



## AGENDA

### **Regular Meeting of the Board of Directors of San Diego Community Power (SDCP)**

November 16, 2023  
5:00 p.m.

City of San Diego Metropolitan Operations Complex (MOC II) Auditorium  
9192 Topaz Way, San Diego, CA 92123

Alternate Address:  
288 Golf Course Drive W, Rohnert Park, CA 94928

The meeting will be held in person at the above date, time and location. Board of Directors Members and members of the public may attend in person. Under certain circumstances, Directors may also attend and participate in the meeting virtually pursuant to the Brown Act (Gov. Code § 54953). As a convenience to the public, SDCP provides a call-in option and internet-based option for members of the public to virtually observe and provide public comments at its meetings. Additional details on in-person and virtual public participation are below. Please note that, in the event of a technical issue causing a disruption in the call-in option or internet-based option, the meeting will continue unless otherwise required by law, such as when a Board Member is attending the meeting virtually pursuant to certain provisions of the Brown Act.

Note: Any member of the public may provide comments to the Board of Directors on any agenda item. When providing comments to the Board, it is requested that you provide your name and city of residence for the record. Commenters are requested to address their comments to the Board of Directors as a whole through the Chair. Comments may be provided in one of the following manners:

1. Providing Oral Comments During Meeting. Anyone attending in person desiring to address the Board of Directors is asked to fill out a speaker's slip and present it to the Clerk of the Board or the Secretary. To provide remote comments during the meeting, join the Zoom meeting by computer, mobile phone, or dial-in number. On Zoom video conference by computer or mobile phone, use the "Raise Hand" feature. This will notify the moderator that you wish to speak during a specific item on the agenda or during non-agenda Public Comment. Members of the public will not be shown on video but will be able to speak when called upon. If joining the meeting using the Zoom dial-in number, you can raise your hand by pressing \*9. Comments will be limited to three (3) minutes.
2. Written Comments. Written public comments must be submitted prior to the start of the meeting by using this [Web Comment Form](#). Please indicate a specific agenda item when submitting your comment. All written comments received prior to the meeting will be provided to the Board members in writing. In the discretion of the Chair, the first ten (10) submitted

comments shall be stated into the record of the meeting. Comments read at the meeting will be limited to the first 400 words. Comments received after the start of the meeting will be collected, sent to the Board members in writing, and be part of the public record.

If you have anything that you wish to be distributed to the Board, please provide it via [info@sdcommunitypower.org](mailto:info@sdcommunitypower.org) and it will be distributed to the Members.

The public may participate using the following remote options:

Teleconference Meeting Webinar <https://zoom.us/j/94794075133>

Telephone (Audio Only) (669) 900-6833 or (346) 248-7799 | Webinar ID: 947 9407 5133

## **WELCOME**

## **CALL TO ORDER**

## **ROLL CALL**

## **PLEDGE OF ALLEGIANCE**

## **SPECIAL PRESENTATIONS AND INTRODUCTIONS**

## **ITEMS TO BE ADDED, WITHDRAWN, OR REORDERED ON THE AGENDA**

### **PUBLIC COMMENTS**

*Opportunity for members of the public to address the Board on any items not on the agenda but within the jurisdiction of the Board. Members of the public may provide a comment in either manner described above.*

### **CONSENT CALENDAR**

*All matters are approved by one motion without discussion unless a member of the Board of Directors requests a specific item to be removed from the Consent Calendar for discussion. A member of the public may comment on any item on the Consent Calendar in either manner described above.*

- 1. Approval of October 26, 2023 Meeting Minutes**
- 2. Receive and File Treasurer's Report for Period Ending September 30, 2023**
- 3. Receive and File June 30, 2023 Fiscal Year-end Audited Financial Statement**
- 4. Receive and File Update on Programs**
- 5. Receive and File Update on Power Services**
- 6. Receive and File Update on Human Resources**
- 7. Receive and File Update on Customer Operations**
- 8. Receive and File Update on Marketing and Public Relations**
- 9. Receive and File Update on Community Advisory Committee**
- 10. Receive and File Update on Legislative and Regulatory Affairs**

