



**Board of Directors Regular Meeting
November 20, 2025, 2:00 p.m.**

**City of Lancaster, Council Chambers
44933 Fern Avenue, Lancaster CA 93534**

**Alternate Location:
City of Industry, Council Chambers
15651 Mayor Dave Way, City of Industry, CA 91744**

Members of the public can observe the livestream of the meeting via Zoom by clicking:

<https://us02web.zoom.us/j/82245391862>
1(669) 900-9128
Webinar ID: 822 4539 1862

All documents available for public review are on file with the First Public Hydrogen Authority (FPH₂) Secretary located at the City of Lancaster, City Clerk's Office, 44933 Fern Avenue, Lancaster, CA 93534.

Members of the public can provide public comments in writing or orally in person as follows:
Written Comments: If you are unable to participate in person and you wish to make a comment, you may submit written comments by 9:00am on the day of the meeting via email to: Secretary@FPH2.org. All written comments will be posted online and become part of the meeting record. Public comments received in writing will not be read aloud at the meeting.

Oral Comments: Members of the public can address the Board in person on items on the agenda at the time the item is being addressed or during Public Comments for topics that are not listed on the agenda. Speakers are limited to three (3) minutes each. In conformance with the Brown Act, no Board action can occur on items presented during Public Comment.

To address the Board regarding an item on the agenda, please fill out a speaker card and submit it to the Board Secretary before the Board Chair announces the item. If you desire to speak during Public Comment, please fill out a speaker card and submit it to the Board Secretary. When you are called to speak, please come forward to the podium and state your name.

CALL TO ORDER

ROLL CALL

FLAG SALUTE

ACTION ITEMS

Prior to action of the FPH₂ Board, any member of the public will have the opportunity to address the FPH₂ on any item listed on the agenda.

PRESENTATION

None

Consent Calendar

Item 1: Approve Minutes of September 18, 2025, Regular Meeting

RECOMMENDATION

Approve the Minutes of September 18, 2025, Regular Board Meeting.

Item 2: Receive and File Treasurer’s Report for Period Ended August 31, 2025

RECOMMENDATION

Receive and File Treasurer’s Report for period ended August 31, 2025.

Item 3: Receive and File Treasurer’s Report for Period Ended September 30, 2025

RECOMMENDATION

Receive and File Treasurer’s Report for period ended September 30, 2025.

Item 4: Consider Approval of First Public Hydrogen Authority Administrative Policies

RECOMMENDATION

Approve the following First Public Hydrogen Authority administrative policies:

- FPH2 2025-001 Procurement Policy – replaces in its entirety the prior FPH2 2025-001 Non-Energy Public Contracting Policy
- FPH2 2025-### Internal Social Media Policy
- FPH2 2025-### External Social Media Policy
- FPH2 2025-### Records Retention Policy
- FPH2 2025-### Fixed Assets Policy

New Business

Item 5: Consider Approval of First Public Hydrogen Authority Legislative and Regulatory Policy Platform

RECOMMENDATION

Approve the First Public Hydrogen Authority Legislative and Regulatory Policy Platform.

Item 6: Consider Adoption of a Resolution Revising the First Public Hydrogen Authority Regular Meeting Schedule and Rescinding Resolution No. 2025-005

RECOMMENDATION

Adopt a resolution revising the First Public Hydrogen Authority Regular Board Meeting schedule and rescinding Resolution No. 2025-005.

Item 7: Chief Executive Officer Update on Procurement, Marketing and Outreach, Transportation Services and General Administrative Topics

RECOMMENDATION

Receive updates from the Chief Executive Officer on Procurement, Marketing and Outreach, Transportation Services and General Administrative Topics.

Item 8: General Counsel Update on FPH2 Matters

RECOMMENDATION

Receive update General Counsel on FPH2 Matters.

PUBLIC COMMENT

BOARD MEMBER QUESTIONS/COMMENTS AND REPORTS ON FPH2 RELATED TRAVEL

BOARD REQUESTS FOR FUTURE AGENDA ITEMS

NEXT MEETING: Regular Board Meeting December 18, 2:00 p.m.

If you are an individual with a disability and need a reasonable modification or accommodation pursuant to the Americans with Disabilities Act (“ADA”), please contact Secretary@FPH2.org prior to the meeting for assistance.

**First Public Hydrogen Authority
Board of Directors Regular Meeting Minutes
September 18, 2025, 2:00 p.m.
City of Lancaster, Council Chambers
44933 Fern Avenue, Lancaster CA 93534
Alternate Location:
City of Industry, Council Chambers
15651 Mayor Dave Way, City of Industry, CA 91744**

CALL TO ORDER: The regular meeting of the First Public Hydrogen Authority (FPH2) was called to order by Chair Parris at 2:10 p.m.

ROLL CALL: Board Members: Peacock, Medrano, Vice Chair Ruggles, Chair Parris. Board Members Brouwer, Hertzberg, and Vasquez were absent. Board member Vasquez arrived at 2:35 p.m.

FLAG SALUTE: Chair Parris led the flag salute.

Consent Calendar

Item 1: Approve Minutes of August 21, 2025, Regular Meeting

RECOMMENDATION

Approve the Minutes of August 21, Regular Board Meeting.

Item 2: Receive and File Treasurer’s Report for Period Ended July 31, 2025

RECOMMENDATION

Receive and File Treasurer’s Report for period ended July 31, 2025.

Item 3: Consider Approval of First Public Hydrogen Authority Cost Confidentiality Policy

RECOMMENDATION

Approve the First Public Hydrogen Cost Confidentiality Policy.

Item 4: Consider Approval of First Public Hydrogen Authority Board Travel Reimbursement Policy

RECOMMENDATION

Approve the First Public Hydrogen Authority Board Travel Reimbursement Policy.

Item 5: Approve Hydroplane Sublease for Property at 431 E Avenue K4

RECOMMENDATION

through September 30, 2026, with an option for up to five (5) annual extensions, for a base rate of eight hundred dollars (\$800) per month, in substantially the form of the attached Sublease Agreement; and

Authorize the Chief Executive Officer, or his designee, to sign the Sublease Agreement, and up to five (5) one-year extensions thereof, subject to General Counsel approval.

Vice Chair Ruggles pulled Item 5 from the Consent Calendar for presentation of a staff report.

Chief Executive Officer Jason Caudle presented the report for Item 5.

Motion by Chair Parris, second by Board Member Medrano, to approve the Consent Calendar.

Motion approved unanimously.

New Business

Item 6: Consider Approval of Resolution Approving and Authorizing the City of Montebello to Enter into the Joint Exercise of Powers Agreement for the First Public Hydrogen Authority (FPH2)

RECOMMENDATION

Adopt Resolution No. 2025-014, Approving and Authorizing the City of Montebello to Enter into the Joint Exercise of Powers Agreement for the First Public Hydrogen Authority and authorizing the Chief Executive Officer to execute all necessary documents to finalize the membership.

Chief Executive Officer Jason Caudle provided the staff report.

Motion by Board Member Peacock, second by Board Member Medrano, to approve the recommendation.

Motion approved unanimously.

Item 7: Marketing and Social Media Update

RECOMMENDATION

Receive marketing and social media update.

Director Alexis Merino presented an update highlighting the six areas of marketing focus and the editorial pillars under which they fall.

Board questions/comments included: highlighting the educational component about hydrogen, and direct outreach to contacts in important industries.

Item 8: Chief Executive Officer Update on Procurement, Marketing and Outreach, Transportation Services and General Administrative Topics

RECOMMENDATION

Receive updates from the Chief Executive Officer on Procurement, Marketing and Outreach, Transportation Services and General Administrative Topics.

Chief Executive Officer Jason Caudle provided an update noting that FPH2 is working on some stationary power projects that will be buying and using hydrogen at a substantial savings, and once launched FPH2 will have a solidified project to present publicly showing the substantial savings compared to traditional industry; commented on the RFP for transportation services; commented on outreach efforts; and discussion with potential cities to join FPH2.

Item 9: General Counsel Update on FPH2 Matters

RECOMMENDATION

Receive update General Counsel on FPH2 Matters.

General Counsel Allison Burns commented on SB 707, which changes some of the provisions of the Brown Act and noted that a more in-depth report will be presented once the bill is signed into law.

PUBLIC COMMENT

Addressing the Board was Will Crampton, Vice President of Business Development, TO Viridi, regarding Flying High 2025, the hydrogen event for aviation taking place online on November 5.

BOARD MEMBER QUESTIONS/COMMENTS AND REPORTS ON FPH2 RELATED TRAVEL

Board Member Vasquez commented that the League of California Cities would be an ideal place to share about FPH2 and engage interest for potential new members.

BOARD MEMBER REQUESTS FOR FUTURE AGENDA ITEMS

Board Member Peacock requested an item regarding transparency strategies for the delivered cost of hydrogen.

Chair Parris adjourned the meeting at 2:54 pm.

NEXT MEETING: Regular Board Meeting October 16, 2025

Susan Caputo, MMC

Board Secretary

Approved:



STAFF REPORT

11/20/25
JC

Date: November 20, 2025

To: Chair Parris and Authority Members

From: Barbara Boswell, Treasurer

Item 2: **Receive and File Treasurer’s Report for Period Ended August 31, 2025**

Recommendation:

Receive and file Treasurer’s Report for period ended August 31, 2025.

Fiscal Impact:

There is no fiscal impact by this action.

Background:

This Treasurer’s Report provides the Board with the following financial information for the period ended August 31, 2025:

- Statement of Financial Position (Unaudited) – Reports assets, liabilities, and financial position of First Public Hydrogen Authority (FPH2) as of August 31, 2025.
- Statement of Revenues, Expenses and Changes in Net Position (Unaudited) as of August 31, 2025.
- Budget to Actuals Comparison Schedule (Unaudited) – Reports actual revenues and expenditures compared to the adopted budget as of August 31, 2025.
- List of Payments Issued – Reports payments issued in August 2025.
- List of Sole Source Agreements Executed in August 2025

**FIRST PUBLIC HYDROGEN AUTHORITY
STATEMENT OF NET POSITION**

Unaudited

As of August 31, 2025

ASSETS

Cash	<u>\$1,796,620</u>
TOTAL ASSETS	<u>\$1,796,620</u>

LIABILITIES

Current Liabilities	
Accounts Payable	\$85,801
Employment Taxes Payable	4,449
Employee Benefits Payable	<u>22,314</u>
Total Current Liabilities	\$112,564
Noncurrent Liabilities	
Due to City of Lancaster	<u>\$3,664,354</u>
Total Noncurrent Liabilities	<u>\$3,664,354</u>
TOTAL LIABILITIES	<u>\$3,776,918</u>
NET POSITION	<u>(\$1,980,298)</u>

