



**SPECIAL MEETING  
of the Policy Board of Directors**

Thursday, October 11, 2018

1:30 p.m.

**Monterey Bay Community Power  
70 Garden Court, Suite 300  
Monterey, CA 93940**

**REMOTE LOCATION VIA TELECONFERENCE**

**County of Santa Cruz**

**Office of Fifth District Supervisor Bruce McPherson**

**County of Santa Cruz**

**701 Ocean Street, Suite 500**

**Santa Cruz, CA 95060**

**MINUTES**

1. The meeting was **called to order by Vice Chair McShane at 1:33 p.m.** with 7 members present and a quorum established.

Directors Present: Coffman-Gomez, Termini, Parker; Muenzer, Freeman; Vice Chair McShane; Chair McPherson (in attendance at 701 Ocean Street, Santa Cruz)

Directors Absent: Brown, Haffa, Delgado, Orozco

Directors Disqualified: None

2. The Director Parker led the pledge of allegiance.
3. The Vice Chair called on members of the public to speak during Public Comment for matters not listed on the agenda. The following individuals address the Board:
  - Vice Chair McShane announced that AMBAG is celebrating its 50<sup>th</sup> Anniversary on Wednesday, November 14 at 5:00 p.m. in Seaside, CA; and, briefed the board on a call he had with the California Van Pool Authority that in California the Authority was responsibility for more than 100 million passenger miles traveled, meaning the vans only traveled about 12 million miles which saves millions of miles traveled by other cars and passengers each year thanks to the van pools

- David Lesacar regarding meeting the goal of stimulating local economy by achieving lower cost of energy

The Chair closed the public comment period.

4. There were no Board member disqualifications.
5. The Agenda was set and approved.

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

**MOTION:** Director Termini moved, seconded by Director Parker, to set and approve the agenda.

**ACTION:** The motion carried with a 7/0/4/0 vote:

AYES: Coffman-Gomez, Termini, Parker; Muenzer, Freeman; Vice Chair McShane; Chair McPherson (in attendance at 701 Ocean Street, Santa Cruz)  
NOES: None  
ABSENT: Brown, Haffa, Delgado, Orozco  
DISQUALIFIED: None

### **REGULAR AGENDA**

6. Board members approved the contract with County of Monterey for General Counsel Services as submitted.

The Chair opened the public comment period. The following individual addressed the Board:

- David Lesacar regarding the necessity of having an attorney with regulatory experience

The Chair closed the public comment period.

- Director Termini inquired about how MBCP will fulfill its needs for regulatory advice. Mr. Habashi responded that MBCP will continue to retain contact with Scott Blaising for regulatory legal services, filings, and updates from regulatory agencies, as well as continue to pay CalCCA a portion of member costs for other legal services; Director Termini inquired if the arrangement was temporary until a suitable candidate is found to fulfill the position. Mr. Habashi replied, yes, and that the individual would have the experience to provide regulatory legal services as

well as negotiation experience with Power Supply agreements. Director Termini inquired about the \$11,000 a month fee and was curious if the contract was fixed or not. Mr. Habashi replied that the contract is for \$250 an hour and not to exceed \$132,000 annually with roughly 10 hours per week equally roughly \$11,000 per month;

- Director Freeman inquired about the cumulative legal fees for general counsel, regulatory, and power negotiations. Mr. Habashi replied that general counsel runs around \$170,000 annually, the power supply negotiations will likely to run around \$140,000, and regulatory runs around \$80,000 (directly) and \$150,000 (indirectly) to CalCCA to fight battles on MBCP's behalf;
- Director Park inquired about the process for hiring the contract general counsel; Mr. Habashi replied that based on range of fees of other attorneys, the County of Monterey's legal fees were at a very reasonable cost, as well as having the individual in-house made the decision to contract with the County on interim basis was reasonable;
- Director Coffman-Gomez inquired if the contract with the general counsel will meet the expectation of the needs of MBCP especially with the decisions of the PCIA and other regulatory issues currently happening. Mr. Habashi replied that regulatory issues will continue to be assigned to Scott Blaising and any other attorneys with similar experience;
- Director Freeman inquired if Mr. Shaw will have office space for 40 hours a week but billing 10-20 a week. Mr. Habashi replied that Rob will have an office in-house that he can utilize on an as needed basis but should be performing at least 10 hours of work in-house per week;

**MOTION:** Director Coffman-Gomez moved, seconded by Director Parker, approved Agenda Item 6.

**ACTION:** The motion carried with a 7/0/4/0 vote:

AYES: Coffman-Gomez, Termini, Parker; Muenzer, Freeman; Vice Chair McShane; Chair McPherson (in attendance at 701 Ocean Street, Santa Cruz)

NOES: None

ABSENT: Brown, Haffa, Delgado, Orozco

DISQUALIFIED: None

Chair McPherson asked that a letter be sent to Mrs. Lipanovich thanking her for her services.

7. The meeting was adjourned **at 2:01 p.m.** to the next Policy Board Meeting on Wednesday, December 5, 2018.