



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

815 E Street, Suite 12716  
San Diego, CA 92112

**MINUTES**

April 28, 2022

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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 5:07 p.m.

**PLEDGE OF ALLEGIANCE**

Chair Mosca (Encinitas) led the Pledge of Allegiance.

Chair Mosca (Encinitas) thanked Interim CEO Carnahan for his time and efforts with SDCP, and introduced the new SDCP members.

**ROLL CALL**

**PRESENT:** Chair Mosca (Encinitas), Vice Chair Padilla (Chula Vista), Director Dedina (Imperial Beach), Alternate Director Humora (La Mesa), Director Sotelo-Solis (National City), Director Lawson-Remer (San Diego County), and Director LaCava (San Diego)

**ABSENT:** None

*Also Present:* Chief Executive Officer (“CEO”) Burns, 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## **ITEMS TO BE ADDED, WITHDRAWN, OR REORDERED ON THE AGENDA**

There were no items to be added, withdrawn, or reordered.

## **PUBLIC COMMENTS**

John Smith submitted a comment regarding SDCP's vision with respect to setting rates.

Curtis M. Dowds spoke regarding time of use pricing for energy.

Dave Peterson spoke regarding recommended changes and additions to the "Example Evaluation Summary" Chart presented to the Community Advisory Committee at their February 11, 2022 meeting.

## **CONSENT CALENDAR**

(Items 1 through 7)

Maya Steinberg submitted a comment in opposition to Item 3 and encouraged the Board to consider hiring in-house legal counsel or including a do not exceed clause with a set dollar amount in the agreement with Best Best & Krieger.

Karina Gonzalez submitted a comment in opposition to Item 3 and encouraged the Board to consider hiring in-house legal counsel or including a do not exceed clause with a set dollar amount in the agreement with Best Best & Krieger.

Tara Hammond submitted a comment in opposition to Item 3 and encouraged the Board to consider hiring in-house legal counsel or including a do not exceed clause with a set dollar amount in the agreement with Best Best & Krieger.

Joyce Lane submitted a comment in opposition to Item 3 and encouraged the Board to consider hiring in-house legal counsel or including a do not exceed clause with a set dollar amount in the agreement with Best Best & Krieger.

Director Lawson-Remer (San Diego County) inquired about whether the amendment to the Engagement Letter with Best Best & Krieger prevents SDCP from hiring in-house legal counsel in the future.

CEO Burns stated the amendment to the Engagement Letter with Best Best & Krieger would not prevent SDCP from hiring in-house legal counsel in the future.

Board questions and comments ensued.

### **1. Approval of Findings to Continue Holding Remote/Teleconference Meetings Pursuant to Assembly Bill 361**

Approved.

### **2. Receive and File Treasurer's Report for Period Ending 2/28/22**

Received and filed.

**3. Approval of Amendment to Engagement Letter with Best Best & Krieger**

Approved.

**4. Approval of Joint Representation Agreement with Keyes & Fox LLP for Legal and Regulatory Services.**

Approved.

**5. Approval of Amendment to Professional Services Agreement with NewGen Strategies and Solutions, LLC for Regulatory Support and Rate-related Analysis**

Approved.

**6. Approval of Debt Collection Professional Services Agreement with Financial Credit Network**

Approved.

**7. Approval of Sublease Agreement with Nuvve Holding Corporation for Temporary Office Space**

Approved.

ACTION: Motioned by Director Sotelo-Solis (National City) and seconded by Director Dedina (Imperial Beach) to approve Consent Calendar Items 1 through 7. The motion carried by the following vote:

Vote: 7-0

Yes: Chair Mosca (Encinitas), Vice Chair Padilla (Chula Vista), Director Dedina (Imperial Beach), Alternate Director Humora (La Mesa), Director Sotelo-Solis (National City), Director Lawson-Remer (San Diego County) and Director LaCava (San Diego)

No: None

Abstained: None

Absent: None

**REGULAR AGENDA**

**8. Quarterly Update on Community Advisory Committee**

Matthew Vasilakis, Community Advisory Committee (“CAC”) Member, provided an update on the CAC’s efforts.

Following Board questions and comments, no action was taken.

