

## RESOLUTION NO. 2019-14

### RESOLUTION OF THE BOARD OF DIRECTORS OF SILICON VALLEY CLEAN ENERGY AUTHORITY DELEGATING AUTHORITY TO THE CHIEF EXECUTIVE OFFICER TO APPROVE AND EXECUTE AN AMENDMENT TO THE APPROVED MASTER AGREEMENT WITH NEXTERA ENERGY MARKETING, LLC.

#### THE BOARD OF DIRECTORS OF THE SILICON VALLEY CLEAN ENERGY AUTHORITY HEREBY RESOLVES AS FOLLOWS:

**WHEREAS**, the Silicon Valley Clean Energy Authority (“Silicon Valley Clean Energy”) was formed on March 31, 2016;

**WHEREAS**, Silicon Valley Clean Energy launched service under a community choice aggregation program on April 3, 2017;

**WHEREAS**, to provide such service, Silicon Valley Clean Energy purchases energy, renewable energy, carbon free energy, resource adequacy and related products and services (the “Product”) from energy generating sources that are cleaner and have a higher percentage of renewable energy than that provided by the incumbent utility and at competitive prices;

**WHEREAS**, the EEI Master Agreement (“Master Agreement”) is an industry standard framework agreement used for the purchase of Product that establishes certain terms and conditions for the contractual relationship between an energy purchaser and energy supplier, but which does not require a purchaser to purchase or a supplier to supply the Product without further written agreements executed in accordance with the terms and conditions of a Confirmation (“Confirmations”);

**WHEREAS**, the following Suppliers are currently parties to an Approved Master Agreement:

3 Phases Renewables Inc.

Calpine Energy Services, L.P.

Direct Energy Business Marketing, LLC

DTE Energy Trading, Inc.

Exelon Generation Company, LLC

Morgan Stanley Capital Group, Inc.

NextEra Energy Marketing, LLC

NRG Power Marketing, LLC

Pacific Gas and Electric Company

Powerex Corp.

Regenerate Power LLC

Shell Energy North America (US), L.P.

Southern California Edison Company

TransAlta Energy Marketing (US) Inc.

Wellhead Power Exchange, LLC

**WHEREAS**, Silicon Valley Clean Energy desires to amend the Approved Master Agreement with NextEra Energy Marketing, LLC to increase the collateral threshold amount.

**NOW, THEREFORE, IT IS HEREBY DETERMINED AND ORDERED** that the Board delegates authority to the Chief Executive Officer to:

Approve and execute an amendment to the current Approved Master Agreement with NextEra Energy Marketing, LLC to increase the collateral threshold amount with terms consistent with the form agreement presented to the Board of Directors.

**ADOPTED AND APPROVED** this 11<sup>th</sup> day of September, 2019 by the following vote:

JURISDICTION	NAME	AYE	NO	ABSTAIN	ABSENT
City of Campbell	Director Gibbons	✓			
City of Cupertino	Director Sinks	✓			
City of Gilroy	Director Tovar	✓			
City of Los Altos	Director Bruins	✓			
Town of Los Altos Hills	Director Corrigan	✓			
Town of Los Gatos	Director Sayoc	✓			
City of Milpitas	Director Montano	✓			
City of Monte Sereno	Director Ellahie	✓			
City of Morgan Hill	Alternate Director Eulo	✓			
City of Mountain View	Director Abe-Koga	✓			
County of Santa Clara	Director Ellenberg	✓			
City of Saratoga	Director Miller	✓			
City of Sunnyvale	Director Smith	✓			

  
Chair

**ATTEST:**

  
Secretary