



# California Community Choice Financing Authority

**California Community Choice Financing Authority (CCCFA)  
Board of Directors Special Meeting  
Friday, August 26, 2022  
1:00 P.M.**

**This Meeting will be conducted via teleconference pursuant to the requirements of [Assembly Bill No. 361](#). By using teleconference for this meeting, CCCFA continues to promote social distancing measures recommended by local officials.**

**Members of the public who wish to observe the meeting may do so telephonically via the following teleconference call-in number and meeting ID:**

**For Viewing Access Join the Zoom Meeting:  
<https://us02web.zoom.us/j/87343304744>**

**Dial-in: (669) 900-6833  
Webinar PIN: 873 4330 4744**

## **Agenda Page 1 of 2**

1. Roll Call/Quorum
2. Public Open Time (Discussion)
3. Consent Calendar (Discussion/Action)
  - C.1 Approval of 7/29/22 Meeting Minutes
  - C.2 Resolution No. 2022-11: Resolution of the Board of Directors of the California Community Choice Financing Authority Authorizing Continued Remote Teleconferencing Meetings for the Board of Directors Pursuant to Government Code Section 54953(e)
4. Resolution No. 2022-12: Resolution of the Board of Directors of the California Community Choice Financial Authority (CCCFA) Approving Clean Power Alliance of Southern California (Clean Power Alliance) as a Founding member of CCCFA (Discussion/Action)

## **Agenda Page 2 of 2**

5. Resolution No. 2022-13: Resolution of the Board of Directors of the California Community Choice Financing Authority (CCCFA) Approving Pioneer Community Energy as an Associate Member of CCCFA (Discussion/Action)
6. Board Member Announcements (Discussion)
7. Adjourn

**DISABLED ACCOMMODATION:** If you are a person with a disability which requires an accommodation, or an alternative format, please contact the Clerk of the Board at (510) 906-0491 as soon as possible to ensure arrangements for accommodation.

**California Community Choice Financing Authority (CCCFA)**  
**Board of Directors Special Meeting**  
**Friday, July 29, 2022**  
**1:00 P.M.**  
**Draft Minutes**

1. Roll Call/Quorum:

Michael Callahan, General Counsel, CCCFA called the regular meeting to order at 1:00pm with quorum established by roll call:

Present:

Zakary Liske, Alternate to Girish Balachandran, SVCE

Garth Salisbury, MCE

Jaya Bajpai, Alternate to Tom Habashi, CCCE

Not Present:

Chair Nick Chaset, EBCE

Staff and Others:

Michael Callahan, General Counsel, CCCFA

Howard Chang, COO, EBCE

Adrian Bankhead – Board Clerk, EBCE

2. Public Open Time (Discussion):

Michael Callahan, General Counsel, CCCFA opened the public comment period and there were no comments.

3. Consent Calendar (Discussion/Action):

C.1 Approval of 7/1/22 Meeting Minutes

C.2 Resolution No. 2022-10: Resolution of the Board of Directors of the California Community Choice Financing Authority Authorizing Continued Remote Teleconference Meetings for the Board of Directors Pursuant to Government Code Section 54953(e)

Action: It was M/S/C (Bajpai / Salisbury) to approve the Consent Calendar. The motion carried:

Consent Calendar Vote:

SVCE – Abstain

MCE – Yes

CCCE – Yes

EBCE – Excused

4. Board Member Announcements (Discussion):

Michael Callahan, General Counsel, CCCFA, announced that the Clean Power Alliance application and request to join CCCFA will be included in the August 26, 2022 CCCFA Board meeting agenda.

5. Adjourned at 1:08pm

DISABLED ACCOMMODATION: If you are a person with a disability which requires an accommodation, or an alternative format, please contact the Clerk of the Board at (510) 906-0491 as soon as possible to ensure arrangements for accommodation.

**RESOLUTION NO. 2022-11**

**RESOLUTION OF THE BOARD OF DIRECTORS OF THE CALIFORNIA COMMUNITY CHOICE FINANCING AUTHORITY AUTHORIZING CONTINUED REMOTE TELECONFERENCE MEETINGS FOR THE BOARD OF DIRECTORS PURSUANT TO GOVERNMENT CODE SECTION 54953(e)**

**WHEREAS**, the California Community Choice Financing Authority (“CCCFA”) is a joint powers authority established on June 25, 2021, and organized under the Joint Exercise of Powers Act, constituting Chapter 5 of Division 7 of Title 1 (commencing with Section 6500) of the California Government Code, as amended and supplemented (the “Act”); and

