

California Community Power

Regular Meeting of the Board of Directors of CC Power

1:00 P.M.

Wednesday, November 15, 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 **November 15, 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: 814 7722 3896

Meeting Link: <https://svcleanenergy-org.zoom.us/j/81477223896>

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. 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

41 Liberty Dock
Sausalito, CA 94965

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.

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 August 16, 2023.
 - B. Resolution 23-11-01 *Delegation of Authority to the General Manager to Execute Agreements on Behalf of CC Power.*
 - C. Resolution 23-11-02 *Approval of Execution of Joint Defense and Common Interest Agreement with California Community Choice Association.*
 - D. Resolution 23-11-03 *Appointment of the General Manager as Personnel Manager.*
- 6 Regular Agenda Items.**
 - A. General Manager Report.
 - i. CC Power Financials Update.
 - ii. Getting It Built Right Event Debrief and Discussion.
 - iii. Inflation Reduction Act Project Updates.
 - iv. New Membership Considerations and Policies.
 - B. Upcoming General Manager Performance Review – Discussion.
 - C. Resolution 23-11-04 *Approval of Acquisition of Shared Services Resource Adequacy Report.*
- 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 August 16, 2023.**

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

August 16, 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:

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

Sonoma Clean Power Authority

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

Silicon Valley Clean Energy

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

Valley Clean Energy

604 Second Street
Davis, CA 95616

Representatives:

Member Agency	Director
Central Coast Community Energy (3CE)	Robert Shaw
CleanPowerSF	Mike Hyams, Alternate
East Bay Community Energy (EBCE)	Nick Chaset
Peninsula Clean Energy (PCE)	Shawn Marshall
Redwood Coast Energy Authority (RCEA)	Matthew Marshall
San José Clean Energy (SJCE)	Absent
Silicon Valley Clean Energy (SVCE)	Girish Balachandran, Chair
Sonoma Clean Power Authority (SCP)	Mike Koszalka, Alternate
Valley Clean Energy	Mitch Sears

Other Participants:

Alex Morris	General Manager
Brittany Iles	General Counsel

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

1. Call to Order: Chair Balachandran called the meeting to order at 1:03 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. Director Chaset joined during the discussion on the Getting It Built Right event (agenda item 6.A.i).
3. Matters Subsequent to Posting the Agenda: None.
4. Public Comment (any matter not on the agenda): None.
5. Consent Agenda: Chair Balachandran invited comments from the Board and there were none.

Public Comment: None.

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

6. Regular Agenda Items – Discussion:

A. General Manager Report.

i. Getting It Built Right Event Discussion

Mr. Morris provided an update on the Getting It Built Right workshop this November in San Jose.

Chair Balachandran invited comments from the Board. Directors Shaw, S. Marshall, Sears, and Alternate Directors Hyams and Koszalka provided comments. Mr. Morris responded to comments and questions from the Board.

Public Comment: None.

ii. Offshore Wind.

Mr. Morris reviewed the preparation underway for a future Offshore Wind Request for Offers and invited comments from the Board. Chair Balachandran and Director M. Marshall provided comments.

Public Comment: None.

iii. Inflation Reduction Act.

Mr. Morris reported that an evaluation of the Inflation Reduction Act is underway to identify potential projects for CC Power.

Chair Balachandran invited comments from the Board. Director Shaw raised questions and Mr. Morris responded.

Public Comment: None.

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

iv. New Policy Formation.

Mr. Morris provided an overview of proposed operating policies for members.

Chair Balachandran weighed in and invited questions from the Board. Alternate Director Hyams inquired how CC Power members would access policies, and Mr. Morris responded.

Public Comment: None.

v. Coming Up

Mr. Morris provided a brief overview of the upcoming workplan.

Chair Balachandran invited comments from the Board and there were none.

Public Comment: None.

7. Discussion of Any Individual Member Items: None.

The Board of Directors adjourned at 1:50 p.m.

Minutes approved on November 15, 2023.

