



**Silicon Valley Clean Energy Authority  
Board of Directors Meeting**

Wednesday, December 9, 2020  
7:00 pm

Pursuant to State of California Executive Order N-29-20, dated March 17, 2020, the meeting was conducted via teleconference.

**MEETING MINUTES**

**Call to Order**

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

**Roll Call**

**Present:**

Chair Howard Miller, City of Saratoga  
Vice Chair Nancy Smith, City of Sunnyvale  
Director Liz Gibbons, City of Campbell  
Alternate Director Jon Robert Willey, City of Cupertino  
Director Neysa Fligor, City of Los Altos  
Director George Tyson, Town of Los Altos Hills  
Director Rob Rennie, Town of Los Gatos  
Director Javed Ellahie, City of Monte Sereno  
Alternate Director Anthony Eulo, City of Morgan Hill  
Director Margaret Abe-Koga, City of Mountain View (arrived at 7:03 p.m.)  
Director Susan Ellenberg, County of Santa Clara (arrived at 7:15 p.m.)

**Absent:**

Director Fred M. Tovar, City of Gilroy  
Director Carmen Montano, City of Milpitas

All present Board members participated via teleconference.

**Adoption of Resolutions Commending Directors Miller, Smith, and Sinks, and Alternate Directors Bruins, Corrigan, and Cortese for Their Dedicated Service to SVCE**

Chair Miller introduced the item; Chair Miller and CEO Girish Balachandran summarized SVCE accomplishments. CEO Balachandran presented a PowerPoint presentation and video commending outgoing Directors Miller, Smith, and Sinks, and Alternate Directors Bruins, Corrigan, and Cortese.

Chair Miller opened public comment.

Bruce Karney thanked staff for the commendation video, and noted former SVCE board member Dave Cortese is the only former CCA board member now serving in the legislature. Karney noted 80% of California senators and 76% of California assembly members represent part of the state that has an active CCA. Karney congratulated the outgoing board members.

Chair Miller closed public comment.

Directors Rennie, Gibbons, Ellahie, Tyson, Abe-Koga, Fligor, and Ellenberg provided comments thanking the outgoing board members for their service.

Alternate Directors Corrigan and Bruins and Vice Chair Smith, Rod Sinks, and Chair Miller provided parting comments.

MOTION: Director Rennie moved and Director Abe-Koga seconded the motion to adopt Resolutions 2020-35, 2020-36, 2020-37, 2020-38, 2020-39, 2020-40 Commending Directors Miller, Smith, and Sinks, and Alternate Directors Bruins, Corrigan, and Cortese for their dedicated service to SVCE.

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

Rod Sinks introduced Jon Willey, representing Cupertino at the meeting, to the group.

#### **Consent Calendar**

MOTION: Director Ellahie moved and Director Gibbons seconded the motion to approve the Consent Calendar.

Chair Miller opened public comment.

No speakers.

Chair Miller closed public comment.

The motion carried by verbal roll call vote with Directors Montano and Tovar absent.

- 1a) Approve Minutes of the November 13, 2020, Board of Directors Special Meeting**
- 1b) Receive September 2020 Treasurer Report**
- 1c) Adopt Resolution Amending SVCE Conflict of Interest Code to Add Senior Government Affairs Manager Position in the List of Designated Positions for Filing**
- 1d) Approve to Appoint Chief Financial Officer and Director of Administrative Services Amrit Singh as SVCE Treasurer/Auditor**
- 1e) Approve and Authorize Amendment No. 1 to the Amended and Restated Engagement Letter with Hall Energy Law PC for Legal Services Related to SVCE's Energy and Capacity Transaction Needs and Long-term Power Purchase Agreements Not-to-Exceed \$400,000 for a Three-Year Term**
- 1f) Approve Scholarship Funds for 2021 Climate Resilience Short-Film Competition**
- 1g) Authorize the Chief Executive Officer to Execute Agreement with Keyes and Fox, LLP for Regulatory and Legislative Counsel Services**
- 1h) Authorize the Chief Executive Officer to Execute Amendment to Agreement Amending Not-to-Exceed Amount with MRW & Associates Inc.**
- 1i) Executive Committee Report**
- 1j) Finance and Administration Committee Report**
- 1k) Audit Committee Report**

#### **Regular Calendar**

##### **2) CEO Report (Discussion)**

CEO Balachandran introduced Sanjay Natu, SVCE intern, from the Intel Encore program; Natu provided welcome comments.

Chair Miller opened public comment.

No speakers.

Chair Miller closed public comment.

Director Rennie welcomed Natu to the SVCE team.

**3) Adopt Resolution to Implement SVCE Generation Rate Changes Effective January 2021 (Action)**

Director of Account Services and Community Relations Don Bray introduced the item and presented a PowerPoint presentation; staff responded to board member questions.

Alternate Director Willey inquired the history of SVCE's rates in comparison to PG&E; Director of Account Services and Community Relations Bray noted he would send Alternate Director Willey a chart on SVCE rate fluctuations.

Chair Miller opened public comment.

Bruce Karney commented his understanding of PG&E's rates, and noted Marin Clean Energy and Sonoma Clean Power are more renewable but charge more for their rates than PG&E.

Chair Miller closed public comment.

MOTION: Director Gibbons moved and Director Abe-Koga seconded the motion to adopt Resolution 2020-42 authorizing the CEO to implement SVCE generation rate changes effective January 1, 2021 or within three weeks thereafter, at a 1% discount to PG&E generation rates.

The motion carried by verbal roll call vote with Directors Montano and Tovar absent.

