



### Staff Report Item 8

**TO:** Monterey Bay Community Power Policy Board of Directors

**FROM:** Tom Habashi, Interim CEO

**SUBJECT:** Adopt Resolution Approving CEO Contract/Expense Authorization Limit

**DATE:** September 13, 2017

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#### Recommendation

Recommend adoption of resolution approving limited delegation of authority in accordance with Section 3.4 of the JPA authorizing the CEO to execute agreements up to \$100,000, provided that: (1) the expenditures authorized by these agreements are consistent with the approved budget; (2) the agreements are approved as to form by MBCP's general council; and (3) agreements are reported at the next Board meeting. At its meeting on September 6, 2017, the Operations Board recommended approval of a \$100,000 contract/expenditure authorization limit for MBCP's Chief Executive Officer.

#### Background and Discussion

It is anticipated that MBCP will incur several start-up expenses and contracts within a short period of time in order to meet a March 2018 program launch and support timely operations thereafter. This includes the purchase of goods and services including but not limited to office equipment, office space, insurance services, legal services, and other administrative expenses. It does not include major vendor contracts or power purchase agreements.

MBCP's proposed CEO spending authorization and related requirements are consistent with those of several operational CCA programs including Sonoma Clean Power and East Bay Community Energy in Alameda County. This item requires Board approval by resolution which is attached.

Attachment: Resolution re: CEO Contract/Expense Authorization

**A RESOLUTION OF THE POLICY BOARD OF  
DIRECTORS OF MONTEREY BAY COMMUNITY POWER  
AUTHORIZING THE CHIEF EXECUTIVE OFFICER TO  
EXECUTE AGREEMENTS UP TO \$100,000**

**THE POLICY BOARD OF DIRECTORS OF MONTEREY BAY COMMUNITY  
POWER AGENCY DOES HEREBY FIND, RESOLVE, AND ORDER AS FOLLOWS:**

Section 1. On July 12 21, 2017, the Policy Board of Directors appointed an Interim Chief Executive Officer (“CEO”) pursuant to Section 3.4 of the Monterey Bay Community Power Joint Powers Agreement (“Joint Powers Agreement”). The CEO shall be responsible for the day to day operation and management of MBCP and its community choice aggregation (CCA) Program.

Section 2. The Board anticipates that in the coming months, MBCP will be entering into a variety of contracts for goods and services and desires to give the CEO express authority to execute agreements in amounts up to \$100,000 with the following limitations:

- (a) Expenditures shall be consistent with MBCP’s adopted budget; and
- (b) All agreements shall be approved as to form by MBCP legal counsel; and
- (c) All agreements shall be reported to the Board at the next regularly scheduled meeting.

**ADOPTED AND APPROVED this 13<sup>th</sup> day of September, 2017.**

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Bruce McPherson, Policy Board Chair

**ATTEST:**

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Dana McRae, MBCP Acting General Counsel