



REGULAR MEETING
of the Policy Board of Directors
Wednesday, September 12, 2018
10:30 am
Monterey Bay Community Power
70 Garden Court, Suite 300
Monterey, CA 93940

AGENDA

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 Bren Lehr, Board Clerk, at 831-641-7203 or blehr@mbcommunitypower.org. Requests should be made as soon as possible but at least 72 hours prior to the scheduled meeting.

If you have anything that you wish to be distributed to the Board please hand it to a member of MBCP staff or Bren Lehr, Board Clerk who will distribute the information to the Board members and other staff.

OPEN SESSION

1. The meeting was **called to order at 10:45 a.m.** with 8 members present and a quorum established.

Directors Present: Brown (arrived at 11:05 a.m.), Coffman-Gomez, Termini, Phillips (left at 12:32 p.m.), Haffa (arrived at 10:54 a.m.); Muenzer, Freeman; Vice Chair McShane; Chair McPherson
Directors Absent: Delgado, Orozco
Directors Disqualified: None

2. The Chair led the pledge of allegiance.
3. The Chair called on members of the public to speak during Public Comment for matters not listed on the agenda. The following individual addressed the Board:

➤ Dave Lesacar from Seaside, regarding electric vehicles

The Chair closed the public comment period.

OPEN SESSION (*continued*)...

4. There were no Board member disqualifications.
5. The Agenda was set and the Consent Agenda was 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 Muenzer, to set the agenda and approve the Consent Agenda.

ACTION: The motion carried with a 7/0/4/0 vote at 10:50 a.m.:

AYES: Coffman-Gomez, Termini, Phillips, Muenzer, Freeman; Vice Chair McShane; Chair McPherson
NOES: None
ABSENT: Brown, Haffa, Delgado, Orozco
DISQUALIFIED: None

CONSENT AGENDA

6. Minutes of the June 6, 2018 Policy Board of Directors Meeting was approved as submitted.
7. Resolution No. PB-2018-05 was adopted approving the 2019 regular meeting schedule of the Policy Board of Directors.
8. Treasurer Report was reviewed and approved as submitted.

REGULAR AGENDA

9. CEO Tom Habashi provided a brief Community Advisory Council report to Board members on behalf of Chair Jeff Byron who was unable to attend the meeting.

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

10. Vice Chair Ray Corpuz gave a report to Board members of business conducted at the June 27, 2018 and September 5, 2018 meeting of the Operations Board of Directors.

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

REGULAR AGENDA (continued)...

11. CEO Tom Habashi gave a report to Board members of business conducted as well as legislative and regulatory updates since the last meeting.

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

12. Board members approved the retirement of MBCP's loan and line of credit by September 30, 2018.

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

MOTION: Director Coffman-Gomez moved, seconded by Director Phillips, to approve Agenda Item 12 with the direction to staff to release this information to all media outlets.

ACTION: The motion carried with a 9/0/2/0 vote:

AYES: Brown, Coffman-Gomez, Termini, Phillips, Haffa; Muenzer, Freeman;
Vice Chair McShane; Chair McPherson

NOES: None

ABSENT: Delgado, Orozco

DISQUALIFIED: None

13. Board members approved the appointment of an Audit & Finance Committee that will meet on an as needed basis and be comprised of three Operations Board and two Policy Board members selected by the Chair.

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

MOTION: Vice Chair McShane moved, seconded by Director Phillips, to approve Agenda Item 13.

ACTION: The motion carried with a 9/0/2/0 vote:

AYES: Brown, Coffman-Gomez, Termini, Phillips; Muenzer, Freeman; Vice
Chair McShane; Chair McPherson

NOES: None

ABSENT: Delgado, Orozco

DISQUALIFIED: None

REGULAR AGENDA (continued)...

14. Board members approved the appointment of an Executive Committee that will meet on an as needed basis and be comprised of three Policy Board and two Operations Board members selected by the Chair:

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

MOTION: Vice Chair McShane moved, seconded by Director Coffman-Gomez, to approve Agenda Item 14.

ACTION: The motion carried with a 9/0/2/0 vote:

AYES: Brown, Coffman-Gomez, Termini, Phillips, Haffa; Muenzer, Freeman;
Vice Chair McShane; Chair McPherson
NOES: None
ABSENT: Delgado, Orozco
DISQUALIFIED: None

15. Board members approved the additions, deletions and reclassifications of staff positions with direction to the CEO that in the future if there are savings with reclassifications that it would not require board approval.

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

MOTION: Vice Chair McShane moved, seconded by Director Coffman-Gomez, to approve Agenda Item 15.

ACTION: The motion carried with a 9/0/2/0 vote:

AYES: Brown, Coffman-Gomez, Termini, Phillips, Haffa; Muenzer, Freeman;
Vice Chair McShane; Chair McPherson
NOES: None
ABSENT: Delgado, Orozco
DISQUALIFIED: None

REGULAR AGENDA (continued)...

16. Board members approved the MBCP Fiscal Year 2018/2019 Operating Budget with the following changes:

- Director Haffa requested that staff provide customers with direct communication about rebates and who's responsible for providing the rebates
- Chair McPherson agreed and would like staff to make the explanations as simply and directly as possible, along with providing the rebates as soon as possible versus by end of the year

The Chair opened the public comment period.

- Dave Lesacar from Seaside regarding energy rates
- Seth Capron regarding compliments to staff on budget and echoed comments on budget projects

The Chair closed the public comment period.

MOTION: Director Termini moved, seconded by Director Brown, to approve Agenda Item 16.

ACTION: The motion carried with a 9/0/2/0 vote:

AYES: Brown, Coffman-Gomez, Termini, Phillips, Haffa; Muenzer, Freeman;
Vice Chair McShane; Chair McPherson
NOES: None
ABSENT: Delgado, Orozco
DISQUALIFIED: None

17. Board Members reported or provided comments on events since their last meeting.

- Chair McPherson requested that MBCP staff send out a message to customers or a simplified letter to news media providing more information related to rates. Mr. Habashi replied that Mr. Killigrew is currently putting a notification together and that deliver will be expedited to board members and customers by end the week. Director Coffman-Gomez asked for notifications in alternative utility bills to customers.
- Vice Chair McShane asked for more MBCP colored flyers, so he can send out to constituents

18. No members of the public spoke during Public Comment for Closed Session.

At **12:33 p.m.** board members recessed to closed session.

CLOSED SESSION

19. Board members met in Closed Session RE: Public Employee Performance Evaluation (Government Code §54957)
Title: Chief Executive Officer

At **1:19 p.m.** board members reconvened to open session.

OPEN SESSION

20. General Counsel Angela Lipanovich reported in Open Session reportable actions taken from closed session.

MOTION: By consensus the Board of Directors approved the creation of a temporary ad-hoc subcommittee to perform a performance review of Mr. Habashi in his role as CEO for MBCP.

ACTION: The motion carried with a 9/0/2/0 vote:

AYES: Brown, Coffman-Gomez, Termini, Haffa; Muenzer, Freeman; Vice
Chair McShane; Chair McPherson
NOES: None
ABSENT: Delgado, Orozco, Phillips
DISQUALIFIED: None

21. The meeting was adjourned **at 1:20 p.m.** to the next Policy Board Meeting on Wednesday, December 5, 2018.