

**California Community Power**

# Regular Meeting of the Board of Directors of CC Power

**1:00 P.M.**

**Wednesday, August 16, 2023**

**Teleconference Meeting**

**California Community Power  
NOTICE OF REGULAR MEETING AND AGENDA**

Notice is hereby given that a regular meeting of the Board of Directors of California Community Power will be held on **August 16, 2023, at 1:00 p.m.**

**Teleconference Information:**

The following information is being provided as the forum by which members of the public may observe the meeting and offer public comment:

**Phone number:** 1-669-219-2599 or 1-213-338-8477

**Webinar ID:** 827 5331 8384

**Meeting Link:** <https://svcleanenergy-org.zoom.us/j/82753318384>

If a member of the public would like to make a comment during the public comment period through the teleconference system, please use the 'Raise Hand' function and staff will note your desire to speak. Alternatively, for members of the public joining by telephone (audio only), please email your public comment to [comments@cacommunitypower.org](mailto:comments@cacommunitypower.org). Public comment received by email will be read within the allotted public comment period.

**Public Meeting Locations:**

Any member of the public may observe the meeting and offer public comment at the following addresses where Board members may also join the meeting:

**Central Coast Community Energy**

70 Garden Court, Suite 300  
Main Conference Room  
Monterey, CA 93940

**CleanPowerSF**

San Francisco Public Utilities Commission  
525 Golden Gate Avenue  
San Francisco, CA 94102

**East Bay Community Energy**

3430 Balboa Avenue  
San Francisco, CA 94131

**Peninsula Clean Energy**

2075 Woodside Road  
Redwood City, CA 94061

**Redwood Coast Energy Authority**

633 3rd Street  
Eureka CA 95501

**San José Clean Energy**

88 S. 4th Street, Suite 130  
San Jose, CA 95112

**Silicon Valley Clean Energy**

333 W El Camino Real, Suite 330  
Sunnyvale, CA 94587

**Sonoma Clean Power Authority**

Sonoma Clean Power Headquarters  
431 E Street, Stillman Conference Room  
Santa Rosa, CA 95404

**Valley Clean Energy**

604 Second Street  
Davis, CA 95616

Accessible Public Meetings - Upon request, CC Power will provide written agenda materials in appropriate alternative formats, or disability-related modification or accommodation, including auxiliary aids or services, to enable individuals with disabilities to participate in public meetings. Please send a written request, including your name, mailing address, phone number and brief description of the requested materials and preferred alternative format or auxiliary aid or service at least 3 days before the meeting. Requests should be sent to: Amy Freeman, 555 Capitol Mall, Suite 570, Sacramento, CA 95814 or to [info@cacommunitypower.org](mailto:info@cacommunitypower.org).

# CALIFORNIA COMMUNITY POWER

## AGENDA

- 1 Call to Order.**
- 2 Verification of Meeting Quorum.**
- 3 Matters subsequent to posting the Agenda.**
- 4 Public Comment** – any member of the public may address the Board of Directors concerning any matter not on the agenda.
- 5 Consent Agenda.**
  - A. Minutes of the Regular Board Meeting held on June 21, 2023.
  - B. Resolution 23-08-01 *Adoption Of A 401(a) Defined Contribution Plan And 457(b) Deferred Compensation Plan.*
- 6 Regular Agenda Items.**
  - A. General Manager Report
    - i. Getting It Built Right Event Discussion
    - ii. Offshore Wind
    - iii. Inflation Reduction Act
    - iv. New Policy Formation
    - v. Coming Up
- 7 Discussion of Any Individual Member Items.**
- 8 Adjournment.**

## California Community Power

# Consent Agenda Item A

1. Minutes of the Regular Meeting of the Directors of CC Power held on June 21, 2023.

MINUTES OF THE REGULAR MEETING OF THE DIRECTORS OF  
CALIFORNIA COMMUNITY POWER (CC POWER)

June 21, 2023

On this date, a Regular Meeting of the Directors of CC Power was held via teleconference. Directors participated from the following public locations and members of the public had the opportunity to participate in public comment at each location.