**9. Update on Back Office Metrics/Dashboard**

Data Analytics and Account Services Director Utouh provided an update on Phase 3 enrollment, reasons for customers opting out, participation rates, and overall data trends.

Board questions and comments ensued.

Curtis M. Dowds spoke regarding collecting data on why customers are opting in to SDCP.

Following Board questions and comments, no action was taken.

### **10. Update on Regulatory and Legislative Affairs**

Regulatory and Legislative Affairs Director Fernandez provided an update on the Integrated Resource Planning – Modified Cost Allocation Mechanism (“MCAM”), the Resource Adequacy rulemaking, the Provider of Last Resort rulemaking, and Assembly Bill 2838.

Curtis M. Dowds spoke regarding the social cost of carbon.

Following Board questions and comments, no action was taken.

### **11. Update on Marketing and Public Relations**

Director of External Affairs de la Fuente provided an update on the Phase 3 Marketing and Public Relations Campaign for residential enrollment.

Following Board questions and comments, no action was taken.

### **12. Approval of Second Amendment to Civilian Contract for Marketing and Communications Services**

Director of External Affairs de la Fuente provided background on the contract with Civilian and gave an overview of the second amendment to the Civilian contract for marketing and communications services. Director of External Affairs de la Fuente reviewed Civilian’s role in SDCP’s branding and presence.

Board questions and comments ensued.

**ACTION:** Motioned by Director Sotelo-Solis (National City) and seconded by Director LaCava (San Diego) to approve the second amendment to the contract with Civilian for marketing and communications services. The motion carried by the following vote:

**Vote:** 7-0

**Yes:** Chair Mosca (Encinitas), Vice Chair Padilla (Chula Vista), Director Dedina (Imperial Beach), Alternate Director Humora (La Mesa), Director Sotelo-Solis (National City), Director Lawson-Remer (San Diego County) and Director LaCava (San Diego)

**No:** None

**Abstained:** None

**Absent:** None

### **13. Approval of a Market Salary Increase for Employees and Next Steps for a Comprehensive Salary Structure – presented by General Counsel – 5 minutes**

CEO Burns provided background on SDCP’s employee and salary structure and explained the reasons for requesting a market salary increase for employees. CEO Burns said a human resources firm was needed to support various efforts including the development of a comprehensive salary structure.

Chief Financial Officer (“CFO”)/Treasurer Washington explained the fiscal impact the market salary increase would have on SDCP’s budget.

General Counsel Baron said consistent with the recommended action in the staff report, it was proposed that all agency employees, including executive management but not the Chief Executive Officer, receive a 4.5% salary increase retroactive to January 1, 2022, or the first day of the month on which the employee was hired; no other salary or benefits compensation was being proposed.

Board questions and comments ensued.

Curtis M. Dowds spoke on the ability of customers to pay their bills in full and on time.

Richard spoke on the ability of customers to pay their bills in full and on time.

**ACTION:** Motioned by Director Dedina (Imperial Beach) and seconded by Alternate Director Humora (La Mesa) to: (1) approve a salary increase of 4.5% for all current SDCP employees other than the Chief Executive Officer, retroactive to January 1, 2022, or the first day of the month the employee was hired, whichever was more recent; and (2) direct the Chief Executive Officer to proceed with next steps to retain a human resources firm to support various efforts including development of a comprehensive salary structure. The motion carried by the following vote:

**Vote:** 7-0

**Yes:** Chair Mosca (Encinitas), Vice Chair Padilla (Chula Vista), Director Dedina (Imperial Beach), Alternate Director Humora (La Mesa), Director Sotelo-Solis (National City), Director Lawson-Remer (San Diego County) and Director LaCava (San Diego)

**No:** None

**Abstained:** None

**Absent:** None

## **REPORTS BY MANAGEMENT AND GENERAL COUNSEL**

CEO Burns reintroduced herself and expressed her excitement and gratitude for being given the opportunity to be a part of SDCP. CEO Burns provided an overview of her priorities for the next 90 days.

## **DIRECTOR COMMENTS**

The Board of Directors thanked Bill Carnahan for his commitment, dedication, and hard work as interim CEO of SDCP.

## **ADJOURNMENT**

Chair Mosca (Encinitas) adjourned the meeting at 6:53 p.m.

Megan Wiegelman, CMC  
Interim Board Clerk