



**SAN DIEGO COMMUNITY POWER (SDCP)
BOARD OF DIRECTORS**

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

MINUTES
August 24, 2023

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 LaCava (City of San Diego) called the SDCP Board of Directors meeting to order at 5:01 p.m.

ROLL CALL

PRESENT: Chair LaCava (City of San Diego), Director McCann (Chula Vista), Director Hinze (Encinitas), Director Parent (La Mesa), and Director Yamane (National City)

ABSENT: Vice Chair Lawson-Remer (County of San Diego), Director Aguirre (Imperial Beach)

Also Present: Chief Executive Officer (“CEO”) Burns, General Counsel Norvell, Executive Assistant to the Chief Executive Officer/ Board Clerk Isley

PLEDGE OF ALLEGIANCE

Chair LaCava (City of San Diego) led the Pledge of Allegiance followed by a Land Acknowledgment honoring the original inhabitants of this land—the Kumeyaay.

SPECIAL PRESENTATIONS AND INTRODUCTIONS

Chair LaCava (San Diego) introduced the following new SDCP staff members:

Bria Betz, HR Coordinator

Julissa Mercedes, Financial Analyst

Alyson Smith, Digital Media Coordinator

Kevin Bateman, Financial Analyst

ITEMS TO BE ADDED, WITHDRAWN, OR REORDERED ON THE AGENDA

There were no items added, withdrawn, or reordered on the agenda.

PUBLIC COMMENTS

There were no public comments.

CONSENT CALENDAR

(Items 1 through 4)

1. Approval of July 27, 2023, Meeting Minutes

Approved.

2. Approval of Member Agency Grant Program Policy

Approved.

3. Approval of First Amended and Restated Professional Services Agreement for a contingency fee of 19% with Financial Credit Network (FCN) for debt collection services for residential customers through April 30, 2024.

Approved.

4. Approval of First Amendment to the Professional Services Agreement Between San Diego Community Power and Tenaska Power Services Co for Scheduling Coordinator Services.

Approved.

Director Aguirre (Imperial Beach) arrived at the meeting at 5:07 p.m.

Director Yamane (National City) initially pulled item 4 from the consent calendar, later approved after Byron Vosburg's presentation on 2022 Power Source Disclosure Program Annual Reports and Power Content Label. The vote below accurately reflects the outcome.

ACTION: Motioned by Director Yamane (National City) and seconded by Director Parent (La Mesa) to approve Consent Calendar Items 1 through 4. The motion carried by the following vote:

Vote: 6-0

Yes: Chair LaCava (City of San Diego), Director McCann (Chula Vista), Director Hinze (Encinitas), Director Aguirre (Imperial Beach), Director Parent (La Mesa), and Director Yamane (National City)
No: None
Abstained: None
Absent: Vice Chair Lawson-Remer (County of San Diego)

REGULAR AGENDA

5. 2022 Power Source Disclosure Program Annual Reports and Power Content Label

Byron Vosburg, Managing Director Power Services gave a PowerPoint presentation and gave a staff recommendation to adopt Resolution 2023-05 approving the submission and attesting to the accuracy of SDCP's 2022 Power Source Disclosure annual reports for PowerOn and Power100 and the 2022 Power Content Label.

ACTION: Motioned by Director Hinze (Encinitas) and seconded by Director Aguirre (Imperial Beach) to adopt Resolution 2023-05. The motion carried by the following vote:

Vote: 6-0

Yes: Chair LaCava (City of San Diego), Director McCann (Chula Vista), Director Hinze (Encinitas), Director Aguirre (Imperial Beach), Director Parent (La Mesa), and Director Yamane (National City)
No: None
Abstained: None
Absent: Vice Chair Lawson-Remer (County of San Diego)

6. Approval of Resource Adequacy Agreement with EnerSmart Chula Vista BESS, LLC

Senior Contract Manager, Kenny Key provided a PowerPoint presentation on EnerSmart Chula Vista BESS and gave an overview on the workforce development and community benefits, including a staff analysis.

ACTION: Motioned by Director McCann (Chula Vista) and seconded by Director Yamane (National City) to approve the proposed Resource Adequacy Agreement with EnerSmart Chula Vista BESS, LLC for purchase of 10 years of 3 MW of Resource Adequacy and authorize the CEO to execute the agreement. The motion carried by the following vote:

Vote: 6-0

Yes: Chair LaCava (City of San Diego), Director McCann (Chula Vista) , Director Hinze (Encinitas), Director Aguirre (Imperial Beach), Director Parent (La Mesa), and Director Yamane (National City)
No: None
Abstained: None
Absent: Vice Chair Lawson-Remer (County of San Diego)

DIRECTOR INITIATED ITEM

(Consideration of a Request by Chair LaCava)

7. Discussion on Outsourcing General Counsel versus Options for In-House General Counsel

Chair LaCava (City of San Diego) provided a brief history of SDCP's experience with hiring outsourced General Counsel. He spoke on the pros and cons of both in-house and outsourced general counsel and asked board members for their recommendation and feedback on whether the Board of Directors should continue outsourcing General Counsel or move to pursue in-house General Counsel.

Director Aguirre (Imperial Beach) spoke in support of hiring In-House General Counsel.

Director Hinze (Encinitas) spoke in support of hiring In-House General Counsel.

Director Yamane (National City) requested additional time and information for consideration. She also emphasized that there are no issues with the current outsourced general counsel from BBK, and commended their excellent performance. The Chair expressed gratitude for her acknowledgment.

Director Parent (La Mesa) spoke in support of hiring In-House General Counsel.

Public Comment:

There were no public comments.

REPORTS BY CHIEF EXECUTIVE OFFICER AND GENERAL COUNSEL

CEO Burns reported on SDCP's ongoing efforts, open positions at SDCP, and shared about recent activities and events. There were no reports from general counsel.

DIRECTOR COMMENTS

There were no director comments.

ADJOURNMENT

Chair LaCava (City of San Diego) adjourned the meeting at 5:33 p.m.

Kimberly Isley, Clerk of the Board

Prepared by:
Sandra Vences, Deputy Clerk