**WHEREAS**, CCCFA members include the following Community Choice Aggregators: Central Coast Community Energy (“CCCE”, East Bay Community Energy, (“EBCE”), Marin Clean Energy (“MCE”) and Silicon Valley Clean Energy; and

**WHEREAS**, CCCFA is subject to various provisions of the California Government Code; and

**WHEREAS**, Government Code section 54953, as amended by Assembly Bill No. 361, allows legislative bodies to hold open meetings by teleconference without reference to otherwise applicable requirements in Government Code section 54953(b)(3), so long as the legislative body complies with certain requirements set forth in Government Code section 54953(e), finding there exists a declared state of emergency, and one of the following circumstances is met:

1. State or local officials have imposed or recommended measures to promote social distancing.
2. The legislative body is holding the meeting for the purpose of determining, by majority vote, whether as a result of the emergency, meeting in person would present imminent risks to the health or safety of attendees.
3. The legislative body has determined, by majority vote, pursuant to option 2, that, as a result of the emergency, meeting in person would present imminent risks to the health or safety of attendees.

**WHEREAS**, the Governor of California proclaimed a state of emergency pursuant to Government Code section 8625 on March 4, 2020; and

**WHEREAS**, the CCCFA Board of Directors previously adopted Resolution No. 2021-5 finding that the requisite conditions exist for the CCCFA Board of Directors to conduct teleconference meetings under California Government Code section 54953(e);

**WHEREAS**, Government Code section 54953(e)(3) requires the legislative body

adopt certain findings every 30 days by majority vote to continue holding open meetings by teleconference without reference to otherwise applicable requirements in government Code section 54953(b)(3); and

**WHEREAS**, the CCCFA Board of Directors desires to hold the CCCFA Board of Directors public meetings by teleconference consistent with Government Code section 54953(e).

**NOW, THEREFORE, BE IT RESOLVED** by the CCCFA Board of Directors:

- A. The Recitals set forth above are true and correct and are incorporated into this Resolution by this reference.
  
- B. The CCCFA Board of Directors hereby finds and declares the following, as required by Government Code section 54953(e)(3):
  - 1. The CCCFA Board of Directors has reconsidered the circumstances of the state of emergency declared by the Governor pursuant to his or her authority under Government Code section 8625;
  - 2. The state of emergency continues to directly impact the ability of members of the CCCFA Board of Directors to meet safely in person; and
  - 3. State and local officials have imposed or recommended measures to promote social distancing.

**PASSED AND ADOPTED** at a regular meeting of the CCCFA Board of Directors on this 26th day of August, 2022, by the following vote:

	<b>YES</b>	<b>NO</b>	<b>ABSTAIN</b>	<b>ABSENT</b>
Jaya Bajpai, alternate to Tom Habashi				
Nick Chaset				
Garth Salisbury				
Girish Balachandran				

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CHAIR, CCCFA

**Attest:**

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SECRETARY, CCCFA



# California Community Choice Financing Authority

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## Staff Report – Item 4

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**Item 4:** Resolution 2022-12: Resolution of the Board of Directors of the California Community Choice Financing Authority (CCCFA) Approving Clean Power Alliance of Southern California (Clean Power Alliance) as a Founding Member of CCCFA

From: The CCCFA Working Group

Date: 8/26/2022

Attachment: CCCFA Resolution 2022-12

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### **RECOMMENDATION**

The CCCFA Working Group, consisting of a representative from each of the four-founding member Community Choice Aggregators (CCAs),<sup>1</sup> recommends that the Board approve Clean Power Alliance's request to join CCCFA as a Founding Member.

### **BACKGROUND**

*Article III, Section 3.01* of CCCFA's Joint Powers Agreement allows public CCA agencies to join CCCFA as a Founding Member, subject to approval of at least two-thirds (2/3) of the entire Board at a regular or special meeting. Founding Members will have a seat on the CCCFA Board of Directors and provide a representative to the CCCFA Working Group. The CCCFA Board adopted a \$50,000 new membership fee that will be paid by any new members of CCCFA. CCCFA must maintain at least three Founding Members to preserve non-recourse accounting treatment for CCCFA bond issues. The CCCFA Working Group continues to encourage the CCCFA Board to limit the number of Founding Members to maintain efficient operations.

### **ANALYSIS & DISCUSSION**

Clean Power Alliance expressed interest in Founding Membership in CCCFA. The CCCFA Working Group has determined that an additional Founding Member would result in a positive fiscal impact and improve operational flexibility with only modest additional administrative complexity.

