



**Silicon Valley Clean Energy Authority**

**Board of Directors Meeting**

Wednesday, September 11, 2019

7:00 pm

Cupertino Community Hall

10350 Torre Avenue

Cupertino, CA

**MEETING MINUTES**

**Call to Order**

Chair Abe-Koga called the meeting to order at 7:08 p.m.

**Roll Call**

**Present:**

Chair Margaret Abe-Koga, City of Mountain View  
Vice Chair Howard Miller, City of Saratoga  
Director Carmen Montano, City of Milpitas  
Director Javed Ellahie, City of Monte Sereno  
Director Marico Sayoc, Town of Los Gatos  
Director Nancy Smith, City of Sunnyvale  
Director Rod Sinks, City of Cupertino  
Director Courtenay Corrigan, Town of Los Altos Hills  
Director Liz Gibbons, City of Campbell  
Director Jeannie Bruins, City of Los Altos  
Director Susan Ellenberg, County of Santa Clara  
Alternate Director Anthony Eulo, City of Morgan Hill  
Director Fred Tovar, City of Gilroy

**Absent:**

None.

Chair Abe-Koga led a moment of silence in remembrance of September 11, 2001.

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

No speakers.

**Consent Calendar**

Chair Abe-Koga opened public comment for those wishing to pull an item from the consent calendar.  
No speakers.

Chair Abe-Koga closed public comment for those wishing to pull an item from the consent calendar.

Chair Abe-Koga requested to pull Item 1f) *Approve Amendment No. 2 to Employment Agreement for Chief Executive Officer* to be addressed following the closed session item.

MOTION: Director Corrigan moved and Director Smith seconded the motion to approve the Consent Calendar with the exception of Item 1f) *Approve Amendment No. 2 to Employment Agreement for Chief Executive Officer*.

The motion carried unanimously.

- 1a) Approve Minutes of the August 14, 2019, Board of Directors Meeting**
- 1b) Approve Minutes of the August 14, 2019 Board of Directors Special Meeting**
- 1c) Receive July 2019 Treasurer Report**
- 1d) SVCE 2018 Annual Power Source Disclosure Report Attestation**
- 1e) Approve Renewal of \$35 million Line of Credit with River City Bank**
- 1g) Authorize the Chief Executive Officer to Execute Agreement with Maher Accountancy for Accountant Services**
- 1h) Authorize the Chief Executive Officer to Execute Agreement with Braun Blaising Smith Wynn P.C. (“BBSW”)**
- 1i) Authorize the Chief Executive Officer to Execute Agreement with Pacific Printing for Printing Services**
- 1j) Adopt Resolution to Authorize the Chief Executive Officer to Amend Approved Master Agreement with NextEra Energy Marketing, LLC**
- 1k) Authorize the Chief Executive Officer to Execute Agreement with Pacific Energy Advisors for Technical Consulting Services**
- 1l) Audit Committee Report**

### **Regular Calendar**

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

CEO Girish Balachandran provided a CEO report which included introductions of Associate Energy Consultant Jessica Cornejo and Climate Corp Fellow Lauren Goldfarb; both provided brief comments.

Manager of Regulatory and Legislative Affairs Hilary Staver provided an update on regulatory and legislative affairs.

Chair Abe-Koga opened public comment.  
No speakers.  
Chair Abe-Koga closed public comment.

#### **3) Finance and Administration Committee Membership (Action)**

CEO Balachandran introduced the item and responded to Board member questions. Vice Chair Miller provided feedback on the item as the Chair of the committee.

Chair Abe-Koga opened public comment.  
No speakers.  
Chair Abe-Koga closed public comment.

MOTION: Director Gibbons moved and Alternate Director Eulo seconded the motion to transition the Finance and Administration Committee to a five-member board.

Director Corrigan requested clarification if the five-member make up was in perpetuity or until February 2020; Director Gibbons noted the Board could decide in February.

The motion carried unanimously.

#### **4) Adopt Fiscal Year 2019-20 Operating Budget and Resolution Amending the Positions Chart, Job Classifications, and Salary Schedule (Action)**

Director of Finance and Administration Don Eckert presented a PowerPoint presentation and responded to Board member questions.