FIRST PUBLIC HYDROGEN AUTHORITY
STATEMENT OF REVENUES, EXPENSES AND CHANGES IN NET POSITION

Unaudited

Period Ended August 31, 2025

OPERATING REVENUES

Interest Income \$111

TOTAL OPERATING REVENUES **\$111**

OPERATING EXPENSES

Staff Salaries & Benefits \$241,783

Board Stipends 11,200

Operating Materials & Supplies 1,142

Special Events 557

IT Software/Subscriptions 2,112

Professional/Technical Services 173,813

Legal Services 57,915

Sponsorships 9,038

Marketing & Outreach 707

Dues & Memberships

Meetings & Conferences 150

Insurance 50

Utilities 5,012

Building Rent 4,000

Travel/Mileage Reimbursement 4,335

Interest Expense 18,436

TOTAL OPERATING EXPENSES **\$530,250**

OPERATING INCOME (LOSS) **(\$530,139)**

FIRST PUBLIC HYDROGEN AUTHORITY
BUDGET TO ACTUALS COMPARISON
Unaudited

Period Ended August 31, 2025

	BUDGET	ACTUALS	AVAILABLE	AVAILABLE
	<u>\$0.00</u>	<u>\$111</u>	BUDGET \$	BUDGET %
OPERATING REVENUE				
OPERATING EXPENSES				
Staff Salaries & Benefits	\$255,900	241,783	14,117	5.51%
Board Stipends	22,333	11,200	11,133	49.85%
Materials & Supplies	18,333	1,142	17,191	93.77%
Special Events	8,333	557	7,776	93.31%
Computer Hardware & Software	12,500	2,112	10,388	83.10%
Professional/Technical	250,000	173,813	76,187	30.47%
Legal Services	43,333	57,915	(14,582)	-33.65%
Sponsorships	16,667	9,038	7,628	45.77%
Marketing & Outreach	13,333	707	12,627	94.70%
Dues & Memberships	3,667	0	3,667	100.00%
Meetings & Conferences	2,500	150	2,350	93.96%
Travel/Mileage	18,333	3,903	14,430	78.71%
Travel/Meals	0	432	(432)	0.00%
Insurance	9,333	50	9,283	99.46%
Utilities	9,167	5,012	4,154	45.32%
Office Rent	4,000	4,000	0	0.00%
Interest Exp	16,667	18,436	(1,770)	0.00%
Furniture & Fixtures	<u>2,575</u>	<u>0</u>	<u>2,575</u>	<u>100.00%</u>
TOTAL OPERATING EXPENSES	<u>\$706,975</u>	<u>\$530,250</u>	<u>\$176,725</u>	<u>25.00%</u>
CHANGE IN NET POSITION	(\$706,975)	(530,139)	\$176,837	

**FIRST PUBLIC HYDROGEN AUTHORITY
LIST OF PAYMENTS ISSUED
AUGUST 2025**

Process Date	Vendor	Invoice Number	Payment Reference	Payment Method	Amount
8/1/25	Antelope Valley Press Inc.	00089154	P25073102 - 6755649	BILL EFT	\$ 706.56
					\$ 706.56
8/4/25	Principal Life Insurance Company	07162025	P25080402 - 7856471	Other	\$ 429.12
					\$ 429.12
8/7/25	Alexus Merino	7/16/25	P25080602 - 8594476	BILL EFT	\$ 171.76
8/7/25	Frydman Counsel, Inc.	30001	P25080602 - 8594496	BILL EFT	\$ 31,250.00
8/7/25	Jason Caudle	08/04/2025 Travel (2)	P25080702 - 8679277	BILL EFT	\$ 161.76
8/7/25	Jason Caudle	08/04/2025 Travel	P25080602 - 8594494	BILL EFT	\$ 624.97
8/7/25	Lorraine Paskett	08/04/2025 Travel (2)	P25080702 - 8679275	BILL EFT	\$ 350.23
8/7/25	Lorraine Paskett	08/04/2025 Travel	P25080602 - 8594488	BILL EFT	\$ 624.97
8/7/25	The Bayshore Consulting Group, Inc	1420	P25080602 - 8594499	BILL EFT	\$ 21,603.76
8/7/25	Willson Consulting	139	P25080602 - 8594481	BILL EFT	\$ 5,950.00
					\$ 60,737.45
8/8/25	Humana Insurance Co.	072985995	P25090402 - 5990559	Other	\$ 369.21
					\$ 369.21
8/11/25	Paychex	2025073100	P25081402 - 0913397	Other	\$ 85.50
					\$ 85.50
8/15/25	Gonzalez Property Svcs.	23606	P25081402 - 0907662	BILL EFT	\$ 1,240.00
8/15/25	Infinity Technologies	4203	P25081402 - 0907660	BILL Check	\$ 1,022.50
8/15/25	Lorraine Paskett	08/04/2025 Travel (3)	P25081402 - 0907654	BILL EFT	\$ 40.00
8/15/25	Ryan Conover Unlimited LLC	1	P25081402 - 0907656	BILL EFT	\$ 30,000.00
8/15/25	The Winter Co.	16581-000293	P25081402 - 0907658	BILL EFT	\$ 900.00
8/15/25	Tripepi, Smith & Associates, Inc.	15294	P25081402 - 0907666	BILL EFT	\$ 1,132.00
8/15/25	Tripepi, Smith & Associates, Inc.	15210	P25081402 - 0907664	BILL EFT	\$ 2,818.75
					\$ 37,153.25
8/21/25	CaliforniaChoice Benefit Administrators	4901897	P25082102 - 2520292	Other	\$ 5,563.45
					\$ 5,563.45
8/22/25	Ashley Wegner	07242025	P25082102 - 2515823	BILL EFT	\$ 65.31
8/22/25	ENSO Advisory Services, LLC	08012025	P25082102 - 2515825	BILL EFT	\$ 16,000.00
8/22/25	Jason Caudle	08/04/2025 Travel (3)	P25082102 - 2515835	BILL EFT	\$ 342.08
8/22/25	Race Communications	RC1738245	P25082102 - 2515839	BILL Check	\$ 86.34
					\$ 16,493.73
8/29/25	Ashley Wegner	8/21/25	P25082802 - 4419127	BILL EFT	\$ 22.00
8/29/25	Ashley Wegner	8/27/25	P25082802 - 4419139	BILL EFT	\$ 138.09
8/29/25	Braun Blaising & Wynne, P.C.	22805	P25082802 - 4419137	BILL EFT	\$ 32,800.50
8/29/25	City of Lancaster	9/1/25	P25082102 - 2517431	BILL EFT	\$ 1,600.00
8/29/25	Ernesto Medrano	9/1/25	P25082102 - 2517437	BILL Check	\$ 1,600.00
8/29/25	Jacob Brouwer	9/1/25	P25082102 - 2517425	BILL Check	\$ 1,600.00
8/29/25	LA County Waterworks	7292819	P25082802 - 4419149	BILL Check	\$ 316.59
8/29/25	LA County Waterworks	7292820	P25082802 - 4419152	BILL Check	\$ 1,084.23
8/29/25	Newell Wayne Ruggles	9/1/25	P25082102 - 2517439	BILL EFT	\$ 1,600.00
8/29/25	Paul Whang	PW Mileage	P25082802 - 4419131	BILL EFT	\$ 255.43
8/29/25	Robert M. Hertzberg	9/1/25	P25082102 - 2517423	BILL Check	\$ 1,600.00
8/29/25	Southern California Edison.	7/22/25 to 8/19/25	P25082802 - 4419147	BILL Check	\$ 1,529.37
8/29/25	Tanya Peacock	9/1/25	P25082102 - 2517429	BILL EFT	\$ 1,600.00
8/29/25	The Winter Co.	16581-000294	P25082802 - 4419135	BILL EFT	\$ 900.00
8/29/25	Vasquez Impact Solutions LLC	9/1/25	P25082102 - 2517441	BILL Check	\$ 1,600.00
8/29/25	Waste Management	6122903-2508-5	P25082802 - 4419143	BILL Check	\$ 501.25
	TOTAL PAYMENTS				\$ 170,285.73

LIST OF SOLE SOURCE AGREEMENTS EXECUTED AUGUST 2025

VENDOR NAME	DESCRIPTION	TERM	NOT TO EXCEED AMOUNT
NONE TO REPORT			



STAFF REPORT

11/20/25
JC

Date: November 20, 2025

To: Chair Parris and Authority Members

From: Barbara Boswell, Treasurer

Item 3: **Receive and File Treasurer’s Report for Period Ended September 30, 2025**

Recommendation:

Receive and file Treasurer’s Report for period ended September 30, 2025.

Fiscal Impact:

There is no fiscal impact by this action.

Background:

This Treasurer’s Report provides the Board with the following unaudited financial information for the period ended September 30, 2025:

- Balance Sheet
- Statement of Revenues, Expenses and Changes in Net Position
- Budget to Actuals Comparison
- List of Payments Issued
- Status of City of Lancaster Promissory Note
- Open Purchase Orders
- Sole Source Agreements

FINANCIAL OVERVIEW

As of September 30, 2025, First Public Hydrogen Authority (FPH2) assets totaled \$1,020,986 with \$3,963,589 in total liabilities for a net position of (\$2,942,603).

During the 1st quarter of the fiscal year, FPH2 expended \$986,934, representing 93% of amount budgeted for that same period. FPH2 earned \$4,020 in interest through managing its funds in the River City Bank ICS Investment and Money Market Accounts. A total of \$219,269 in payments were issued and has \$1,009,508 remaining in open purchase orders.

FPH2 start-up funding is through a Promissory Note from City of Lancaster. The total approved Note is \$6,600,000 with \$3,000,000 currently available. Interest accrues monthly, with a current interest rate of 4.212%

Detailed financial information is presented in the following pages.

If you have questions or would like additional information, please let me know.

Barbara Boswell
Treasurer

FIRST PUBLIC HYDROGEN AUTHORITY
BALANCE SHEET
Unaudited
As of September 30, 2025

ASSETS

Cash	
River City Bank - Operating Checking	\$89,625
Wells Fargo Bank (Lancaster Balance)	(193,350)
River City Bank - ICS Investment Account	503,073
River City Bank - Money Market Public Funds	<u>551,129</u>
Total Cash	<u>\$950,477</u>
Other Assets	
Fixed Assets	<u>\$70,509</u>
Total Other Assets	<u>\$70,509</u>
TOTAL ASSETS	<u>\$1,020,986</u>

LIABILITIES

Current Liabilities	
Accounts Payable	\$256,685
Credit Card Payable	6,297
Employment Taxes Payable	0
Employee Benefits Payable	<u>23,617</u>
Total Current Liabilities	\$286,599
Noncurrent Liabilities	
Due to City of Lancaster	<u>\$3,676,990</u>
Total Noncurrent Liabilities	<u>\$3,676,990</u>
TOTAL LIABILITIES	<u>\$3,963,589</u>
NET POSITION	<u>(\$2,942,603)</u>

FIRST PUBLIC HYDROGEN AUTHORITY
STATEMENT OF REVENUES, EXPENSES AND CHANGES IN NET POSITION
Unaudited
Period Ended September 30, 2025

OPERATING REVENUES	
Interest Income	<u>\$4,202</u>
TOTAL OPERATING REVENUES	<u>\$4,202</u>
OPERATING EXPENSES	
Staff Salaries & Benefits	\$409,162
Board Stipends	22,400
Operating Materials & Supplies	1,200
Special Events	1,160
IT Software/Subscriptions	7,708
Professional/Technical Services	353,091
Legal Services	101,747
Sponsorships	10,044
Marketing & Outreach	1,615
Dues & Memberships	5,000
Meetings & Conferences	0
Insurance	19,659
Utilities	6,931
Building Rent	6,000
Travel/Mileage Reimbursement	10,146
Interest Expense	<u>31,072</u>
TOTAL OPERATING EXPENSES	<u>\$986,934</u>
OPERATING INCOME (LOSS)	<u>(\$982,732)</u>