**Public Meeting Locations:**

**East Bay Community Energy**

1999 Harrison Avenue, Suite 800  
Oakland, CA 94612

**CleanPowerSF**

San Francisco Public Utilities Commission  
525 Golden Gate Avenue  
San Francisco, CA 94102

**Redwood Coast Energy Authority**

633 3rd Street  
Eureka CA 95501

**Peninsula Clean Energy**

2075 Woodside Road  
Redwood City, CA 94061

**Silicon Valley Clean Energy**

333 W El Camino Real, Suite 330  
Sunnyvale, CA 94587

**San José Clean Energy**

88 S. 4th Street, Suite 130  
San Jose, CA 95112

**Valley Clean Energy**

604 Second Street  
Davis, CA 95616

**Sonoma Clean Power Authority**

Sonoma Clean Power Headquarters  
431 E Street, Stillman Conference Room  
Santa Rosa, CA 95404

Representatives:

<b>Member Agency</b>	<b>Director</b>
Central Coast Community Energy (3CE)	Absent
CleanPowerSF	Barbara Hale
East Bay Community Energy (EBCE)	Absent
Peninsula Clean Energy (PCE)	Jan Pepper
Redwood Coast Energy Authority (RCEA)	Matthew Marshall
San José Clean Energy (SJCE)	Lori Mitchell, Vice-Chair
Silicon Valley Clean Energy (SVCE)	Girish Balachandran, Chair
Sonoma Clean Power Authority (SCP)	Geof Syphers
Valley Clean Energy	Mitch Sears

Other Participants:

Alex Morris	General Manager
Tim Haines	General Manager, Interim
Brittany Iles	General Counsel

MINUTES OF THE REGULAR MEETING OF THE DIRECTORS OF  
CALIFORNIA COMMUNITY POWER (CC POWER)

1. Call to Order: Vice-Chair Mitchell called the meeting to order at 1:02 p.m.
2. Verification of Meeting Quorum: Ms. Iles verified that there was a quorum to proceed. Attendance is noted above. All Directors present participated via teleconference.
3. Matters Subsequent to Posting the Agenda: None.
4. Public Comment (any matter not on the agenda): None.
5. Consent Agenda: Vice-Chair Mitchell invited comments from the Board. Director Hale inquired on how revenues received earlier than anticipated will be handed on the audit. Mr. Morris responded.

Public Comment: None.

**ACTION:** M/S (Marshall/Hale) to **approve the Consent Agenda**. Motion carried by a unanimous roll call vote (Absent: Directors Shaw and Chaset).

6. Regular Agenda Items – Discussion:

A. General Manager Report.

i. Operating Structures and Workplans – Discussion

Mr. Morris provided an overview of the operating structures and introduced three new working groups: Resource Planning, Shared Services, and Customer Programs and Bulk-Buy. He also reviewed the Project Advisory Sub-Committees.

Public Comment: None.

Vice-Chair Mitchell invited comments from the Board. Chair Balachandran and Vice-Chair Mitchell provided comments. Director Hale inquired about the Build It Right workshop and Mr. Morris responded. Directors Syphers and Pepper provided comments.

B. Resolution 23-06-05 Approval Of Recommendations For Strategic Action Towards Offshore Wind Request For Offers.

Mr. Morris presented on behalf of the *ad hoc* committee and introduced Resolution 23-06-05. *Ad hoc* committee members (Directors Marshall and Pepper) also weighed in.

Vice-Chair Mitchell invited comments from the Board. Chair Balachandran and Directors Syphers, Sears, Marshall, and Hale provided comments. Mr. Morris responded to comments and questions from the Board.

Public Comment: None.

