



**Marin Clean Energy  
Executive Committee Meeting  
Wednesday, December 2, 2015  
10:00 A.M.**

Kathrin Sears, Chair  
County of Marin

Tom Butt, Vice Chair  
City of Richmond

Bob McCaskill  
City of Belvedere

Alan Schwartzman  
City of Benicia

Sloan C. Bailey  
Town of Corte Madera

Greg Lyman  
City of El Cerrito

Barbara Coler  
Town of Fairfax

Kevin Haroff  
City of Larkspur

Garry Lion  
City of Mill Valley

Brad Wagenknecht  
County of Napa

Denise Athas  
City of Novato

Carla Small  
Town of Ross

Ford Greene  
Town of San Anselmo

Genoveva Calloway  
City of San Pablo

Andrew McCullough  
City of San Rafael

Ray Withy  
City of Sausalito

Emmett O'Donnell  
Town of Tiburon

**The Barbara George Conference Room  
1125 Tamalpais Avenue, San Rafael, CA 94901**

**Agenda Page 1 of 1**

1. Board Announcements (Discussion)
2. Public Open Time (Discussion)
3. Approval of 11.4.15 Meeting Minutes (Discussion/Action)
4. MCE New Staff Positions (Discussion/Action)
5. Revised Retirement Plan Change (Discussion/Action)
6. Update on Planet Ecosystems and Single Family Energy Efficiency Program (Discussion)
7. Review Draft 12.17.15 Board Agenda (Discussion)
8. Board Member & Staff Matters (Discussion)
9. Adjourn

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San Rafael, CA 94901

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**MARIN CLEAN ENERGY  
EXECUTIVE COMMITTEE MEETING  
Wednesday, November 4, 2015  
10:00 A.M.**

**The Barbara George Conference Room  
1125 Tamalpais Avenue, San Rafael, CA 94901**

**Roll Call**

**Present:** Denise Athas, City of Novato  
Sloan Bailey, Town of Corte Madera  
Tom Butt, City of Richmond  
Ford Greene, Town of San Anselmo  
Kevin Haroff, City of Larkspur

**Absent:** Bob McCaskill, City of Belvedere  
Kate Sears, County of Marin

**Staff:** Greg Brehm, Director of Power Resources  
Katie Gaier, Human Resources Manager  
Elizabeth Kelly, Legal Director  
Mike Maher, Maher Accountancy  
Jeremy Waen, Senior Regulatory Analyst  
Dawn Weisz, Chief Executive Officer

**Action Taken:**

**Agenda Item #4 – Approval of 10.7.15 Meeting Minutes (Discussion/Action)**

**M/s Haroff/Bailey (passed 4-0) the approval of 10.7.15 Meeting Minutes. Director Greene abstained. Directors McCaskill and Sears were absent.**

**Agenda Item #6 – MCE Compensation and Implementation Schedule (Discussion/Action)**

**M/s Bailey/Athas (passed 5-0) 1. Approve the recommendation to adjust compensation ranges to align with current market study and set the top of each range at 15% above median. Directors McCaskill and Sears were absent. M/s Bailey/Athas (passed 5-0) 2. Approve the recommendation directing staff to adjust existing compensation ranges if needed when new or updated comparators are identified to stay current with market conditions. Directors McCaskill and Sears were absent.**

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**Tom Butt, Executive Committee Chair**

**ATTEST:**

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**Dawn Weisz, Chief Executive Officer**



December 2, 2015

TO: Marin Clean Energy Executive Committee

FROM: Katie Gaier, Human Resources Manager  
David McNeil, Finance and Project Manager

RE: New Staff Position (Agenda Item #04)

ATTACHMENT: A. Job Description – Legal Assistant I and II  
B. Overview of Goals and Progress

**SUMMARY:**

The Legal Team has identified a need to hire an administrative support person. Depending on the qualifications of the new hire, they would either be hired for the position of Legal Assistant I or Legal Assistant II. Staff is asking the Board to approve expenses associated with the new hire for FYE 2016, the job descriptions for Legal Assistant I and II (see attached) as well as the salary ranges associated with these positions as outlined below.

The legal and regulatory functions of MCE are expanding to support the continued growth of the organization. These functions include supporting MCE interests related to MCE customers, supporting continued inclusion of new MCE communities, and supporting MCE in regulatory and legal proceedings. For more information about the strategic objectives of the Legal Team see its “Overview of Goals and Progress” presented at the September 2015 Board Retreat. The new hire would allow some existing tasks to shift away from staff at more senior levels and create more support for the critical functions of the Legal Team. Tasks would include regulatory filings, record maintenance and tracking, contract management, managing meeting logistics and some correspondence.