FIRST PUBLIC HYDROGEN AUTHORITY
BUDGET TO ACTUALS COMPARISON
Unaudited

Period Ended September 30, 2025

	BUDGET	ACTUALS	AVAILABLE	AVAILABLE
	<u>\$0.00</u>	<u>\$4,202</u>	BUDGET \$	BUDGET %
OPERATING REVENUE				
OPERATING EXPENSES				
Staff Salaries & Benefits	\$383,850	\$409,162	(\$25,312)	-6.59%
Board Stipends	33,500	22,400	11,100	33.13%
Materials & Supplies	27,500	1,200	26,300	95.64%
Special Events	12,500	1,160	11,340	90.72%
IT				
Software/Subscriptions	18,750	7,708	11,042	58.89%
Professional/Technical	375,000	353,091	21,909	5.84%
Legal Services	65,000	101,748	(36,747)	-56.53%
Sponsorships	25,000	10,044	14,956	59.83%
Marketing & Outreach	20,000	1,615	18,385	91.93%
Dues & Memberships	5,500	5,000	500	9.09%
Meetings & Conferences	3,750	0	3,750	100%
Travel/Mileage	27,500	9,627	17,873	64.99%
Travel/Meals	0	519	(519)	
Insurance	14,000	19,659	(5,659)	-40.42%
Utilities	13,750	6,931	6,819	49.60%
Office Rent	6,000	6,000	0	0.00%
Interest Exp	25,000	31,072	(6,072)	-24.29%
Furniture & Fixtures	<u>3,863</u>	<u>0</u>	<u>3,863</u>	<u>100.00%</u>
TOTAL OPERATING EXPENSES	<u>\$1,060,463</u>	<u>\$986,933</u>	<u>\$73,529</u>	<u>6.93%</u>
CHANGE IN NET POSITION	(\$1,060,463)	(\$982,731)	\$77,732	7.33%

**FIRST PUBLIC HYDROGEN AUTHORITY
LIST OF PAYMENTS ISSUED
SEPTEMBER 2025**

Process Date	Vendor	Invoice Number	Description	Payment Method	Amount
9/3/25	Humana Insurance Co.	72985990	Dental & Vision Premiums	Other	\$ 369.21
9/3/25	Principal Life Insurance Company	8172025	Life & ADD Insurance Premiums	Other	\$ 429.12
9/5/25	Frydman Counsel, Inc.	40001	Strategic Planning	BILL EFT	\$ 31,250.00
9/5/25	Hall Energy Law PC	2020011104	Legal Services	BILL Check	\$ 337.50
9/5/25	Jacob Brouwer	8/21/2025	Travel Reimbursement	BILL Check	\$ 44.10
9/5/25	Lancaster Baptist Church	8/29/25	Sponsorship	BILL EFT	\$ 5,400.00
9/5/25	SoCalGas	8292025	Utilities	BILL Check	\$ 64.93
9/5/25	Stradling Yocca Carlson Rauth LLP	423309	Legal Services	BILL Check	\$ 16,202.00
9/5/25	Tanya Peacock	8/21/2025	Travel Reimbursement	BILL EFT	\$ 19.95
9/5/25	Willson Consulting	140	Transportation Consulting	BILL EFT	\$ 11,987.50
9/10/25	Paychex	2025082800	Payroll Services	Other	\$ 68.00
9/12/25	Colonial Life	6.31473E+13	Supplemental Insurance Premiums	Other	\$ 211.79
9/12/25	Gonzalez Property Svcs.	23636	Cleaning Services	BILL EFT	\$ 1,240.00
9/12/25	Infinity Technologies	4280	Information Technology Services	BILL Check	\$ 705.00
9/12/25	KP Public Affairs	7013830	Lobbying Services	BILL EFT	\$ 2,903.00
9/12/25	KP Public Affairs	7014018	Lobbying Services	BILL EFT	\$ 10,000.00
9/12/25	Race Communications	RC1781736	Internet Service	BILL Check	\$ 79.09
9/12/25	Stradling Yocca Carlson Rauth LLP	423309A	Legal Services	BILL Check	\$ 8,575.00
9/12/25	The Bayshore Consulting Group, Inc	1439	Consulting Services	BILL EFT	\$ 16,498.98
9/12/25	The Winter Co.	16581-000297	Administrative Support	BILL EFT	\$ 900.00
9/16/25	Factor One, Inc.	5973	Consulting Services	BILL Check	\$ 520.00
9/19/25	FTI Consulting, Inc.	1.001E+11	Consulting Services	BILL Check	\$ 46,056.25
9/19/25	FTI Consulting, Inc.	1.001E+11	Consulting Services	BILL Check	\$ 48,592.50
9/19/25	Jared Anderson	1	Social Media Creation	BILL EFT	\$ 525.00
9/22/25	Paychex	11544099	Payroll Services	Other	\$ 300.00
9/22/25	Tripepi, Smith & Associates, Inc.	15419	Marketing Services	BILL EFT	\$ 1,132.00
9/22/25	Tripepi, Smith & Associates, Inc.	15418	Marketing Services	BILL EFT	\$ 1,458.75
9/23/25	CaliforniaChoice Benefit Administrators	4926479	Medical Premiums	Other	\$ 5,563.45
9/25/25	Employment Development Department	9252025	State SDI	Other	\$ 4,449.35
9/26/25	Industry Hills Charity Pro Rodeo	25-090	Sponsorship	BILL EFT	\$ 1,000.00
9/26/25	Jason Caudle	JC 9232025 RMBRSMNTS	Travel Reimbursement	BILL EFT	\$ 1,486.49
9/26/25	The Winter Co.	16581-000299	Administrative Support	BILL EFT	\$ 900.00
			Grand Total		\$ 219,268.96

LIST OF SOLE SOURCE AGREEMENTS EXECUTED SEPTEMBER 2025

VENDOR NAME	DESCRIPTION	TERM	NOT TO EXCEED AMOUNT
Miller Strategies	Consulting and Lobbying	10/1-12/31/2025	\$105,000

**First Public Hydrogen Authority
Status of City of Lancaster Promissory Note
as of September 30, 2025**

Original Note Amount 1/28/25:	\$ 2,600,000.00
Amendment 8/12/25:	4,000,000.00
Total Promissory Note Approved:	<u>\$ 6,600,000.00</u>

Total Drawdowns:	\$ 3,600,000.00
Interest Accrued:	76,990.24
Balance Owed to Lancaster:	<u>\$ 3,676,990.24</u>

Drawdown Date	Drawdowns Amt	Available Balance
1/30/25	\$ 2,600,000.00	\$ 4,000,000.00
8/27/25	1,000,000.00	3,000,000.00

**FIRST PUBLIC HYDROGEN AUTHORITY
LT PAYABLE - CITY OF LANCASTER
AS OF SEPTEMBER 30, 2025**

Principal	\$ 2,600,000.00
Updated 8/27/25:	\$ 3,600,000.00
Based on LAIF monthly return rate (estimated and will be updated to actuals)	
Rate	3.40
Years	
Payment	Principal + Accrued Interest at maturity
Note Date	1/30/25
Maturity Date	7/1/28

Fiscal Year	Annual Interest Rate	Total Annual Interest	Principal	Total Interest + Principal
1/30/2025 - 6/30/2025	4.269%	45,918.07	2,600,000.00	2,645,918.07 FY25
7/31/25	4.258%	9,225.67	2,600,000.00	2,655,143.74 FY26
8/31/25	4.251%	9,210.50	2,600,000.00	2,664,354.24 FY26
9/30/25	4.212%	12,636.00	3,600,000.00	2,676,990.24 FY26

Item 3
Treasurer's Report

**First Public Hydrogen Authority
Open Purchase Order Report
as of October 22, 2025**

Service Start Date	Service End Date	P.O. Number	Vendor	Description	Amount	Remaining Amount
				Administrative, Accounting &		
7/1/25	6/30/26	001	The Bayshore Consulting Group, Inc	Procurement Support Svcs	\$ 240,000.00	\$ 189,792.55
7/1/25	6/30/26	002	ENSO Advisory Services, LLC	Consulting Services	\$ 192,000.00	\$ 176,000.00
7/1/25	6/30/26	003	FTI Consulting, Inc.	Consulting Services	\$ 180,000.00	\$ 85,351.25
1/13/25	6/30/26	004	Hall Energy Law PC	Legal Svcs	\$ 59,745.00	\$ 59,745.00
3/19/25	3/19/26	005	The Winter Co.	Administrative Contract Svcs	\$ 16,353.00	\$ 9,153.00
4/2/25	12/31/25	006	Frydman Counsel, Inc.	Consulting Services	\$ 187,500.00	\$ 93,750.00
1/1/25	12/31/25	007	Willson Consulting	Transportation Consulting	\$ 55,637.50	\$ 24,837.50
1/1/25	12/31/25	007	Willson Consulting	Travel Reimbursement	\$ 5,000.00	\$ 5,000.00
3/18/25	7/17/26	008	Tripepi, Smith & Associates, Inc.	Marketing Svcs	\$ 31,582.75	\$ 24,831.25
7/3/25	7/3/26	009	KP Public Affairs	Lobbying Services	\$ 120,000.00	\$ 107,097.00
				Social Media Mgmt & Content		
9/4/25	9/4/26	010	Jared Anderson	Creation	\$ 20,000.00	\$ 18,950.00
7/1/25	12/31/25	011	Ryan Conover Unlimited LLC	Consulting Services	\$ 130,000.00	\$ 110,000.00
10/1/25	12/31/25	012	Miller Strategies LLC	Lobbying Services	\$ 105,000.00	\$ 105,000.00
				TOTAL	\$ 1,342,818.25	\$ 1,009,507.55



STAFF REPORT

11/20/25
JC

Date: November 20, 2025

To: Chair Parris and Authority Members

From: Jason Caudle, Chief Executive Officer

Item 4: **Consider Approval of First Public Hydrogen Authority Administrative Policies**

Recommendation:

Approve the following First Public Hydrogen Authority administrative policies:

- FPH2 2025-001 Procurement Policy – replaces in its entirety the prior FPH2 2025-001 Non-Energy Public Contracting Policy
- FPH2 2025-#### Internal Social Media Policy
- FPH2 2025-#### External Social Media Policy
- FPH2 2025-#### Records Retention Policy
- FPH2 2025-#### Fixed Assets Policy

Fiscal Impact:

No fiscal impact from this action.

Background:

First Public Hydrogen Authority (FPH2) is subject to government code and best practices that dictate certain policies to be established. The policies recommended for Board consideration include:

- Procurement Policy
- Internal Social Media Policy
- External Social Media Policy
- Records Retention Policy
- Fixed Assets Policy

Procurement Policy

At its regular meeting January 13, 2025, the FPH2 Board approved FPH2 Policy 2025-001 Non-Energy Procurement Policy. That policy did not address the procurement of hydrogen. The revised policy before the Board streamlines the procurement process while complying with Government code and procurement best practices and includes guidelines related to the procurement of hydrogen.

The recommended policy establishes the following thresholds:

- Under \$30,000 – Informal purchasing; at least one written quote required.
- \$30,000 to \$100,000 – Informal competitive process; at least three written quotes required.
- \$100,000 to \$134,999 – Formal competitive process recommended; at least three written bids or proposals required.
- Over \$135,000 – Formal solicitation required (Invitation for Bids, Request for Proposals, or equivalent).

Purchases may not be divided (split) to circumvent dollar thresholds or competitive processes.

Procurement thresholds may be adjusted by Board resolution in accordance with applicable law and may be overridden pursuant to Section 5 hereof.

Internal Social Media Policy

The draft Internal Social Media Policy establishes oversight, administration and management guidelines for employee use of social media to ensure that FPH2's social media outlets maintain the professional image of FPH2 and meet legal standards. The policy applies to all employees, volunteers, contractors and any other representative acting on behalf of FPH2. The proposed policy provides precautionary information around employee's personal use and restrictions related to social media including self-expression, discrimination and acceptable use of technology.

External Social Media Policy

The purpose of the draft External Social Media Policy is to establish guidelines to encourage and cultivate engagement and discussion between FPH2 and the public. The Policy ensures the FPH2 clearly communicates its policies regarding interactions on its social media platforms and maintains a civil and appropriate environment for all users.

