

SILICON VALLEY CLEAN ENERGY AUTHORITY RESOLUTION

NO. 2021-22

A RESOLUTION OF THE BOARD OF DIRECTORS OF THE SILICON VALLEY CLEAN ENERGY AUTHORITY TO: APPROVE THE CREATION OF A PERSONNEL SYSTEM TO INSURE EQUITABLE AND UNIFORM POLICIES AND PROCEDURES FOR ADMINISTERING PERSONNEL MATTERS IN COMPLIANCE WITH APPLICABLE LAWS; DESIGNATING THE CHIEF EXECUTIVE OFFICER (CEO) AS PERSONNEL OFFICER; AND DELEGATING AUTHORITY TO THE CEO TO CARRY OUT ALL DUTIES NECESSARY TO IMPLEMENT THE PERSONNEL SYSTEM

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, under Section 2.5 of the Joint Powers Agreement ("JPA") creating the Silicon Valley Clean Energy Authority ("Authority"), the Authority has the power to employ agents and employees; and

WHEREAS, in exercising its powers, the Authority wishes to establish a uniform and equitable system of personnel administration to ensure effective service to and on behalf of the Authority and to establish procedures for administering personnel matters in compliance with applicable laws and policies established by the Authority Board; and

WHEREAS, in adopting a personnel system, the Authority desires to promote fairness and equity to employees, to attract the best and most competent persons available, to assure the appointment and promotions of employees will be based on merit; and to implement best practices in the administration of its system; and

WHEREAS, the personnel system as set forth below meets all of the requirements of applicable Government Code provisions and the JPA.

NOW THEREFORE, the Board of Directors of the Silicon Valley Clean Energy Authority does hereby resolve that:

1. The foregoing recitals are true and correct.
2. A personnel system for the recruitment, selection, employment, classification, compensation, advancement, performance review, discipline, discharge and retirement of employees is hereby established.
3. The Chief Executive Officer (CEO) shall be designated as the Personnel Officer and is authorized and directed to administer the personnel system. The Chief Executive Officer may delegate powers conferred upon him or her by this Resolution as appropriate.

4. The Personnel Officer shall:

- a. Act as the appointing authority for all employees of the Authority with the exception of the Authority's General Counsel;
- b. Prepare and implement an employee handbook, along with any personnel rules and regulations necessary for the administration of this personnel system;
- c. Define and prepare position classifications including the establishment of minimum standards of employment and qualifications for the various positions;
- d. Prepare a schedule of compensation including salary and other benefits covering all employees;
- e. Provide the publishing or posting of notices of recruitments for positions and develop and administer procedures of the selection process;
- f. Prepare and present to the Authority Board a budget for implementation of the personnel system including employee salary and benefit costs as part of the annual budget process;
- g. Prepare policies and procedures regarding ethics and the conduct of business including, without limitation, policies relating to conflict of interest, fair and equitable treatment of employees, use and safeguarding of Authority property and resources, and standards of ethical conduct by employees.
- h. Perform such other functions as necessary to administer the personnel system as directed from time to time by the Authority Board.

5. Right to Contract for Special Services. The Personnel Officer may contract for the performance of technical or special services necessary for the establishment or operation of the personnel system including, without limitation, services for the preparation of personnel rules and subsequent revisions and amendments thereof; preparation of classification and pay plans and subsequent revisions and amendments thereof; the design and conduct of employee training programs; the conduct of recruitment and hiring processes; and, other special and technical services of an advisory or informational character on matters related to the administration of the personnel system.

PASSED AND ADOPTED this 8th day of September 2021, by the following vote:

JURISDICTION	NAME	AYE	NO	ABSTAIN	ABSENT
City of Campbell	Director Gibbons	✓			
City of Cupertino	Director Sinks	✓			
City of Gilroy	Alternate Director Armendariz	✓			
City of Los Altos	Director Fligor	✓			
Town of Los Altos Hills	Director Tyson	✓			
Town of Los Gatos	Director Rennie	✓			
City of Milpitas	Director Chua	✓			
City of Monte Sereno	Director Ellahie	✓			
City of Morgan Hill	Director Martinez Beltran	✓			
City of Mountain View	Director Abe-Koga	✓			
County of Santa Clara	Alternate Director Lee	✓			
City of Saratoga	Director Walia	✓			
City of Sunnyvale	Director Larsson				✓

DocuSigned by:

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Margaret Abe-Koga, Chair

ATTEST:

DocuSigned by:

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Dorothy Roberts, Interim Board Clerk