Brittany Iles, Secretary

California Community Power

Consent Agenda Item B

1. Resolution 23-11-01 *Delegation of Authority to the General Manager to Execute Agreements on Behalf of CC Power.*

California Community Power

901 H St, Ste 120 PMB 157 Sacramento, CA 95814 | cacomunitypower.org

November 15, 2023

From: General Counsel

To: CC Power Board of Directors

Subject: **Delegation of Authority to the General Manager to Execute Agreements on Behalf of CC Power**

Recommended Action:

Approve Resolution delegating authority to the General Manager to execute agreements within the ordinary course of CC Power business consistent with CC Power approved policies and within the best interest of CC Power.

Discussion:

On February 15, 2023, the CC Power Board appointed Alexander Morris as CC Power's General Manager. Pursuant to Section 4.07 of the CC Power Joint Powers Agreement (JPA), the Board shall appoint a General Manager to serve at the pleasure of the Board, and which shall be responsible for the day-to-day operation and management of CC Power. The JPA provides that the General Manager may enter into and execute contracts in accordance with the policies established and direction provided by the Board.

On October 19, 2022, the CC Power Board delegated authority to the General Manager to execute contracts for consulting services as needed and as consistent with the CC Power Board approved budget. The authority delegated in this Resolution would expand on that authority and delegate authority to the General Manager execute agreements and contracts necessary to facilitate the day-to-day operations of CC Power.

CC Power Staff has previously brought standard day-to-day agreements to the CC Power Board for approval and delegation of authority to the General Manager to execute such agreements. As the CC Power Board has not previously directly established policies or direction to the General Manager delegating authority to execute these types of agreements, this Resolution explicitly ensures that the General Manager may enter into, and execute day-to-day agreements including, but not limited to, Non-Disclosure Agreements, Memorandums of Understanding, and other agreements within the ordinary course of CC Power business which are within the CC Power approved budget and within the best interests of CC Power and its members.

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](#)

**California Community Power
Resolution 23-11-01**

**DELEGATION OF AUTHORITY TO THE GENERAL MANAGER TO EXECUTE AGREEMENTS ON
BEHALF OF CC POWER**

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, CC Power JPA Section 4.07 provides that the CC Power Board of Directors shall appoint a part-time or full-time General Manager, to serve at the pleasure of the Board; and

WHEREAS, CC Power JPA Section 4.07 further provides that the General Manager shall be responsible for the day-to-day operation and management of CC Power and may enter into and execute contracts in accordance with the policies established and direction provided by the CC Power Board; and

WHEREAS, on October 19, 2022, the CC Power Board delegated authority to the General Manager to execute contracts for consulting services as needed and as consistent with the CC Power Board approved budget; and

WHEREAS, on February 15, 2023, the CC Power Board of Directors appointed Alexander Morris as General Manager for the period effective on February 27, 2023 through February 28, 2025; and

WHEREAS, CC Power the CC Power Board finds it is advantageous to explicitly delegate authority, and provide direction to the General Manager, to execute agreements within the ordinary course of CC Power business consistent with CC Power approved policies and within the best interest of CC Power.

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

1. Delegates authority to the CC Power General Manager to execute contracts and agreements within the ordinary course of CC Power business in accordance with all current and future CC Power established policies and budgets.

PASSED AND ADOPTED by the Board of Directors of California Community Power this 15th day of November, 2023.

Chair

Attest by: Secretary

California Community Power

Consent Agenda Item C

1. ***Resolution 23-11-02 Approval of Execution of Joint Defense and Common Interest Agreement with California Community Choice Association.***

California Community Power

901 H St, Ste 120 PMB 157 Sacramento, CA 95814 | cacomunitypower.org

November 15, 2023

From: Alex Morris, General Manager

To: CC Power Board of Directors

CC: General Counsel

Subject: **Approval of Execution of Joint Defense and Common Interest Agreement with California Community Choice Association**

Recommended Action:

Approve the execution of a Joint Defense and Common Interest Agreement between CC Power and the California Community Choice Association (CalCCA).

