

**MINUTES OF THE REGULAR MEETING
UTILITY ADVISORY BOARD
MAYOR'S CONFERENCE ROOM
CITY HALL
MARCH 24, 2009
6:02 P.M.**

1. Welcome/Roll call

Present: Lowell Hyatt, Linda Kirk Campbell, Billy Thompson, Chris Luna, Tony Torres, Gary Pickens, Lee Alewine

Absent: none

Staff Present: Ray Schwertner, Greg Vetrano, Jeff Janke, Rene Dowl, Carol Bentzlin

TMPA Staff: Gary Parsons, Jan Horbaczewski, Daniel Meadows

Mr. Hyatt presented Rene Dowl to the board and asked her to give them some information on her professional background. Ms. Dowl will assume the duties of Carol Bentzlin, serving as the Secretary to the Utility Advisory Board.

2. Consider Approval of the Minutes from the Regular Meeting of February 24, 2009

Mrs. Linda Campbell had one change to the minutes, take out Parker and replace with Kirk. In Item 5 Mr. Luna said that his name should replace Chairman Lowell Hyatt.

--Motion by Mr. Alewine to accept the minutes with the changes; seconded by Mrs. Campbell. Motion passed unanimously.

3. Consideration of Excusing Absences for UAB Members

Mr. Alewine's absence from the February 24th, 2009 was considered.

--Mrs. Campbell made a motion to approve Mr. Alewine's excuse for absence. Motion seconded by Mr. Thompson and passed unanimously.

4. TMPA Presentation

Ray Schwertner introduced the TMPA staff and his purpose for having them come to speak with the board.

Gary Parsons began the presentation by reviewing the status of the Gibbons Creek Station discussing fuel conversion, plant life assessment, and capital improvement program.

Jan Horbaczewski did an overview of the regulatory background, new source review process, rule-making by the new administration, and the targeting of coal-fired electric utilities.

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- Mr. Meadows presented information supporting the investment in refurbishment of an existing scrubber which will comply with air emissions requirements and be the first line of defense for emission controls and reduction.

Mr. Hyatt thanked the TMPA for their presentation that informed and educated the board regarding compliance, regulation, and the future for Gibbons Creek.

5. GP&L Criteria for setting residential electrical rates

Greg Vetrano explained the following regarding the electrical rate:

- Prior to January 2002 the rate was derived from the base rate and fuel factor with a monthly adjustment
- After deregulation, at the direction of City Council, GP&L rate was required to be less than the TXU rate for all kWh consumption
- Rate is based on: Base rate and Recovery Adjustment Factor (not a fuel factor) covers fuel and fixed costs
- GP&L rate has been consistent and has not changed its rate since November 2006 despite increase in gas prices

6. Various UAB Structures and Authorities

Mr. Hyatt opened the discussion asking Mr. Janke to explain variations in board authority.

Mr. Janke provided the following information:

- On a scale from 1-10, authority can range from 0 to 8/9 in terms of authority
- Some boards range from advisory, to partial, to full power to set fees and rates, transferring funds, retain eminent domain
- There are differences on who can sit on boards i.e. citizens, customers, some Boards are elected, some selected by city council

Mr. Chris Luna requested a matrix of city boards and authority levels from Mr. Janke.

7. Guidelines for citizen comments at UAB meetings

Mr. Hyatt led the discussion on the procedure for handling citizen input during UAB meetings: He recommends that the UAB mirror City Council approach:

- No action or vote may be taken on an issue brought up by a citizen.
- Citizens may offer comments during UAB discussion time on the specific topic.
- Citizens may not speak during Written Briefings session.
- Only electric issues can be presented.
- Other electric issues not covered in the agenda can be presented during the Citizen Comment.

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- Citizen must submit his name on a card and submit the card to the Chairman.
- Citizen will be given 3 minutes to present his concern.
- Citizen's issue may become a future agenda.

8. **Written Briefings**

- a) Energy Independence & Security Act of 2007
- Summary of the 306 page act was sent out in the Agenda Packet.
 - Act contains information useful for acquiring a grant.
 - Valuable informative documents dealing with energy and electricity can be passed to other UAB members at the meeting.
 - The Item, "Written Briefings" will be placed on the Agenda immediately after "Consideration of Absences".

9. **Committee Reports**

a) **UAB Performance Assessment Tool**

- Mr. Lee Alewine presented the assessment tool draft.
- Please forward your comments, suggestions and feedback. UAB members will review the format and also compare it with the Ordinance.
- A separate tool may be necessary for GP&L Ray/Staff assessment.
- Comments will be addressed at the April meeting.

b) **Review of proposed UAB By-Law**

- Recording of UAB attendance and absences is in the Ordinance
- After three unapproved absences, a member forfeits their seat.
- UAB will continue to consider and approve excuses absences other than illness.
- --Action: Carol Bentzlin will check with the City Secretary's Office about how to record excused absences.

--Motion by Mr. Pickens and Mr. Luna to approve the UAB By-Laws; seconded by Mrs.Campbell. Motion passed unanimously.

--Action: Mr. Chris Luna will email the UAB approved By-Laws to the COG Legal Department and Mark Dempsey.

c) **Potential Tasks for UAB**

Mr. Torres and Mr. Thompson provided a list of potential UAB tasks.
UAB agreed to review the list and comment at the next meeting.

--Action: The potential task list will be discussed at the next meeting. Greg Vetrano will email Ray Schwertner's list of Tasks to the UAB members.

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UAB will evaluate and determine the task selection using the following criteria:

- Staff time
- Benefit to GP&L
- In the UAB Ordinance
- Weigh both sides
- Check with Mayor on UAB tasks he might approve
- Rank order of topics

As the UAB Secretary, Rene Dowl will email her address, email address and phone number to the UAB members.

10 Future Agenda Items for April 28, 2009

- Call to Order
- Absences to consider
- Consider Approval of the Minutes for March 24th, 2009 meeting
- Written Briefings
 - UAB Structures
 - Wind Transmission
- Presentation: GP&L Finance
- Committee Reports
 - a. UAB Assessment Tool
 - b. UAB By-Laws
 - c. Potential UAB Tasks
- Future Items
- Citizen's Comments
- Adjourn

11. Adjourned at 8:25 pm

Submitted by:

Carol A Bentzlin, Secretary

Approved by:

Lowell Hyatt, Chairman