**11. Approval of 2023 Procurement Counsel Legal Services Request for Proposal Contracts**

- a. Approval of Amended and Restated Engagement Letter with Keyes and Fox LLP for up to \$500,000 per year for Legal Services for Power Procurement beginning January 1, 2024
- b. Approval of Engagement Letter with Perkins Coie LLP for up to \$200,000 per year for Legal Services for Power Procurement beginning January 1, 2024
- c. Approval of Engagement Letter with Sunridge Legal, LLP for up to \$200,000 per year for Legal Services for Power Procurement beginning January 1, 2024

**REGULAR AGENDA**

*The following items call for discussion or action by the Board of Directors. The Board may discuss and/or take action on any item listed below if the Board is so inclined.*

**12. Update on Quarterly Report for the Community Advisory Committee**

Recommendation: Receive and File the update on the quarterly report for the Community Advisory Committee

**13. Approve the Appointment of CAC Member Representing the City of Imperial Beach**

Recommendation: Approval of Appointment of CAC Member Representing the City of Imperial Beach

**14. Approve the Update to the Energy Proposal Evaluation Criteria**

Recommendation: Approval of the updates to the Energy Proposal Evaluation Criteria

**15. Approve Arevon Avocet Standalone Storage Energy Storage Services Agreement (ESSA)**

Recommendation: Approval of a 15-Year Arevon Avocet Standalone Storage Energy Storage Services Agreement (ESSA) with Avocet Energy Storage, LLC for a 200 MW/800 MWh (4-hour) battery storage project.

**16. Approve Pomona 2 Standalone Storage Energy Storage Services Agreement (ESSA)**

Recommendation: Approve a 15-year Standalone Storage Energy Storage Service Agreement (ESSA) with Pomona Energy Storage 2, LLC for a 20 MW/40 MWh (2-hour) battery storage project.

**REPORTS BY CHIEF EXECUTIVE OFFICER AND GENERAL COUNSEL**

*SDCP Management and General Counsel may briefly provide information to the Board and the public. The Board may engage in discussion if the specific subject matter of the report is identified below, but the Board may not take any action other than to place the matter on a future agenda. Otherwise, there is to be no discussion or action taken unless authorized by law.*

## **DIRECTOR COMMENTS**

*Board Members may briefly provide information to other members of the Board and the public, ask questions of staff, request an item to be placed on a future agenda, or report on conferences, events, or activities related to SDCP business. There is to be no discussion or action taken on comments made by Directors unless authorized by law.*

## **PUBLIC COMMENTS ON CLOSED SESSION ITEMS**

### **CLOSED SESSION**

#### **1. CONFERENCE WITH LABOR NEGOTIATORS**

Agency designated representatives: Chair LaCava and SDCP CEO Karin Burns  
Unrepresented employee: General Counsel

#### **2. PUBLIC EMPLOYEE APPOINTMENT (RECRUITMENT UPDATE)**

Title: General Counsel

## **REPORT FROM CLOSED SESSION**

### **ADJOURNMENT**

#### ***Compliance with the Americans with Disabilities Act***

SDCP Board of Directors meetings comply with the protections and prohibitions of the Americans with Disabilities Act. Individuals with a disability who require a modification or accommodation, including auxiliary aids or services, in order to participate in the public meeting may contact (888) 382-0169 or [info@sdcommunitypower.org](mailto:info@sdcommunitypower.org). Requests for disability-related modifications or accommodations require different lead times and should be provided at least 72-hours in advance of the public meeting.

#### ***Availability of Board Documents***

Copies of the agenda and agenda packet are available at <https://sdcommunitypower.org/resources/meeting-notes/>. Late-arriving documents related to a Board meeting item which are distributed to a majority of the Members prior to or during the Board meeting are available for public review as required by law. Public records, including agenda-related documents, can be requested electronically at [info@sdcommunitypower.org](mailto:info@sdcommunitypower.org) or by mail to SDCP, PO BOX 12716, San Diego, CA 92112. The documents may also be posted at the above website. Such public records are also available for inspection, by appointment, at San Diego Community Power, 2305 Historic Decatur Road, Suite 200, San Diego, CA 92106. Please contact [info@sdcommunitypower.org](mailto:info@sdcommunitypower.org) to arrange an appointment.