



WHPA HVAC Stakeholder Engagement Strategy Committee (HSES)

Teleconference Summary Notes

Friday, December 1, 2017

Scheduled for 9:00am –10:30am PST

Call to Order

The WHPA HVAC Stakeholder Engagement Strategy Committee (HSES) Co-Chair, Paul Thomas (SDG&E), called the meeting to order at 9:05 a.m. PST. The meeting was recorded for note purposes.

Roll Call

Wendy Worrell (WHPA Staff – InfoPlast) conducted roll call based on the current roster. As no voting panel has been assigned in favor of consensus voting, members are organized by voting eligibility status. 18 participants (or proxies) attended the meeting with a quorum (8+) of eligible members as indicated below:

P = Present at meeting A = Absent from meeting; if proxy has been assigned it will be noted below.				
Organization	First Name	Last Name	WHPA Category	Attendance
Voting Eligible				
ACCA (Air Conditioning Contractors of America)	Don	Langston	Contractor Association	P
AHRI (Air-Conditioning, Heating, and Refrigeration Institute)	Garrett	McGuire	Director, Government Relations	P (Proxy for HARDI)
CALBO (California Building Officials)	Bob	Barks	Codes & Standards Official (Association or Jurisdiction)	A
CEC (California Energy Commission)	Lea	Haro	Government (Other than CPUC)	P
CPUC (California Public Utilities Commission) Energy Division	Peter	Biermayer	California PUC	A
Galawish Consulting Associates	Elsia	Galawish	Energy Efficiency Program Consultant	A
HARDI (Heating, Air Conditioning & Refrigeration Distributors International)	Talbot	Gee	Distributor Association	A – Proxy to AHRI
HVAC Excellence	Eugene	Silberstein	Certifying Body	P
IHACI (Institute of Heating and Air Conditioning Industries)	Bob	Wiseman	Contractor Association	P (Co-Chair)
Indio Cooling & Heating Supply	Tim	Mann	Distributor	P
JCEEP (Joint Committee on Energy and Environmental Policy)	David	Dias	Organized Labor	P
NCI (National Comfort Institute)	Mel	Johnson	Educator, Trainer	P
	Mark	Salavitch	California IOU	A
PG&E (Pacific Gas and Electric Company)	Christian	Weber	California IOU	P
	Scott	Higa	California IOU	A – Proxy to SDG&E
SDG&E (San Diego Gas & Electric Company)	Paul	Thomas	California IOU	P (Co-Chair) – Proxy for SCE
SoCalGas (Southern California Gas Company)	Harvey	Bringas	California IOU	P
SynergyNexGen	Barbara	Hernesman	Energy Efficiency Program Consultant	P
Transformative Wave	Joe	Schmutzler	Controls (Manufacturer or Distributor)	P
Tre'Laine Associates	Pepper	Hunziker	Energy Efficiency Program Consultant	A
Voting Eligible (upon meeting attendance and/or registration)				
CPUC (California Public Utilities Commission) Energy Division	Justin	Hagler +	California PUC	P
ICSC (International Council of Shopping Centers)	Keith	Walker	Owner/Facility/Property Management Association	A
SMUD (Sacramento Municipal Utility District)	Ravi	Patel	Public Owned Utility	A
Guests				
CPUC (California Public Utilities Commission) (Energy Division)	George	Tagnipes	California PUC	A
SDG&E (San Diego Gas & Electric Company)	Pedro	Ramirez	California IOU	A
WHPA Staff				
Better Buildings, Inc.	Mark	Lowry	Other Stakeholder	P (Legal Entity Facilitation)
InfoPlast	Wendy	Worrell	Other Stakeholder	P (Host/Scribe)

** Organization is Not a Member of the WHPA; + Individual is NOT Registered with the WHPA; (P) = Member Organization is Pending Approval from the WHPA Executive Committee.