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<sup>1</sup> The CCCFA founding members are Central Coast Community Energy (3CE), East Bay Community Energy (EBCE), Marin Clean Energy (MCE), and Silicon Valley Clean Energy (SVCE).



CCCFA would receive a fiscal benefit from accepting Clean Power Alliance as a member. As a new member, Clean Power Alliance would help capitalize CCCFA and defray the costs for existing members. Clean Power Alliance would be required to pay a \$50,000 new membership fee and will start paying a pro-rata share of the CCCFA General and Administrative expenses for the full year in the year they join.

An additional Board Member may make scheduling and conducting Board meetings more administratively complex. However, given the Board is currently composed of four members, one additional member would not increase the number of Board members needed to reach a quorum and would create additional flexibility in establishing a quorum for any particular meeting. Another Board representative would also provide additional flexibility in preserving the non-recourse accounting treatment of CCCFA bond issues. For example, two of the Founding Members could decide to withdraw membership in CCCFA and three members would still remain allowing for non-recourse accounting treatment. This would allow more flexibility within the CCCFA membership while preserving non-recourse accounting treatment of CCCFA bond issues.

#### **FISCAL IMPACT**

CCCFA would receive a \$50,000 new membership fee.

#### **RECOMMENDATION**

Recommend that the Board adopt Resolution 2022-12 approving Clean Power Alliance as a Founding Member of CCCFA.

**RESOLUTION NO. 2022-12**

**RESOLUTION OF THE BOARD OF DIRECTORS OF THE CALIFORNIA  
COMMUNITY CHOICE FINANCING AUTHORITY (CCCFA) APPROVING  
CLEAN POWER ALLIANCE OF SOUTHERN CALIFORNIA (CLEAN  
POWER ALLIANCE) AS A FOUNDING MEMBER OF CCCFA**

**WHEREAS**, the California Community Choice Financing Authority (“CCCFA”) is a joint powers authority established on June 25, 2021, and organized under the Joint Exercise of Powers Act, constituting Chapter 5 of Division 7 of Title 1 (commencing with Section 6500) of the California Government Code, as amended and supplemented (the “Act”); and

**WHEREAS**, CCCFA was established pursuant to a Joint Powers Agreement, as amended from time to time (“CCCFA Joint Powers Agreement”); and

**WHEREAS**, CCCFA members include the following Community Choice Aggregators: Central Coast Community Energy, East Bay Community Energy, Marin Clean Energy and Silicon Valley Clean Energy; and

**WHEREAS**, Clean Power Alliance is a community choice aggregator, as defined in Section 331.1 of the Public Utilities Code, and a public agency as defined in Section 6500 of the Government Code, which has implemented a CCA program pursuant to Section 366.2 of the Public Utilities Code; and

**WHEREAS**, the Clean Power Alliance possess the power to purchase and sell electric energy, enter into related contracts for such purposes, and is qualified to join membership in CCCFA; and

**WHEREAS**, on July 7, 2022, Clean Power Alliance requested membership in CCCFA; and

**WHEREAS**, the CCCFA Joint Powers Agreement allows a new member to join as a Founding Member or an Associate Member, subject to approval by the CCCFA Board of Directors; and

**WHEREAS**, the CCCFA Board of Directors adopted a \$50,000 new membership entry fee during the March 11, 2022 CCCFA Board Meeting for a share of organization, planning, and other costs and charges (“Membership Fee”); and

**WHEREAS**, Clean Power Alliance requested to join CCCFA as a Founding Member, and has indicated it intends to designate Ted Bardacke as its initial CCCFA Board representative and David McNeil as its initial working group representative; and

**NOW, THEREFORE, BE IT RESOLVED** by the CCCFA Board of Directors, that Clean Power Alliance is approved as a Founding Member of CCCFA.

**PASSED AND ADOPTED** at a regular meeting of the CCCFA Board of Directors on this 26th day of August, 2022, by the following vote:

	<b>YES</b>	<b>NO</b>	<b>ABSTAIN</b>	<b>ABSENT</b>
Jaya Bajpai, alternate to Tom Habashi				
Nick Chaset				
Garth Salisbury				
Girish Balachandran				

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CHAIR, CCCFA

**Attest:**

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ACTING SECRETARY, CCCFA



# California Community Choice Financing Authority

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## Staff Report – Item 5

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**Item 5:** Resolution 2022-13: Resolution of the Board of Directors of the California Community Choice Financing Authority (CCCFA) Approving Pioneer Community Energy (Pioneer) as an Associate Member of CCCFA

From: The CCCFA Working Group

Date: 8/26/2022

Attachment: CCCFA Resolution 2022-13

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### **RECOMMENDATION**

The CCCFA Working Group, consisting of a representative from each of the four-founding member Community Choice Aggregators (CCAs),<sup>1</sup> recommends that the Board approve Pioneer’s request to join CCCFA as an Associate Member.

