



AGENDA

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

June 24, 2021

5:00 p.m.

Due to the public health orders and guidelines in California and in accordance with the Governor's Executive Orders N-08-21, there will be no location for in-person attendance. SDCP is providing alternatives to in-person attendance for viewing and participating in the meeting. Further details are below.

Note: Any member of the public may provide comments to the SDCP 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 as a whole through the Chair. Comments may be provided in one of the following manners:

1. Providing Oral Comments During Meeting. To provide 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 form](#)). 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 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

Pledge of Allegiance

Roll Call

Items to be Added, Withdrawn, or Reordered on the Agenda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 use the web form noted above to provide a comment or request to speak.

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 Agenda for discussion. A member of the public may use the web form noted above to comment on any item on the Consent Calendar.

1. Approval of Cooperation and Administrative Services Agreement with the City of Encinitas for Continued SDCP Human Resources Services

Recommendation: Approve Cooperation and Administrative Services Agreement with the City of Encinitas (City) for continued SDCP human resources services retroactive to January 1, 2021, in substantially the form attached hereto, with such changes as are approved by the Interim Chief Executive Officer and reviewed and approved as to form by General Counsel, and authorize the Interim Chief Executive Officer to execute the Agreement.

2. Treasurer's Report – Financial Results for 2020/21 Period ended 4/30/21

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.

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

Recommendation: Receive and file update on various operational and administration activities.

- Western Community Energy Bankruptcy Update – Bill Carnahan and Byron Vosburg
- Offices, Reopening Update, and Summer Break – Bill Carnahan and Cody Hooven
- Strategic Planning – Bill Carnahan
- Staffing – Byron Vosburg
- Power Resources – Byron Vosburg
- Back Office Operations – Lucas Utouh

4. Update on Regulatory and Legislative Affairs

Recommendation: Receive and file the update on regulatory and legislative affairs.

5. Review and Provide Direction to Staff on Update of Analysis of County Membership

Recommendation: Approve analysis to move forward with the County membership

6. Review and Approve Policy for Adding New Members to SDCP

Recommendation:

- A. Review and approve the New Member Policy
- B. Provide direction to staff to return to the Board with minor modifications to the Joint Powers Authority (JPA) Agreement that reflect the potential for new members

7. Review and Approve FY21 Financial Audit Preparation

Recommendation: Approve the Professional Services Agreement with auditor Pisenti & Brinker, LLP for a 1 year term with two 1 year renewal options, fees of \$21,000/year (not-to-exceed \$63,000 total), and authorize the Interim Chief Executive Officer or his designee to execute the agreement.

8. Review and Approve FY22 Budget

Recommendation: Review and approve the FY 2022 Budget

9. Review and Approve Financial Reserves Policy

Recommendation: Review and approve the Financial Reserves Policy

10. Review and Adopt a Resolution for a Retirement Plan

Recommendation:

- A. Approve Plan Advice and Consulting Program Services Agreements with PWA Financial for 457(b) and 401(a) Plans.
- B. Approve Service Agreement for Plan Administration with Benefit Resources Inc. for third-party administrator services associated with the 457(b) and 401(a) Plans.
- C. Approve the agreements associated with the retirement plan with Empower Retirement for recordkeeping services associated with the 457(b) and 401(a) Plans.
- D. Authorize the Interim Chief Executive Officer or his designee to execute the approved agreements and plan documents, with such changes as are approved by the Interim Chief Executive Officer and approved as to form by the General Counsel.
- E. Authorize the Interim Chief Executive Officer or his designee to sign and file such other documents as are necessary to establish the approved plans.

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.

Reports by Management 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.

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. 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. Previously, public records were available for inspection at the City of San Diego Sustainability Department, located at 1200 Third Ave., Suite 1800, San Diego, CA 92101. However, due to the Governor's Executive Orders N-25-20 and N-29-20 and the need for social distancing, in-person inspection is now suspended. Public records, including agenda-related documents, can instead be requested electronically at info@sdcommunitypower.org or by mail to SDCP, 815 E Street, Suite 12716, San Diego, CA 92112. The documents may also be posted at the above website.