AGENDA

The following agenda was distributed to the WHPA HSES Committee roster by WHPA Staff prior to the meeting, along with meeting reference slides:



WHPA HVAC Stakeholder Engagement Strategy Committee (HSES)

Teleconference Summary Notes

Friday, December 1, 2017

Scheduled for 9:00am –10:30am PST

PDT TIME	TOPIC	FACILITATOR
5 min. 9:00-9:05	Roll Call	Wendy Worrell
5 min. 9:05-9:10	Co-Chairs' Opening Comments <ul style="list-style-type: none"> • Next Meeting: December 8th from 9:00am - 10:30am PST 	Bob Wiseman/Paul Thomas
5 min. 9:10-9:15	Chartering Committee Update <ul style="list-style-type: none"> • Decision: Focus on 501(c)(3) • Deliverable Development Status 	Dave Dias
75 min. 9:15-10:30	Continued Scoping Development Discussion <ul style="list-style-type: none"> • Preferred Meeting Structure/Cadence for Member Engagement • Funding/Budgeting and Membership Levels • Sample Membership Tier Structure • Board of Directors • Officers of the Corporation 	Mark Lowry
by 10:30am	Adjournment	Paul Thomas

Co-Chair's Opening Comments

Co-Chair Bob Wiseman (IHACI) overviewed the above agenda and thanked all for their attendance. He asked those who can to stay the extra 30 minutes added to the meeting (from 10:00am – 10:30am).

Co-Chair Paul Thomas (SDG&E) expressed his appreciation and thanks for the positive attitude of all involved in this process. He noted that behind the scenes work is being done at an appropriate fast pace to help things happen and confirmed that he is encouraged that things are “moving along well”. He clarified that the HSES Committee calls and the decisions made are important for feeding into the Chartering Committee’s work as well.

The Co-Chairs reported that the December 8, 2017 meeting time was extended by 30 minutes and will be held from 9:00am – 10:30am PST.

Chartering Committee Update

Per [meeting slides](#) 4-6, Chartering Committee Chair, Dave Dias (JCEEP) provided an update on the Committee’s deliverable development status and on the Chartering Committee’s decision that focus should be on the 501(c)(3) Public Benefit Nonprofit Status based on evaluation of 501(c)(3), 501(c)(4), and 501(c)(6) nonprofit structures.

The Chartering Chair clarified that the drafted Vision and Mission are quite a bit different than the starting content.

- Barbara Hernesman (SynergyNexGen) confirmed that the developed Vision language “felt fairly final”, but noted that language in the Mission statement was still being finalized.
- The Chartering Chair confirmed that fine tuning will be done next week.
- HSES Co-Chair Paul Thomas (SDG&E) confirmed that he “liked” the last line of the Mission about the consumer. He clarified that he trusts the Chartering Committee’s recommendations.

ACTION: HSES Committee members to send input on the draft Mission and Vision general concepts to WHPA Staff as needed.

Continued Scoping Development Discussion

Mark Lowry (WHPA Staff – BBI) facilitated continued scoping development discussion based on [meeting slides](#) 7-15. He clarified that with the current need for expediency, it is important to get the needed information for the Bylaws and Articles of Corporation determined with the next order of business to operationalize how best to get work done.

PREFERRED MEETING STRUCTURE/CADENCE FOR MEMBER ENGAGEMENT DISCUSSION

Mark Lowry (WHPA Staff – BBI) facilitated discussion of the Committee’s preferred meeting structure and cadence for how member engagement should occur based on [meeting slide](#) 7, noting that the topic feeds into budgetary needs. Mark expressed caution about not “getting lost in the weeds” so the needed scoping questions about the Board of Directors and Officers of the Corporation get addressed.

- Barbara Hernesman (SynergyNexGen) asked if the current structures will maintain. “Will existing members be able to continue?”



WHPA HVAC Stakeholder Engagement Strategy Committee (HSES)

Teleconference Summary Notes

Friday, December 1, 2017

Scheduled for 9:00am –10:30am PST

- Mark Lowry (WHPA Staff – BBI) replied that the current indication is that the existing membership organizations will be able to maintain.
- Barbara Hernesman (SynergyNexGen) asked if those who are consultants and not tied to a specific organization will be able to remain as members.
 - HSES Committee Leadership confirmed they will.

