

# **SILICON VALLEY CLEAN ENERGY AUTHORITY**

## **RESOLUTION NO. 2020-13**

### **A RESOLUTION OF THE BOARD OF DIRECTORS OF THE SILICON VALLEY CLEAN ENERGY AUTHORITY DELEGATING AUTHORITY TO THE CHIEF EXECUTIVE OFFICER TO AWARD CERTAIN CONTRACTS, EXECUTE AGREEMENTS AND SET CUSTOMER RATES ON BEHALF OF SILICON VALLEY CLEAN ENERGY AUTHORITY UNTIL THE JUNE 10, 2020 REGULARLY SCHEDULED BOARD MEETING WHEN BOARD MEETINGS ARE CANCELLED OR NO QUORUM CAN BE REACHED DUE TO A PUBLIC HEALTH STATE OF EMERGENCY RELATING TO THE COVID-19 VIRUS**

**WHEREAS**, the Silicon Valley Clean Energy Authority ("Authority") was formed on March 31, 2016 pursuant to a Joint Powers Agreement to study, promote, develop, conduct, operate, and manage energy programs in Santa Clara County; and

**WHEREAS**, Governor Newsom of California declared a State of Emergency in response to COVID-19 on March 4, 2020; and

**WHEREAS**, the County of Santa Clara declared a Local Public Health Emergency as well as a Local Emergency to respond to COVID-19 on February 10, 2020; and

**NOW THEREFORE**, the Board of Directors of the Silicon Valley Clean Energy Authority does hereby resolve, determine, and order as follows:

Section 1. When the State of California or the County of Santa Clara have declared a state of emergency relating to the COVID-19 virus, and a special meeting of the Board cannot be held, the Chair of the Board, or the Vice Chair if the Chair is unavailable, may cancel a board meeting after conferring with SVCE's CEO.

Section 2. To assure the continued operations of SVCE, the CEO is hereby authorized to consider, approve, and execute contracts, set customer rates, and decide other administration matters needed for the on-going operation of the Authority within existing budgetary appropriations when pursuant to Section 1 above, a Board meeting has been cancelled due to the COVID-19 emergency, including and limited to the following:



- Adopt rates that go into effect May 1, 2020 that ensure SVCE customer rate class bills are 4% less than PG&E's May 1, 2020 generation rates.
- Adopt customer rates that go into effect at the earliest date following the CPUC's enactment of the PCIA trigger (removal of the cap on the PCIA). This is expected to occur outside the term of this Resolution but it may occur within the next ninety days. These revised rates shall be set so that all customer class rates are at least 1% less than PG&E's generation rates.
- Approve SVCE's FY 2019-20 Mid-Year Operating Budget.
- Approve the three solar-plus-storage long-term power purchase agreements with the following suppliers:
  - Samsung Renewable Energy, Inc.
  - 8minute Solar Energy
  - NextEra Energy, Inc.
- Approve agreements that support the Agency's business continuity plan. New agreements to additional funding to current agreements for the purpose of business continuity would be limited to not higher than \$100,000.
- Approve agreements that support customer relief and community resiliency efforts.
- Continue paying ordinary expenses.

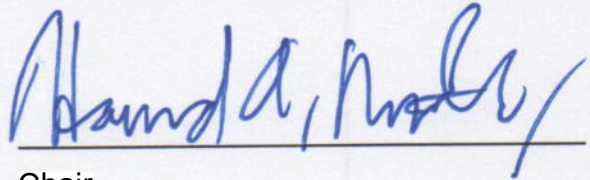
Section 3. No action shall be taken by the CEO under this Resolution until the CEO has consulted with the Chair and/or Vice-Chair as available. The CEO shall report to the Board regarding the actions taken under this Resolution within 7 days and additionally at the first Board meeting following resumption of regular meetings.

Section 4. This Resolution and the delegation of authority to the CEO granted hereunder shall expire on June 10, 2020.



**PASSED AND ADOPTED** this 8th day of April 2020, by the following vote:

JURISDICTION	NAME	AYE	NO	ABSTAIN	ABSENT
City of Campbell	Director Gibbons	P			
City of Cupertino	Director Sinks	P			
City of Gilroy	Director Tovar				P
City of Los Altos	Director Fligor	P			
Town of Los Altos Hills	Director Tyson	P			
Town of Los Gatos	Director Rennie	P			
City of Milpitas	Director Montano	P			
City of Monte Sereno	Director Ellahie	P			
City of Morgan Hill	Director Martinez Beltran	P			
City of Mountain View	Director Abe-Koga	P			
County of Santa Clara	Director Ellenberg				P
City of Saratoga	Director Miller	P			
City of Sunnyvale	Director Smith	P			



Chair

**ATTEST:**



Andrea Pizano, Board Secretary