Chair Abe-Koga opened public comment.  
No speakers.  
Chair Abe-Koga closed public comment.

MOTION: Director Tovar moved and Director Bruins seconded the motion to approve the recommended Fiscal Year 2019-20 Operating Budget and Resolution 2019-15 amending the positions chart, job classifications, and salary schedule.

The motion carried unanimously.

## **5) Approve the Electric Vehicle Infrastructure Joint Action Plan (Action)**

Director of Account Services and Community Relations Don Bray introduced consultants Richard Schorske and Sam Irvine of E-Mobility Group, and presented a PowerPoint presentation; staff responded to Board member questions.

Chair Abe-Koga opened public comment.  
No speakers.  
Chair Abe-Koga closed public comment.

Director Sinks urged staff to keep strong connections and engage further with the California Air Resources Board (CARB) and Bay Area Air Quality Management District (BAAQMD) to be as effective as possible, and suggested SVCE think of a way to encourage cities which do not have effective transit to invest in EV fleets rather than fleets which run on gas.

Director Corrigan commented she feels it is important to continue to support the privileges that come with ownership of an EV, including:

Supporting carpool extensions and use of carpool lanes throughout California,  
Continue to support other state initiatives that will help incentivize people to purchase EVs,  
Working with corporate partners with companies SVCE is trying to keep from going to direct access, and  
Looking at free charging programs for their employees as an additional employment perk.

Director Corrigan noted the mentioned items are key things whether they are handled by SVCE or by our legislature.

Schorske of E-Mobility Group provided additional information regarding vehicle-to-grid (V2g) operation for electric school buses.

MOTION: Alternate Director Eulo moved and Director Smith seconded the motion to approve the Electric Vehicle Infrastructure Joint Action Plan.

The motion carried unanimously.

## **6) Executive Committee Meeting Report (Discussion)**

Chair Abe-Koga reported the Executive Committee met August 23 and discussed customer communications, the electric vehicle infrastructure joint action plan, and received an update on the workforce development initiative. The group also discussed changing their regular meeting schedule, which will remain the same with the exception of a revised start time of 9 a.m. The next committee meeting is scheduled for September 27<sup>th</sup>, 9 a.m., at the SVCE Office.

Chair Abe-Koga opened public comment.  
No speakers.  
Chair Abe-Koga closed public comment.

## **7) Finance and Administration Committee Report (Discussion)**

Vice Chair Miller reported the Finance and Administration Committee met September 3rd and discussed the FY 2019-20 Operating Budget, multiple contracts on the Board meeting consent calendar, and renewal of the \$35 million Line of Credit. The committee also received an update on SVCE obtaining a credit rating.

Chair Abe-Koga opened public comment.

No speakers.

Chair Abe-Koga closed public comment.

## **8) Legislative Ad Hoc Committee Report (Discussion)**

Director Sinks reported the Legislative Ad Hoc Committee met on August 27, 2019 and discussed development on various bills of interest, received an update from SVCE's lobbyist on the state of the legislature, prepared for advocacy, and discussed the issues CAISO faces. Director Sinks thanked committee members and staff for their hard work during the legislative session.

Chair Abe-Koga opened public comment.

No speakers.

Chair Abe-Koga closed public comment.

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

Alternate Director Eulo reported the Morgan Hill City Council is considering a natural gas ban on all new connections, and noted Morgan Hill is looking at an ordinance requiring retrofit of existing homes for electrifying space heating and water heating effective 2030.

Director Ellenberg announced at the Santa Clara County Board of Supervisors meeting on September 10, 2019, Alternate Director Cortese brought a referral for the County's administration to consider applying for the \$10,000 grant to help the County consider moving toward adoption of reach codes in unincorporated Santa Clara County. Director Ellenberg questioned what the \$10,000 incentive would cover; CEO Balachandran responded the money can be used for staff time. Director Ellenberg suggested SVCE offer SVCE's staff time or services in lieu of the \$10,000, and requested SVCE staff meet with the County's Office of Supportive Housing regarding how the County may incorporate reach codes in buildings of Measure A projects.