### **BACKGROUND**

*Article III, Section 3.02* of CCCFA’s Joint Powers Agreement allows public CCA agencies to join CCCFA as an Associate Member, subject to approval of a majority of the Directors in attendance at a regular or special meeting. Associate Members are not required to have a seat on the CCCFA Board of Directors or provide a representative to the CCCFA Working Group. The CCCFA Board adopted a \$50,000 new membership fee that will be paid by any new members of CCCFA.

### **ANALYSIS & DISCUSSION**

Pioneer expressed interest in Associate Membership in CCCFA. The CCCFA Working Group has determined that an additional Associate Member would result in a positive fiscal impact.

CCCFA would receive a fiscal benefit from accepting Pioneer as a member. As a new member, Pioneer would help capitalize CCCFA and defray the costs for existing members. Pioneer would be required

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<sup>1</sup> The CCCFA founding members are Central Coast Community Energy (3CE), East Bay Community Energy (EBCE), Marin Clean Energy (MCE), and Silicon Valley Clean Energy (SVCE).

to pay a \$50,000 new membership fee and will start paying a pro-rata share of the CCCFA General and Administrative expenses for the full year in the year they join.

Since Associate Members do not have Board representative, adding Pioneer as an Associate Member is not expected to create significant additional administrative complexity associated with operating CCCFA.

**FISCAL IMPACT**

CCCFA would receive a \$50,000 new membership fee.

**RECOMMENDATION**

Recommend that the Board adopt Resolution 2022-12 approving Pioneer as a Founding Member of CCCFA.

**RESOLUTION NO. 2022-13**

**RESOLUTION OF THE BOARD OF DIRECTORS OF THE CALIFORNIA  
COMMUNITY CHOICE FINANCING AUTHORITY (CCCFA) APPROVING  
PIONEER COMMUNITY ENERGY AS AN ASSOCIATE MEMBER OF  
CCCFA**

**WHEREAS**, the California Community Choice Financing Authority (“CCCFA”) is a joint powers authority established on June 25, 2021, and organized under the Joint Exercise of Powers Act, constituting Chapter 5 of Division 7 of Title 1 (commencing with Section 6500) of the California Government Code, as amended and supplemented (the “Act”); and

**WHEREAS**, CCCFA was established pursuant to a Joint Powers Agreement, as amended from time to time (“CCCFA Joint Powers Agreement”); and

**WHEREAS**, CCCFA members include the following Community Choice Aggregators: Central Coast Community Energy, East Bay Community Energy, Marin Clean Energy and Silicon Valley Clean Energy; and

**WHEREAS**, Pioneer Community Energy is a community choice aggregator, as defined in Section 331.1 of the Public Utilities Code, and a public agency as defined in Section 6500 of the Government Code, which has implemented a CCA program pursuant to Section 366.2 of the Public Utilities Code; and

**WHEREAS**, Pioneer Community Energy possess the power to purchase and sell electric energy, enter into related contracts for such purposes, and is qualified to join membership in CCCFA; and

**WHEREAS**, on July 21, 2022 Pioneer Community Energy requested membership in CCCFA; and

**WHEREAS**, the CCCFA Joint Powers Agreement allows a new member to join as a Founding Member or an Associate Member, subject to approval by the CCCFA Board of Directors; and

**WHEREAS**, the CCCFA Board of Directors adopted a \$50,000 new membership entry fee during the March 11, 2022 CCCFA Board Meeting for a share of organization planning, and other costs and charges (“Membership Fee”); and

**WHEREAS**, Pioneer Community Energy requested to join CCCFA as an Associate Member;

**NOW, THEREFORE, BE IT RESOLVED** by the CCCFA Board of Directors that Pioneer Community Energy is approved as an Associate Member of CCCFA.

**PASSED AND ADOPTED** at a regular meeting of the CCCFA Board of Directors on this 26th day of August, 2022, by the following vote:

	<b>YES</b>	<b>NO</b>	<b>ABSTAIN</b>	<b>ABSENT</b>
Jaya Bajpai, alternate to Tom Habashi				
Nick Chaset				
Garth Salisbury				
Girish Balachandran				

\_\_\_\_\_  
CHAIR, CCCFA

**Attest:**

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ACTING SECRETARY, CCCFA