Records Retention Policy

The draft Records Retention Policy establishes guidelines for the maintenance and destruction of records. As proposed, the policy reflects Government Code requirements, Internal Revenue Service requirements, Fair Political Practices Commission requirements and industry best practices. The draft policy requires Board authorization prior to the destruction of FPH2 records.

Fixed Assets Policy

The draft Fixed Assets Policy establishes the capitalization threshold for recording the purchase of a tangible and intangible assets at \$5,000. The Policy further establishes the useful life of the various asset classes such as land improvements, buildings, vehicles, equipment, etc.

Attachments:

- FPH2 2025-001 Procurement Policy
- FPH2 2025-### Internal Social Media Policy
- FPH2 2025-### External Social Media Policy
- FPH2 2025-### Records Retention Policy
- FPH2 2025-### Fixed Assets Policy



POLICY TITLE:	Procurement Policy	
POLICY NUMBER:	FPH₂ 2025-001	AMENDED: November 20, 2025

Replaces FPH2 2025-001 Non-Energy Procurement Policy adopted January 13, 2025

1. Purpose

The purpose of this Procurement Policy is to establish clear and transparent procedures for the acquisition of goods, equipment, services, and professional services by the First Public Hydrogen Authority (FPH₂). This policy ensures compliance with California Government Code §§ 6500–6539.4, promotes open and fair competition, provides safeguards against favoritism, and ensures the prudent use of public funds.

2. Authority and Applicability

This policy is adopted pursuant to the Joint Exercise of Powers Act (California Government Code §§ 6500 et seq.) and applies to all procurements undertaken by FPH₂, except:

- Where otherwise required by law, grant conditions, or contractual obligations;
- Advertisements and Notices
- Attorney Services
- Bond Issuance Related Services
- Fuel
- Insurance Claims and Premiums
- Medical Payments
- Membership Dues
- Organization Meetings
- Postage
- Publications
- Subscriptions
- Trade Circulars
- Travel Expenses
- Utilities
- Legal services.

Pursuant to Government Code § 6509, the contracting authority of FPH₂ shall be subject to the same restrictions as the member agency designated in the JPA Agreement, unless otherwise provided by this policy.

3. Non-Hydrogen Procurement Thresholds

- Under \$30,000 – Informal purchasing; at least one written quote required.
- \$30,000 to \$100,000 – Informal competitive process; at least three written quotes required.
- \$100,000 to \$134,999 – Formal competitive process recommended; at least three written bids or proposals required.
- Over \$135,000 – Formal solicitation required (Invitation for Bids, Request for Proposals, or equivalent).

Purchases may not be divided (split) to circumvent dollar thresholds or competitive processes.

Procurement thresholds may be adjusted by Board resolution in accordance with applicable law and may be overridden pursuant to Section 5 hereof.

4. Procurement Methods

4.1 Competitive Solicitation

FPH₂ shall procure goods and services through competitive solicitation whenever feasible and appropriate to ensure best value.

4.2 Professional Services

Professional services (e.g., engineering, consulting, financial advisory) may be procured on the basis of qualifications and demonstrated competence, consistent with Government Code § 4526. Price shall be considered but need not be the sole determining factor. Legal services are exempt from competitive selection requirements under this policy.

4.3 Cooperative Procurement / Leveraged Procurement Agreements / “Piggybacking”

FPH₂ may utilize cooperative procurement agreements, leveraged procurement agreements, or award a contract using the results of a competitive solicitation conducted by another public agency when:

- The original solicitation complied with applicable laws and/or grant or funding requirements;
- The awarding agency selected the vendor through a competitive process; and
- Use of the solicitation or agreement is consistent with the contract terms.

This is authorized under Government Code § 6502, which allows JPAs to jointly exercise powers common to their members.

5. Sole Source Procurement

Sole source procurement may be used when one or more of the following conditions exist:

1. Only one vendor is capable of providing the required goods or services;
2. Compatibility with existing systems or equipment is required;
3. Proprietary technology or specialized expertise is necessary;
4. An emergency requires immediate procurement to protect public health, safety, or essential operations (Public Contract Code § 22050);
5. The procurement is for the continuation of previously awarded work where a change in contractor would cause substantial duplication of cost or unacceptable delay.

Requirements:

- Sole source procurements must include a written justification citing the applicable condition (Appendix A – Sole Source Justification Form).
- Justifications must be approved by the Executive Director (or designee).
- Documentation must be maintained in the procurement file for audit purposes.

6. Hydrogen Fuel Supply Procurement

Given the specialized and emerging nature of the hydrogen fuel market, FPH₂ may, when in the best interest of the Authority, procure hydrogen fuel through bi-lateral negotiations with qualified suppliers instead of a competitive solicitation, subject to the following conditions:

1. Market Conditions Justification
 - A competitive process is impractical due to market volatility, limited suppliers, or time-sensitive delivery requirements; and
 - The Executive Director makes a determination that direct negotiations will yield the most advantageous terms for FPH₂.
2. Price Reasonableness
 - Pricing shall be evaluated against current market benchmarks, published indexes, or documented recent transactions for similar quantities and delivery terms.
3. Documentation
 - The procurement file must include a written justification for the use of bilateral negotiations, supplier qualifications, negotiation records, and final contract terms.
4. Board Notification
 - Contracts awarded through bilateral negotiations above the Executive Director's delegated authority shall be approved by the Board prior to execution.
 - The Board shall be informed of all hydrogen fuel contracts executed under this section at its next regular meeting.

5. Compliance with Law

- All procurements under this section shall comply with applicable federal, state, and local laws, including grant or funding requirements.

7. Evaluation Criteria

When evaluating bids or proposals, FPH₂ may consider:

- Price or cost effectiveness
- Vendor qualifications and relevant experience
- Past performance and references
- Responsiveness to solicitation requirements
- Sustainability and environmental considerations
- Local or regional preference, if adopted by Board policy

8. Ethics and Conflicts of Interest

All procurement activities shall comply with:

- Government Code § 1090 (conflict of interest in public contracts)
- Political Reform Act (Government Code § 87100 et seq.)
- No employee, officer, or Board member may participate in a procurement decision in which they have a financial or personal interest.

9. Contract Management

Contracts shall be monitored to ensure compliance with all deliverables, schedules, and budgets.

Contract amendments must:

- Be in writing; and
- Be approved in the same manner as the original contract.

10. Vendor Debarment and Exclusion

Vendors may be debarred or excluded from doing business with FPH₂ for fraud, misrepresentation, non-performance, or other serious misconduct.

11. Bid Protest / Dispute Resolution

Purpose:

To establish a fair, transparent process for resolving disputes related to procurement actions, including bid protests.

1. Eligibility to Protest

Only bidders or proposers who submitted a timely bid or proposal for the procurement in

question, and who can demonstrate that they would be directly affected by the outcome, may file a protest.

2. Grounds for Protest

A protest must be based on one or more of the following:

- Alleged violation of applicable procurement laws or regulations;
- Material defect in the solicitation process (e.g., ambiguous or restrictive specifications);
- Improper or inconsistent evaluation of bids or proposals;
- Conflict of interest or other ethical violation.

3. Filing Requirements

- **Deadline:** A written protest must be received by the Executive Director within five (5) business days after the Notice of Intent to Award is issued.

- **Content:** The protest must include:

- The name and contact information of the protestor;
- Identification of the procurement action being protested;
- A detailed statement of the legal and factual grounds for the protest, including supporting documentation; and
- The specific remedy requested.

4. Protest Review

1. **Initial Review** – The Executive Director (or designee) shall review the protest to determine if it meets filing requirements and is based on valid grounds.
2. **Notice to Parties** – All affected parties will be notified that a protest has been filed.
3. **Response** – The apparent successful bidder/proposer may be given an opportunity to submit a written response.
4. **Decision** – The Executive Director shall issue a written decision within ten (10) business days of receiving the protest, stating the reasons for the decision.

5. Appeal

If the protestor is not satisfied with the Executive Director's decision, they may submit a written appeal to the FPH₂ Board Chair within five (5) business days of the decision.

- The Board will consider the appeal at the next regular or special meeting.
- The Board's decision shall be final.

6. Effect on Procurement

Filing a protest does not automatically delay procurement activities. The Executive Director may, at their discretion, suspend award or performance pending resolution of the protest if it is determined to be in the best interest of FPH₂.

12. Delegated Contract Authority

The Executive Director is authorized to execute non-Hydrogen Supply contracts and contract amendments up to \$135,000.

Contracts or amendments exceeding this amount require Board approval.

Delegation of Authority – Hydrogen Fuel Supply Contracts

To ensure proper controls for executing Hydrogen Fuel Supply transactions and to facilitate the efficient operation of FPH2 in its ordinary course of business, the Board delegates transactional authority that is commensurate with responsibility and capability. Accordingly, by approving this Policy, the Board delegates the following Hydrogen procurement authorities by duration, volume and notional value to its Chief Executive Officer and the Board Chair:

DELEGATION OF AUTHORITY	PRODUCT TYPE	DURATION LIMIT	NOTIONAL VALUE LIMIT
Chief Executive Officer	All Hydrogen Products	Up to 5 Year	\$15,000,000
CEO + Board Chair	All Hydrogen Products	5 to 10 years	\$75,000,000
FPH2 Board	All Hydrogen Products	Over 10 Years	Unlimited

The Board is to be notified of Hydrogen Fuel Supply contracts executed within the limits as specified below.

Any changes to the delegation of authority will require Board approval.

13. Recordkeeping

Procurement records shall be retained in accordance with FPH₂'s records retention schedule and Government Code § 34090.

Records must include:

- Procurement method and rationale
- Quotes, bids, or proposals received
- Evaluation results and selection criteria
- Award documentation

14. Compliance with Funding Requirements

When federal or state grant funds are used, procurement shall comply with applicable funding source requirements, including 2 CFR 200 (Uniform Guidance) for federal awards.

Procurement Policy
Proposed: November 20, 2025

15. Emergency Purchases:

The Executive Director may authorize emergency procurements necessary to protect life, safety, or essential operations, consistent with Public Contract Code §22050. Such purchases shall be reported to the Board at the next meeting.

DRAFT

Appendix A – Sole Source Justification Form

This form shall be completed and approved prior to initiating a sole source procurement. All documentation shall be retained in the procurement file in accordance with FPH₂'s records retention policy.

Requestor	
Request Date	
Description of Goods/Services	
Estimated Cost	
Vendor Name and Contact Information	
Justification for Sole Source Selection (check all that apply): <input type="checkbox"/> Only one vendor is capable of providing the required goods or services <input type="checkbox"/> Compatibility with existing systems or equipment <input type="checkbox"/> Proprietary technology or specialized expertise <input type="checkbox"/> Emergency procurement (Public Contract Code § 22050) <input type="checkbox"/> Continuation of prior work to avoid duplication of cost or delay	
Detailed Explanation of Justification	
Approval: Executive Director (or Designee) Signature / Date	



POLICY TITLE:	Internal Social Media Policy	
POLICY NUMBER:	FPH₂ 2025-###	PROPOSED: November 20, 2025

1.0 Purpose

The purpose of this policy is to ensure that the First Public Hydrogen Authority’s (FPH2) social media outlets maintain the professional image of FPH2 and meet legal standards. The *Internal Social Media Policy* (the “Policy”) shall establish oversight, administration, and management guidelines for employee use of social media to further the goals of FPH2.

2.0 Scope

The Policy applies to FPH2’s employees, volunteers, contractors, and any other representative acting on behalf of FPH2 or any of its departments and divisions. This policy will provide precautionary information around employee’s personal use and restrictions related to social media including self-expression, discrimination, and acceptable use of technology.

