



**SPECIAL MEETING of the Executive Committee of the
Peninsula Clean Energy Authority (PCEA)
Wednesday, June 29, 2016**

County Counsel Library
400 County Center, 6th Floor
Redwood City, CA 94063
3:30 p.m.

Meetings are accessible to people with disabilities. Individuals who need special assistance or a disability-related modification or accommodation (including auxiliary aids or services) to participate in this meeting, or who have a disability and wish to request an alternative format for the agenda, meeting notice, agenda packet or other writings that may be distributed at the meeting, should contact Gordon Tong, Agenda Administrator, at least 12 hours before the meeting at (650) 363-4159 and/or gtong@smcgov.org. Notification in advance of the meeting will enable the PCEA to make reasonable arrangements to ensure accessibility to this meeting and the materials related to it. Attendees to this meeting are reminded that other attendees may be sensitive to various chemical based products.

If you wish to speak to the Committee, please fill out a speaker's slip located on the tables as you enter the meeting room. If you have anything that you wish to be distributed to the Committee and included in the official record, please hand it to a member of PCEA staff who will distribute the information to the Committee members and other staff.

CALL TO ORDER / ROLL CALL

PUBLIC COMMENT

This item is reserved for persons wishing to address the Board on any PCEA-related matters that are as follows: 1) Not otherwise on this meeting agenda; 2) Listed on the Consent Agenda; 3) Chief Executive Officer's or Staff Report on the Regular Agenda; or 4) Committee Members' Reports on the Regular Agenda. Public comments on matters not listed above shall be heard at the time the matter is called.

As with all public comment, members of the public who wish to address the Board are requested to complete a speaker's slip and provide it to PCEA staff. Speakers are customarily limited to two minutes, but an extension can be provided to you at the discretion of the Committee Chair.

ACTION TO SET AGENDA

This item is to set the final consent and regular agenda.

REGULAR AGENDA

1. Review purpose and scope of the Executive Committee (Discussion)

2. Approve recommendation on Peninsula Clean Energy staffing plan (Action)
3. Approve recommendation on amendment to CEO contract regarding first year matching (Action)
4. Review board policy matrix and approve recommendation on adoption of Board policies (Action)
5. Discuss performance objectives for the Chief Executive Officer (Discussion)
6. Update on office space and other administrative matters (Discussion)
7. Approve regular meeting schedule of the Executive Committee (Action)

Public records that relate to any item on the open session agenda for a regular board meeting are available for public inspection. Those records that are distributed less than 72 hours prior to the meeting are available for public inspection at the same time they are distributed to all members, or a majority of the members of the Board. The Board has designated the Office of Sustainability, located at 455 County Center, 4th Floor, Redwood City, CA 94063, for the purpose of making those public records available for inspection. The documents are also available on the PCEA's Internet Web site. The website is located at: <http://www.peninsulacleanenergy.com>.



PENINSULA CLEAN ENERGY
JPA Board Correspondence

DATE: June 28, 2016
BOARD MEETING DATE: June 29, 2016
SPECIAL NOTICE/HEARING: None
VOTE REQUIRED: Majority Present

TO: Honorable Peninsula Clean Energy Authority Executive Committee
FROM: Jan Pepper, Chief Executive Officer, Peninsula Clean Energy
SUBJECT: Review purpose and scope of the Executive Committee

RECOMMENDATION:

Receive information from staff and provide direction on purpose and scope of the Executive Committee.

BACKGROUND:

On April 14, 2016 the Peninsula Clean Energy Authority (PCEA) Board of Directors voted to establish an Executive Committee to provide administrative and operational oversight to the Board. The Executive Committee is a standing, Brown Act committee of PCEA's Board. It is comprised of eight members of the Board, including the Chair and Co-Chair.

The full PCEA Board meets monthly to set policy and direction on a variety of matters including PCEA's operations and administration. However, given the myriad of issues and large number of Board members, discussion of many administrative items may be best done in a smaller setting with more time to discuss details and vet options. The Executive Committee was created with to discuss and provide recommendations on such items to the PCE Board.

