

MCE BOARD MEETING MINUTES
Thursday, October 20, 2022
7:00 P.M.

This Meeting was conducted pursuant to the requirements of [Assembly Bill No. 361](#) (September 16, 2021) which allows a public agency to use teleconferencing during a Governor-proclaimed state of emergency without meeting usual [Ralph M. Brown Act](#) teleconference requirements. Committee Members, staff and members of the public were able to participate in the Committee Meeting via teleconference.

Present: Bruce Ackerman, Alternate, Town of Fairfax
Edi Birsan, City of Concord
Tom Butt, City of Richmond, Chair
Cindy Darling, City of Walnut Creek
Gina Dawson, City of Lafayette
David Fong, Town of Danville
Kevin Haroff, City of Larkspur
C. William Kircher, Town of Ross
Aaron Meadows, City of Oakley
Leila Mongan, Alternate, Town of Corte Madera
Teresa Onoda, Town of Moraga
Scott Perkins, City of San Ramon
Max Perrey, City of Mill Valley
Patricia Ponce, City of San Pablo
Gabriel Quinto, City of El Cerrito
Katie Rice, County of Marin
Matt Rinn, City of Pleasant Hill
Shanelle Scales-Preston, City of Pittsburg
Christina Strawbridge, City of Benicia
Holle Thier, Town of Tiburon
John Vasquez, County of Solano
Sally Wilkinson, City of Belvedere

Absent: Denise Athas, City of Novato
John Gioia, Contra Costa County
Ford Greene, Town of San Anselmo
Maika Llorens Gulati, City of San Rafael
Janelle Kellman, City of Sausalito
Katy Miessner, City of Vallejo
Devin Murphy, City of Pinole
Doriss Panduro, City of Fairfield
Brad Wagenknecht, County of Napa
Brianne Zorn, City of Martinez

Staff

& Others: Jessica Brooks, Assistant Board Clerk
Jonnie Kipyator, Power Resources Manager
Justin Kudo, Senior Strategic Analysis and Rates Manager
David Potovsky, Principal Power Procurement Manager
Evelyn Reyes, Internal Operations Coordinator
Garth Salisbury, Chief Financial Officer & Treasurer
Enyonam Senyo-Mensah, Office Manager
Daniel Settlemyer, Internal Operations Coordinator
Sabrinna Soldavini, Policy Analyst II
Dawn Weisz, Chief Executive Officer

1. Roll Call

Chair Butt called the regular meeting to order at 7:01 p.m. with quorum established by roll call.

2. Board Announcements (Discussion)

There were no comments.

3. Public Open Time (Discussion)

Chair Butt opened the public comment period and there were no comments.

4. Resolution No. 2022-09 Authorizing Continued Remote Teleconference Meetings for the Board of Directors and Every Committee of the Board of Directors Pursuant to Government Code Section 54953(e) (Discussion/Action)

Chair Butt opened the public comment period and there were no comments.

Action: It was M/S/C (Perkins/ Thier) **adopt proposed Resolution No. 2022-09 Authorizing Continued Remote Teleconference Meetings for the Board of Directors and Every Committee of the Board of Directors Pursuant to Government Code Section 54953(e)**. Motion carried by unanimous roll call vote. (Absent: Directors: Athas, Gioia, Greene, Gulati, Kellman, Miessner, Mongan, Murphy, Panduro, Rinn, Wagenknecht, Wilkinson, and Zorn).

5. Report from Chief Executive Officer (Discussion)

CEO, Dawn Weisz, reported the following:

- The first week of September marked the longest and hottest heat wave in California history resulting in 10 consecutive days of Flex Alert issued from the California Independent System Operator asking all Californians to conserve energy. A huge, coordinated statewide effort ensued to help prevent rolling power outages. Our staff work closely with the Governor's Office, CEC, CAISO, CPUC, and all other load serving entities including the IOUs and CCAs and here are some highlights of MCE's efforts.
 - Nearly 3,500 MCE customers reduced load through our Peak Flex program or smart EV charging program, MCE Sync.
 - We sent 2 emails to 302,000 customers (every customer with an email on file), asking them to conserve, and had an amazing 56% open rate.
 - Another 2 dozen personalized emails were sent to our largest commercial customers, local government staff, business and housing associations.
 - We also started airing our own TV commercial encouraging energy conservation from 4-9 p.m. the day before this Flex Alerts started.
- Despite record breaking demand on the grid and the threats and impacts of extreme heat, wildfire and weather, the grid continued to provide power. Thank you for helping us get the word out to conserve energy and keep the power on for everyone!
- On September 16, in Solano County, Governor Newsom signed a package of World-Leading Climate Action Legislation to enact some of the nation's most aggressive climate measures in history and the record \$54 billion climate investment included in this year's budget.
- The Governor's declared COVID-19 State of Emergency is set to end on February 28, 2023, which means the remote meeting requirements established by AB 361 will expire at the end of February.
 - Remote attendance after AB 361 expires will only be allowed based on the traditional noticing requirements of the Brown Act or complying with the new requirements of AB 2449, which goes into effect January 1.
 - Under AB 2449, remote participation is only allowed if a quorum of Board Members participate in-person at a single location and the remote participation is due to "just cause" or an "emergency situation".
 - Additionally, AB 2449 restricts how many meetings a Board Member may participate in remotely.