Should the position be filled by February 1, 2016 as expected, FYE 2016 expenses associated with this position would be \$10,000 to \$16,000. This includes salary, benefits and other employment related expenses incurred by MCE. The FYE 2016 approved budget surplus is \$3.4 million. Expenses associated with the proposed hire are not expected to have a material impact on FYE 2016 financial results. An amended 2016 budget is expected to be presented to the board at the February board meeting. Over the medium and long term we expect the hire to help MCE achieve its strategic objectives and improve the cost effectiveness of the Legal Team.

The attached job description was developed to meet the needs of the Legal Team. The description of the Legal Assistant I position is consistent with that of the Administrative Assistant position whose annual approved salary range is \$46,072 to \$68,572. We propose to use this range for the Legal Assistant I position. At MCE salary ranges between different tiers within a

series of positions are typically separated by approximately 12%. Therefore, the salary range for Legal Assistant II would be placed at 12% above the tier I position and would have a range of \$51,600 to \$76,800 per annum. Non salary related expenses for FTEs in the above noted salary ranges are estimated to be 30% of salary.

**RECOMMENDATION:**

Approve the position of Legal Assistant I and Legal Assistant II and related job descriptions and salary ranges. Approve a fiscal 2016 expenditure of up to \$16,000 for salary and other expenses related to this hire. Recommend the same to the MCE Board for approval at its December meeting.



## **Legal Assistant I and II** **Job Description**

**DRAFT**

### **Summary**

The Legal Assistant, under supervision of the Regulatory and Legislative Coordinator, supports the Marin Clean Energy Regulatory and Legal team by performing a variety of legal and regulatory duties that are vital to the operations and success of MCE. The incumbent will be expected to independently manage a variety of responsibilities and work in collaboration with other MCE teams as needed.

### **Class Characteristics**

Working under the supervision of the Regulatory and Legislative Coordinator and/or the direction of other Regulatory and Legal team members, the Legal Assistant provides legal, regulatory, and administrative support to the daily operations of the team and the legal obligations of MCE. This class is similar to the Regulatory Associate position due to its administrative responsibilities. It differs from the Regulatory and Legislative Coordinator position due to the latter's level of responsibility in developing and managing key operations and obligations.

### **Supervision**

This position has no supervisory responsibilities.

### **Essential Duties and Responsibilities (Illustrative Only)**

#### **Regulatory and Legal Team**

- Prepare standard form contracts
- Develop and implement the contracts management process
- File and serve regulatory documents with Regulatory agencies
- Prepare filing templates for the Regulatory and Legal Team
- Maintain complex calendars and tracking for Regulatory Proceedings
- File digital and hard copy documents on MCE server
- Prepare reporting to meet regulatory and legal requirements

## General

- Prepare for and set-up meetings:
  - AV equipment
  - Conference line set-up
  - Agendas
  - Meeting materials
  - Food and beverages, as needed
- Manage calendars and coordinate among Staff, Consultants, Board, and Vendors
- Monitor incoming filings through a dedicated email account
- Organize and maintain electronic files on server
- Prepare expense reports for team members
- Maintain and improve processes for file maintenance, document tracking, and management
- Prepare documents (Word), spreadsheets (Excel) and presentations (PowerPoint)
- Support all members of the Regulatory and Legal Team on various projects as needed

## **Break-Down of Time Spent on Various Work Areas**

Legal Support	45%
Regulatory Support	45%
Administrative Support	10%

## **Minimum Qualifications**

To perform this job successfully, an individual must be able to perform each essential duty satisfactorily. The requirements listed below are representative of the knowledge, skill, and/or ability required.

### **Experience/Education: Legal Assistant I**

Education and experience equivalent to an Associate's degree and two (2) years of progressively responsible experience as a Legal/Administrative Assistant working in fast-paced work environments. A background in contracts management preferred but not required.

### **Experience/Education: Legal Assistant II**

In addition to the experience requirements for Legal Assistant I, a Paralegal certification from an accredited school or equal amount of education, training, and experience is required.