Discussion:

Recognizing the shared membership and shared goals between CC Power and CalCCA, CC Power Staff believes it is advantageous for CC Power and CalCCA to work together in order to support collaboration and partnership between CalCCA and CC Power. As part of this partnership, CC Power intends to join as a "Participating Affiliate" member of CalCCA. This membership will allow CC Power Staff to meet regularly with CalCCA to discuss items of mutual interest and upcoming activities. To facilitate this membership, CalCCA and CC Power would enter into a Joint Defense and Common Interest Agreement which would ensure alignment and support collaboration between CalCCA and CC Power in accordance with all applicable laws.

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

**California Community Power
Resolution 23-11-02**

**APPROVAL OF EXECUTION OF JOINT DEFENSE AND COMMON INTEREST AGREEMENT WITH
CALIFORNIA COMMUNITY CHOICE ASSOCIATION**

WHEREAS, California Community Power (“CC Power”) was created by a Joint Powers Agreement (“JPA”) to develop, acquire, construct, own, manage, contract for, engage in, finance and/or provide energy related programs for the use of and by its Members; 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, California Community Choice Association (“CalCCA”) represents the collective interests of operating community choice aggregators (“CCAs”) that are serving load or near launch to create a legislative and regulatory environment that supports the development and long-term sustainability of CCAs; and

WHEREAS, the CC Power Board recognizes the shared membership and shared goals between CC Power and CalCCA; and

WHEREAS, the CC Power Board finds it advantageous to support collaboration and partnership between CC Power and CalCCA through a Joint Defense and Common Interest Agreement.

NOW, THEREFORE, BE IT RESOLVED that the Board of Directors of CC Power hereby approves the Execution of a Joint Defense and Common Interest Agreement between CC Power and CalCCA.

PASSED AND ADOPTED by the Board of Directors of California Community Power this 15th day of November, 2023.

Chair

Attest by: Secretary

California Community Power

Consent Agenda Item D

1. **Resolution 23-11-03 *Appointment of the General Manager as Personnel Manager.***

California Community Power

901 H St, Ste 120 PMB 157 Sacramento, CA 95814 | cacomunitypower.org

November 15, 2023

From: General Counsel

To: CC Power Board of Directors

Subject: **Appointment of the General Manager as Personnel Manager**

Recommended Action:

Appoint the General Manager as the CC Power Personnel Manager which would grant authority to oversee and manager all personnel and employee matters including, but not limited to, the oversight of employee reviews and bonuses, and employee benefit programs.

Discussion:

Pursuant to Section 4.07 of the CC Power Joint Powers Agreement (JPA), the Board shall appoint a General Manager to serve at the pleasure of the Board, and which shall be responsible for the day-to-day operation and management of CC Power.

In the management and oversight of CC Power's day-to-day operations, the General Manager is well positioned to manage the current and future employees of CC Power. This may include, among others, the management of employee reviews, salary changes, bonus structures, and employee benefit programs.

This Resolution ensures that the CC Power General Manager has delegated authority to manage any and all personnel and employee matters that may arise within the ordinary course of CC Power business. All action taken under this delegation of authority will be in accordance with CC Power approved policies and budgets as well as in accordance with all applicable laws.

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

**California Community Power
Resolution 23-11-03**

APPOINTMENT OF THE GENERAL MANAGER AS PERSONNEL MANAGER

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, CC Power JPA Section 4.07 provides that the CC Power Board of Directors shall appoint a part-time or full-time General Manager, to serve at the pleasure of the Board; and

WHEREAS, CC Power JPA Section 4.07 further provides that the General Manager shall be responsible for the day-to-day operation and management of CC Power and may enter into and execute contracts in accordance with the policies established and direction provided by the CC Power Board; and

WHEREAS, CC Power JPA Section 4.09 provides that the CC Power Board of Directors shall have the power to appoint such other officers and staff as it may deem necessary who shall have such power, duties and responsibilities as are determined by the Board; and

WHEREAS, on June 21, 2023, the CC Power Board delegated authority to the CC Power General Manager to select and hire a full-time employee of CC Power; and

WHEREAS, the CC Power Boards finds it advantageous to delegate authority to the General Manager to manage all personnel matters for CC Power employees, including responsibilities associated with employee salaries and benefits.

