Chair or Vice Chair provide their report to the Operations and/or Policy Board members;
- Councilmember Hartmann:
 - Suggested that in 2.01(c) – “Purpose”- page 2, suggested the language be changed from “invest in” to “build out.” The Chair suggested that the language be consistent with the MBCP Rules & Regulations as well as the JPA. Mr. Hartmann agreed;
- Councilmember Dr. Bueno:
 - Section 3.01(b) – “Member Appointments, Composition and Terms” - page 4, inquired about clarification of terms and how the process works. Discussion was raised and agreed upon that CAC members who were appointed with 1 and 2-year terms would be allowed two additional 3-year terms if reappointed by the Policy Board following expiration of their initial terms;

Agenda Item 6 (continued)

- Chair Byron:
 - Read into the record a portion of Councilmember Capron’s publicly posted comments – page 1, the last paragraph as it relates to Article I(b). Chair Byron suggested to keep the language noted by Councilmember Capron in his comments that reads “...other issues raised by the CAC related to MBCP policy and operation...” but questioned the addition of “procurement” because he believes it would be problematic. Mr. Habashi replied with the process for procurement activities. Councilmember Hartmann suggested that the CAC only establish the criteria and MBCP staff negotiate the contracts. Chair Byron suggested not adding the word “procurement” in the draft bylaws until Councilmember Capron returns at the next meeting and can further clarify his desire to include the word in the bylaws language;
 - Read into the record a portion of Councilmember Capron’s publicly posted comments – page 2, Article II 2.03(b) of the CAC Bylaws the inclusion of (iii) related to items placed on CAC meeting agendas by the CAC Chair;

The Chair opened the public comment period. The following individuals addressed the Council:

- Kristi Markey regarding language in the JPA related to greenhouse gas reduction

The Chair closed the public comment period.

ACTION: Discussion item only; no action taken.

PRESENTATION

7. General Council Angela Lipanovich provided Brown Act training to Councilmembers.

The Chair opened the public comment period. There were no speakers. The Chair closed the public comment period.

ACTION: Discussion item only; no action taken.

At **8:06 p.m.** the Chair called for a break. By consensus the Council agreed. The Council reconvened at **8:15 p.m.**

REGULAR AGENDA

8. CEO Tom Habashi, Director of Power Services Dennis Dyc-O'Neal, Program Coordinator Beth Trenchard, Marketing & Communications Manager Peter Berridge, and Director of Internal Operations Tiffany Law gave presentations on the Fiscal Year 2018/2019 MBCP Budget.

The Councilmembers had the following comments:

- Councilmember Hartmann:
 - 90 MW of new wind does not create local jobs or stimulate the economy and commented that there's potential for changing this in the future; Councilmember Stedman commented that the reduction of GHG is important globally no matter where it comes from; Councilmember Osmer commented that PG&E contracts in other states when getting the lowest bid;
 - The last two slides of the PowerPoint are misleading because working on EV's and battery storage is not yet a result of MBCP;
- Vice Chair LaVan:
 - Commented that local agencies might look for way to generate their own power thus creating local jobs;
 - Inquired about how many customers enrolled in MBGreen & MShare and if there is a goal to increase ongoing numbers? Mr. Habashi remarked that it's difficult to set a goal because it's up to the customers to participate but MBCP plans to keep the programs active for one year. After a year, if there's a lack of customer participation despite any amount of marketing, then MBCP will consider dropping a program and adopting an alternative program similar to one that has been successful; Marketing & Communications Manager Peter Berridge replied that MBGreen & MShare are options for customers to redirect their rebates. MShare, funds will go to support the tri-county organizations and MBGreen funds will go towards renewable energy infrastructure;
- Councilmember Amezcua:
 - Believes that anything that can generate energy should be built in California;
- Councilmember Dr. Bueno:
 - How does Tesla fit into the EV infrastructure program development? Mr. Habashi replied that the intent is to work with other organizations that have same goals and will have agreement in place that brings in high speed chargers in the tri-county area;
 - What is MBCP's role in battery storage project? Mr. Habashi replied that MBCP has offered to partner with PG&E to move the project forward;
 - Who are MBPC's biggest users? Mr. Habashi replied that he is obligated to not divulge customer information and consumption. Vice Chair LaVan

asked if industries can be mentioned and Mr. Habashi replied that the commercial and industrial sectors are the highest consumers and provide the largest revenues. Agriculture sector is about 17% of consumption;

- Dr. Bueno mentioned that his hospital is a user. He inquired if there's a way for hospitals to be 100% carbon neutral not only through MBCP but also as models to assist other hospitals around the country to subsidize and invest in creating their own energy and storage programs that don't have CCAs in their areas; Mr. Habashi replied that it is a possibility for any customer to achieve onsite energy generation and to meet their needs;
- Councilmember Stedman:
 - Inquired about the budget document that provides line item and expenditure information along with various programs; Mr. Habashi replied that the budget document is still being prepared and will be shared when the September 5 Operations Board packet is released;
- Chair Byron:
 - Recommends that MBCP's budget be greater than other CCAs; Mr. Habashi replied that he's not sure if MBCP's budget is higher or lower than other CCAs; Vice Chair LaVan remarked that since MBCP is in its first year that it's important to set the budget based on true data rather than assumptions;
 - Inquired about the possibility of more than 2% of the budget to go towards programs; Mr. Habashi replied that the 2% is of revenue rather than surplus which constitutes roughly \$5 million, and the intent will be to fund the programs at 2% while splitting the surplus between reserves and rebates until MBCP's reserve balance gets to the point of around 50% of operating expenses, then take all surplus and split it between programs and rebates.
- Councilmember Amezcua:
 - Inquired how MBCP can achieve GHG reduction so that people are breathing in less emissions? Can MBCP think to that level now? Mr. Habashi replied that MBCP is partial to doing the right thing to make it possible to reduce greenhouse gas.

The Chair opened the public comment period. There were no speakers. The Chair closed the public comment period.

ACTION: Discussion item only; no action taken.

9. Councilmembers reported on events since their last meeting.
10. The meeting adjourned at **9:48 p.m.** to next Community Advisory Council Meeting on September 20, 2018.