3.0 Ownership

All social media communications composed, sent, or received on FPH2 equipment are the property of FPH2. While the social media sites are administered by FPH2, the content on the sites is not entirely controlled by FPH2. FPH2 will do its best to prevent usage of its social media sites by commercial interests and FPH2 does not endorse any links or advertisements on its social media sites placed by the site owners or their vendors or partners.

4.0 References

FPH₂ of Lancaster Internal Social Media Policy

5.0 Definition of Terms

Managing Director: As applies to the Policy, is a position designated by the Chief Executive Officer to have administrative responsibility for implementing, overseeing, and ensuring that FPH2’s social media policies are effectively communicated to and applied employees choosing to advertise FPH2 programming through its social media channels. The Managing Director will have the authority to determine and establish social media activity, appoint staff to manage social media account(s), and periodically monitor use.

Employee(s): As applies to the Policy, is any FPH2 employee or employees authorized by the Managing Director to post and establish a social media presence.

Social Networks: Online platforms where users can create profiles, share information, and socialize with others using a range of technologies.

Social Media: Defined as a category of Internet-based resources that has a participatory element by integrating user-generated content. This includes, but is not limited to, social networking sites, notification systems, micro-blogging sites, photo- and video-sharing sites, wikis, blogs, and news sites.

FPH2 Social Media Site(s): Sites established by FPH2, over which it has some control regarding comments and postings except for advertising or hyperlinks placed by social media site owners or their third-party vendors or partners.

Posts or Postings: Information, articles, pictures, videos, or any other form of communication posted on a FPH2 social media site.

Comment: A user-submitted response to an administrator post.

6.0 Responsibility

Administration of Social Media Sites

For the purpose of providing general oversight and ensuring consistency in messaging and legal compliance, only the Communications Division, led by the Managing Director or designee, is authorized to handle content and manage access for all FPH2-sanctioned social media sites/accounts.

Therefore, the Managing Director or designee will:

- Maintain a list of social media tools that are approved for use for FPH2 business.
- Train individuals on policies for posting to FPH2 social media sites.
- Maintain a registry of all FPH2 social media sites, including account credentials (user ID, passwords, and account contact and security info), plus name and contact information of employee(s) responsible for day-to-day support of the site.
- Audit the registry of social media sites a minimum of twice a year and update it as needed.
- Have the right to review content on FPH2 social media sites to ensure compliance with FPH2's social media policies and the interests and goals of FPH2.
- Be responsible for ensuring any critical or time-sensitive information that comes to their attention is appropriately disseminated through the proper channels to ensure timely dissemination to the affected individuals.
- Adding, editing, monitoring, maintaining, and removing content from all social media sites, including review of comments from the public. (Any removal of content is also subject to FPH2's record retention policy and retention requirements outlined in this social media policy.)

- **Exclusive Posting Rights:** Only the Managing Director or designees are authorized to post on FPH2 Social Media Sites.
- **Account Management:** Maintain and exclusively manage a registry of all FPH2 social media presences, including account credentials (user ID, passwords, and account contact and security info).
- **Content Review:** Have the exclusive right to review, add, edit, monitor, maintain, and remove content on all FPH2 social media sites to ensure compliance with FPH2's social media policies and the interests and goals of FPH2.
- **Crisis Management:** Be responsible for managing content during crisis situations to ensure timely and accurate dissemination of critical information.
- **Training and Compliance:** Provide necessary training and resources for staff regarding social media management and public comment moderation.

Employees

Any employee authorized to post items on any of FPH2's social media sites shall review, be familiar with, and comply with FPH2's social media policies, the social media sites' use policies, and terms and conditions, and any related guidelines issued by the Managing Director.

User Behavior

Employees representing FPH2 via social media outlets must conduct themselves at all times as representatives of FPH2. Employees shall comply with any applicable FPH2 policies regarding speech and expression. Employees who fail to conduct themselves in an appropriate manner shall be subject to appropriate disciplinary actions and/or removal from duties related to FPH2 social media.

Advisory Responsibility

FPH2 General Counsel is responsible for advising FPH2 regarding legal questions that arise with regard to the content of their respective websites including, but not limited to, privacy, copyright, and other intellectual property issues, helping FPH2 employees comply with the *Internal Social Media Policy* and assisting with any additional requirements or policies.

Elected Officials

Elected officials are responsible for abiding by laws pertaining to campaigning and the State's open meetings laws as they relate to social media sites, etc. The same applies to employees who report directly to elected officials and may be asked to post on social media sites on his or her behalf.

Training

Employees authorized to use social media sites on behalf of FPH2 should receive training that, at a minimum, addresses legal issues concerning the appropriate use of social media sites, as well as privacy, civil rights, dissemination, and retention of information posted on department sites.

Posting Authority

To maintain consistency, legal compliance, and the professional image of FPH2 across all social media platforms, only the Managing Director or individuals at a higher managerial level within FPH2 are authorized to post content directly to FPH2 Social Media Sites. This control measure ensures that all public communications are vetted for accuracy, appropriateness, and alignment with FPH2's strategic goals and legal guidelines. Any proposed postings by employees must be submitted to the Managing Director for review and approval prior to publication.

7.0 Procedures

Authorized Users

Only employees authorized by the Managing Director, may use social media sites on behalf of FPH2.

- Authorized employees shall use only approved equipment during the normal course of duties to post and monitor social media sites unless they are specifically authorized to do so by the Managing Director.
- Authorized employees will report to the Managing Director for the purposes of using FPH2 social media accounts. The Managing Director will be the owner/administrator for all accounts.
- For additional information on the authorization process, please contact the Managing Director.

The Managing Director may develop specific guidelines for authorized employees to help identify the type of content that may be posted. Any content that does not strictly conform to the guidelines should be approved by the Managing Director prior to posting.

Requests to post information over FPH2 social media sites by employees who are not authorized to post should be made through the Managing Director.

Authorized Content

Only content that is appropriate for public release, that supports FPH2 and its mission and conforms to all policies regarding the release of information may be posted by authorized FPH2 employee(s).

Guidelines for employees' use of FPH2's official social media sites encourage some conduct and prohibit other conduct. Some examples of appropriate and useful requirements include:

- Being honest and transparent.
- Posting only within one's area of expertise.
- Posting only useful and relevant information.
- Being professional and avoiding confrontation.

- Being accurate.
- Correcting errors, and if modifying an earlier post, identify the change.
- Being responsive to concerns.
- Announcing and advertising FPH2 events.
- Adopting a user-name that follows a standard format and clearly identifies the user as a FPH2 social media site.

Content Control

The Managing Director will develop specific guidelines for posting content. Any content not strictly conforming to these guidelines requires review and approval by the Managing Director before posting.

Incident-Specific Use and Approval

In the event of active incidents requiring immediate public communication (e.g., public safety alerts, natural disasters), the Managing Director or an authorized designee will oversee the release of information.

Prohibited Content

Content that is prohibited from posting includes, but is not limited to:

- Content that is abusive, discriminatory, inflammatory, or sexually explicit.
- Profane language or content.
- Content that promotes, fosters, or perpetuates discrimination on the basis of race, creed, color, age, religion, gender, marital status, status with regard to public assistance, national origin, physical or mental disability, or sexual orientation, or other protected characteristics.
- Solicitations and commerce.
- Content that conducts or encourages illegal activity.
- Content that violates a legal ownership interest of any other party.
- Any information that violates individual rights, including confidentiality and/or privacy rights and those provided under state, federal, or local laws.
- Any information that could compromise confidential information.
- Any information that could tend to compromise or damage the mission, function, reputation, or professionalism of FPH2 and its employees.
- Any content posted for self-expression or self-gain.
- Any content that has not been properly authorized by this policy or a supervisor.

Any FPH2 employee who becomes aware of content on FPH2's social media sites that he/she believes unauthorized or inappropriate should promptly report such content to the Managing Director. The Managing Director will ensure its removal from public view and investigate the cause of entry.

Professional Use of Social Media

All official FPH2-related communication through social media outlets should remain professional in nature and should always be conducted in accordance with FPH2's social media policies, practices, and expectations. Employees must not use official FPH2 social media sites for political purposes, to conduct private commercial transactions, or to engage in private business activities.

FPH2 employees should be mindful that inappropriate usage of official FPH2 social media sites can be grounds for disciplinary action. If social media sites are used for official FPH2 business, the entire FPH2 site, regardless of any personal views, is subject to best practices guidelines and standards.

Incident-Specific Use

In the occasion of active incidents where speed, accuracy, and frequent updates are paramount (e.g., public safety information, natural disasters) the Managing Director or designee will be responsible for the collection of information to be released via social media sites.

Approval and Registration

All FPH2 social media sites shall be (1) approved by FPH2 Chief Executive Officer or designee; (2) published using approved social networking platform and tools; and (3) administered by Managing Director or designee. For additional information on the approval process, please contact the Managing Director.

Creating Social Media Accounts

Prior to creating an account, employees choosing to utilize social media shall:

- Consider whether a social media account is appropriate and/or useful to FPH2, including an analysis of which platforms to use.
- Establish a well-thought-out social media plan that complements FPH2 policies and considers the mission and goals, audience, legal risks, technical capabilities, security issues, emergency response procedures, etc.
- The Managing Director will assign the responsibility of adding, editing, monitoring, maintaining, and removing content from all social media sites to an employee or employees to assist in maintaining the site. The employee must be able to provide support to respond 24/7 in case of emergencies, as well as quickly respond to daily requests for support, adjustments to site content, or direction from the Managing Director.
- All FPH2 social media sites shall utilize official FPH2 contact information for account set-up, monitoring, and access. The use of personal email accounts or phone numbers by any FPH2 employee, official or volunteer is not allowed for the purpose of setting up, monitoring, or updating a FPH2 social media site. If you feel an exception is needed or you have questions, please reach out to the Managing Director.
- All approved FPH2 social media sites shall bear the name/or official FPH2 logo.

Oversight and Enforcement

Employees representing FPH2 through social media outlets or participating in social media features on FPH2 social media sites must maintain a high level of ethical conduct and professional decorum. Failure to do so is grounds for revoking the privilege to participate in FPH2 social media sites, blogs, or other social media features.

All information for social media sites must be presented following professional standards for good grammar, spelling, brevity, clarity, and accuracy, and avoid jargon, obscure terminology, or acronyms. FPH2 employees must recognize that the content and messages

they post on social media sites are public and may be cited as official FPH2 statements. Social media shall not be used to circumvent other FPH2 communication policies.

To ensure the effective management and compliance of FPH2's social media activities, the following procedures have been established:

Conduct a Comprehensive Social Media Audit: The Managing Director will conduct an annual audit to inventory all existing social media pages affiliated with FPH2. This audit will assess compliance with the internal social media policy and identify any redundant or inactive accounts.

Optimization of Social Media Pages: Based on the findings from the social media audit, the Managing Director will work with employees to streamline FPH2's social media presence. This may involve consolidating multiple pages or profiles to reduce overlap and enhance FPH2's social media impact.

Ensure that all modifications and updates to social media policies are promptly reflected on this page and communicated to all relevant parties.

8.0 Terms of Use

Comments or content containing any of the inappropriate forms of content listed in the Procedure section of the *Internal Social Media Policy* shall not be permitted and are subject to removal and/or restriction by FPH2. Individuals who repeatedly post content on Facebook, Twitter, Instagram, or any other FPH2 social media sites that violate this policy may be subject to being blocked from the social media page. Comments that violate this policy may be removed from the social media page.

FPH2 is not responsible and neither endorses nor opposes comments placed on these pages by visitors. FPH2 interaction with users and other pages, such as liking a post or following a page, is not to be construed as an endorsement. Any comments submitted to these pages are public records subject to disclosure, as are their lists of followers. All information posted to social media sites will be unclassified.