Mark Lowry (WHPA Staff – BBI) clarified that traditionally WHPA has met through teleconferences or webinars, plus in-person leadership meetings, and has used a few strike teams, as well as an in-person charrette. He asked the group for their thoughts on the best way for members to engage with each other going forward under a nonprofit structure.

- Mel Johnson (NCI) commented that if there is a “toolbox” approach enabling use of the needed tools for the situation, the list seems appropriate.
- Co-Chair Bob Wiseman (IHACI) commented that there will be different tools needed to get the end results depending on individual Committee goals. He also noted that in-person meetings are important on at least an annual basis.
- Dave Dias (JCEEP) asked if there will be the same number of Committees and Working Groups as before once WHPA restarts or if it will be smaller or larger.
 - Mark Lowry (WHPA Staff – BBI) replied that it will most likely start out smaller, but clarified that the specifics have not yet been defined and that it will be part of the first work for the new entity to accomplish.
 - Co-Chair Paul Thomas commented that he does not see things starting where they left off. He noted that a fresh look at the goals will yield needed adjustment. He clarified that a priority for the new organization will also be focus on fundraising and sustainable planning as “it will not all be achievable by January 2018”.
- Barbara Hernesman (SynergyNexGen) asked what the market actor concerns are and how that is brought into the focus for existing industry plans. She suggested that research needs to be done to determine who is missing. She further suggested that the first year should be charrettes focused on “who is out there and what needs to be heard”.
- Dave Dias (JCEEP) voiced agreement with the prior comments and noted that once the priorities are determined, the Committee structure could be determined.
- Co-Chair Paul Thomas (SDG&E) reported that his vision for 2018 would be more in-person meetings (such as quarterly) and less standard Committee work to bring a strong start. He suggested less organization funded work and more in-person meetings.
 - Mark Lowry (WHPA Staff – BBI) asked for suggested foci for the in-person meetings; would discussion be more about funding, or about stakeholder/regulatory market transformation?
 - Co-Chair Paul Thomas (SDG&E) brainstormed that it would be all the above. He suggested that at the beginning of the year, there will be the need for more tactical (less strategic) planning and noted that in-person meetings are good for achieving that.
- Mark Lowry (WHPA Staff – BBI) asked those who have served as Committee Chairs for their perspective on in-person charrettes versus teleconferences for effectiveness in producing output.
 - Barbara Hernesman (SynergyNexGen) commented that the charrette was used by her Committee because they had a very specific task for helping advise CEC on the Existing Buildings Energy Efficiency (EBEE) Action Plan so it was critical to have a platform that enabled focused interaction with the regulatory groups in a format that fostered stakeholder engagement. She noted that the teleconference format is easier for broader member engagement without having to physically go somewhere. It worked for the EBEE Committee to have a small group that looked at specific tasks and then brought it to the larger group for broader vetting.
 - Don Langston (ACCA) commented that he was in listening mode. He noted that this is a rebuilding so taking it slow to understand “where we are at” is critical. He asked where the state is on the legislative side noting that they are critical for engagement and the effectiveness of this process.
 - Joe Schmutzler (Transformative Wave) reported that attending the 2016 in-person meeting was important, but noted that there was a lot thrown out so a better understanding of expectations ahead of time would be helpful. For FDD, they took an alternate monthly focus to more fully absorb the technical material for discussion. He stressed the importance of always having what is being discussed well in advance to properly process and prepare.
 - Mel Johnson (NCI) commented that when WHPA began, he was Chair of all of Goal 2 and found appropriate Chairs to cover the needed areas. He suggested that for the future, there is a need to evaluate what needs are going to be filled and then determine the needed skills to have in place for the “line of business” since it is most important to have the right expertise in place for the line of business by determining what those needs are first.