**ACTION:** M/S (Syphers/Pepper) to **approve Resolution 23-06-05 Approval Of Recommendations For Strategic Action Towards Offshore Wind Request For Offers**. Motion carried by a unanimous roll call vote (Absent: Directors Shaw and Chaset).

C. Inflation Reduction Act Assessment Project – Discussion.

Mr. Morris provided a brief overview of the project.

Public Comment: None.

MINUTES OF THE REGULAR MEETING OF THE DIRECTORS OF  
CALIFORNIA COMMUNITY POWER (CC POWER)

Vice-Chair Mitchell invited comments from the Board. Chair Balachandran, Director Pepper, and Vice-Chair Mitchell provided comment.

Public Comment: Drew Wong, Quino Energy.

D. Resolution 23-06-06 Commending And Thanking Jan Pepper For Her Service To California Community Power.

Vice-Chair Mitchell thanked Director Pepper and recognized her for her leadership and contribution to CC Power. Chair Balachandran and Directors Syphers and Hale offered additional thanks to Director Pepper.

Public Comment: None.

**ACTION:** M/S (Balachandran/Hale) to **approve Resolution 23-06-06 Commending And Thanking Jan Pepper For Her Service To California Community Power.** Motion carried by a unanimous roll call vote (Absent: Directors Shaw and Chaset).

E. Resolution 23-06-07 Commending And Thanking Tim Haines For His Service To California Community Power.

Vice-Chair Mitchell thanked Mr. Haines and recognized him for his contribution, service, and leadership as Interim General Manager. Chair Balachandran and Directors Pepper, Hale, and Mr. Morris offered additional thanks to Mr. Haines.

Public Comment: None.

**ACTION:** M/S (Balachandran/Hale) to **approve Resolution 23-06-07 Commending And Thanking Tim Haines For His Service To California Community Power.** Motion carried by a unanimous roll call vote (Absent: Directors Shaw and Chaset).

7. Discussion of Any Individual Member Items: Director Hale advised the Board that she anticipates receiving policy direction on interactions with CC Power leading up to the Build It Right Workshop, which she will share when the materials are public.

The Board of Directors adjourned at 2:28 p.m.

Minutes approved on August 16, 2023.

---

Brittany Iles, Secretary

## California Community Power

# Consent Agenda Item B

1. **Resolution 23-08-01 Adoption Of A 401(a) Defined Contribution Plan And 457(b) Deferred Compensation Plan.**



# California Community Power

901 H St, Ste 120 PMB 157 Sacramento, CA 95814 | [cacomunitypower.org](http://cacomunitypower.org)

August 7, 2023

From: Alex Morris, General Manager

To: CC Power Board of Directors

CC: General Counsel

Subject: **Approve use of PARS Retirement Benefits Program**

## **Recommended Action:**

Approve and adopt Public Agency Retirement System (PARS) as Trust Administrator for CC Power 401(a) and 457(b) participant-directed investment programs, in line with the approved CC Power Benefits Package. This resolution also authorizes CC Power's General Manager or his or her designee as the Plan Administrator.

## **Discussion:**

CC Power adopted a Benefits plan on June 21, 2023. That plan included the inclusion of two participant-directed retirement plans, namely a 401(a) plan and a 457(b) plan. Plans such as these can be managed and administered as Trusts that can serve organizations both now and in the future.

CC Power is selecting PARS as its plan and trust administrator. PARS works with John Hancock and US Bank to create a robust platform for retirement account management. This platform provides investment vehicles, and investment interface platform, and a bank to safely warehouse retirement funds. Similarly-situated organizations to CC Power use PARS, including CCAs. The PARS offering provides a sufficient array of investment fund opportunities and has competitive and reasonable costs for both set-up and administrative fees, while allowing for plans to grow if organizations expand.

PARS requires the Boards of organizations that it services to adopt a resolution for selecting PARS. This Resolution formalizes the adoption, and the retirement program is slated to be set up and operating by October 1. PARS provided materials, which are appended.

