

**SILICON VALLEY CLEAN ENERGY AUTHORITY
RESOLUTION NO. 2025-09**

**A RESOLUTION OF THE BOARD OF DIRECTORS OF SILICON VALLEY CLEAN
ENERGY ESTABLISHING A CLAIM PRESENTATION PROCEDURE PURSUANT TO
GOVERNMENT CODE SECTION 935**

WHEREAS, the Government Claims Act (Government Code Section 900 et seq.) (the “Act”) sets forth the general procedure for the presentation of claims as a prerequisite to commencement of actions for money or damages against local public entities; and

WHEREAS, the Act excepts certain claims against local public entities from the presentation procedures of the Act; and

WHEREAS, the Act also specifies that local public entities may adopt a procedure for claims excepted under the Act and which are not governed by any other statutes or regulations; and

WHEREAS, the procedure would provide Silicon Valley Clean Energy with sufficient information to adequately investigate claims and potentially avoid the expense of litigation; and

WHEREAS, the Board of Directors of Silicon Valley Clean Energy (the “Board”) now desires to adopt a procedure to govern the presentation requirements of those excepted claims to establish a claims presentation procedure pursuant to Government Code Section 935.

**NOW, THEREFORE, THE BOARD OF DIRECTORS OF SILICON VALLEY CLEAN
ENERGY AUTHORITY DOES HEREBY RESOLVE THAT:**

1. **Claims for money or damages.** All claims against Silicon Valley Clean Energy, for money or damages, which are excepted by Section 905 from Chapter 1 (commencing with Section 900) and Chapter 2 (commencing with Section 910) of Title 1, Division 3.6, Part 3 of the California Government Code, and which are not governed by any other statute, ordinance, or regulation, shall be governed by the procedure prescribed in this Resolution, in accordance with Government Code Section 935, or any successors thereto.
2. **Claim prerequisite to suit.** No suit subject to this Resolution may be brought against Silicon Valley Clean Energy until a claim has been presented to and acted upon by the Board, pursuant to the provisions of Government Code Section 945.4, or any successor thereto. Any action brought against Silicon Valley Clean Energy on a claim after it has been presented to and acted upon by Silicon Valley Clean Energy shall be subject to the provisions of Government Code Sections 945.6 and 946, or any successor thereto.
3. **Time of presentation.** All claims must be presented to the Secretary of the Board within the time limitations prescribed by Government Code Section 911.2. For purposes of determining whether a claim is timely presented, a claim shall be considered presented to the Secretary on the date it is received at the mailing address for the Board.
4. **Form.** All claims shall be made in writing and verified by the claimant or by his or her guardian, conservator, executor or administrator, and shall be presented to the Secretary of the Board by the claimant or by a person acting on the claimant’s behalf. All claims shall contain the information required by Government Code Sections 910 and 910.2, or

any successors thereto. No claims may be filed on behalf of a class of persons unless verified by every member of that class as required by this Section.

5. **Review of claims.** All claims shall be reviewed by the Secretary of the Board for sufficiency of information and submitted to the Board or the Executive Committee for approval or rejection. Pursuant to Government Code Section 935.4, the Board delegates to the Chief Executive Officer the authority to allow, compromise, or settle claims for an amount up to \$50,000. Pursuant to Government Code Section 912.4, the Board or the Executive Committee shall act on a claim within 45 days after the claim has been presented. If a claim is amended, the Board or Executive Committee shall act on the amended claim within 45 days after the amended claim is presented. If the claim is not acted on within 45 days, it shall be deemed to have been rejected on the 45th day unless such time period has been extended, in which case it shall be denied on the last day of the period specified in the extension agreement.
6. **Notice and effect.** This Resolution shall take effect upon adoption and approval by the Board.

ADOPTED AND APPROVED this 9th day of April by the following vote:

	NAME	AYES	NOES	ABSTAIN	ABSENT
City of Campbell	Director Scozzola	✓			
City of Cupertino	Director Fruen	✓			
City of Gilroy	Director Hilton	✓			
City of Los Altos	Director Meadows	✓			
Town of Los Altos Hills	Director Tyson	✓			
Town of Los Gatos	Director Rennie	✓			
City of Milpitas	Director Barbadillo	✓			
City of Monte Sereno	Director Mekechuk				✓
City of Morgan Hill	Director Martinez Beltran	✓			
City of Mountain View	Director Showalter	✓			
County of Santa Clara	Director Lee				✓
City of Saratoga	Director Walia	✓			
City of Sunnyvale	Director Klein	✓			

Signed by:

George Tyson
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CHAIR, Silicon Valley Clean Energy

Attest:

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Andrea Pizano
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Andrea Pizano, Board Secretary, Silicon Valley Clean Energy