**4) Approve Policy Platform and Identify Priorities for the 2021 Legislative and Regulatory Ad Hoc Committee (Action)**

Director of Regulatory and Legislative Policy Melicia Charles presented a PowerPoint presentation and responded to board member questions.

Director Ellahie inquired why GHG Accounting was removed from the 2021 platform; Director Ellahie inquired if SVCE was doing its own GHG accounting. CEO Balachandran noted staff would speak with Director Ellahie to discuss how staff accounts for carbon.

Chair Miller opened public comment.

Bruce Karney commented the importance of measuring GHGs and noted PG&E is also considered 100% carbon-free. Karney noted it would be nice to know the emissions from SVCE member agencies, and commented SVCE will not be able to measure the carbon curve locally unless somebody is measuring and reporting emissions. Karney commented he hopes there is not a deprioritization in the gathering and reporting of statistics related to greenhouse gas emissions in SVCE service territory.

Chair Miller closed public comment.

Director Gibbons suggested including additional focus areas related to building electrification and affordability to the ad hoc committee, given there is legislation which has a focus on these specific areas. CEO Balachandran confirmed additional focus areas of fuel switching and electrification and affordability and equity could be added to the ad hoc committee key policy areas.

MOTION: Vice Chair Smith moved and Director Fligor seconded the motion to:

1. Approve the Policy Platform for 2021, including the three policy areas outlined in the staff report;
2. Renew the Ad Hoc Committee of the Board to Address Legislative and Regulatory Responses to Industry Transition for 2021 with the following key policy areas:
  - Expansion of Direct Access
  - Reliability Planning and Procurement
  - Transparency and Accountability in Ratemaking

Public Safety Power Shutoffs & Wildfire Prevention and Cost Recovery  
Affordability and Equity  
Fuel Switching and Electrification

The motion carried by verbal roll call vote with Directors Montano and Tovar absent.

### **5) Approve Participation in California Community Power Joint Powers Authority (Action)**

CEO Balachandran presented a PowerPoint presentation; CEO Balachandran and General Counsel Greg Stepanicich responded to board member questions.

Director Ellahie requested consideration of a change to the agreement for the SVCE Board of Directors to designate the representative for SVCE; General Stepanicich noted it would be a challenge given the agreement is in final form. If the agreement were to be changed, it would need to be taken back to the partnering agencies for consideration and, in some cases, for their boards to reapprove the agreement with these changes.

At the request of Director Rennie, CEO Balachandran expanded on the importance of having a representative familiar with SVCE's plans in addition to technical expertise.

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

Chair Miller commented the board was in agreement with the big concept that together with other CCAs, SVCE will have more purchasing power, more capability, and access to parts of better projects than we would have on our own.

Vice Chair Smith commented she appreciated Director Ellahie's diligence and concern for the agency, but did not agree with making changes to the designee. Vice Chair Smith suggested if there were concerns, there could be consideration for policies and procedures to make things transparent and ensure the CEO keep the board informed, for example every time the Super JPA meets the CEO provide a report.

Alternate Director Eulo inquired if CEO Balachandran could include a line item on the board meeting agenda about the Super JPA; CEO Balachandran suggested the item be on the consent calendar.

Alternate Director Willey suggested revisiting concerns following six months of updates.

MOTION: Vice Chair Smith moved and Director Ellenberg seconded the motion to approve Resolution 2020-43 approving the California Community Power Agency Joint Powers Agreement and authorizing the Chief Executive Officer to execute the agreement with any minor, non-substantive modifications also approved by the General Counsel; with a report on the consent calendar of ongoing activities of the super JPA.

The motion carried by the following roll call vote:

Yes: 10 - Chair Miller  
Vice Chair Smith  
Director Gibbons  
Alternate Director Willey  
Director Fligor  
Director Tyson  
Director Rennie  
Alternate Director Eulo  
Director Abe-Koga  
Director Ellenberg

No: 1 - Director Ellahie

Absent: 2 - Director Montano  
Director Tovar

Following the vote, Alternate Director Eulo proposed a second motion related to the item.

MOTION: Alternate Director Eulo moved and Director Ellenberg seconded the motion to agendaize a one-year review on California Community Power's first year of operation, expected in December 2021.

CEO Balachandran clarified the content of the one-year review of operations, and noted he would be providing a report after each meeting of CC Power that would update the SVCE Board on actions undertaken by CC Power as requested in the previous motion.

The motion carried by verbal roll call vote with Directors Montano and Tovar absent.

#### **6) Approve Chair and Vice Chair Vacancy Policy (Action)**

Board Clerk Andrea Pizano presented a PowerPoint presentation.

MOTION: Director Ellahie moved and Director Gibbons seconded the motion to approve General & Administration Policy 6: Chair and Vice Chair Vacancy Policy

Chair Miller opened public comment.

No speakers.

Chair Miller closed public comment.

The motion carried by verbal roll call vote with Directors Montano and Tovar absent.

#### **7) SVCE Information Update on 2021 SVCE Board Elections (Discussion)**

Board Clerk Andrea Pizano presented a PowerPoint and provided information on the process and timeline for Chair, Vice Chair, and committee selections for 2021.

Director Gibbons requested any policy information regarding committee membership be included in the information being distributed; Alternate Director Eulo confirmed the committee time specified on the worksheet can change based on member availability.

Chair Miller opened public comment.

No speakers.

Chair Miller closed public comment.

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

Director Gibbons requested a round of applause for all outgoing board members.

Alternate Director Eulo thanked Chair Miller for his efficient meetings and how quickly he adapted to the virtual platform.

Chair Miller provided parting comments and thanked everyone.

#### **Adjourn**

Chair Miller adjourned the meeting at 10:15 p.m.

ATTEST:



SECRETARY