

MINUTES OF THE
SPECIAL MEETING – CITY COUNCIL
September 09, 2014

City Council Chambers, City Hall, 250 East L Street, complete proceedings of which are recorded on tape.

I. CALL TO ORDER:

Mayor Patterson called the meeting to order at 6:03 p.m.

II. CONVENE OPEN SESSION:

A. ROLL CALL

Council Members Hughes and Strawbridge were absent.

All other Council Members were present.

B. PLEDGE OF ALLEGIANCE

Council Member Schwartzman led the Pledge of Allegiance.

C. REFERENCE TO THE FUNDAMENTAL RIGHTS OF THE PUBLIC:

III. ADOPTION OF AGENDA:

On motion of Council Member Schwartzman, seconded by Vice Mayor Campbell, Council adopted the Agenda, as presented, on roll call by the following vote:

Ayes: Patterson, Schwartzman, Campbell

Noes: Hughes, Strawbridge

IV. OPPORTUNITY FOR PUBLIC COMMENT:

A. WRITTEN COMMENT

Seven items were received (copies on file).

B. PUBLIC COMMENT

1. Pat Toth-Smith - Mr. Toth-Smith discussed the Crude by Rail Project. He

spoke in favor of the project.

2. Constance Beutel - Ms. Beutel discussed the issue of increased co2 throughout the world, and the decrease in bird populations throughout the United States.
3. Ed Russell - Mr. Russell discussed the Arsenal clean-up issue. He wondered why it was not on the agenda tonight (workshop/special meeting).

V. BUSINESS ITEMS:

A. COMMUNITY CHOICE AGGREGATION (CCA) - STUDY SESSION

Heather McLaughlin, City Attorney, discussed Council Member Hughes' absence. There was a previous question on whether he had a conflict of interest with this agenda item. Staff is still researching the issue, so he will not participate until the issue is resolved.

Brad Kilger, City Manager, discussed Council Member Strawbridge's absence. Staff could not coordinate a day where all Council Members were available to meet.

Dan Marks, Interim Community Development Director, introduced the staff report.

Alex Porteshawver, Climate Action Plan Coordinator, reviewed the staff report, and introduced the participating panelists.

Vice Mayor Campbell asked Staff to address the issue of using renewable energy in the City of Benicia. Ms. Porteshawver clarified that the panelists would be discussing the issue during their presentation.

Will McQuire, California Public Utilities Commission (CPUC), reviewed a PowerPoint presentation on Community Choice Aggregation: A Regulatory Perspective (copy on file).

Tom Delaney, Southern California Telephone & Energy, reviewed a PowerPoint presentation titled 'California ISO: A Brief Introduction' (copy on file).

Sephra Ninow, Center for Sustainable Energy, reviewed a PowerPoint presentation titled 'Benicia CCA Study Session' (copy on file).

Joe Horak, PG&E, reviewed a PowerPoint presentation titled 'PG&E Overview' (copy on file).

Dawn Weisz, Marin Clean Energy, reviewed a PowerPoint presentation titled 'Marin Clean Energy' (copy on file).

Vice Mayor Campbell and the panelists discussed the issue of supply and demand and the cash out payment to MCE customers.

Mayor Patterson and the panelists discussed the limitations on the amount of how much could be used in California for energy.

Council Member Schwartzman and the panel discussed the issue of facilities and supply and demand.

Mayor Patterson and the panel discussed the issue of supply and demand.

Council Member Schwartzman and the panel discussed the possibility of a solar plant being built locally, the exit fees for departing PG&E customers, public purpose charges, which cities/counties have members on the MCE Board, MCE's growth constraint, Community Choice Aggregation's (CCA's) liabilities, MCE's membership analysis, and the pros and cons of doing a risk assessment.

Mayor Patterson asked Staff to prepare an estimate of time and money and who is available to do a third party review.

Mayor Patterson and the panel discussed the role of cap and trade and the California Public Utilities Commission (CPUC), jobs - doing business locally, performance measures, what PG& E would be charging for the proposed green option, and how many continuous counties were within PG&E's service.

Public Comment:

1. Andres Soto - Mr. Soto spoke in support of Community Choice Aggregation (CCA).
2. Bob Livesay - Mr. Livesay discussed concerns regarding the 'opt out' process, and the overall CCA issue.
3. Constance Beutel - Ms. Beutel discussed the issues of informal complaints, how MCE would work with MCE, keeping an eye on the regulatory issues, the green bundle option, energy cost increases, and whether MCE would be tied into the solar project.
4. Kathy Kerridge - Ms. Kerridge discussed the issue of rates for individual rate payers, exit fees, and whether the cost of energy would be reduced over time.
5. Jon Van Landschoot - Mr. Van Landschoot discussed the importance of renewable energy. He spoke in favor of CCA. He discussed the need for more public outreach.
6. Citizen - the citizen discussed the length someone would have to be involved if they opted in to the CCA.

Mayor Patterson and the panel discussed the issue of energy distribution.

Ms. Ninow discussed whether the City would need to have someone on staff to monitor regulatory issues.

Ms. Weisz discussed the issues of cost comparison, current local solar installations, the possibility of renewable energy systems being built while MCE was in place, tiering effect, whether costs would fluctuate less over time, length of relationship, and public outreach.

Mr. Horak discussed when a green option might be available.

Mr. McQuire discussed the issue of informal complaints, whether any CCA's have failed (no).

Mr. Delainey discussed the issue of electrons and how they flow, opt out/opt in, not being able to elect a board with a large public utility, and overall accountability, and the public noticing policy.

VI. CLOSED SESSION:

- A. CONFERENCE WITH LABOR NEGOTIATOR
(Government Code Section 54957.6 (a))
Agency negotiators: City Manager, Assistant City Manager and
Senior Human Resources Analyst
Employee organizations: Benicia Firefighters Association (BFA)**

VII. ADJOURNMENT:

Mayor Patterson adjourned the Open Session meeting at 8:50 p.m. and went into Closed Session.

Mayor Patterson adjourned the Closed Session meeting at 9:30 p.m.