FPH2 social media sites are not monitored 24/7. To formally submit a request, question, complaint, or compliment to FPH2, please email Admin@fph2.org. For questions related to the FPH2 Social Media Sites, contact Administration at 833-722-3742.

9.0 Public Records

Retention of Records

All FPH2 social media sites are subject to the California Public Records Act. Any content maintained on a FPH2 social media site that is related to FPH2 business, including a list of subscribers, posted communication, and communication submitted for posting, may be considered a public record and is subject to public disclosure.

All postings on a FPH2 social media site shall be archived.

Content removed pursuant to this policy shall be preserved prior to removal and forwarded to the Managing Director or designee for retention. Preservation options include taking screenshots of content, printing content, or exporting content to a document format such as PDF. Removed content will be retained by the Managing Director or designee pursuant to the relevant records retention schedule, including the time, date, and identity of the poster when available.

For Public Records Act requests, contact FPH2 Board Secretary at Secretary@fph2.org.

Approved

Jason Caudle,
Chief Executive Officer

Date

DRAFT



POLICY TITLE:	External Social Media Policy	
POLICY NUMBER:	FPH₂ 2025-###	PROPOSED: November 20, 2025

1.0 Purpose

The purpose of the First Public Hydrogen Authority’s (FPH2) *External Social Media Policy* (the “Policy”) is to encourage and cultivate engagement and discussion between FPH2 and the public. Additionally, this Policy ensures that FPH2 clearly identifies its policies regarding interactions on its social media platforms and maintains a civil and appropriate environment for all users.

2.0 Ownership

All social media communications composed, sent, or received on FPH2 equipment, as well as any content specifically created for FPH2, regardless of where it's generated, are the property of FPH2. While the social media sites are administered by FPH2, the content on the sites is not entirely controlled by FPH2 and it will do its best to prevent unauthorized commercial or misleading use of its platforms. FPH2 does not endorse any links or advertisements on its social media sites placed by the site owners or their vendors or partners.

3.0 Organizations Affected

FPH2, and the individuals who engage on FPH2’s social media platforms.

4.0 References

Archive Social Comment Moderation Guide
 Archive Social Government Social Media Policy Template
 City of Lancaster External Social Media Policy

5.0 Definition of Terms

- 5.1 “**Social media**” is defined as a category of Internet-based resources that has a participatory element by integrating user-generated content. This includes, but is not limited to, social networking sites, micro-blogging sites, photo and video-sharing sites, wikis, blogs, and news sites.
- 5.2 “**FPH2 Social Media Site(s)**” are sites established by FPH2, over which it has some control regarding comments and postings (defined hereinafter) except for advertising response/stitch posts, or hyperlinks placed by social media site owners, vendors, or partners or third-parties.
- 5.3 “**Posts**” or “**postings**” means information, articles, pictures, videos, or any other form of communication posted on a FPH2 social media site.

6.0 General Policy

The purpose of FPH2 Social Media Sites is to enable FPH2 to post matters of public interest concerning FPH2's programs, activities, news stories, and photos, as well as to enable members of the public to comment on those posts. FPH2's intent is to create a limited public forum devoted exclusively to its postings and comments from members of the public, relevant to the subject matter of the post to which they are responding.

FPH2 welcomes engagement and discussion, and seeks to maintain an environment that is civil and appropriate for all. The following is intended to establish ground rules and guidelines for the productive use of social media:

- 6.1 FPH2's official website (FirstPublicH2.com or any domain owned by FPH2) will remain FPH2's primary means of internet communication.
- 6.2 The establishment of FPH2 Social Media Sites is subject to approval by the Chief Executive Officer or designee. Upon approval, FPH2 Social Media Sites shall bear the name/or official logo of FPH2.
- 6.3 Content on FPH2 Social Media Sites is subject to oversight by the Managing Director.
- 6.4 FPH2's Managing Director or designee shall monitor content on FPH2 Social Media Sites to ensure adherence to both the Policy and the interest and goals of FPH2.
- 6.5 FPH2 Social Media Sites shall be managed consistent with the Brown Act. Members of the Board of Director shall not "reply" to, "comment" on, "like," "share," retweet, or otherwise participate in any published postings, or use the site or any form of electronic communication to respond to, blog, or engage in serial meetings, or otherwise discuss, deliberate, or express opinions on any issue within the subject matter jurisdiction of the body.
- 6.6 FPH2 reserves the right to terminate any FPH2 Social Media Site at any time without notice.
- 6.7 All FPH2 Social Media Sites shall adhere to applicable federal, state, and local laws, regulations, and policies, including, but not limited to, the California Public Records Act.
- 6.8 All FPH2 Social Media Sites shall utilize authorized FPH2 contact information for account set-up, monitoring, and access. The use of personal email accounts or phone numbers by any FPH2 employee is not allowed for the purpose of setting-up, monitoring, or accessing a FPH2 Social Media Site.
- 6.9 FPH2 reserves the right to change, modify, or amend all or part of this Policy at any time.

7.0 Comment Policy

As a public entity, FPH2 must abide by certain standards to serve all its constituents in a civil and unbiased manner. Therefore, users of and visitors to FPH2 Social Media Sites shall be

notified that the intended purpose of the sites is to disseminate information from FPH2 about FPH2's mission, meetings, activities, and current issues to its citizens, and that comments containing any of the inappropriate forms of content specified in Section 7.2 shall not be permitted on any FPH2 Social Media Sites and are subject to immediate removal and/or restriction by the Managing Director or designee.

For purposes of this Policy, "comments" include information, articles, pictures, videos or any other form of communicative content posted on any FPH2 Social Media Site.

- 7.1 A comment posted by a member of the public is the opinion of the commentator or poster only. Unless expressly authorized, the comment does not constitute any official opinion or position of FPH2 or its officials, officers, agents, or employees. In no event shall FPH2 be liable to or for anyone for any comment, material, opinion, position, or decision made or action taken in reliance on information on FPH2 Social Media Sites.
- 7.2 FPH2 reserves the right to moderate, monitor, remove, prohibit, restrict, block, suspend, terminate, delete, discontinue, or reject comments and access to comments that contain improper material including, but not limited to, the following:
 - Comments that contain unlawful, threatening, harassing, defamatory, or slanderous language towards any individual or entity;
 - Comments that contain calls-to-action for physical attacks on a specific person or group;
 - Comments that contain spam or which include links to other sites, including, but not limited to, malicious sites (or software), pornographic sites, or otherwise provocative or sexually explicit sites (or content or material);
 - Comments that are clearly off topic;
 - Comments that advocate illegal activity;
 - Comments that infringe on intellectual property; or
 - Comments that contain personally identifiable, confidential, or private information. This refers to information that can be used to distinguish or trace an individual's identity, either alone or when combined with other personal or identifying information that is linked or linkable to a specific individual. To protect your privacy, please do not share personal information.
- 7.3 Repeated posting of content violating this Policy may result in the user being blocked from commenting on FPH2 platforms.
- 7.4 Moderation Procedure: Comments flagged for review will be assessed by the Managing Director or designee. If uncertain, the decision will be elevated to the CEO or legal counsel. FPH2 is not required to notify users when their comments are removed.

8.0 Terms of Use

Any comments or content which contain any of the above-referenced “improper material” categories shall not be permitted, and FPH2 will employ its best efforts to remove and/or restrict any such comments or content from FPH2 Social Media Sites upon which they are posted. Repetitive posting of comments or content in violation of the terms of this Policy on any FPH2 Social Media Site will subject the poster to being blocked from FPH2 Social Media Site(s).

FPH2 is not responsible for, and does not endorse or oppose, any comments placed on these pages by visitors. FPH2 interaction with users and other social media pages, such as liking a post or following a page, is not to be construed as an endorsement. Any comments submitted to these pages are public records subject to disclosure, as are their lists of fans. All information posted to FPH2 Social Media Sites will be unclassified.

FPH2 Social Media Sites are not monitored on a twenty-four (24) hour, seven (7) day per week basis. To formally submit a request, question, complaint, or compliment to FPH2, please email Hydrogen@fph2.org. For questions related to the FPH2 Social Media Sites, contact Administration at 833-722-3742.

All public comments or other content posted or submitted to such FPH2 Social Media Sites may be subject to disclosure as public records pursuant to the California Public Records Act. Content created for any official FPH2 social media application(s) shall be maintained in the electronic record for public records retention in accordance with applicable FPH2 policy.

For Public Records Act requests, contact the Secretary@fph2.org.

To report something to FPH2 email Hydrogen@fph2.org or Administration at 833-722-3742.

For questions related to the FPH2 Social Media Sites, email Hydrogen@fph2.org or Administration at 833-722-3742.

9.0 Content Guidelines

- 9.1 The content of FPH2 Social Media Sites should only pertain to FPH2-sponsored or FPH2-endorsed programs, services, and events. Content will likely include, but not be limited to, information, photographs, videos, and hyperlinks.
- 9.2 Content posted to FPH2 Social Media Sites may contain hyperlinks directing users back to FPH2’s official website for in-depth information, forms, documents, or online services necessary to conduct business with FPH2, whenever possible.
- 9.3 Any employee authorized to post items on any of FPH2 Social Media Sites shall review, be familiar with, and comply with FPH2 Social Media Sites’ use policies, terms, and conditions.
- 9.4 Any employee authorized to post items on any of FPH2 Social Media Sites shall not express his or her own personal views or concerns through such postings. Instead,

postings on any of FPH2 Social Media Sites by an authorized FPH2 employee shall only reflect the views of FPH2.

- 9.5 Postings must contain information that is freely available to the public and not confidential, as defined by any FPH2 policy or state or federal law.
- 9.6 Postings may NOT contain any personal information, except for the names of employees whose job duties include being available for contact by the public.
- 9.7 Postings by FPH2 to FPH2 Social Media Sites shall NOT contain any of the following:
 - Comments that are not topically related to the particular posting being commented upon;
 - Comments in support of, or opposition to, political campaigns, candidates, or ballot measures;
 - Profane language or content;
 - Content that promotes, fosters, or perpetuates discrimination on the basis of race, creed, color, age, religion, gender, marital status, or status with regard to public assistance, national origin, physical or mental disability, sexual orientation or gender identity, as well as any other category protected by federal, state, or local laws;
 - Sexual content or links to sexual content;
 - Solicitations of commerce;
 - Conduct or encouragement of illegal activity;
 - Information that may tend to compromise the safety or security of the public or public systems; or
 - Content that violates a legal ownership interest of any other party.

Approved

Jason Caudle, Chief Executive Officer
Date



POLICY TITLE:	Records Retention Policy	
POLICY NUMBER:	FPH₂ 2025-###	PROPOSED: November 20, 2025

1.0 Purpose

The purpose of this policy is to establish guidelines related to the maintenance and destruction of First Public Hydrogen Authority (FPH2) that is consistent with California Government Code, Internal Revenue Service requirements and best practices.

2.0 References

- California Government Code §12236
- California Government Code §34090
- California Government Code §60201
- California Government Code §6500+
- California Fair Political Practices Commission (FPPC)
- California Public Contract Code
- California Labor Code §1174
- Internal Revenue Service (IRS)

3.0 Applicability

This policy applies to all records of FPH2. The California Public Records Act defines a record as “any writing containing information relating to the conduct of the public’s business prepared, owned, used, or retained by any state or local agency regardless of physical form or characteristics.” The reference to “writing” is not limited to documents in written form. It is intended to include any form of communication, including recordings, photographs, sounds, symbols, or combinations thereof, regardless of the manner in which the record has been stored. Examples include:

- Correspondence
- Meeting agendas and minutes
- Event Photographs
- Press releases (including those shared on social media)
- Invoices paid
- Employee personnel files

- Agreements and contracts

The following are examples of documents that are not records to which this policy applies:

- Copies or duplicates of records
- External publications
- Drafts of documents

4.0 Policy

4.1 FPH2 will maintain records until the retention period ends, in accordance with the Retention Schedule below.

4.2 This Policy is applicable to both electronic and paper records.

4.3 Pursuant to CA Government Code §60201, once the retention period has ended, the Board of Directors may authorize the destruction of the record through adoption of a Resolution (Exhibit A) that includes a listing of the records to be destroyed.