This Resolution also authorizes the CC Power General Manager or his or her designee to serve as the Plan Administrator, authorized to execute legal and administrative documents, or additional actions as necessary and appropriate, to maintain CC Power's participation in PARS.

---

A Joint Powers Agency whose members are:

Central Coast Community Energy | CleanPowerSF | East Bay Community Energy | Peninsula Clean Energy |  
Redwood Coast Energy Authority | San José Clean Energy | Silicon Valley Clean Energy | Sonoma Clean Power |  
Valley Clean Energy

PUBLIC  
AGENCY  
RETIREMENT  
SERVICES

PARS

TRUSTED SOLUTIONS. LASTING RESULTS.



# CALIFORNIA COMMUNITY POWER

PARS Defined Contribution Plans  
August 16, 2023

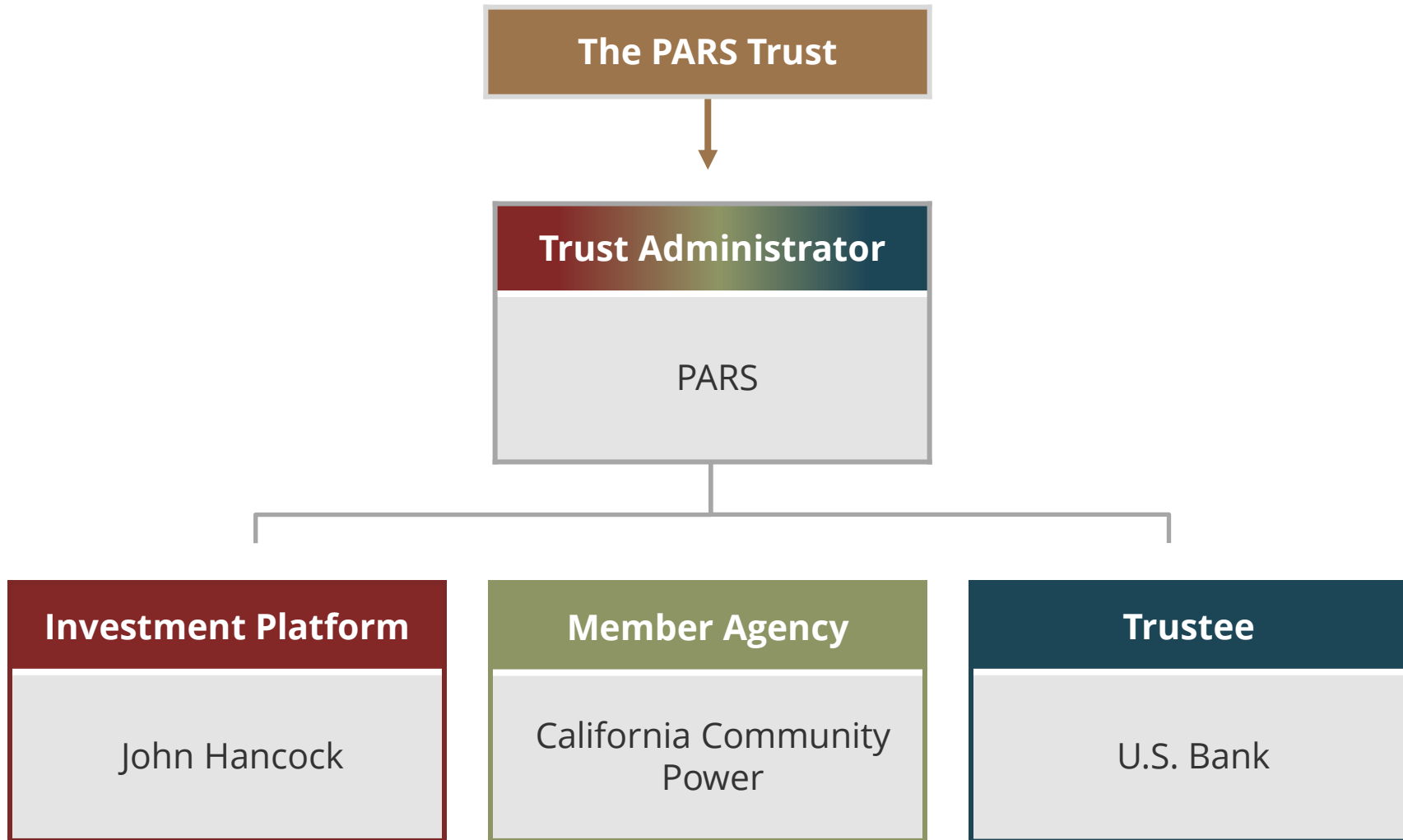
# ABOUT PARS

---

- **PARS is Public Agency Retirement Services**
  - Specializes exclusively in consulting and administration services for retirement plans and multiple employer retirement trust programs for special districts and other public agencies
  - Manages all phases of the program from plan design, implementation and ongoing administration
- Over 1,000 client agencies
- Over 550,000 plan participants
- Over 2,000 retirement plans
- Over \$6.5 billion in assets under administration

# PARS DEFINED CONTRIBUTION PARTNERS

---



# PARS 401(A) DEFINED CONTRIBUTION PLAN



# PARS DEFINED CONTRIBUTION PLANS

---

- PARS DC Plans utilize an Internal Revenue Code (IRC) Section 401(a) tax-qualified profit-sharing plan design
- Can be used as a stand-alone program or a supplemental program to a Defined Benefit Plan
- No unfunded benefit obligations created
- Flexible Investment Platform
- Maximum contribution in 2023 for a 401(a) plan is \$66,000



# CLIENT LIST

---

## Sampling of PARS Defined Contribution Clients:

- Ben Lomond Fire Protection District
- CalOPTIMA
- Cal Poly Pomona Foundation
- Central Coast Community Energy