- Complying with AB 2449 would impact MCE's ability to host meetings at both its Concord and San Rafael office locations.
- MCE plans to bring this topic of discussion to a committee or Board Meeting in early 2023 for input on preferences for remote attendance under the original Brown Act requirements or the new requirements of AB 2449.
- We expect to hold our regularly scheduled board meeting in November and December.

6. Consent Calendar (Discussion/Action)

- C.1 Approval of 8.18.22 Meeting Minutes
- C.2 Approval of 9.29.22 Board Retreat Minutes
- C.3 Approved Contracts for Energy Update

Action: It was M/S/C (Birsan/Perkins) to **approve Consent Calendar items C.1, C.2 and C.3**. Motion carried by roll call vote. (Abstained: Director Ackerman Absent: Directors: Athas, Gioia, Greene, Gulati, Kellman, Miessner, Mongan, Murphy, Panduro, Rinn, Wagenknecht, Wilkinson, and

Chair Butt opened the public comment period and there were no comments.

7. Addition of Board Members to Committees (Discussion/Action)

Dawn Weisz, Chief Executive Officer, introduced this item and addressed questions from Board members.

Chair Butt opened the public comment period and there were no comments.

Action: It was M/S/C (Perkins/Quinto) to **approve the addition of Director Perrey to the Executive Committee and the addition of Board Members to Committees in 2022: Directors: Butt, Dawson, Murphy, and Rice to the Ad Hoc Committee for VPP, and in 2023: Director Perkins to the Ad Hoc Contracts Committee and Director Wilkinson to the Ad Hoc Audit Committee**. Motion carried by unanimous roll call vote. (Absent: Directors: Athas, Darling, Gioia, Greene, Gulati, Miessner, Murphy, Panduro, Kellman, Wagenknecht, Wilkinson, and Zorn).

8. Approval of CPUC Integrated Resource Plan (Discussion/Action)

Sabrina Soldavini, Policy Analyst II and Jonnie Kipyator, Power Resources Manager, introduced this item and addressed questions from Board members.

Chair Butt opened the public comment period and there were no comments.

Action: It was M/S/C (Haroff/Strawbridge) to **approve MCE's 2022 CPUC Compliance IRP**. Motion carried by unanimous roll call vote. (Absent: Directors: Athas, Gioia, Greene, Gulati, Miessner, Kellman, Murphy, Panduro, Wagenknecht, Wilkinson, and Zorn)

9. Approval of Power Purchase Agreement with Mayacma Geothermal, LLC (Discussion/Action)

David Potovsky, Principal Power Procurement Manager, introduced this item and addressed questions from Board members.

Chair Butt opened the public comment period and there were no comments.

Action: It was M/S/C (Rice/Birsan) to **authorize execution of the Power Purchase Agreement with Mayacma Geothermal LLC for supply of bundled renewable energy and resource adequacy**. Motion carried by unanimous roll call vote. (Absent: Directors: Athas, Gioia, Greene, Gulati, Kellman, Miessner, Murphy, Panduro, Wagenknecht, Wilkinson, and Zorn).

10. Implementation of Electrification Rate Schedule E-ELEC (Discussion/Action)

Justin Kudo, Senior Strategic Analysis and Rates Manager, introduced this item and addressed questions from Board members.

Chair Butt opened the public comment period and there were no comments.

Action: It was M/S/C (Thier/Quinto) to **approve the implementation of MCE rates for the E-ELEC rate schedule effective December 1, 2022**. Motion carried by unanimous roll call vote. (Absent: Directors: Athas, Gioia, Greene, Gulati, Haroff, Kellman, Miessner, Murphy, Panduro, Wagenknecht, Wilkinson, and Zorn).

11. Proposed Amendments to MCE Policy 014: Investment Policy (Discussion/Action)

Garth Salisbury, Chief Financial Officer & Treasurer, and Carlos Oblites, Senior Portfolio Strategist (Chandler Asset Management), introduced this item and addressed questions from Board members.

Chair Butt opened the public comment period and comments were made by member of the public, Daniel Segedin.

Action: It was M/S/C (Perkins/Thier) to **approve the proposed amendments to MCE Policy 014: Investment Policy**. Motion carried by unanimous roll call vote. (Absent: Directors: Athas, Birsan, Gioia, Greene, Gulati, Kellman, Miessner, Murphy, Panduro, Wagenknecht, and Zorn).

12. Budget Update and Possible Rate Increase in FY 2022/23 (Discussion)

Garth Salisbury, Chief Financial Officer & Treasurer, and Justin Kudo, Senior Strategic Analysis and Rates Manager, introduced this item and addressed questions from Board members.

Chair Butt opened the public comment period and there were no comments.

Action: No action required.

13. Board Matters & Staff Matters (Discussion)

There were no comments.

14. Adjournment

Chair Butt adjourned the meeting at 9:38 p.m. to the next scheduled Board Meeting on November 17, 2022

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Tom Butt, Chair

Attest:

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Dawn Weisz, Secretary