

**California Community Power**

# Regular Meeting of the Board of Directors of CC Power

**1:00 P.M.**

**Wednesday, April 24, 2024**

**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 **April 24, 2024**, 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:** 874 0393 4235

**Meeting Link:** <https://svcleanenergy-org.zoom.us/j/87403934235>

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:

**Ava Community Energy**

3430 Balboa Avenue  
San Francisco, CA 94131

**Central Coast Community Energy**

70 Garden Court, Suite 300  
Monterey, CA 93940

**CleanPowerSF**

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

**Peninsula Clean Energy**

2075 Woodside Road  
Redwood City, CA 94061

**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 94087

**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 March 20, 2024.
  - B. Receive Staff Report on CC Power Member Procurement Policies.
- 6 **Regular Agenda Items.**
  - A. General Manager Report.
    - i. Build-Own-Transfer Phase 2A Update.
    - ii. Preliminary CC Power Work-Plan and Budget Discussion.
    - iii. Financials Update.
  - B. Resolution 24-04-01 *Approval of California Community Power Policies - Roles and Responsibilities Policy.*
- 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 March 20, 2024.**

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

March 20, 2024

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.

<b>Public Meeting Locations:</b>	
<p><b>Ava Community Energy</b> 3430 Balboa Avenue San Francisco, CA 94131</p>	<p><b>Central Coast Community Energy</b> 70 Garden Court, Suite 300 Monterey, CA 93940</p>
<p><b>CleanPowerSF</b> San Francisco Public Utilities Commission 525 Golden Gate Avenue San Francisco, CA 94102</p>	<p><b>Peninsula Clean Energy</b> AC Hotel by Marriott Washington DC Capitol Hill Navy Yard 867 New Jersey Ave SE Washington, DC 20003</p>
<p><b>Redwood Coast Energy Authority</b> 633 3rd Street Eureka CA 95501</p>	<p><b>San José Clean Energy</b> 88 S. 4th Street, Suite 130 San Jose, CA 95112</p>
<p><b>Silicon Valley Clean Energy</b> 333 W El Camino Real, Suite 330 Sunnyvale, CA 94087</p>	<p><b>Sonoma Clean Power Authority</b> 42 Cam Drive Carson, WA 98610</p>
<p><b>Valley Clean Energy</b> 604 Second Street Davis, CA 95616</p>	

Representatives:

<b>Member Agency</b>	<b>Director</b>
Ava Community Energy	Nick Chaset
Central Coast Community Energy (3CE)	Robert Shaw
CleanPowerSF	Barbara Hale
Peninsula Clean Energy (PCE)	Shawn Marshall
Redwood Coast Energy Authority (RCEA)	Matthew Marshall
San José Clean Energy (SJCE)	Lori Mitchell, Vice Chair
Silicon Valley Clean Energy (SVCE)	Girish Balachandran
Sonoma Clean Power Authority (SCP)	Michael Koszalka, Alternate
Valley Clean Energy	Mitch Sears

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

Other Participants:

Alex Morris	General Manager
Philippe Gerretsen	Director of Origination
Brittany Iles	General Counsel

1. Call to Order: Vice-Chair Mitchell called the meeting to order at 1:01 p.m.
2. Verification of Meeting Quorum: Ms. Iles verified that there was a quorum to proceed. Attendance is noted above. Alternate Director Koszalka joined prior to the vote on Resolution 24-03-01. 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 and there were none.  
Public Comment: None.

<b>ACTION:</b> M/S (Shaw/Sears) to <b>approve the Consent Agenda</b> . Motion carried by a unanimous roll call vote (Absent: Alternate Director Koszalka).
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6. Regular Agenda Items.
  - A. February 28, 2024 Closed Session Report.

Ms. Iles reported that there was no reportable action taken during the Closed Session.
  - B. General Manager Report.
    - i. Preliminary CC Power Work-Plan.