WHPA HVAC Stakeholder Engagement Strategy Committee (HSES)

Teleconference Summary Notes

Friday, December 1, 2017

Scheduled for 9:00am –10:30am PST

FUNDING/BUDGETING & MEMBERSHIP LEVELS

Mark Lowry (WHPA Staff – BBI) facilitated discussion about funding and budgeting considerations, including overview of tiered membership samples based on [meeting slides](#) 8-13. He clarified that at this point determination of what the dues are and the tier structure can be finalized later. The critical questions to determine now are what the membership structure is, who is eligible to vote, and in what capacity (i.e., who would serve on the Board and as Officers). He provided a high-level overview of some sample existing membership organization structures (HARDI, ASHRAE, IHACI, EGIA), some of which are current WHPA members, in comparison to the current WHPA membership structure.

- Mark Lowry (WHPA Staff – BBI) noted a common theme across the samples in that the Bylaws fell out in detail for the different categories but not the dues. The Bylaws clarified that dues shall be fixed and determined from time to time.
- Mark Lowry (WHPA Staff – BBI) reported a correction to [meeting slide](#) 10. ASHRAE student dues has 1 variation that is tiered for three years while a student and not the range shown on the slide. Students are only charged a maximum of \$103.
- Mark Lowry (WHPA Staff – BBI) clarified that “Member Emeritus” refers to a member who retired but is still recognized.
- Mark Lowry (WHPA Staff – BBI) brought attention to the current list of WHPA Membership Categories. He clarified that those highlighted in yellow are those that are not currently eligible to serve on the Executive Committee (EC) or Council of Advisors (COA). He clarified that currently contractor or manufacturer associations can serve but not individual contracting companies or manufacturers.
- Mark Lowry (WHPA Staff – BBI) reported that when talking about voting, having a vote in the Committee or Working Group is not the same as voting on Bylaws, Directors, or dissolution so defining content may be needed to help clarify that as they are not necessarily the same thing. He clarified that it can be “fixed, modified, or tweaked” in the new organization.
- Dave Dias (JCEEP) asked if all the prior examples are 501(c)(3) organizations.
 - Mark Lowry (WHPA Staff – BBI) clarified that aside from ASHRAE which is a 501(c)(3), the rest were 501(c)(6) organizations.
 - Dave Dias (JCEEP) asked if a 501(c)(3) would require a different configuration.
 - Mark Lowry (WHPA Staff – BBI) replied that it would not need to be done differently. He reported that when he worked for RSES, the original organization was a 501(c)(6) with individual members, but the corporation was 501(c)(3) with corporate members. It is not entirely driven by the type of organization, but more by “who do you want to have a say in it”. Typically, as with ASHRAE, the voting members are the core members. WHPA does not really have that core membership, as it is more equal.
- Barbara Hernesman (SynergyNexGen) noted there is a difference between a 501(c)(6) trade association and a 501(c)(3) public benefit organization. She reported that when she was part of CBPCA, contractors who came to educational seminars at the IOU training centers received membership for free the first year to see if it made sense for them. After that, they received a bill for membership dues. Barbara commented that having 26 categories within WHPA could be simplified with some categories as subcategories of others. She suggested that students should be included in the membership structure, so the next generation has a better understanding of what all are doing. She also suggested that all the representatives from each category could decide on a voting member for their specific category.

Scribe Note: Don Langton (ACCA) left the call at 10am PST at this point.