## **Knowledge of**

- Principles and practices of administrative and legal support
- The purpose, organization, and operations of a public agency
- Information systems management
- Scheduling, maintaining calendars, and internal filing systems
- Advanced Microsoft Office Suite (Excel, Word, Outlook, and PowerPoint) and Adobe
- Document retention requirements and practices
- Energy and environmental issues generally, such as climate change

### **Ability to**

- Take responsibility and work independently
- Work accurately and swiftly under pressure
- Handle multiple ongoing projects in a fast-paced, team-oriented environment
- Demonstrate patience, tact, and courtesy
- Communicate effectively in written and verbal form
- Establish and maintain effective working relationships with persons encountered during the performance of duties
- Demonstrate highest level of accountability, integrity, judgment, and confidentiality
- Add, subtract, multiply, and divide in all units of measure, using whole numbers, common fractions, and decimals; compute rate, ratio, and percent and to create and interpret bar graphs

### **Language and Reasoning Skills**

- Exercise sound judgment, creative problem solving, and commercial awareness
- Manage multiple priorities and quickly adapt to changing priorities in a fast-paced, dynamic environment
- Develop high-quality writing, research, and communication work products
- Deliver clear and persuasive oral communication
- Interact effectively with administrative bodies, MCE's Executive Officer and Board of Directors, MCE staff, and external vendors and contractors
- Apply strong problem-solving skills
- Be thorough and detail-oriented and focus on work at hand

### **Physical Demands**

The physical demands described here are representative of those that must be met by an employee to successfully perform the essential functions of this job. While performing the duties of this job, the employee is frequently required to use hands to finger, handle, or feel and reach with hands and arms. The employee must occasionally lift and/or move up to 20 pounds.

### **Work Environment**

The work environment characteristics described here are representative of those an employee encounters while performing the essential functions of this job. The noise level in the work environment is usually moderate.

### **ADA Compliance**

MCE will make reasonable accommodation of the known physical or mental limitations of a qualified applicant with a disability upon request.



## Regulatory Team Goals 2015 Board Retreat Update

- **Reform the Power Charge Indifference Adjustment (PCIA) exit fee charged to MCE customers.**
  - *Major Accomplishment:* As a result of our advocacy on PCIA, we have opened a new phase of a proceeding specifically to address PCIA vintaging.
  - Extensively raised PCIA issues at the CPUC, raising the issue in 19 filings across 6 proceedings and 4 advice letter.
  - MCE co-filed on PCIA issues with Communities for a Better Environment and Lancaster Choice Energy.
  
- **Reform the Cost Allocation Mechanism (CAM) fee charged to MCE customers and seek a CCA "opt out."**
  - *Major Accomplishment:* Achieved a functional reform of the CAM mechanism resulting in improved CAM figures and more accurate procurement for MCE.
  - Extensively engaged the legislature on SB 350 which proposed to expand CAM.
  - Held a top-level energy division meeting regarding MCE's concerns on the CAM.
  - Developed a CAM one-page handout in order to make clear the negative impacts of CAM on CCA.
  - Extensively participated in the Long-term Procurement Planning proceeding, resulting in a new phase related to CCA issues. The CPUC has not yet acted on this phase of the proceeding.
  
- **Successfully pursue funding for MCE's "2016 and beyond" energy efficiency programs at the California Public Utilities Commission (CPUC).**
  - *Major Accomplishment:* Laid extensive groundwork for the submittal of MCE's "2016 and beyond" energy efficiency programs:
    - Held 10 ex parte meetings with key advisors and Energy Division staff at the CPUC to inform them of MCE's proposed energy efficiency structure and submittal timelines.
    - Developed 4 "one pagers" for CPUC advisors and staff to ensure MCE asks are clear and concise.
  - Played a key support role to the energy efficiency team in refining the Business Plan and Program Implementation Plans (PIPs) to be submitted to the CPUC.
  
