

## Board of Directors

**Regular Meeting** 

August 28, 2025











## RECOGNITION



**Supervisor Paloma Aguirre** 



## Warm Welcome!



Alternate Director Jack Fisher
City of Imperial Beach



## Warm Welcome!



Pete Polonsky Senior Rates Analyst



Gordon Samuel
Chief Commercial Officer







## **Consent Calendar**

- 1. Approve June 26, 2025, Meeting Minutes
- 2. Receive and File Treasurer's Report for Period Ending May 31, 2025
- 3. Receive and File Update on Programs
- 4. Receive and File Update on Power Services
- 5. Receive and File Update on Customer Operations
- 6. Receive and File Update on IT and Data Analytics
- 7. Receive and File Update on Human Resources
- 8. Receive and File Community Advisory Committee Monthly Update
- 9. Receive and File Update on Marketing, Public Relations, and Local Government Affairs
- 10. Approve Load Management Standards Compliance Plan Update
- 11. Authorize Amendment No. 1 to Professional Services Agreement with JSR Strategies LLC to Increase Contract Amount to \$650,000 for Marketing, Communications, Website Design, and Maintenance Services
- 12. Adopt Resolution No. 2025-08, Approving a Second Revision to San Diego Community Power (Community Power) Investment Policy
- 13. Adopt Resolution No. 2025-12, Approving Updates to San Diego Community Power's (Community Power) Public Records Request Policy Pursuant to the California Public Records Act (CPRA) Recodification Act, Assembly Bill 473 (AB 473)



## Regular Agenda

- 14. Election of Officer(s) for Community Power for the Remainder of Calendar Year 2025
- 15. Adoption of Resolution No. 2025-10, Requesting CalPERS to Authorize the Division Vote of Community Power Employees to Participate in Social Security, and Upon Receiving Authorization, Authorize Community Power to Conduct the Division Vote
- 16. Adopt Resolution No. 2025-11, Establishing and Approving a Claims Procedures Policy
- 17. Adoption of Resolution No. 2025-09, Approving a Disposal of Surplus Property Policy
- 18. Approve Renewable Power Purchase Agreement with IP Darden IV, LLC
- 19. 2024 Power Source Disclosure Program Annual Reports and Power Content Label; and Adoption of Resolution No. 2025-13, Approving the Submission and Attesting to the Accuracy of Community Power's 2024 Power Source Disclosure Annual Reports for PowerBase, PowerOn, Power100, and Power100 Green+
- 20. Update on Regulatory and Legislative Affairs
- 21. Update on Results from Clean Prepayment Transaction No. 2

Election of Officer(s) for Community Power for the Remainder of Calendar Year 2025

#### **Recommendation:**

Recommendation: Elect a Chair and, if necessary, a Vice Chair for the remainder of the 2025 calendar year.





#### ITEM NO. 14

# BOARD MEMBER COMMENTS AND QUESTIONS

## Election of Officer(s) for Community Power for the Remainder of Calendar Year 2025

#### **Recommendation:**

Elect a Chair and, if necessary, a Vice Chair for the remainder of the 2025 calendar year.

Adoption of Resolution No. 2025-10, Requesting CalPERS to Authorize the Division Vote of Community Power Employees to Participate in Social Security, and Upon Receiving Authorization, Authorize Community Power to Conduct the Division Vote

#### **Recommendation:**

Adoption of Resolution No. 2025-10, requesting CalPERS to authorize the division vote of Community Power employees to participate in Social Security and for Community Power to conduct the division vote upon receiving said authorization.



## **Social Security Update**

- Community Power and employees have been contributing to Social Security since agency inception
- In 2021, a 401(a) plan was established to which Community Power contributes an amount equal to 10% of the employee's salary for the employee's benefit
- To continue Social Security participation, Community Power needs a Section 218 Agreement with SSA covering its employees
- Community Power working closely with CalPERS to put a Section 218 Agreement in place



## **Social Security Update**

Election requires initial Board Resolution, formal 90-day notice to employees prior to election, final Board Resolution, submittal of application and agreement to CalPERS, SSA approval

Election will be administered through CalPERS - employees can opt in or opt out of Social Security

"Opt in" means the employee stays in Social Security – status quo

"Opt out" means the employee can no longer participate in Social Security for the duration of their employment with Community Power.

Each employee chooses for themselves

Former employees and future employees remain in Social Security as long as at least one employee opts in





#### ITEM NO. 15

# BOARD MEMBER COMMENTS AND QUESTIONS

Adoption of Resolution No. 2025-10, Requesting CalPERS to Authorize the Division Vote of Community Power Employees to Participate in Social Security, and Upon Receiving Authorization, Authorize Community Power to Conduct the Division Vote

#### **Recommendation:**

Adoption of Resolution No. 2025-10, requesting CalPERS to authorize the division vote of Community Power employees to participate in Social Security and for Community Power to conduct the division vote upon receiving said authorization.

Adopt Resolution No. 2025-11, Establishing and Approving a Claims Procedures Policy

#### **Recommendation:**

Adopt Resolution No. 2025-11, establishing and approving a Claims Procedures Policy.

Presenter:

Veera Tyagi, General Counsel



## Claims Procedures Policy

- California Government Claims Act (The Act) specifies the process and time for bringing claims against public entities as a prerequisite to filing a lawsuit (Govt. Code Sections 900 et seq.)
- The Act authorizes a local public agency to adopt a policy to govern claims that are specifically exempted under the Act or are not otherwise governed by any other statute or regulation (Government Code Section 935.)
- Claims Policy Would:
  - (1) require claims that are specifically exempted by the Act or are not otherwise governed by statute or
    regulation be presented in the same manner and within the same time period as contained in the Act,
  - (2) require that all claims must be presented pursuant to the Policy as a prerequisite to any lawsuit against Community Power,
  - (3) require that claims and application for late claims be presented to the Clerk of the Board, and
  - (4) authorize the CEO and General Counsel to take all appropriate and necessary actions to process claims against Community Power, including rejecting insufficient claims, returning untimely claims, action on applications for leave to present late claims and, subject to their settlement authority (if applicable), approving or rejecting claims.