Mr. Morris provided an update on the work and budget planning process and reviewed the preliminary findings from the Member interviews. Mr. Morris invited comments from the Board; Director S. Marshall provided comments.
    - ii. Report on General Manager Activities.

Mr. Morris reported that a contract was signed with One Stop Operations for member access and file management approach strategy and implementation.
    - iii. Hydrogen Site Tour.

Mr. Morris announced a site tour of the Lodi Energy Center on March 27, 2024.
    - iv. Build-Own-Transfer Phase 2A Update.

Mr. Morris provided an update on the project status and reviewed the upcoming deliverables.

Vice-Chair Mitchell invited comments from the Board on the General Manager Report and there were none.

Public Comment: None.

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

C. Resolution 24-03-01 Commending And Thanking Girish Balachandran For His Service To California Community Power.

Vice-Chair Mitchell thanked Director Balachandran and recognized him for his leadership and contribution to CC Power. Directors Hale, M. Marshall, S. Marshall, Sears, Chaset, and Mr. Morris offered additional thanks to Director Balachandran.

Public Comment: Eric Veium, SLO Climate Coalition

**ACTION:** M/S (Mitchell/S. Marshall) to **approve Resolution 24-03-01 Commending And Thanking Girish Balachandran For His Service To California Community Power.**

Motion carried by a unanimous roll call vote.

D. Resolution 24-03-02 Commending And Thanking Matthew Marshall For His Service To California Community Power.

Vice-Chair Mitchell thanked Director M. Marshall for his contribution to CC Power. Directors Chaset, Balachandran, S. Marshall, Sears, Shaw, Hale, and Mr. Morris offered additional thanks to Director M. Marshall.

Public Comment: Eric Veium, SLO Climate Coalition

**ACTION:** M/S (Mitchell/Hale) to **approve Resolution 24-03-02 Commending And Thanking Matthew Marshall For His Service To California Community Power.** Motion carried by a unanimous roll call vote.

E. Resolution 24-03-03 Adoption of Getting It Built Right Agreements.

Director Balachandran reported on behalf of the *ad hoc* committee. *Ad hoc* committee member (Vice-Chair Mitchell) also weighed in.

Vice-Chair Mitchell invited questions from the Board. Director Hale proposed amendments to the agreements for consideration. A discussion followed between Vice-Chair Mitchell and Directors Balachandran, Shaw, Chaset, S. Marshall, Hale, and M. Marshall on the agreements and proposed amendments, which resulted in the adoption of the agreements without amendment.

Public Comment: Tim Frank, Representative, Building and Construction Trades Council  
Alex Lantsberg, San Francisco Electrical Contractors Association  
Eric Veium, CCA Workforce and Environmental Justice Alliance  
Leslie Austin, Let's Green CA

**ACTION:** M/S (Balachandran/Mitchell) to **approve Resolution 24-03-03 Adoption of Getting It Built Right Agreements.** Motion carried by a unanimous roll call vote.

7. Discussion of Any Individual Member Items: None

The Board of Directors adjourned at 2:41 p.m.

Minutes approved on April 24, 2024.

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Robert Shaw, Secretary

## California Community Power

# Consent Agenda Item B

- 1. Staff Report on Adopted Getting it Build Right Agreements.**

# California Community Power

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

April 24, 2024

From: CC Power Staff

To: CC Power Board of Directors

Subject: **Staff Report on Adopted Getting it Built Right Agreements**

On March 20, 2024, the California Community Power (“CC Power”) Board of Directors (“Board”) adopted a set of “Getting it Built Right Agreements” committing CC Power and CC Power Members to the following:

1. CC Power Members agree to abide by their governing board’s policies when engaging in joint action through CC Power. CC Power is not and cannot be a conduit for circumventing locally-adopted policies.
2. CC Power agrees to distribute Member CCA procurement policies and practices in an ongoing manner.
3. CC Power Members individually agree to regularly review model policies and practices and consider whether recommending updates to their governing boards regarding such policies and practices are appropriate for their own jurisdictions.
4. CC Power agrees to host a webpage with links to each Member CCA’s procurement policies, and/or relevant plan.

