



**Silicon Valley Clean Energy Authority**

**Board of Directors Meeting**

Wednesday, January 10, 2018

7:00 pm

Cupertino Community Hall

10350 Torre Avenue

Cupertino, CA

**MEETING MINUTES**

**Call to Order**

Chair Rennie called the meeting to order at 7:02 p.m.

Chair Rennie confirmed with staff that Director Grilli of Milpitas had been sworn in.

**Roll Call**

**Present:**

Chair Rob Rennie, Town of Los Gatos

Vice Chair Daniel Harney, City of Gilroy

Director Courtenay C. Corrigan, Town of Los Altos Hills (arrived at 7:06 p.m.)

Director Steve Tate, City of Morgan Hill

Director Nancy Smith, City of Sunnyvale

Director Margaret Abe-Koga, City of Mountain View (arrived at 7:05 p.m.)

Director Howard Miller, City of Saratoga

Director Rod Sinks, City of Cupertino

Director Liz Gibbons, City of Campbell

Director Dave Cortese, County of Santa Clara (arrived at 7:06 p.m.)

Director Jeannie Bruins, City of Los Altos

Director Marsha Grilli, City of Milpitas

**Absent:**

Director Burton Craig, City of Monte Sereno

**Public Comment on Matters Not Listed on the Agenda**

Bruce Karney, resident of Mountain View, spoke regarding his role as Chair of Mountain View's Environmental Sustainability Task Force and two ideas the group may propose to reduce Mountain View's greenhouse gas emissions: 1) Mountain View business licenses for direct access customers be contingent on buying carbon offsets or switching to greenhouse gas-free electricity sources, and 2) utility user taxes.

**Consent Calendar**

Director Bruins requested to pull Item 1b and comment on Item 1a.

Chair Rennie opened public comment for those wishing to pull an item from the consent calendar.  
No speakers.

Director Bruins commented on **Item 1a) Approve Minutes of the December 13, 2017 Board of Directors Meeting**, recommending that the actual motion is captured in the minutes, unless done through an amendment process, and to reconsider how information is presented going forward.

MOTION: Director Bruins moved and Director Gibbons seconded the motion to approve the Consent Calendar with the exception of Item 1b.

The motion carried unanimously with Director Craig absent.

- 1a) Approve Minutes of the December 13, 2017 Board of Directors Meeting**
- 1c) Adopt Resolution Amending Conflict of Interest Code to Replace Position of Regulatory/Legislative Analyst with Manager of Regulatory & Legislative Affairs and Add Power Resource Planning & Programs Analyst**
- 1d) Authorize CEO to Execute Master Agreement with Southern California Edison Company (SCE) to Enable Future Acquisition of Resource Adequacy Capacity**
- 1e) Confirm Appointment of Milpitas Representative to Customer Program Advisor Group**
- 1f) November 2017 Treasurer Report**

- 1b) Adopt Resolution Amending the SVCE Operating Rules and Regulations to Change the Date of the Annual Meeting and the Appointment of Officers and Committee Members and Conform the Provisions Regarding the Holding of Regular Meetings to Board Resolution Nos. 2016-14 and 2017-11**

General Counsel Greg Stepanicich provided additional information on the item and responded to Board questions.

The Board discussed the timing for appointments in their respective communities and the possibility of leaving the annual meeting date in January.

Chair Rennie opened public comment.  
No speakers.  
Chair Rennie closed public comment.

MOTION: Director Miller moved and Director Bruins seconded the motion to adopt Resolution 2018-01 amending the SVCE Operating Rules and Regulations to conform the provisions regarding the holding of regular meetings to Board Resolutions 2016-14 and 2017-11, with a change to the Resolution to reflect January as being the date of the annual meeting, appointment of officers, and appointment of committee members.

Director Sinks clarified that assignments for 2018 would be done at the February Board meeting.

The motion carried unanimously with Director Craig absent.

### **Regular Calendar**

## **2) Executive Committee Report (Discussion)**

Chair Rennie reported that the Executive Committee had not met since the last Board meeting and announced a request from staff to cancel the January 23 Executive Committee Meeting. There were no objections from the Board to hold the next Executive Committee meeting on Tuesday, February 27.

Chair Rennie opened public comment.  
No speakers.  
Chair Rennie closed public comment.