- Dave Dias (JCEEP) asked how WHPA will be funded noting that if it is all through dues, the dues need to be higher. He also asked if all the dues would be the same, and, if so, if everyone would have the same voting power.
 - Co-Chair Paul Thomas (SDG&E) commented that it would not make sense for all to pay the same amount. He noted that the IOUs are a larger organization and hope to be more involved, and that it would make sense for an IOU to contribute more than a smaller consultant like SynergyNexGen.
 - Dave Dias (JCEEP) agreed with Paul Thomas’ (SDG&E) comments but felt it was important to ask the question. He clarified that SynergyNexGen should have the same voting rights as an IOU in that example.
 - Mark Lowry (WHPA Staff – BBI) commented that based on his research it seemed that there was one vote per member which was separate from the amount of dues required for participation. He confirmed that they were separately defined.
 - Barbara Hernesman (SynergyNexGen) commented that as a purely membership driven organization, enough funds would not be generated. As a community based organization, she voiced the assumption that funds would be solicited from “whatever that bucket is” and writing grants to be able to continue the outreach for which



WHPA HVAC Stakeholder Engagement Strategy Committee (HSES)

Teleconference Summary Notes

Friday, December 1, 2017

Scheduled for 9:00am –10:30am PST

WHPA is known. She clarified that as a 501(c)(3), focus needs to be on looking at the funding sources to go after this year, next year, and the next 5 years.

- Dave Dias (JCEEP) asked if the IOUs can still use ratepayer funds to support WHPA.
- Co-Chair Paul Thomas (SDG&E) reported that behind the scenes, the IOUs have been talking about that. Thanks to SCE, they think they have a way for the IOUs to use ratepayer dollars to feed an organization to help it get going while also paying membership dues. He clarified that it is not finalized as some defined structure is needed first.
- In reply to Dave Dias' (JCEEP) inquiry about if CPUC would need to approve that, Co-Chair Paul Thomas (SDG&E) noted that he did not think so. He also clarified that this work is being done with transparency and that the CPUC is invited to this development process.
- Barbara Hernesman (SynergyNexGen) asked if the IOUs could provide guideline input on their "behind the scenes precedent" so the Chartering Committee can better determine how best to fit some of that need into goal development, the bylaws, etcetera.
- Co-Chair Paul Thomas (SDG&E) clarified that rather than a guideline, it is more of a case study that showed precedent for an organization that was supported with ratepayer funds in such a manner. He cautioned that it was not a guarantee, but that it did provide an idea of a path to pursue. He commented that, "It would be a shame if focus was just on the IOUs/ratepayers as part of funding", and that other sources need to be found for WHPA's sustainability.
- Barbara Hernesman (SynergyNexGen) agreed that when a 501(c)(3) is doing due diligence, it is "nice to know" there is a way to take the IOU commitment and then build off it for others.
- Co-Chair Paul Thomas (SDG&E) voiced appreciation for the approach Mark Lowry (WHPA Staff – BBI) presented in terms of determining meeting structure and cadence. The Co-Chair strongly noted that focus should not be on what the IOUs can give and then building the organization around it, but rather on building the organization, determining the needs, and then looking at the IOUs as one of the funding sources for sustainability.

Regarding [meeting slide](#) 13 about the current WHPA membership structure, Mark Lowry (WHPA Staff – BBI) asked if the IOUs should still have two (2) permanent seats each on the Council of Advisors, plus one (1) each on the Executive Committee. He clarified that there was reason in the past for the IOUs, CPUC, and CEC to be permanent members.

