

City of San Diego
Sustainable Energy Advisory Board (SEAB)
October 13, 2016
Meeting No. 124

MINUTES

MEMBERS PRESENT:

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| Tom Brill – SDG&E | Andrew McKercher – Labor Organization |
| Julia Brown – At Large Member | Jay Powell – Environmental Advocate |
| Sean Karafin – At Large Member | Eddie Price – At Large Member Alternate #1 |
| Douglas Kot (Vice Chair) – Building Industry | Eric Scheidlinger – At Large Alternate #2 |

MEMBERS ABSENT:

Jason Anderson – Business Community
John Bumgarner (Chair) – Solar Industry

SEAT OPEN (Awaiting appointment or confirmation):

CSE (Regional Energy) designated seat

I. Call to Order

Doug Kot called the meeting to order at 10:03 A.M.

II. Introductions – None

III. Approval of Agenda and Adoption of the Minutes [Action]

Jay Powell moved to accept agenda after confirming that Item # VI CAP Report would include discussion of comments on the City RFI; seconded by Andrew McKercher. Motion passed unanimously 8-0.

Jay Powell moved to accept the minutes as annotated; seconded by Sean Karafin. Motion passed unanimously 5-0-3 abstained Julia Brown, Andrew McKercher & Eric Scheidlinger.

IV. Announcements

Julia Brown announced that Governor Brown signed SB32 to reduce California greenhouse gas emissions to 40% below 1990 by 2030. There's a companion bill AB197 which establishes a group to oversee regulators. AB2800 to make California infrastructure safer, which includes establishing a Working Group to examine how to integrate scientific data for a better design for aging infrastructure.

V. Non-Agenda Public Comment – None

VI. CAP Update

Cody Hooven stated that they are still working on the CAP annual report based the data from calendar year 2015. It should be ready the first week of November. There was further discussion on the CAP Implementation Group, how many first phase actions are moving forward and on track, whether there were changes in the methodology, and if there was movement of the adaptation plan.

The consultant for the CCA study is Willdan Financial Services. Cody stated that they are anticipating an internal staff report from them late January or first of February. There will be a third party review,

anticipate changes, and then it will be brought to the Board for review and feedback on the technical components in June or July. Once the document is final, they would like to share it for outreach.

The RFI is open and questions were submitted and responses were posted on last Friday, October 7. It is on the City's website and closes October 28. If Board members have not received the response to the Q&A, staff will forward it. There will be a review of what was received and determine the next steps and bring those back to the Board. Over 2,000 recipients were sent the RFI.

VII. Municipal Energy Strategy

Jack Clark presented Municipal Energy Strategy and what the City is working on right now. He requested that an ad hoc working group be developed to contribute to the City's efforts. He stated that the City has to have a roadmap to move forward on how it is consuming, managing and generating energy. The topics covered were:

- Energy Data – Jack requested SDG&E's help to further strengthen information ties.
- Energy Efficiency and Behavior
- Operating and Managing Systems
- Distributed Generation and Storage
- Financing – be thinking about different financing opportunities
- Communications and Transparency

There was a question regarding ad hoc committee (working group) membership. It was clarified that only SEAB Board members, and not more than four members can serve on an ad hoc committee (working group).

There was discussion on whether an ad hoc committee (working group) can have someone outside of the Board provide expertise to the group. It was determined that outside resources can be brought in as needed for sharing information, but may not be consider regular members of the ad hoc committee.

Parita Ammerlahn gave the latter half of the City's presentation on City owned landfills. There are three landfill sites: Miramar, Arizona Street, and Chollas. They are looking at ways to utilize the landfill methane gas. Bryan Olson presented on what the City is working on at landfills for solar power generation.

Jay Powell moved to create an ad hoc working group to support City staff as it relates to Municipal Energy Strategy and identifying the appropriate strategies of data collaboration of the measures and components of the plans presented today; seconded by Tom Brill. Motion passed unanimously 6-0. The Working Group on Municipal Energy Strategy will consist of Tom Brill, Andrew McKercher, Jay Powell and Eric Scheidlinger.

Julia Brown moved to create an ad hoc working group to support City staff as it relates to Energy Conservation Ordinances; seconded by Andrew McKercher. Motion passed unanimously 6-0. The Working Group on Conservation Ordinances will consist of Julia Brown, Tom Brill, Doug Kot and Eddie Price.

Julia asked what the deliverables are and when they are due. Jack responded that he is looking at the Board's work plan. The City's objective is to have draft Municipal Energy Strategy wrapped up within 12 months. He is hoping to get the Board's contribution around the end of the first quarter of 2017.

VIII. Conflicts of Interest – Fritz Ortlieb

Fritz Ortlieb presented an introduction to Conflicts of Interest. He stated that each situation is fact sensitive based on the interest of the individual. He could not give any advice on any particular conflict in the absence of the facts. He urges anyone on the Board to ask early if they have a sense of a conflict of interest.

The laws can be departmentalized in three areas; state law, common law, and local law (San Diego Municipal Code). He started with the Political Reform Act of 1974 (PRA). It requires public officials to file Statement of Economic Interest (SEI). The City is required to assure compliance with that requirement through the City Clerk's office. Most boards and commissions of the City has to file the SEI. After being asked about this topic, he discovered that the SEAB is not on the list of required boards or commissions that have to file an SEI. The City Attorney's Office is looking into why. Therefore, for right now, the SEI requirement is not applicable to SEAB but it could change.

San Diego municipal code 27.3501 is a Municipal Replication of the Political Act. It is more specific to the City than the PRA. It applies to "City Officials", and subsection "E" is any City Board Member defined as member of a board that has to file the SEI. Therefore, similarly it would appear that these ethics ordinance does not apply to SEAB because of the determination of the SEI, which may change.

State Law, government code 1090, clearly does apply to this board. The Political Reform Act and the Ethics Ordinance of the City are related to governmental decisions. He read what it says about governmental decisions. The elements of 1090 are City Officer, employees and Consultants acting in official rather than private capacity who participates in making and/or recommending of contract a entered into by the City in which the individual has a direct or indirect financial interest.

The Attorney General has determined that section 1090 also applies to members of an advisory board if they participate of a making of a contract through their advisory functions. Therefore, if a Board member intend to or have a company affiliate that is interested in a contract it may be wise to ask in advance and recuse yourself from participation in making of that decision. Fritz will come back next month to expand on this topic.

IX. Legislative, Regulatory and City Update

Discussed in previously topics. Doug Kot noted that the County's comprehensive renewable energy plan goes to the Planning Commission tomorrow morning. He suggested that the Board get familiar with their plan; it has a variety of components, some of which are administratively similar to things that are being considered for the City of San Diego. Certain aspect of the plan are part of that too.

X. Suggested Guests/Presentations/Tours for Upcoming Meetings

Jay Powell suggested to have a presentation regarding renewable energy integration and distributed energy resources. Aaron Lu has not received confirmation for E3's presentation. He would like the

contact information. He is working with Jay Powell's recommendation that will be co-presenting with Rocky Mountain Renewables. Aaron Lu is also talking to someone for the CAISO expansion and will hear from Fritz Ortlieb. Tom Brill offered to do a tour SDG&E's Mission Control if Board members are interested. Doug Kot will mention it to John Bumgarner.

XI. New Business

None.

XII. Adjourn

Doug Kot adjourned the meeting at 12:00 P.M.

Note: An audio recording of this meeting is available upon request.