



**SAN DIEGO COMMUNITY POWER (SDCP)
BOARD OF DIRECTORS**
San Diego City Administration Building, 12th Floor
202 "C" Street
San Diego, CA 92101

MINUTES

October 28, 2021

This meeting was conducted utilizing teleconferencing and electronic means consistent with Government Code Section 54953, as amended by Assembly Bill 361, in relation to the COVID-19 State of Emergency and recommended social distancing measures.

The Board minutes are prepared and ordered to correspond to the Board Agenda. Agenda Items can be taken out of order during the meeting.

The Agenda Items were considered in the order presented.

WELCOME

CALL TO ORDER

Chair Mosca (Encinitas) called the SDCP Board of Directors meeting to order at 5:20 p.m.

General Counsel Baron announced there were no reportable actions from Closed Session.

PLEDGE OF ALLEGIANCE

Chair Mosca (Encinitas) led the Pledge of Allegiance.

ROLL CALL

PRESENT: Chair Mosca (Encinitas), Vice Chair Padilla (Chula Vista), Director Baber (La Mesa), Director Dedina (Imperial Beach) (arrived at 5:25), and Director Montgomery Steppe (San Diego)

ABSENT: None

Also Present: Interim Chief Executive Officer ("CEO") Carnahan, Chief Operating Officer ("COO") Hooven, General Counsel Baron, Interim Board Clerk Wiegelman

ITEMS TO BE ADDED, WITHDRAWN, OR REORDERED ON THE AGENDA

There were no additions or deletions to the agenda.

PUBLIC COMMENTS

William Powers, Protect Our Communities Foundation Board Member, spoke regarding the amicus brief in support of the Protect Our Communities lawsuit against the California Public Utilities Commission and the procurement procedures followed by SDCP in awarding power purchase agreements.

Brooke J. spoke regarding the recruitment and hiring of a permanent CEO.

Alex C. spoke regarding the recruitment and hiring of a permanent CEO.

CONSENT CALENDAR

(Items 1 through 4)

ACTION: Motioned by Director Baber (La Mesa) and seconded by Director Dedina (Imperial Beach) to approve Consent Calendar Items 1 through 4. The motion carried by the following vote:

Vote: 5-0

- Yes: Chair Mosca (Encinitas), Director Padilla (Chula Vista), Director Baber (La Mesa), Director Dedina (Imperial Beach), and Director Montgomery Steppe (San Diego)
- No: None
- Abstained: None
- Absent: None

1. Approval of the minutes of the Regular Meeting of the Board of Directors of San Diego Community Power held on August 26, 2021.

Approved.

2. Back Office Metrics/Dashboard Monthly Update

Received and filed.

3. Approval of Community Advisory Committee Fiscal Year 2021-2022 Work Plan

Approved.

4. Approval of Findings to Continue Holding Remote/Teleconference Meetings Pursuant to Assembly Bill 361

Approved. Based on the information contained in the staff report, make the following findings and determinations: (1) the Governor-declared COVID-19 State of Emergency remains in effect and the Board has reconsidered the circumstances of the COVID-19 State of Emergency; (2) state or local officials continue to impose or recommend measures to promote social distancing; and (3) for the next thirty (30) days, the meetings of the SDCP Board, its committees, and any other legislative bodies, including the Community Advisory Committee, shall be held pursuant to the provisions of Government Code section 54953(e), allowing legislative body members and members of the public to participate in meetings remotely in accordance with that section.

REGULAR AGENDA

5. Review of Draft Amended and Restated Joint Powers Agreement

General Counsel Baron provided a brief background on the Joint Powers Agreement (“JPA”) and reviewed the procedures for amending the JPA and bylaws. General Counsel Baron provided an overview of the proposed amendments to the JPA.

Tara Hammond spoke regarding amending the JPA language as it relates to the CEO appointment process.

Karina Gonzalez spoke regarding amending the JPA language as it relates to the CEO appointment process.

Matthew Vasilakis, Climate Action Campaign, spoke in support of the proposed JPA amendments and recommended the Board include an amendment to the JPA CEO appointment process language.

Brooke J. spoke regarding amending the JPA language as it relates to the CEO appointment process.

Interim Board Clerk Wiegelman read aloud the first 400 words of the emailed public comments submitted by 3:00 p.m. the day of the Board meeting.

Shela Ott submitted a comment regarding amending the JPA language as it relates to the CEO appointment process.

Eddie Price submitted a comment regarding amending the JPA language as it relates to the CEO appointment process.

Board questions and comments ensued.