- Co-Chair Paul Thomas (SDG&E) confirmed that there is no need for the IOUs to continue to have that level of presence. He suggested that one (1) permanent IOU, CEC, and CPUC seat is still warranted. While he was open to having more than one (1) IOU on the Board, he commented that he does not think it would be equitable to have more than one (1) IOU.
- Mel Johnson (NCI) commented that when the seats were established, leadership was rotated through the IOUs and the IOUs had financial control responsibility, so it was necessary to establish that kind of structure at that time. Going forward with multiple funding sources, "there is no longer the need for the IOUs to occupy that many seats", but he noted that the IOUs would need to still have a vote.
- Christian Weber (PG&E) voiced agreement that the high level of IOU voting presence is not as germane anymore.
- Dave Dias (JCEEP) confirmed that having too many people from one entity is not a good thing.
- Barbara Hernesman (SynergyNexGen) voiced agreement for ensuring that the IOU category is included. She suggested that clarity is needed in defining the number of votes allowed by each category.
- Dave Dias (JCEEP) commented that with IAPMO's Uniform Mechanical Code Technical Committee, not one organization can dominate the voting. They cannot have more than 1/3 of any entity be a voting member on a Board of Technical Committee per the Bylaws and ANSI requirements.
- Mark Lowry (WHPA Staff – BBI) reported that the current Charter specifies that at the Committee level there is only one vote per member organization. He clarified that it is only at the EC and COA level that the IOUs were given two (2) votes.
- Mark Lowry (WHPA Staff – BBI) asked Lea Haro about CEC's perspective on EC voting as he noted that CEC has voted on some things, but abstained from others.
 - Lea Haro (CEC) reported the logic behind some of their abstentions, noting that some work products were focused on the CEC's EBEE Action Plan, so it would have been awkward for them to vote on comments related to their own product, but that they supported the effort. She clarified that if they are officially supporting a work product, it would have to go through their internal approval process.
 - Co-Chair Paul Thomas (SDG&E) asked if voting on matters to the direction of an organization like WHPA would typically be different than voting on a work product.



WHPA HVAC Stakeholder Engagement Strategy Committee (HSES)

Teleconference Summary Notes

Friday, December 1, 2017

Scheduled for 9:00am –10:30am PST

- Lea Haro (CEC) clarified that it would depend on what WHPA would expect CEC’s role to be. If they are part of a Committee working toward the same goal and having discussions, the voting member would consider all of that and evaluate anything controversial internally.
- Mel Johnson (NCI) reported that historically CEC and CPUC have more been interested in product input because the collaborative efforts are important. He suggested that it makes sense to still give CEC and CPUC voting rights and leave it to them to use their discretion for when they need to abstain.
 - Justin Hagler (CPUC) voiced agreement to the above suggestion.

DECISION: There was general agreement to reduce the number of membership categories, reduce the number of IOU seats, and give each organization one vote.

ACTION: WHPA Staff to generate a matrix for one-on-one comparison of the existing EC/COA structure to the proposed Board of Directors membership structure.

BOARD OF DIRECTORS DISCUSSION

Mark Lowry (WHPA Staff – BBI) facilitated discussion about if the Executive Committee (EC) and/or Council of Advisors (COA) should become the Board of Directors based on open questions detailed on [meeting slide 14](#).

- Co-Chair Paul Thomas (SDG&E) asked if anyone felt strongly that the current EC should not be the new Board of Directors. He reported that all 4 IOUs (PG&E, SCE, SDG&E, SoCalGas) are on the EC with 2 spots each, but based on the above discussion, the IOU presence would need to be adjusted.
- Dave Dias (JCEEP) confirmed that if IOU presence is lessened, he would be “okay with it”.
- Barbara Hernesman (SynergyNexGen) reminded of prior meeting discussion about the need to determine if the current EC wants to continue and has the right representatives. She asked if members need to apply to be on the Board of Directors and commented on the need for guidelines for how to wisely pick a Board of Directors to help foster discussion during the next meeting.
- Mel Johnson (NCI) suggested that using the EC sounds good in theory, but noted that the process needs to be “flushed out a bit” to confirm it is the best source.

OFFICERS OF THE CORPORATION

This was not discussed due to time limitations.

Adjournment

The next meeting was confirmed for Friday, December 8, 2017 meeting from 9:00am – 10:30am PST.

Co-Chair Paul Thomas (SDG&E) adjourned the meeting at 10:34 a.m. PST.

* * * * *

Summary of Action Items and Key Decisions (from above)

ACTION ITEMS

- **ACTION:** HSES Committee members to send input on the draft Mission and Vision general concepts to WHPA Staff as needed.
- **ACTION:** WHPA Staff to generate a matrix for one-on-one comparison of the existing EC/COA structure to the proposed Board of Directors membership structure.

KEY DECISIONS

- **DECISION:** There was general agreement to reduce the number of membership categories, reduce the number of IOU seats, and give each organization one vote.