This Staff Report is intended to begin the process to address Agreement No. 2 above. The CC Power Member CCA policies and practices can be found on each CCA’s “Key Documents” webpages which can be found at the following links:

**Ava Community Energy:** <https://avaenergy.org/key-documents/>

**Central Coast Community Energy:** <https://3cenergy.org/documents/key-documents/>

**CleanPowerSF:** <https://www.cleanpowersf.org/key-documents>

**Peninsula Clean Energy:** <https://www.peninsulacleanenergy.com/key-documents/>

**Redwood Coast Energy Authority:** <https://redwoodenergy.org/key-documents/>

**San José Clean Energy:** <https://sanjosecleanenergy.org/key-documents/>

**Silicon Valley Clean Energy:** <https://svcleanenergy.org/plans-policies-reports/>

**Sonoma Clean Power Authority:** <https://sonomacleanpower.org/financials-and-key-documents>

**Valley Clean Energy:** <https://valleycleanenergy.org/documents/>

## – California Community Power –

As noted in Agreement No. 2 above, the distribution of these policies is an ongoing practice and CC Power is providing these links as a first, but not comprehensive, step towards the distribution of CC Power Member procurement policies and practices. CC Power is also in the process of updating its own website (<https://cacomunitypower.org/>) to provide a direct link to the member “Key Documents” and policy pages in accordance with Agreement No. 4 above. CC Power Members are encouraged to individually update their Key Documents pages to ensure that links to procurement policies are included and active.

## California Community Power

# Agenda Item 6B

1. **Resolution 24-04-01 Approval of California Community Power Policies - Roles and Responsibilities Policy.**
2. **Attachment A to Resolution 24-04-01: CC Power – Roles and Responsibilities Policy.**

# California Community Power

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

April 24, 2024

From: General Counsel

To: CC Power Board of Directors

Subject: **Approval of CC Power Policies – Roles and Responsibilities Policy**

CC Power Staff request that the CC Power Board of Directors (“CC Power Board”) adopt the proposed CC Power Roles and Responsibilities Policy which identifies best practices for CC Power Staff as well as CC Power Member participation in CC Power activities. The intent is that this proposed policy will provide guidance to CC Power Staff in upholding their responsibilities to the CC Power Board and CC Power Members while also providing guidance to CC Power Members in their support of CC Power in the pursuit of CC Power projects and information sharing.

CC Power Staff work closely with CC Power Member staff in engaging in CC Power business including the facilitation of current CC Power projects as well as the exploration and development of potential future projects. The proposed policy establishes the expectation that CC Power Staff will support, and work towards, the best interest of CC Power and CC Power Members while ensuring that the CC Power Board and CC Power Members are properly informed of the business and actions of CC Power and CC Power Staff.

The proposed policy further establishes the expectation for CC Power Members to make reasonable efforts to support the success of CC Power including working together with other CC Power Members and CC Power Staff in good-faith. The policy also provides for the proper use and treatment of confidential information gained in the course of CC Power business. However, nothing in the policy shall be seen as infringing on the public’s right to information pursuant to the Ralph M. Brown Act and the California Public Records Act.

In addition to the adoption of this policy, CC Power, and each CC Power Member, shall also enter into a Membership Participation Agreement which will provide guidelines for participation in CC Power including the best practices included in this proposed policy.

CC Power Staff believe this policy properly defines the role of the CC Power Staff and Members moving forward.

**California Community Power  
Resolution 24-04-01**

**APPROVAL OF CALIFORNIA COMMUNITY POWER POLICIES – ROLES AND  
RESPONSIBILITIES POLICY**

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 states that the CC Power Board 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 Staff work closely with CC Power Member staff in connection with current CC Power projects as well as potential future projects; and

WHEREAS, it is the desire of the CC Power Board to establish a policy that identifies the best practices for CC Power Staff as well as CC Power Members when engaging in the business of CC Power; and

WHEREAS, the attached Roles and Responsibilities Policy will provide guidance to both CC Power Staff as well as CC Power Member staff in the pursuit of CC Power projects and information sharing.