ACTION: Motioned by Director Baber (La Mesa) and seconded by Vice Chair Padilla (Chula Vista) to direct staff to provide SDCP Member Agencies, including anticipated new Member Agencies, with a copy of the draft Amended and Restated JPA Agreement and conforming changes to the SDCP Bylaws and place the Amended and Restated JPA Agreement and updated Bylaws on a future SDCP agenda for final approval. The motion carried by the following vote:

Vote: 5-0

Yes: Chair Mosca (Encinitas), Director Padilla (Chula Vista), Director Baber (La Mesa), Director Dedina (Imperial Beach), and Director Montgomery Steppe (San Diego)
No: None
Abstained: None
Absent: None

6. Approval of Collections/Delinquency Policy

Data Analytics and Account Services Director Utouh provided a report on the draft Collections and Delinquent Accounts Handling policy, highlighting the objectives of the draft policy, the state of arrearages in the region, and the programs available to assist customers with arrearages.

Board questions and comments ensued.

Lori Saldana spoke regarding SDCP's customer demographics and implementing an appropriate collections/delinquency policy for residential customers.

Board questions and comments continued.

ACTION: Motioned by Director Baber (La Mesa) and seconded by Director Montgomery Steppe (San Diego) to approve the Collections and Delinquent Accounts Handling policy, as amended, (1) amend Item 2 under General Criteria to read, "SDCP will select a local collections agency to enforce this policy against non-residential customers"; and (2) add an Item 9 under General Criteria stating that staff will return within a reasonable amount of time following further data collection with a parallel policy for residential customers. The motion carried by the following vote:

Vote: 5-0

Yes: Chair Mosca (Encinitas), Director Padilla (Chula Vista), Director Baber (La Mesa), Director Dedina (Imperial Beach), and Director Montgomery Steppe (San Diego)
No: None
Abstained: None
Absent: None

7. Approval of Phase 3 Net Energy Metering (NEM) Enrollment Schedule

Data Analytics and Account Services Director Utouh provided an overview of the Phase 3 NEM Enrollment Schedule and reviewed the benefits of phasing in NEM customers on a monthly basis at the conclusion of their relevant period.

Board questions and comments ensued.

Karina Gonzalez spoke regarding the comprehensibility of the Phase 3 NEM Enrollment Schedule.

Board questions and comments continued.

ACTION: Motioned by Vice Chair Padilla (Chula Vista) and seconded by Director Baber (La Mesa) to approve the Phase 3 NEM Enrollment Schedule. The motion carried by the following vote:

Vote: 5-0

Yes: Chair Mosca (Encinitas), Director Padilla (Chula Vista), Director Baber (La Mesa), Director Dedina (Imperial Beach), and Director Montgomery Steppe (San Diego)

No: None

Abstained: None

Absent: None

INFORMATION REPORTS / UPDATES

8. Operations and Administration Report from the Interim Chief Executive Officer

Interim CEO Carnahan requested feedback from the Board on the layout of the agenda.

Following Board questions and comments, no action was taken.

9. Receive and File Treasurer’s Report for 2022 Fiscal Year-to-Date period ended 8/31/21

Chief Financial Officer (“CFO”)/Treasurer Washington provided an overview of the financial results for the period ended August 31, 2022. CFO/Treasurer Washington stated the financial results for the period were positive compared to the budget and exceeded the year-to-date pro forma.

Following Board questions and comments, no action was taken.

10. Update on Phase 2 Marketing and Public Relations

Director of External Affairs de la Fuente provided a recap of SDCP’s marketing and public relations campaign that took place for Phase 2 – Commercial and Industrial Enrollment Phase, highlighting the goals, campaign concepts, communications and outreach efforts, and lessons learned.

Board questions and comments ensued.

Lori Saldana spoke regarding the campaign concept and power procurement process.

Following Board questions and comments, no action was taken.

11. Update on Regulatory and Legislative Affairs

Regulatory and Legislative Affairs Director Fernandez provided an update on the Disadvantaged Community Green Tariff (“DAC-GT”) and Community Solar Tariff (“CSGT”) Allocation – SDCP advice letter filed, the Percentage of Income Payment Plan (“PIPP”) pilot program, and SDCP’s response in support of OhmConnect’s Petition for Modification.

Following Board questions and comments, no action was taken.

12. Power Resources Monthly Update

Power Services Director Vosburg provided an update on the Resource Adequacy Year-Ahead Compliance Filing.

Board questions and comments ensued.

Lori Saldana spoke inquiring about public access to the compliance filings.

Following Board questions and comments, no action was taken.

COMMITTEE REPORTS / UPDATES

13. Finance and Risk Management Committee Report

CFO/Treasurer Washington provided an update on the proceedings of the Finance and Risk Management Committee.

14. Update on CEO Search Ad Hoc Committee Efforts

Director Baber (La Mesa) provided an update on the proceedings of the CEO Search Ad Hoc Subcommittee.

REPORTS BY MANAGEMENT AND GENERAL COUNSEL

There were no reports.

DIRECTOR COMMENTS

There were no comments.

ADJOURNMENT

Chair Mosca (Encinitas) adjourned the meeting at 8:00 p.m.

Megan Wiegelman, CMC
Interim Board Clerk