- **Develop strategic relationships that ensure more certainty at the Commission and Legislature and help MCE staff be "in the know."**
  - *Major Accomplishment:* Organized and attended one-on-one "meet and greet" meetings with Commissioners of the California Public Utilities Commission, the California Energy Commission and California Air Resources Board
  - Identified and met with three key contacts
  - Over 20 meetings with Assemblymembers, Senators, and key Legislative Contacts
  - Attended 9 events with key statewide stakeholders

- **Establish MCE as the go-to source for information and leadership in CCA community.**
  - *Major Accomplishment:* Developed a CCA Quarterly Update for statewide stakeholders and decisionmakers.
  - Held 19 ex parte meetings with Commissioner Advisors related to MCE's core regulatory objectives.
  - Launched a monthly call for top regulatory staff at CCAs within California.
  - Held 1 MCE/CCA informational session for statewide CCA advocates
  - Developed a CCA Quarterly Update for statewide stakeholders
  - Increased the number of key external regulatory communications:
    - 2 press releases
    - 8 "one pagers" including: EE and Procurement overviews, PCIA and CAM handouts, CCA best practices, GHG accounting methodology, Legislative updates, and MCE jobs calculations
  - Developed the quarterly CPUC-CCA-IOU meeting and hosted one at MCE's office in August 2015.
  
- **Improve internal time management and role definition to help reduce stress and avoid burnout.**
  - *Major Accomplishment:* For each proceeding and core task, the regulatory team has assigned roles of Manager, Owner, Consultant, Helper and Approver (MOCHA), improving role definition and responsibility.
  - Developed work plans for all regulatory staff.
  - Launched monthly regulatory team strategy meetings.
  - Created proceeding flow charts and processes to streamline proceeding participation.
  - For each existing and new undertaking, defined the roles within the team, mini-teams, and additional resources to be leveraged.
  - Completed a foundational review and overhaul of file and process systems.
  - Focused MCE's CPUC proceeding participation for 2015.
  
- **Pursue meaningful and strategic development opportunities.**
  - *Major Accomplishment:* Developed and formalized training for new Regulatory staff members and created an extensive regulatory onboarding PowerPoint deck.
  - We have developed a tracking system to track strategic professional development opportunities.
  - Added weekly educational discussions on key knowledge areas to our team meeting agenda



December 2, 2015

TO: Marin Clean Energy Executive Committee

FROM: Katie Gaier, Human Resources Manager  
David McNeil, Finance and Project Manager

RE: Change in Retirement Administration Plan (Agenda Item #05)

**SUMMARY:**

At its June 18, 2015 meeting, the MCE Board of Directors directed the Chief Executive Officer to negotiate retaining two firms to provide plan administration and fiduciary services to MCE's retirement plans. The CEO and other MCE staff and consultants negotiated contracts with PenServe Plan Services for plan administration services and with Genovese Burford and Brothers Wealth Management for fiduciary services.

Staff has worked with both firms over the past few months to transition the retirement plans from Nationwide Retirement Solutions to the new firms. During this time, Genovese Burford and Brothers provided high-quality assistance to staff in mapping investments and setting time for meetings with employees. At the same time, there were problems with PenServe in its performance of agreed-upon tasks. When it was determined that the plan could not transition any earlier than February 1, 2016, staff determined the best course of action would be to sever the agreement with PenServe and continue, at least in the short term, with Nationwide. Staff recommends that the contract with Genovese Burford and Brothers remain in place for investment advice and fiduciary services. Staff is currently reviewing options for plan administration over the medium term and will report back to the board in the coming months.

**RECOMMENDATION:**

Approve the following and recommend to the MCE Board for approval at its December meeting:

- 1 Termination of the Administrative Services Agreement with PenServe Services
- 2 Approve the Request to Rescind Termination with Nationwide Retirement Solutions



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**Marin Clean Energy  
Board of Directors Meeting  
Thursday, December 17, 2015  
7:00 P.M.**

**The Charles F. McGlashan Board Room  
1125 Tamalpais Avenue, San Rafael, CA 94901**

**Agenda Page 1 of 2**

1. Board Announcements (Discussion)
2. Public Open Time (Discussion)
3. Report from Chief Executive Officer (Discussion)
4. Consent Calendar (Discussion/Action)
  - C.1 11.19.15 Meeting Minutes
  - C.2 Approved Contracts Update
  - C.3 Monthly Budget Report
  - C.4 MCE On-Bill Repayment Program 2<sup>nd</sup> Operating Agreement w/River City Bank
5. Resolution 2015-07 Honoring Director Garry Lion (Discussion/Action)
6. Change in Retirement Administration Plan (Discussion/Action)



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Board of Directors Meeting  
Thursday, December 17, 2015  
7:00 P.M.**

**The Charles F. McGlashan Board Room  
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**Agenda Page 2 of 2**

- 7. Regulatory and Legislative Updates (Discussion)**
- 8. Board Member & Staff Matters (Discussion)**
- 9. Adjourn**



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