NOW, THEREFORE, BE IT RESOLVED that the Board of Directors of CC Power hereby approves the CC Power Roles and Responsibilities Policy attached hereto in substantially final form as Attachment A.

PASSED AND ADOPTED by the Board of Directors of California Community Power this 24<sup>th</sup> day of April, 2024, by the following vote:

		Aye	No	Abstain	Absent
Ava Community Energy	Nick Chaset				
Central Coast Community Energy	Robert Shaw				
CleanPowerSF	Barbara Hale				
Peninsula Clean Energy	Shawn Marshall				
Redwood Coast Energy Authority	Lori Biondini				
San José Clean Energy	Lori Mitchell				
Silicon Valley Clean Energy	Monica Padilla				
Sonoma Clean Power Authority	Geof Syphers				
Valley Clean Energy	Mitch Sears				

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Chair

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Attest by: Secretary

## **CC Power – Roles and Responsibilities Policy**

Adopted April XX, 2024

### **Purpose**

The purpose of this policy is to identify best practices for CC Power Staff as well as member participation in CC Power, including the roles and responsibilities of CC Power Staff toward the CC Power Board of Directors as well as CC Power Members, and the responsibility of the Members to support the growth and success of CC Power. Additionally, the purpose of this policy is to ensure that information shared with CC Power Members is used appropriately and to support the pursuit of CC Power projects and helpful information sharing to benefit CC Power and CC Power Members.

### **1. Role of CC Power Staff**

CC Power Staff shall support, and work towards the best interests of, CC Power and CC Power Members in accordance with all policies, guidance, and Resolutions approved by the CC Power Board. CC Power Staff are prohibited from making, participating in making, or attempting to influence a decision of CC Power in which he or she has a financial interest as defined by California Government Code Section 87103. CC Power Staff shall ensure that the CC Power Board of Directors and CC Power Members are properly informed of the business and actions of CC Power and CC Power Staff. CC Power Staff shall support and provide guidance to the CC Power Members to assist Members in upholding their roles as detailed below.

### **2. Role of CC Power Members**

CC Power Members shall make every reasonable effort to support and ensure the success of CC Power. This includes:

- Participants shall engage in CC Power working groups and deliberations in good-faith with the intent to earnestly explore opportunities for joint action without hindering or harming the CC Power activities being considered.
- Members should avoid any discussion of competitively sensitive information including non-public pricing, procurement practices, or other individual business plans that could be perceived as an attempt to restrain competition.
- Members should not use confidential, or otherwise nonpublic, information gained through their participation in CC Power, to pursue deals privately that are being actively considered for CC Power without the consent of CC Power and CC Power Members. Any hold periods directed by CC Power should be reasonable and limited.

### **3. Treatment of Confidential Information**

CC Power may share confidential information with Members relating to, and in furtherance of, CC Power's purpose. The Members may similarly share confidential information with CC Power Staff. CC Power and the Members shall, to the maximum extent possible, preserve any applicable privilege or protection that they may have relating to such confidential information.

In accordance with the Ralph M. Brown Act , California Government Code Section 54950, and the California Public Records Act, California Government Code Section 7920.00 et seq., CC Power Staff shall uphold the public's right to know not only the decisions taken, but also the

deliberations which shape agency policies conducted by the Board of Directors and Board-created advisory commissions, boards, or committees that are subject to the Brown Act's open meeting requirements. Nothing in this policy shall be seen as infringing on the public's right to information pursuant to the Ralph M. Brown Act, California Government Code Section 54950 and the California Public Records Act, California Government Code Section 7920.00 et seq.

**4. Membership Participation Agreement**

Each CC Power Member and CC Power shall enter into a Membership Participation Agreement. The Membership Participation Agreement will provide guidelines for participation in CC Power including consideration of this Policy.

APPROVAL DRAFT