4.4 Upon authorization by the Board, a Certificate of Records (Exhibit B) is to be prepared to document the date, method, and approving official.

4.5 Records must be securely destroyed using methods such as cross-cut shredding, digital wipe, etc.

5.0 Retention Schedule:

GOVERNANCE & ADMINISTRATIVE RECORDS			
Record Type	Examples	Retention Period	Legal/Best Practice Basis
JPA Formation	JPA Agreement, Bylaws, Amendments	Permanent	CA Gov Code §6500+
Board Meeting Agendas	Agenda Packets, Notices	CY + 2	GC §34090 CA Gov Code §60201
Board Resolutions, Ordinances, & Minutes	Resolutions Ordinances Minutes	Permanent	CA Gov Code §60201 GC §34090
Policies & Procedures	Travel Policy, Procurement Policy	4 years after superseded	Best Practice
Administrative Correspondence	Routine Letters, (non-contract)	2 years	Best Practice
Board Oath of Office		T + 6	GC §34090; 29 USC 1113 FPPC
Form 700s		7 Years	FPPC
Marketing Material	Flyers, brochures, advertisements	CY +3	GC §34090 Best Practice
Drafts of Documents (non record)		30 days after final version is approved	
Insurance Documents	Policies, Endorsements, Claims	Permanent	GC §34090 GC §6410; 29 CFR 1910.20

CONTRACTS & PROCUREMENT RECORDS			
Record Type	Examples	Retention Period	Legal/Best Practice Basis
Procurement Records	RFP/RFQ/RFO, RFI, bids, scoring sheets	7 years after contract terminates	CA Public Contract Code + audit
Contracts & Agreements	Professional Services, legal services	7 years after contract expiration	Best Practice/Statute of Limitation
Hydrogen Purchase Agreements	Power Purchase Agreements, Confirmations	10 years after contract expiration	Best Practice
Hydrogen Delivery Logs	Logs	7 years	Audit/Best Practice
Safety & Compliance	Hazardous Materials Reports, Inspections	Permanent	OSHA, Cal/Osha
Non-Successful Responses, Bids and Proposals	RFP/RFI Responses	Non-Energy Procurement – 2 years after close of solicitation Hydrogen procurement – 5 years after close of solicitation	Best Practice
Non-Disclosure Agreements	NDA with vendors, employees, Board members or advisors	Permanent	

FINANCIAL RECORDS			
Record Type	Examples	Retention Period	Legal/Best Practice Basis
Annual Budgets & Audited Financial Reports	Adopted Budgets, Annual Comprehensive Financial Reports	Permanent	Best Practice, Audit
General Ledger & Journal Entries	General Ledger, Trial Balance	7 Years	Audit
Accounts Payable & Accounts Receivable	Invoices, Payment Records	7 years	IRS, Audit
Bank Records	Bank Statements, Bank Reconciliations	7 Years	IRS, Audit
Payroll Records	Timecards, Payroll Registers, W-2s	7 Years	IRS CA Labor Code §1174
IRS & State Filings	1099s, 941, DE9, State Controller's Report	7 Years	IRS
Vendor Records	Vendor Information Form, W-9	4 years after last payment	IRS

PERSONNEL & HR			
Record Type	Examples	Retention Period	Legal/Best Practice Basis
Employee Personnel Records	Applications, Offer Letters, PAFs, Performance Reviews	4 years after separation	CA Gov. Code §12946
I-9 Forms	Employment Eligibility	4 years after separation	8 CFR §274a.2
Benefit & Retirement Records	Enrollment, COBRA Notices	7 years	ERISA/IRS
Workers' Comp Claims	Injury Reports, OSHA logs	5 years (logs) Permanent if Claim	OSHA 29 CFR §1904.33

LEGAL & COMPLIANCE			
Record Type	Examples	Retention Period	Legal/Best Practice Basis
Litigation Files	Case files, settlement agreements	5 years after final disposition	CA. Gov Code §34090
Public Records Act Requests	Request, Response	2 years	CA. Gov Code §6250+
Enterprise System Catalog (SB 272)			
Report of Lobbyist Employer	Quarterly Form 635	7 years	FPPC/Best Practice
Report of Lobbying Firm Activity	Form 602	7 Years	FPPC/Best Practice

TECHNOLOGY & DATA			
Record Type	Examples	Retention Period	Legal/Best Practice Basis
Enterprise Software Licenses	Agreements, Renewal Notices	3 years after expiration	Best Practices
System Backup Logs	Backup verification records	90 days	IT Best Practices
Cybersecurity Incident Reports	Breach logs, corrective actions	5 years	Best Practice
Email	General Email correspondence	1 year	
Digital Communications	Text Messages, Teams chats, Monday boards	30 days	

Approved:

Date:

Chief Executive Officer

Exhibit A
Sample Resolution Authorizing Destruction of Records

**A RESOLUTION OF THE BOARD OF DIRECTORS OF FIRST PUBLIC HYDROGEN
AUTHORITY AUTHORIZING DESTRUCTION OF SPECIFIED RECORDS**

WHEREAS, the Board of Directors adopted a Records Retention Schedule on [Date]; and

WHEREAS, staff has identified certain records that have met or exceeded their required retention periods and are eligible for lawful destruction; and

WHEREAS, Government Code Section 60201 authorizes destruction of such records upon approval of the legislative body;

NOW, THEREFORE, BE IT RESOLVED by the Board of Directors of [JPA Name] as follows:

1. The Board of Directors hereby authorizes the destruction of the records listed on the Certificate of Records Destruction attached hereto as **Exhibit A**.
2. Staff is directed to ensure that destruction is carried out in a secure manner, protecting any confidential or sensitive information.
3. The Executive Director or designee is authorized to retain a copy of this resolution and the Certificate of Records Destruction as a permanent record.

PASSED AND ADOPTED by the Board of Directors of [JPA Name] this ___ day of _____, 2025, by the following vote:

Exhibit B
Certificate of Records Destruction

**FIRST PUBLIC HYDROGEN AUTHORITY
CERTIFICATE OF RECORDS DESTRUCTION**

Destruction Date _____

Department/Division _____

Retention Schedule
Category _____

Description of Records _____

Inclusive Dates of
Records _____

Volume (Boxes / Files /
GB) _____

Method of Destruction Shredded Secure Digital Wipe
 Other: _____

I hereby certify that the above-listed records have been destroyed in accordance with the First Public Hydrogen Records Retention Schedule and Board Resolution No. _____.

Authorized by:

Chief Executive Officer / Designee

Date: _____



POLICY TITLE:	Fixed Asset Policy	
POLICY NUMBER:	FPH₂ 2025-###	PROPOSED: November 20, 2025

1. Purpose

This policy establishes consistent standards for identifying, recording, safeguarding, depreciating, and disposing of First Public Hydrogen Authority's (FPH2's) capital assets. It supports compliance with applicable governmental accounting standards and promotes accurate financial reporting and stewardship of public resources.

2. Authority & Applicability

This policy applies to all FPH2 departments, divisions, programs, and component units. The Managing Director or designee is responsible for implementation, oversight, and interpretation. Managers are responsible for compliance within their areas.

3. Governing Standards (Guidance)

FPH2 follows Governmental Accounting Standards Board (GASB) guidance, including but not limited to: - GASB 34 (Basic Financial Statements), - GASB 42 (Impairment of Capital Assets), - GASB 51 (Intangible Assets), - GASB 87 (Leases), and - GASB 96 (Subscription-Based Information Technology Arrangements, SBITAs).

Note: This policy is designed for an enterprise-type operation of a California Joint Powers Authority. If standards are updated, FPH2 will apply the most current GASB pronouncements and update this policy as needed.

4. Definitions

- **Capital Asset:** Tangible or intangible asset with a useful life of more than one year that is used in operations and is not held for resale. Includes land, improvements, buildings, infrastructure, machinery and equipment, vehicles, lease assets, internally developed or purchased software, and certain intangible assets (easements, licenses, patents).
- **Capitalization Threshold:** The **per-unit** dollar amount at or above which an asset is capitalized.
- **Component/Attachment:** A part that functions with a larger unit and is not useful on its own.
- **Betterment:** An expenditure that increases capacity, efficiency, functionality, or extends useful life beyond the original estimate.

- **Maintenance & Repairs:** Expenditures that maintain assets in normal operating condition without extending useful life or enhancing service capacity; these are expensed.
- **Construction in Progress (CIP):** Costs of capital projects not yet placed in service.

5. Capitalization Thresholds

1. **Tangible capital assets (all classes):** \$5,000 per unit and useful life > 1 year.
2. **Intangible assets (including software licenses and perpetual software):** \$5,000 per identifiable asset and useful life > 1 year.
3. **Internally developed software / SBITAs:** Capitalize qualifying outlays once the application development stage is reached and future economic/service benefits are probable; apply the \$5,000 threshold to the cumulative project stage that will be placed in service.
4. **Aggregations:** Groups of like items where each unit is < \$5,000 are not capitalized unless they are (a) acquired as an inseparable system (e.g., safety system, conveyor, control system) or (b) required to function together as one asset; in those cases, use the system total for threshold evaluation.
5. **Betterments/Improvements:** Capitalize only if \$5,000+ and the expenditure adds capacity/functionality or extends useful life. Routine maintenance is expensed regardless of amount.

6. Asset Classes & Useful Lives (Straight-Line Depreciation)

FPH2 uses straight-line depreciation with no salvage value unless otherwise justified. Depreciation begins the year after the asset is placed in service.

Asset Class	Examples	Useful Life (Years)
Land	Parcels, easements with indefinite life	Non-depreciable
Land Improvements	Paving, fencing, yards	10-20
Buildings & Building Improvements	Offices, warehouses, process buildings	20-50
Infrastructure (Energy/Utility)	Pipelines, compressors, yard piping, fueling stations, valves, regulators	20-40
Machinery & Process Equipment	Electrolyzers, storage vessels, dispensers, compressors, pumps, analyzers	7-20
Vehicles	Light-duty trucks, trailers	5-10

Asset Class	Examples	Useful Life (Years)
Furniture & Fixtures	Office systems	5–10
IT Equipment	Servers, networking, end-user devices	3–5
Software (Perpetual)	On-prem licenses	3–10 (license term or expected life)
Leased Assets (GASB 87)	Right-to-use assets	Lease term (including reasonably certain renewals)
SBITAs (GASB 96)	Right-to-use IT subscriptions	Subscription term (including reasonably certain renewals)

Useful lives outside these ranges require written justification by the Managing Director or Finance Director.

7. Costs to Capitalize

- **Included:** Purchase price (net of discounts), taxes, freight, installation, testing, site prep, professional fees, permits, directly attributable internal labor/benefits, and interest during construction when applicable to business-type activities and material.
- **Excluded:** Training, warranties (standard), consumables, spare parts (unless integral to place in service), general administrative overhead not directly attributable.

8. Construction in Progress (CIP)

- Record capital project costs in CIP until the asset is substantially complete and placed in service.
- Upon in-service date, transfer CIP balance to the appropriate capital asset class and begin depreciation the following month.
- Project managers must provide in-service memos and asset allocation (by class and location) to Finance within 15 business days of substantial completion.