DISCUSSION:

The purpose of the Executive Committee is to make recommendations to the Board of Directors on administrative and other items related to PCEA's implementation and operations. Topics to be discussed by the Committee may include, but are not limited to:

- Staffing and human resource matters,

- Operating policies and bylaws,
- Budgeting and agency finances,
- Agency policies and committees of the Board,
- JPA Agreement,
- And other operational matters.

The Executive Committee items will be set by the Chief Executive Officer, with input from the Board Chair and Vice-Chair. The role and purpose of the Executive Committee may change over time, according to needs of PCE.

FISCAL IMPACT:

There is no significant fiscal impact associated with this item.



PENINSULA CLEAN ENERGY
JPA Board Correspondence

DATE: June 28, 2016
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SPECIAL NOTICE/HEARING: None
VOTE REQUIRED: Majority Present

TO: Honorable Peninsula Clean Energy Authority Executive Committee
FROM: Jan Pepper, Chief Executive Officer, Peninsula Clean Energy
SUBJECT: Peninsula Clean Energy Staffing Plan

RECOMMENDATION:

Approve Peninsula Clean Energy staffing plan.

BACKGROUND:

Peninsula Clean Energy has been fortunate to have been started and supported with the excellent team from the San Mateo County Office of Sustainability as well as numerous technical consultants. PCE is now at the point where we need to bring on our own employees and build the organization.

DISCUSSION:

Attached is a proposed organization chart by position and a proposed organization chart by function for the eventual PCE organization. A proposed staffing plan, showing the phasing of certain positions over the course of the next year is shown. It is recommended that PCE move forward on the Phase 1 hiring at this time, with support from the County human resources department for recruiting.

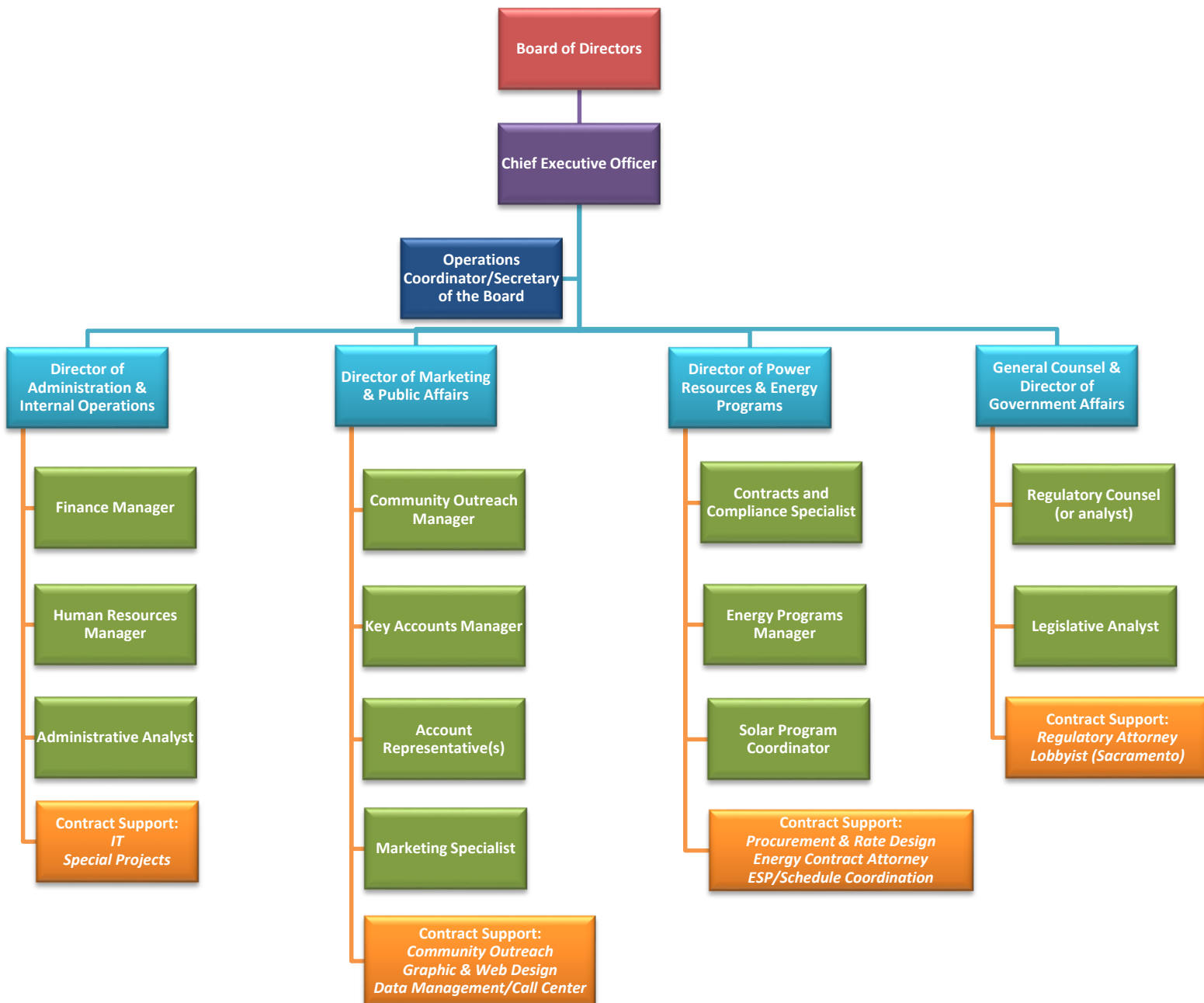
FISCAL IMPACT:

The budget that will be presented to the PCE Board on July 14 will reflect the fiscal impact of bringing on staff as well as continuing with ongoing contract support for certain functions.

ATTACHMENTS:

PCE Org Chart – Staff Positions
PCE Phased Staffing Plan

Proposed PCE Organization Chart - Staff Positions



Proposed PCE Organization Chart – Key Functions By Department



PCE - Proposed Staff Phasing Plan			
Position	Phase 1: July/Sept 2016	Phase 2 : October - January 2017	Phase 3: February 2017- Ongoing
Chief Executive Officer	Complete		
Operations Coordinator/Board Secretary	New Hire/Carolyn?		
Director of Administration & Internal Operations	[Jan, Carolyn, OOS team]	New Hire	
Finance & Credit Manager	County Staff on Loan (M.Bolander)	New Hire	
HR Manager	County Staff + Contract Support (LEAN)	Contract/County Staff	New Hire
Administrative Analyst		New Hire	
Director of Marketing & Public Affairs	New Hire		
Community Outreach Manager	County Staff on Loan (K Pringle)	New Hire	
Key Accounts Manager	New Hire		
Account Representative(s)		New Hire	
Marketing Specialist	Contract (Circle Point)	New Hire	
Director of Power Resources & Energy Programs	Contract (PEA)/New Hire		
Contract & Compliance Specialist	Contract (PEA)	New Hire	
Energy Programs Manager			New Hire
Solar Program Coordinator	New Hire		
General Counsel & Director of Government Affairs	County Contract - D. Silberman		
Regulatory Counsel (or Analyst)	Contract (LEAN)	Contract	New Hire
Legislative Analyst	Contract (LEAN)	Contract	New Hire

On-going Contract Support:

IT
 Energy Services/Scheduling
 Website & Graphic Design
 Data Management/Call Center
 Regulatory Attorney
 Energy Contract Attorney
 Lobbyist
 Special Projects

DRAFT as of June 28, 2016



**PENINSULA CLEAN ENERGY
JPA Board Correspondence**

DATE: June 28, 2016

BOARD MEETING DATE: June 29, 2016

SPECIAL NOTICE/HEARING: None

VOTE REQUIRED: Majority Present

TO: Honorable Peninsula Clean Energy Authority Executive Committee

FROM: Jan Pepper, Chief Executive Officer, Peninsula Clean Energy

SUBJECT: Review of Policies Applicable for the JPA Board of Directions

RECOMMENDATION: Review board policy matrix and approve recommendation on adoption of policies regarding customer confidentiality, bad debt, and prohibition of untrue statements.