- City of Aliso Viejo
- City of Arcadia
- City of Canyon Lake
- City of Gonzales
- City of Laguna Hills
- City of Newport Beach
- City of Placentia
- City of Redwood City
- City of Rolling Hills Estate
- City of San Luis Obispo
- Monterey One Water
- North Central Fire Protection District
- Pajaro/Sunny Mesa Community Services District
- Palm Springs Aerial Tramway
- Placentia Library District
- Silicon Valley Clean Energy
- Scotia Community Services District
- Shasta Trinity SIG
- Sweetwater Authority

# PLAN DESIGN OVERVIEW

---

- **Eligible Employees:**

- Full-time and employed on or after July 1, 2023

- **Contributions:**

- Employee: 10% of Compensation (Mandatory)
- Employer: 10% of Compensation

- **Vesting:**

- Participants 100% invested in Employee contributions
- Participants 100% vested in Employer contributions after attainment of four (4) years of Agency Service **or** attainment of age 62 at termination or retirement.
- If neither age or service requirements have been met at termination or retirement, vesting based on the following schedule:

<b>Year(s) of Service Credit completed</b>	<b>Vesting Percentage for Employer Contributions</b>
Less than 1 year	0%
1	25%
2	50%
3	75%
4	100%



# PARS 457(B) DEFINED CONTRIBUTION PLAN

# 457(b) DEFERRED COMPENSATION PLAN

---

- 457(b) Deferred Compensation Plan is a voluntary savings plan designed to allow employees to defer a portion of their compensation through payroll deductions
- Contribution limits are independent of other plan limits such as 401(a) contribution amounts
- 2023 Maximum Annual Contribution (Under Age 50): \$22,500
- 2023 Maximum Annual Contribution (Age 50 or older): \$30,000  
*(includes additional \$7,500 yearly "Age 50+ Catch-up" contribution allowed for employees age 50 or older)*
- Investments: Participant-Directed Investments through John Hancock
- Loans provisions available
- Hardship Withdrawal provisions available