### **3) CEO Report (Discussion)**

Interim CEO Eckert presented the CEO report which included a report on a meeting with the Bay Area Air Quality Management District (BAAQMD), an update on the submission of the revised Implementation Plan and Statement of Intent to the California Public Utilities Commission (CPUC), an update on the long-term power supply request for offers (RFO), and an update of SVCE's financial audit. Interim CEO Eckert informed the Board of a vacant Community Outreach Coordinator position (budgeted as a contingent position), provided an update on the Member Agency Loan and retirement of the Revolving Line of Credit, an update on the Audit and Finance Committee composition, announced the time and date of the Customer Program Advisory Group (CPAG) inaugural meeting, and extended an invitation to Directors for an "SVCE 101" workshop as well as the 2018 State of the Valley conference. CEO Eckert provided brief comments regarding rate schedules and noted PG&E did not confirm a date of March 1 when on a call regarding unrelated topics.

Director of Marketing and Public Affairs Alan Suleiman responded to questions regarding opt-out rates, outreach for business customers, and provided information on direct access customers.

Chair Rennie opened public comment.

No speakers.

Chair Rennie closed public comment.

### **4) Recent Regulatory Developments (Discussion)**

Manager of Regulatory and Legislative Affairs Hilary Staver presented a PowerPoint presentation and provided updates on regulatory matters including the CPUC's policy area of integrated resource planning (IRP), draft Resolution E-4907, and the power charge indifference adjustment (PCIA). Manager of Regulatory and Legislative Affairs Staver responded to Board questions.

The Board discussed possible legislative responses to the CPUC's Draft Resolution E-4907.

Chair Rennie opened public comment.

Bruce Naegel, Carbon Free Mountain View and Carbon Free Silicon Valley, complimented Manager of Regulatory and Legislative Affairs Staver and mentioned news announcements which support the idea that CCAs are one of the best processes for lowering greenhouse gases. Naegel questioned how community organizations could work together with SVCE to help maximize support for CCAs.

Chair Rennie closed public comment.

The Board requested staff provide an update on SVCE's legislative efforts; Chair Rennie noted talking points related to the proposed bill would not be needed until after the bill has been developed.

The Board discussed forming a legislative committee of the Board to take action more quickly on legislative matters; General Counsel Stepanicich confirmed an ad hoc committee could be formed by the Board and responded to questions.

Manager of Regulatory and Legislative Affairs Staver noted SVCE's current legislative platform gives staff the authority to make decisions about SVCE positions on short notice and requested the platform remain intact.

**MOTION:** Director Smith moved and Director Sinks seconded the motion to form a legislative ad hoc committee with the purpose of the ad hoc legislative committee to explore legislative approaches during calendar year 2018 that address proposed legislation and regulatory matters pending before the CPUC

and other state regulatory bodies that potentially harm CCAs, that would be comprised of not more than six members of the Board.

The motion carried unanimously with Directors Cortese and Craig absent.

MOTION: Director Miller moved and Director Sinks seconded the motion to appoint Chair Rennie, Director Sinks, Director Abe-Koga, Director Smith, and Director Cortese to the Ad Hoc Legislative Committee, with authority given to the Chair to appoint a sixth member of the Board if deemed necessary.

The motion carried unanimously with Directors Cortese and Craig absent.

#### **5) Report by General Counsel of Conflict of Interest Question Concerning ZGlobal (Discussion)**

General Counsel Stepanicich provided a report to the Board in response to a concern raised from a *Desert Sun* article regarding ZGlobal, a consultant to SVCE, having a potential conflict of interest in performing its duties and functions for SVCE based on the fact they are also a consultant to Regenerate Power, a solar provider contracted with SVCE effective January 2018.

General Counsel Stepanicich reported Richards Watson and Gershon completed their review and don't believe there is a conflict of interest based on the current contract with ZGlobal and SVCE, and at this time there is no need to make any changes to the contract to further protect SVCE.

Director Bruins confirmed the in-depth report provided to Board members should be maintained on a confidential basis based on attorney-client privilege.

Chair Rennie opened public comment.

No speakers.

Chair Rennie closed public comment.

#### **Board Member Announcements and Direction on Future Agenda Items**

Director Bruins requested clarification on the process for selecting a Chair and Vice Chair at the next Board meeting; the Board was in consensus that Board members interested in serving as Chair or Vice Chair would send a letter of intent to Board Clerk Andrea Pizano who would then include the letter in the Board packet. Directors confirmed nominations would also be accepted from the floor. Board members requested staff create a matrix of committees, include a description of the committees, and include the current members of each committee to distribute to Directors to indicate interest for 2018.

Director Corrigan noted the Los Altos Hills' youth commission would like more information on the e-bike competition.

Vice Chair Harney commented staff would be visiting Gilroy Gardens for a tour of the grounds to potentially host the SVCE Bike to the Future e-bike competition.

Chair Rennie noted the next Board meeting would be held on February 14.

#### **Adjourn**

Chair Rennie adjourned the meeting at 9:12 p.m.

ATTEST:



SECRETARY