9. Asset Identification & Records

- All movable capital assets must be tagged and recorded in the Fixed Asset Log within 30 days of in-service.
- The Log will include: asset ID/tag, description, serial/VIN, location, custodian department, class, acquisition date, in-service date, funding source, cost, accumulated depreciation, useful life, and condition.
- **Stewardship items:** Non-capital assets between \$1,000–\$4,999 or sensitive equipment (e.g., laptops, tools) must be tracked in a Small Asset Log maintained by departments and subject to spot audits.

10. Physical Inventory & Reconciliation

- Finance will coordinate a biennial (every two years) physical inventory of movable assets and an annual confirmation of infrastructure and CIP.
- Discrepancies must be researched and resolved within **30 days**; material losses are reported to the Executive Director and Board.

11. Impairment

- Indicators (damage, obsolescence, regulatory changes, discontinued use) must be reported to Finance within 10 business days.
- Impairments are measured and recognized per GASB 42/51. Depreciation lives may be adjusted prospectively.

12. Disposals, Transfers & Surplus

- Pre-approval by the Managing Director or Finance Director is required for all disposals and inter-department transfers.
- Surplus procedures will follow Board-approved Surplus Property/Disposition policies and applicable statutes.
- On disposal, recognize gain or loss for the difference between proceeds and net book value. Remove the asset from the Register.
- Data-bearing devices must be wiped per information security standards before disposal.

13. Leases (GASB 87) & SBITAs (GASB 96)

- Departments must route all lease/SBITA agreements to Finance before execution for classification and measurement.
- Finance will calculate the initial lease/SBITA asset and corresponding liability at the present value of payments and amortize over the lease/subscription term.

14. Donated / Contributed Assets

- Record at acquisition value (donor's market-based estimate at the date of donation) if they meet the capitalization criteria. If below threshold, recognize as non-capital contribution and track as appropriate.

15. Grants & Restricted Funding

- Where grant/loan terms impose additional tracking, tagging, or reporting (e.g., federal equipment), departments must comply with those terms in addition to this policy. Finance maintains grant subledgers as required.

16. Roles & Responsibilities

- **Board of Directors:** Adopts policy; approves surplus/disposition thresholds as required.
- **Chief Executive Officer:** Ensures organizational compliance.

- **Managing/Finance Director:** Maintains policy; manages capitalization, depreciation, inventories, and reporting; provides training and oversight.
- **Managers:** Ensure timely asset onboarding, tagging, safeguarding, and documentation; certify in-service dates; report impairments and disposals.

17. Exceptions

Exceptions require written approval of the Finance Director with concurrence of the Executive Director. Material policy exceptions will be reported to the Board.

18. Policy Review

Finance will review this policy at least biennially and recommend updates to the Board.

DRAFT

Appendix A — Quick Reference

- **Capitalization threshold:** \$5,000 per unit (tangible & intangible) and > 1-year life.
- **Depreciation:** Straight-line; begin month after in-service; no salvage unless justified.
- **Tagging:** Within 30 days of in-service.
- **Inventory:** Biennial physical inventory; annual infrastructure/CIP confirmation.
- **Impairment:** Report indicators within 10 business days.
- **Leases/SBITAs:** Route to Finance before execution for GASB 87/96 treatment.
- **Betterments:** Capitalize if \geq \$5,000 and increases capacity/functionality or extends life.



STAFF REPORT

11/20/25
JC

Date: November 20, 2025

To: Chair Parris and Authority Members

From: Jason Caudle, Chief Executive Officer

Item 5: **Consider Approval of First Public Hydrogen Authority Legislative and Regulatory Policy Platform**

Recommendation:

Approve the First Public Hydrogen Authority Legislative and Regulatory Policy Platform.

Fiscal Impact:

No fiscal impact from this action.

Background:

First Public Hydrogen Authority (FPH2) is the first public hydrogen utility in the United States. Ensuring its success through active participation in legislative and regulatory activities and proceedings is critical.

FPH2 monitors state and federal legislative and regulatory actions that may affect hydrogen production, storage, distribution, and related infrastructure. Establishing a Legislative and Regulatory Policy Platform provides guidance to staff, member agencies, and the Authority's legislative advocates in representing FPH2's positions on issues that may arise during the legislative and regulatory process.

The Policy Platform outlines FPH2's core principles, including support for:

- **Advancement of clean hydrogen technologies** to promote decarbonization of the transportation and energy sectors;
- **Development of public-private partnerships** that expand hydrogen infrastructure and investment;
- **Recognition of hydrogen as a zero-emission fuel** within state and federal policy frameworks;

- **Funding and incentives** that promote the deployment of hydrogen production, storage, and fueling facilities;
- **Regulatory consistency and streamlining** to facilitate project development while maintaining public safety and environmental standards; and
- **Regional collaboration** among local agencies and Joint Powers Authorities to maximize the benefits of hydrogen development.

Adoption of this Platform will allow staff and designated representatives to efficiently and consistently advocate on behalf of FPH2's mission to advance clean hydrogen as a public resource.

Attachments:

FPH2 2025-### Legislative and Regulatory Policy Platform



POLICY TITLE:	Legislative and Policy Platform	
POLICY NUMBER:	FPH₂ 2025-###	PROPOSED: November 20, 2025

The First Public Hydrogen Authority (FPH₂) Board of Directors desires to establish the Legislative and Regulatory Policy Platform (Platform) to guide the FPH₂ Board and staff in their advocacy efforts and engagement on policy matters of interest to FPH₂. The Platform allows both Board Members and staff to pursue actions at the legislative and regulatory levels in a consistent manner and with the understanding that these actions are taken in the best interest of FPH₂, its mission, its member agencies, and its partners. The Platform enables the organization to move swiftly in response to legislative and regulatory events and provides guidance on the support or opposing positions that should be taken on such matters.

Policy Objectives

FPH₂ supports legislation and regulatory actions that enable, protect, and enhance FPH₂'s priorities and ability to foster a transparent, affordable, and sustainable hydrogen economy.

The Legislative and Regulatory Policy Platform is centered around the following basic principles:

1. **Strong and Competitive Markets:** Supporting efficient and cost-effective hydrogen energy markets
2. **Local Control:** Preserving the ability of local governments to self-procure hydrogen resources and to self-determine rates through the mechanisms of local governance.
3. **Vertical Collaboration:** Promoting collaboration with regional, state, and federal governments and private partners to advance policies and funding opportunities that accelerate hydrogen infrastructure development.
4. **Stakeholder Engagement:** Advancing key stakeholder engagement to advance collaborative efforts for policy and regional investments.
5. **Technology Advancement & Adoption:** Encouraging innovation, development, and equitable access to hydrogen technologies to ensure broad community and economic benefits.
6. **Jobs and Workforce Development:** Supporting policies and projects frameworks to create jobs and increase pool of skilled hydrogen workforce to scale with new hydrogen supply and infrastructure
7. **Hydrogen Supply and Energy Diversity:** Supporting increased supply of new domestic hydrogen and energy, and increasing diversity of energy supply in California, including new renewable hydrogen production sites and related delivery logistics and infrastructure.

Policy Principles

FPH₂ will support legislation and regulatory actions that enable, protect, and enhance the development and expansion of the hydrogen economy and that support independence in hydrogen procurement, program deployment, management, and decision-making.

FPH₂ will support legislation and regulatory actions that allow FPH₂ to develop and procure local hydrogen resources to meet the needs of its members and customers.

FPH₂ will support legislation and regulatory actions that promote a neutral, fair, and competitive hydrogen market.

FPH₂ will oppose legislation and regulatory actions that jeopardize FPH₂'s independence to self-procure hydrogen resources, establish rates, or implement programs that serve customers in the present- or that could restrict its independence to do so in the future.

FPH₂ will support legislation and regulatory policies that drive down the cost of hydrogen for the end user.

FPH₂ will support policies that expand hydrogen end uses across the economy, including transportation, ports goods movement, rail, shipping, stationary power, microgrids and distributed energy, and new commercial customer applications.

FPH₂ will support policies for high safety standards for hydrogen with consistent statewide rules and regulations.

FPH₂ will support policies that facilitate local municipal government entities to purchase hydrogen and invest in hydrogen and related infrastructure.



STAFF REPORT

11/20/25
JC

Date: November 20, 2025

To: Chair Parris and Authority Members

From: Jason Caudle, Chief Executive Officer

Item 6: **Consider Adoption of a Resolution Revising the First Public Hydrogen Authority Regular Board Meeting Schedule and Rescinding Resolution No. 2025-005**

Recommendation:

Adopt a resolution revising the First Public Hydrogen Authority Regular Board Meeting schedule and rescinding Resolution No. 2025-005.

Fiscal Impact:

There is no fiscal impact to First Public Hydrogen Authority (FPH₂).

Background:

Pursuant to Section 3.D(2) of the FPH₂ Joint Powers Agreement, the FPH₂ Board is to adopt a resolution establishing the date, hour, and place of the regular Board meetings. The Board may also call special meetings when needed, in accordance with Section 54956 of the Government Code of the State of California, to the extent permitted by the Brown Act. Board Members may participate in Board meetings either by telephone or video conference, subject to compliance with the Brown Act.

At its May 15, 2025, Special Board meeting, the FPH₂ Board adopted Resolution No. 2025-005 setting the regular Board meeting schedule. This resolution established the City of Lancaster City Council Chambers as the primary regular meeting location.

Since that time, the City of Industry City Council Chambers has served as an alternate Board meeting location. Industry’s location has been the location that the Board has been attending the meeting. The proposed resolution updates the regular meeting location for FPH₂ Board meetings to the City of Industry. The City of Lancaster, as well as any other

meeting location within FPH₂'s geographical territory, may serve as alternate locations as the need arises and with proper noticing requirements as prescribed in the Brown Act.

Attachment:

Resolution revising the First Public Hydrogen Authority Regular Board Meeting Schedule and rescinding Resolution No. 2025-005

**FIRST PUBLIC HYDROGEN AUTHORITY
RESOLUTION NO. 2025-_____**

**A RESOLUTION OF THE BOARD OF DIRECTORS OF THE FIRST PUBLIC
HYDROGEN AUTHORITY REVISING REGULAR BOARD MEETING SCHEDULE AND
RESCINDING RESOLUTION NO. 2025-005**

WHEREAS, the First Public Hydrogen (FPH₂) is a joint powers agency, formed in December 2024 by the cities of Industry and Lancaster; and

WHEREAS, the FPH₂ Joint Powers Agreement establishes regular meetings are to be set by the Board via adoption of a resolution; and

WHEREAS, On May 15, 2025, the Board adopted Resolution No. 2025-005 setting the regular Board Meeting Schedule;

WHEREAS, the Board desires to revise the regular Board meeting schedule and rescind Resolution No. 2025-005.

NOW, THEREFORE, BE IT RESOLVED, by the Board of Directors of the First Public Hydrogen Authority, as follows:

Section 1. The Board of Directors of the First Public Hydrogen Authority hereby adopts the regular Board meeting schedule as follows:

DATE	HOUR	PLACE
3 RD Thursday of each Month	2:00 pm	City of Industry, City Council Chambers 15651 Mayor Dave Way Industry, CA 91744

Section 2. Resolution No. 2025-005 is hereby rescinded.

Section 3. This resolution becomes effective immediately.

The foregoing Resolution was passed and adopted this 20th day of November 2025, by the following vote:

AYES:

NOES:

ABSENT:

APPROVED:

R. Rex Parris, Chair
First Public Hydrogen Authority

ATTEST:

Susan Caputo, Board Secretary
First Public Hydrogen Authority