# PARS PLAN ADMINISTRATION

# JOHN HANCOCK OVERVIEW

---

- **Plan Enrollment:**

- Initial Investment and Retirement Education meeting with PARS
- No Enrollment forms needed - account is automatically created

- **Investments:**

- Initially, investments default into age-appropriate “Target Retirement Date” funds
- Participants can manage account online (Obtain balance, change fund allocation percentages, etc.)
- Daily valuations to monitor investment performance
- Ability for participants to utilize self-directed brokerage feature

# JOHN HANCOCK LIFETIME PORTFOLIO RETURNS

ANNUALIZED RETURNS AS OF JUNE 30, 2023:

Retirement Year	1 Year	5 Years	10 Years
2025 Retirement	7.97%	5.57%	7.02%
2030 Retirement	9.27%	6.03%	7.64%
2035 Retirement	10.66%	6.47%	8.15%
2040 Retirement	12.05%	6.98%	8.56%
2045 Retirement	13.37%	7.28%	8.73%
2050 Retirement	13.76%	7.31%	8.74%
2055 Retirement	13.77%	7.32%	-----
2060 Retirement	13.76%	7.34%	-----
2065 Retirement	13.86%	-----	-----

*\* Past performance does not guarantee future results*



# DISTRIBUTION FLEXIBILITY

---

- Upon meeting a “qualifying event,” PARS Plans permit employees to select benefit payout options including:
  - Lump Sum Payout
  - IRA Rollover
  - Lifetime\*
  - 100% Joint-and-Survivor\*
  - Fixed Term Monthly Payouts ranging from 5 to 15 Years\*

*\* Account balanced annuitized through insurance company*

# ONGOING ADMINISTRATION

---

- Fielding Participant and Agency information request
- Coordination for benefit distributions
- Prepare annual Agency statements
- Quarterly statements for Participants
- Prepare annual independent audit of PARS Trust
- Prepare annual State Controller's Report
- Monitor ongoing compliance and qualification issues
- Recurring meetings with staff to review plan

# ADMINISTRATION FEES – 401(a)

## Trust Administration/Consulting Asset Fees\*



### Plan Set-Up Fee:

\$1,500

### Ongoing Fees:

0.50% for assets \$0-2.5 million

0.35% for assets over \$2.5 million

*\*Subject to monthly minimum of \$300*

## Distribution Fee (paid by terminating participant)

### One-time Fee:

\$25.00

*\*On-Going Administrative fees can be paid by agency or by plan participants.*

*\*Filing fees charged by the IRS (if required) shall be paid separately by the Agency.*

*\*Participants pay embedded mutual fund fees through John Hancock Platform.*



# ADMINISTRATION FEES – 457(b)

## Trust Administration/Consulting Asset Fees\*



### Plan Set-Up Fee:

\$1,500

### Ongoing Fees:

0.50% for assets \$0-2.5 million

0.35% for assets over \$2.5 million

*\*Subject to monthly minimum of \$300*

## Distribution Fee (paid by terminating participant)

### One-time Fee:

\$25.00

*\*On-Going Administrative fees can be paid by agency or by plan participants.*

*\*Filing fees charged by the IRS (if required) shall be paid separately by the Agency.*

*\*Participants pay embedded mutual fund fees through John Hancock Platform.*

# PROJECTED TIMELINE

---

**August 16, 2023**

Agency passes resolution to; adopt the PARS Plan & Trust and appoint a position of employment to act as plan administrator on behalf of the Agency & the Plan

**Week of  
August 21, 2023  
(or earlier, if available)**

Agency provides PARS with a copy of signed resolution

**Week of  
September 4, 2023**

PARS forwards “signature ready” legal documents - plan document, services agreement, trust document, and trustee forms

