

Desert Community Energy Board  
Meeting Minutes  
July 31, 2019



The audio file for this committee can be found at: <http://www.cvag.org/audio.htm>

**1. CALL TO ORDER**

The meeting of the DCE Board was called to order by Councilmember Gregory at 2:32 pm at 73-710 Fred Waring Drive, Palm Desert, California.

**2. ROLL CALL**

Roll call was taken and it was determined that a quorum was present.

**Members Present**

Councilmember Raymond Gregory  
Councilmember Lisa Middleton

**Agency**

City of Cathedral City  
City of Palm Springs

**Others Present**

Charlie McClendon  
Ryan Stendell  
Rosario Avila  
Elmer Diaz  
Kim Floyd  
David Freedman

City of Cathedral City  
City of Palm Desert  
Cathedral City Resident  
IBEW 440  
Sierra Club/Palm Desert Resident  
DCE CAC/Palm Springs Resident

**DCE Staff & Consultants**

Tom Kirk  
Katie Barrows  
Benjamin Druyon  
Libby Carlson  
Don Dame (Phone)  
Jeff Fuller (Phone)  
Colin Cameron (Phone)  
Ryan Baron (Phone) – *for closed session only*

DCE Consultant  
The Energy Authority  
The Energy Authority  
BB&K

**3. PUBLIC COMMENTS**

Kim Floyd, Elmer Diaz, and Rosario Avila addressed the Board.

**4. BOARD MEMBER / DIRECTOR COMMENTS**

Tom Kirk reported that, per the Joint Powers Agreement, Ryan Stendell, City of Palm Desert Director of Community Development, would tentatively participate in the Board meeting as an alternate voting member, pending confirmation from the City of Palm Desert City Manager. It was determined after the meeting that Mr. Stendell was not officially designated as an alternate by the City and therefore, his votes would not be counted.

**5. CONSENT CALENDAR**

**A. Approve June 17, 2019 DCE Board Meeting Minutes**

**ITEM 5A WAS CONTINUED AT THE REQUEST OF COUNCILMEMBER GREGORY.**

- B. Approve Amendment #2 to the Consulting Services Agreement Between Desert Community Energy and Don Dame to Provide Implementation and Operations Support for Desert Community Energy, For an Amount Not to Exceed \$50,000**

**IT WAS MOVED BY COUNCILMEMBER MIDDLETON AND SECONDED BY COUNCILMEMBER GREGORY TO APPROVE AMENDMENT #2 TO THE CONSULTING SERVICES AGREEMENT BETWEEN DESERT COMMUNITY ENERGY AND DON DAME.**

**THE MOTION CARRIED UNANIMOUSLY.**

<b>Councilmember Gregory</b>	<b>Aye</b>
<b>Councilmember Middleton</b>	<b>Aye</b>

**6. DISCUSSION / ACTION**

**A. Amendment #2 to the Joint Powers Agreement**

The Board discussed additional revisions to Joint Powers Agreement Amendment #2.

**IT WAS MOVED BY COUNCILMEMBER MIDDLETON TO CONTINUE ITEM 6A. MOTION FAILED.**

**ITEM 6A WAS CONTINUED AT THE REQUEST OF COUNCILMEMBER MIDDLETON.**

**B. Amendment to Resources Management Agreement with The Energy Authority**

Katie Barrows noted revisions to the proposed amendment of the Resources Management Agreement and Task Order #2.

**IT WAS MOVED BY COUNCILMEMBER MIDDLETON AND SECONDED BY COUNCILMEMBER GREGORY TO APPROVE REVISIONS TO THE RESOURCES MANAGEMENT AGREEMENT BETWEEN DESERT COMMUNITY ENERGY AND THE ENERGY AUTHORITY, AND ASSOCIATED TASK ORDERS 1 AND 2.**

**THE MOTION CARRIED UNANIMOUSLY.**

<b>Councilmember Gregory</b>	<b>Aye</b>
<b>Councilmember Middleton</b>	<b>Aye</b>

**IT WAS MOVED BY COUNCILMEMBER MIDDLETON AND SECONDED BY COUNCILMEMBER GREGORY TO RESUME DISCUSSION OF ITEM 6A.**

**THE MOTION CARRIED UNANIMOUSLY.**

<b>Councilmember Gregory</b>	<b>Aye</b>
<b>Councilmember Middleton</b>	<b>Aye</b>

Discussion of Item 6A resumed following Item 6B.

In response to Charlie McClendon, Tom Kirk agreed to modify the DCE financial statement format as needed.

**IT WAS MOVED BY COUNCILMEMBER MIDDLETON AND SECONDED BY COUNCILMEMBER GREGORY TO APPROVE AMENDMENT #2 TO THE JOINT**

**POWERS AGREEMENT AND AUTHORIZE THE EXECUTIVE DIRECTOR TO PROCEED WITH ACTIONS NECESSARY TO EFFECT THIS CHANGE.**

**THE MOTION CARRIED UNANIMOUSLY.**

<b>Councilmember Gregory</b>	<b>Aye</b>
<b>Councilmember Middleton</b>	<b>Aye</b>

**C. Desert Community Energy Program Launch Plans**

Katie Barrows gave an overview of steps needed to launch service in Palm Springs in September 2020, including the August 16<sup>th</sup> load forecast deadline. Staff recommended that Palm Desert and Cathedral City consider including municipal accounts in the load forecast which would allow those accounts to be launched in 2020. Ryan Stendell reported that Palm Desert City Council will consider the item on August 22<sup>nd</sup>. Councilmember Gregory reported that Cathedral City will consider the item in September.

Rosario Avila addressed the Board during public comment.

**D. Community Advisory Committee Update**

Benjamin Druyon reported on the first Community Advisory Committee meeting and current Committee vacancies.

Rosario Avila and Kim Floyd addressed the Board during public comment.

Tom Kirk clarified the role of the Committee.

The Board directed staff to reopen the Committee application.

**E. CARE / FERA Program Update**

Benjamin Druyon reported that the deadline for responses to the Request for Proposals for support to increase enrollment rates in the CARE and FERA programs is August 23<sup>rd</sup>.

**F. DCE Pro Forma and Financial Model Scenario Analysis**

Colin Cameron, The Energy Authority, gave an update on current financial projections. Tom Kirk commented on the significant positive impact that Palm Springs' decision to launch with a 100% clean energy default product will have on greenhouse gas reduction.

Items 8 and 9 were addressed before Item 7.

**8. INFORMATION**

The following items were submitted for information only:

**A. Attendance Record**

**B. Unaudited Balance Sheet & Financial Statement, April 2018 – June 2019**

**C. Transfer of Funds to a Higher Interest Earning Account with River City Bank**

**9. ANNOUNCEMENTS**

The next DCE Board meeting is scheduled for Monday, September 16, 2019, at 2:30 pm.

*Legal counsel Ryan Baron joined the meeting by phone at 4:00 pm.*

The Board entered closed session at 4:00 pm.

**7. CLOSED SESSION**

**Conference with Legal Counsel – Anticipated Litigation**

**Initiation of Litigation Pursuant to Government Code Section 54956.9(d)(4)**

**Number of Cases: One**

No reportable action. The Board gave direction to staff.

The Board reconvened at 4:30 pm.

**10. ADJOURN** - The meeting was adjourned at 4:30 pm.

Respectfully submitted,  
Libby Carlson