Director Gibbons noted the \$10,000 given by SVCE related to reach codes assists the cities in staff time related to the implementation of the codes, and commented her thought the operating costs for renters in a time controlled all-electric building can be substantively reduced based on SVCE's time-of-use rates.

Director Corrigan announced SVCE staff would be presenting to the Town of Los Altos Hills Council at their September 19, 2019 council meeting. Director Corrigan requested staff provide a media packet for Director Corrigan to provide to fellow Los Altos Hills council members as part of the reach codes conversation.

Director Sinks commented on the Reach Code Initiative slide of the Decarb and Grid Innovation Programs Update of the CEO report, reported the City of Cupertino's staff provided feedback that SVCE's Account Services Manager John Supp has done an outstanding job with outreach meetings in Cupertino, and announced he would like Account Services Manager Supp to attend the Cupertino City Council meetings on November 19, 2019 and December 17, 2019. Director Sinks challenged the other Directors to secure dates for their respective agencies.

Director Smith announced the new Sunnyvale City Hall will be all-electric.

Director Sayoc announced the Town of Los Gatos would be discussing reach codes on November 5, 2019 and requested Account Services Manager Supp be present. Director Sayoc announced the Peninsula Division of the League of Cities is sponsoring a candidate forum on September 25, 2019 at 11:30 a.m. in Menlo Park for the seat which Jerry Hill is currently occupying, and all of the candidates

running would be present; Director Sayoc encouraged Directors to attend and noted she would send information on the event.

Director Ellahie announced Account Services Manager Supp would be presenting in Monte Sereno, and also on October 2, 2019 at 7:30 a.m. at the Los Gatos Morning Rotary Club at the Los Gatos Rotary Lodge.

Chair Abe-Koga announced Tuesday, October 22, 2019, the Mountain View City Council would be addressing the ordinance amending Chapters 8, 14, and 24 of the City Code, and noted an environmental sustainability council subcommittee would be meeting September 16, 2019 to review the item and bring to Council.

#### **Public Comment on Closed Session**

No speakers.

At 8:40 p.m., Chair Abe-Koga announced the Board would take a five-minute recess prior to convening to closed session, then return to vote on Item 1f) *Approve Amendment No. 2 to Employment Agreement for Chief Executive Officer.*

Directors Ellenberg and Tovar left the meeting at 8:40 p.m.

The Board convened to closed session in the Community Hall Kitchen at 8:45 p.m.

#### **Convene to Closed Session (Community Hall Kitchen)**

Public Employee Performance Evaluation

Title: Chief Executive Officer

Conference with Labor Negotiator

Agency Representative: Margaret Abe-Koga, Chair, Board of Directors

Unrepresented Employee: Chief Executive Officer

The Board returned from closed session at 9:18 p.m. with Directors Ellenberg and Tovar absent.

#### **Report from Closed Session**

Chair Abe-Koga announced the Board would address Item 1f) *Approve Amendment No. 2 to Employment Agreement for Chief Executive Officer* from the consent calendar.

General Counsel Greg Stepanicich reported the financial terms of the contract amendment for the CEO contract and briefly outlined the four items:

- 1) Increased the CEO annual salary from \$290,000 to \$315,000 per year;
- 2) Make an additional contribution of \$3,500 to the CEO's 457 retirement plan, based consistently on the overall policy of the Board to provide a 10% contribution to retirement plans for employees;
- 3) Allows the CEO to take the same amount of unpaid leave as other employees subject to the approval of the Board Chair; and,
- 4) Increases Paid Time Off (PTO) from 280 to 320 hours per year.

Chair Abe-Koga opened public comment.

No speakers.

Chair Abe-Koga closed public comment.

MOTION: Vice Chair Miller moved and Director Bruins seconded the motion to approve Amendment No. 2 to Employment Agreement for Chief Executive Officer.

The motion carried unanimously with Directors Ellenberg and Tovar absent.

Director Gibbons offered a closing to the meeting with the hope we can move forward to a better world with the value and sentiment felt September 12, 2001 where race, gender, political persuasions, and religion did not matter; we were all one country.

**Adjourn**

Chair Abe-Koga adjourned the meeting at 9:22 p.m.

ATTEST:



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SECRETARY