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

1. Appoints the CC Power General Manager as Personnel Manager of CC Power and delegates authority to the General Manager to manage all personnel and employee matters on behalf of CC Power in accordance with CC Power approved policies and budgets and in accordance with all applicable laws.

PASSED AND ADOPTED by the Board of Directors of California Community Power this 15th day of November, 2023.

Chair

Attest by: Secretary

California Community Power

Agenda Item 6C

1. **Resolution 23-11-04 Approval of Acquisition of Shared Services Resource Adequacy Report.**

California Community Power

901 H St, Ste 120 PMB 157 Sacramento, CA 95814 | cacomunitypower.org

November 15, 2023

From: Alex Morris, General Manager

To: CC Power Board of Directors

CC: General Counsel

Subject: **Shared Service – Resource Adequacy Report**

Recommended Action:

Approve CC Power to negotiate and execute a purchase agreement for a Resource Adequacy report, in accordance with any not-to-exceed amounts, if agreed to by members.

Discussion:

CC Power members may at times benefit from joint-action, shared services, and bulk-purchases. CC Power member-CCAs may at times purchase reports and information services and or trainings as part of their ongoing power procurement functions and related operations.

On November 8, 2023, participants in CC Power's Resource Planning Working Group (RPWG) agreed to recommend exploration by CC Power for a potential bulk purchase of a report on Resource Adequacy, as part of a discussion about a shared-services project to pursue information services and or possible training services. As this expense was not contemplated in the 2023-2024 approved budget and work-plan, Board consideration and approval of this incremental spending is appropriate.

CC Power therefore seeks Board Approval to pursue and potentially execute a bulk-purchase of a Resource Adequacy report following RPWG recommendations. This Resolution, if approved, authorizes the CC Power General Manager or his or her designee to negotiate a bulk purchase of a RA report and to allocate costs equitably among participating members. These costs would not impact General & Administrative (G&A) costs and would be categorized as project expenses shared among project participants. Participation is optional for each member, and non-participating members will have no incremental costs due to this effort. As appropriate, the motion may include a not-to-exceed amount.

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](#)

**California Community Power
Resolution 23-11-04**

APPROVAL OF ACQUISITION OF SHARED SERVICES RESOURCE ADEQUACY REPORT

WHEREAS, California Community Power (“CC Power”) was created by a Joint Powers Agreement (“JPA”) to develop, acquire, construct, own, manage, contract for, engage in, finance and/or provide energy related programs for the use of and by its Members; 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, CC Power JPA Section 4.07 provides that the General Manager shall be responsible for the day-to-day operation and management of CC Power and may enter into and execute contracts in accordance with the policies established and direction provided by the CC Power Board; and

WHEREAS, CC Power JPA Section 4.09 describes a non-delegable duty of the CC Power Board of Directors to approve the budget; and

WHEREAS, the CC Power Board, at the recommendation of the General Manager, has determined that it is advantageous for CC Power to explore options for Shared Services on behalf of its members; and

WHEREAS, the CC Power Board finds that it is within the best interests of its members to pursue and execute a bulk-purchase of a Resource Adequacy report.

NOW, THEREFORE, BE IT RESOLVED that the Board of Directors of CC Power hereby approves the pursuit and acquisition of a Shared Services Resource Adequacy Report and amends the 2023-2024 Budget to allow the purchase of a Resource Adequacy Report in an amount no greater than \$50,000.

PASSED AND ADOPTED by the Board of Directors of California Community Power this 15th day of November, 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