BACKGROUND:

Marin Clean Energy (MCE) and Sonoma Clean Power (SCP), two California operational Community Choice Energy (CCE) programs, have adopted policies to help govern the Board.

On 6/23/2016, the Board of Directors adopted its first policy, delegating authority to the CEO to take limited legislative action. Staff would like the Board to consider adoption of additional policies. And is asking for guidance from the Executive Committee regarding the policies that should be presented to the Board for adoption..

DISCUSSION:

Marin Clean Energy (MCE) and Sonoma Clean Power (SCP) have identified policies to guide their respective Board of Directors. These policies include:

1. Customer Confidentiality
2. Bad Debt
3. Prohibition of Untrue Statements
4. Risk Management Controls/Procedures
5. Reserve Policy (MCE) Surplus Income, Operating Reserve, Debt and Programs (SCP)
6. Information technology/Security
7. Terms and Conditions of Service
8. CEO Spending Authority
9. Sustainable Workforce Policy
10. Process for Amending/Adopting Policies
11. Records Retention

12. Social Media
13. Accounts Receivable Reserves
14. Delinquent Accounts/Collections
15. CAISO
16. Infants in the Workplace
17. Dogs in the Workplace
18. Inclusion of New Communities/Expansion

The attachment, CCE Operational Board Policy Matrix (Matrix), references each policy as it currently stands for MCE and SCP. Peninsula Clean Energy can choose whether or not to adopt all the policies MCE and SCP have adopted, modify them or decline to adopt one or more. For each item, a timeline of urgency is suggested under the column titled, “when to prioritize for PCE.”

As noted on the Matrix, the first three items are suggested as top policy priorities to be adopted at this time: 1) customer confidentiality, 2) bad debt, and 3) prohibition of untrue statements.

FISCAL IMPACT:

There is no fiscal impact associated with receiving this memo.

ATTACHMENTS

CCE Operational Board Policy Matrix
PCE Policy 2: Customer Confidentiality
PCE Policy 3: Bad Debt
PCE Policy 4: Prohibition of Untrue Statements

CCE Operational Board Policy Matrix Recommendations for PCE Consideration

Notes:

1. These policies are from Marin Clean Energy and Sonoma Clean Power; current as of April 2016
2. This list does not include HR-related policies
3. PCE may wish to consider other policies not contemplated here as the Agency matures and progresses
4. Timeframe references: Now = Summer 2016; Soon = Fall/Winter 2016; Later = early 2017

POLICY TITLE	Description	CCE REFERENCE	WHEN FOR PCE?	NOTES
1. Board Member Conflict of Interest	Standard C of I policy for seated Board members		Completed	
2. Limited Delegated Authority to CEO for Regulatory and Legislative Matters	Authorizes CEO to respond to requests for regulatory and legislative action that directly impact PCE and its operations		Completed	Approved by Board at June 23 meeting
3. Customer Confidentiality	Personal information of customers will not be shared unless necessary to conduct PCE business.	MCE 01/SCP A.1	Now	Language is similar; tailor to PCE
4. Bad Debt	A set percentage revenue reserve to cover bad debt; to be reviewed annually.	MCE 02/SCP B.4	Now	Language is consistent; non controversial
5. Prohibition of Untrue Statements	Prohibits PCE-related dissemination of rates or terms and conditions of service that are untrue or misleading.	MCE 04/SCP D.1	Now	Brief statement; non controversial
6. Risk Management Controls/Procedures	Processes to regularly monitor, report and manage risk such as credit, liquidity and market risk.	MCE 05/SCP C.1	Soon	Important for PCE; needs tailoring to its program
7. Reserve Policy (MCE) Surplus Income, Operating Reserve, Debt and Programs (SCP)	Budgeting policy to allow for long-term financial stability, debt reduction and/or new projects	MCE 13/SCP B.2	Soon	Important for PCE; needs research/tailoring to its program
8. Information Technology Security	Policies and standards developed by IT security team to manage regulatory compliance, staff training, customer satisfaction and minimize legal and criminal risk related to information.	MCE 09	Soon	Non controversial
9. Terms and Conditions of Service	Regularly reviewed customer service policy that provides information on rates, billing, enrollment, opting out and failure to pay.	SCP A.2	Soon	Worth reviewing for PCE relevance
10. CEO Spending Authority	Outlines specific expenditures authorized by CEO without prior Board or committee approvals.	SCP B.1	Partially completed	Worth reviewing SCP policy and tailoring for PCE relevance; cross reference language in current JPA agreement