**September 2023**

Administrative and Employee Orientation Meetings held

**No later than  
September 18, 2023**

Agency returns signed legal documents to arrive at PARS office

**Beginning of October  
(Contributions retroactive to  
July 1, 2023)**

Contributions to the Plan are eligible to be submitted to John Hancock. (Contribution Report should be submitted directly to PARS in conjunction with the contribution payment)

**October 2023**

Participants access account balances online through John Hancock’s website

# CONTACTS

---

**Rachael Sanders**  
**Vice President, Consulting**  
(800) 540-6369 x121  
rsanders@pars.org



**4350 Von Karman Avenue, Suite 100**  
**Newport Beach, CA 92660**  
(800) 540-6369

**California Community Power  
Resolution 23-08-01**

**ADOPTION OF A 401(a) DEFINED CONTRIBUTION PLAN AND  
457(b) DEFERRED COMPENSATION PLAN**

WHEREAS, California Community Power ("CC Power") was created by a Joint Powers Agreement ("JPA"); and

WHEREAS; CC Power JPA Section 4.01 provides that CC Power shall be administered by a Board of Directors, which shall be vested with the power set forth in the JPA, and shall have the authority to provide for the general management and oversight of the affairs, property and business of CC Power; and

WHEREAS, on June 21, 2023, the CC Power Board of Directors approved an initial draft of CC Power's Benefits Plan; and

WHEREAS, in accordance with the approved initial Benefits Plan, it is determined to be in the best interest of CC Power and its employees to provide both a 401(a) Defined Contribution Plan and a 457(b) Deferred Compensation Plan for its eligible employees; and

WHEREAS, Public Agency Retirement Services ("PARS") has made available to CC Power a 401(a) Defined Contribution Plan and a Section 457(b) Deferred Compensation Plan (the "Plans") qualifying under the relevant sections of the Internal Revenue Code of 1986, as amended, and the California Government Code; and

WHEREAS, CC Power is eligible to sponsor such Plans.

NOW, THEREFORE, BE IT RESOLVED that the Board of Directors of CC Power hereby:

- A. Adopts the Public Agency Retirement System (PARS) Trust for Participant Directed Investment Program, including the PARS 401(a) Defined Contribution Plan, as part of CC Power's retirement program, effective July 1, 2023; and
- B. Adopts the PARS Section 457(b) Deferred Compensation Plan and Trust, effective July 1, 2023; and
- C. Appoints PARS as Trust Administrator, U.S. Bank National Association as Trustee, and John Hancock Life Insurance Company as Custodian/Recordkeeper for the PARS 401(a) Defined Contribution Plan and the PARS Section 457(b) Deferred Compensation Plan; and
- D. Appoints the General Manager or his/her successor or his/her designee as CC Power's Plan Administrator for the aforementioned Plans; and
- E. Authorizes CC Power's Plan Administrator to execute the PARS legal and administrative documents on behalf of CC Power and to take whatever additional actions are necessary to maintain CC Power's participation in PARS and to maintain PARS compliance of any relevant regulation issued or as may be issued; therefore, authorizing him/her to take whatever additional actions are required to administer CC Power's PARS Plans.

**California Community Power  
Resolution 23-08-01**

PASSED AND ADOPTED by the Board of Directors of California Community Power this 16<sup>th</sup> day of August, 2023, by the following vote:

		Aye	No	Abstain	Absent
Central Coast Community Energy	Robert Shaw				
CleanPowerSF	Barbara Hale				
East Bay Community Energy	Nick Chaset				
Peninsula Clean Energy	Shawn Marshall				
Redwood Coast Energy Authority	Matthew Marshall				
San José Clean Energy	Lori Mitchell				
Silicon Valley Clean Energy	Girish Balachandran				
Sonoma Clean Power Authority	Geof Syphers				
Valley Clean Energy	Mitch Sears				

\_\_\_\_\_  
Chair

\_\_\_\_\_  
Attest by: Secretary