As of June 27, 2016

11. Sustainable Workforce Policy	Supporting and using: local businesses, green/sustainable businesses, union members, training/apprenticeship programs within CCE service territory.	MCE 11	Soon	Notable that SCP does not have this policy; potentially controversial and requires addtl research
12. Process for Amending/Adopting Policies	Procedures to review new or amend policies.	SCP D.3	Now/Soon	Not sure if needed; worth reviewing
13. Records Retention	The length of time records of various types will be retained and/or discarded.	MCE 03/SCP D.2	Soon	Language is similar; non controversial
14. Social Media	Describes purpose of using these channels and defines rights/reasons for comment or post removals.	MCE 06	Soon/Later	Tailor for PCE
15. Accounts Receivable Reserves	Estimation procedure for reporting accounts receivables, net assets and earnings using historical data.	MCE 08/SCP B.3	Later	Update for PCE; non controversial
16. Delinquent Accounts/Collections	Procedure for handling customer accounts that are overdue.	SCP A.3	Later	Review to see if can combine with Bad Debt policy
17. CAISO	Outlines participation in CAISO markets and monitoring transactions.	SCP C.2	Later	Review to see if can combine with Risk Mgmt. policy
18. Infants in the Workplace	Allows infants in the workplace up to a specific age subject to job responsibility and acceptable work performance.	MCE 10	Later	If needed
19. Dogs in the Workplace	Allows dogs in the workplace subject to certain health and behavioral conditions.	MCE 12	Later	If needed
20. Inclusion of New Communities/Expansion	Considerations when exploring program expansion to areas outside "original" region.	MCE 7/SCP D.4	N/A	If needed in future

Subject: Customer confidentiality

Policy: Peninsula Clean Energy Authority (PCEA), its employees, agents, contractors, and affiliates will maintain the confidentiality of individual customers' names, service addresses, billing addresses, telephone numbers, account numbers, and electricity consumption except where reasonably necessary to conduct PCEA's business or to provide services to customers as required by the California Public Utilities Commission (CPUC). Examples of reasonably necessary business purposes include but are not limited to when such disclosure is necessary to (a) comply with the law, regulation or court order; (b) enable PCEA to provide service to its customers; (c) collect unpaid bills; (d) obtain and provide credit reporting information; (e) resolve customer disputes or inquiries; (f) communicate about demand response, energy efficiency, energy management, and conservation programs, or (g) in situation of imminent threat to life or property. PCEA will not disclose customer information for telemarketing, e-mail, or direct mail solicitation. Aggregate data that cannot be traced to specific customers may be released at PCEA's discretion.

PCEA will handle customer energy usage information in a manner that is fully compliant with the California Public Utility Commission's required privacy protections for customers of Community Choice Aggregators defined in Decision 12-08-045.

Subject: Bad debt

Policy: Peninsula Clean Energy Authority (PCEA) shall include an annual budgetary reserve for bad debt. The reserve shall initially be established at 0.35% of revenues. Thereafter, on an annual basis, if actual collections experience so indicates, the bad debt reserve shall be modified appropriately.

Subject: Prohibition Against Dissemination of Untrue or Misleading Information

Policy: Dissemination by Peninsula Clean Energy Authority (PCEA) (i.e. Board and Committee Members, and/or PCEA Staff, and/or PCEA representatives acting under authorized PCEA direction) of any statement relating to PCEA's rates or terms and conditions of service that is untrue or misleading, and that is known, or that, by the exercise of reasonable care, should be known, to be untrue or misleading is strictly prohibited. Individuals who violate this Policy may be, as determined by the Board, subject to corrective action.