#### ITEM NO. 16

# BOARD MEMBER COMMENTS AND QUESTIONS

## Adopt Resolution No. 2025-11, Establishing and Approving a Claims Procedures Policy

#### **Recommendation:**

Adopt Resolution No. 2025-11, establishing and approving a Claims Procedures Policy.

Adoption of Resolution No. 2025-09, Approving a Disposal of Surplus Property Policy

#### **Recommendation:**

Recommend Board Adoption of Resolution No. 2025-09, Approving a Disposal of Surplus Property Policy.

Presenter:

Dr. Eric Washington, Chief Financial Officer/Treasurer



## **Policy Review**

Community Power conducted a holistic internal review of policies to determine gaps and subsequent policy recommendations to the Board.

#### Joint Powers Agreement



#### Internal Policy Review



## Policy Recommendations



#### **Section 3.2.12**

The Board may adopt rules, regulations, policies, bylaws and procedures governing operations.

#### Section 4.5.5

One of the general purposes of the Board is to set policy.

Community Power did an internal review of policies to determine **policy gaps**.

The analysis of policies identified the need to adopt a policy governing the disposal of surplus property.



## Property Value

## **Disposal Framework**

Property Value \$25,000+



Property Value \$500 - \$25,000



Property Value \$500 or less

(de minimis)



✓ Disposed w/o formal process



## **Disposal Methods**

Property Value \$25,000+

Property Value \$500 - \$25,000

Property Value \$500 or less

**Auction** 

Direct Donation

Recycling

Regular Waste Operating Budget





#### ITEM NO. 17

# BOARD MEMBER COMMENTS AND QUESTIONS

## Adoption of Resolution No. 2025-09, Approving a Disposal of Surplus Property Policy

#### **Recommendation:**

Recommend Board Adoption of Resolution No. 2025-09, Approving a Disposal of Surplus Property Policy.

Approve Renewable Power Purchase Agreement with IP Darden IV, LLC

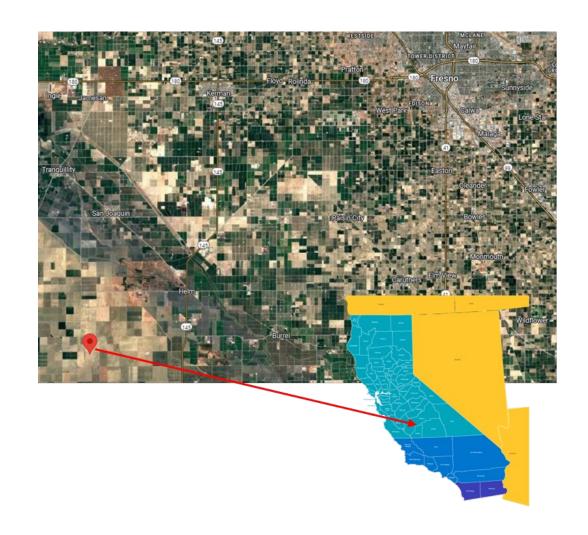
#### **Recommendation:**

Approve the proposed Renewable Power Purchase Agreement ("PPA") for a 91.48 MW solar and 91.48 MW, 4-hour battery energy storage facility, with IP Darden IV, LLC, for a term of up to 12 years, in substantially final form and authorize the Chief Executive Officer to execute the PPA.



#### Darden IV PPA: Background

- **Project Size:** 91.48 MW solar PV, 91.48 MW, 4-hr lithium-ion battery energy system, part of a larger 1,148 MW installation.
- Location: Fresno County
- Permitting: Conditional Use Permit approved by the California Energy Commission
- Interconnection: Interconnection Agreement executed





#### **Darden IV PPA: Contract Overview**

• **Product:** Renewable energy, capacity, tolling services

• Contract Term: 12 years

Guaranteed COD: June 1, 2028

- Pricing: fixed pricing with no escalation and no price adjusters for increased tariffs or loss of Investment Tax Credits
- Note: Community Power would receive financial compensation in the event of seller's failure to successfully achieve certain development milestones as well as seller's failure to meet the guaranteed energy production



#### Darden IV PPA: Staff Analysis

- The Darden IV project will contribute to Community Power's 100% renewable by 2035 target, providing over 265,000 MWh of renewable energy per year
- Pricing is competitive with comparable product offerings received from Community Power's recent RFPs
- The Darden IV will provide capacity product, helping Community Power meet the CPUC's resource adequacy requirements
- Intersect Power's supply chain strategy focuses on securing a high percentage of domestic content, reinvesting in the domestic energy transition economy and mitigating supply chain related risks, including the risk of tariff increases



## Darden IV PPA: Workforce Development and Community Benefits

- The larger Darden Project is estimated to create approximately 1,600 temporary construction jobs and 14 permanent jobs
- The project will be constructed using a 5-craft Project Labor Agreement
- The project has committed \$100,000 to a community benefit fund to benefit Community Power customers
- Intersect Power has a long-term community benefits plan in western Fresno County with a focus on education and economic opportunity, transportation, air quality, housing, and healthy foods





### **ITEM NO. 18**

# BOARD MEMBER COMMENTS AND QUESTIONS

# Approve Renewable Power Purchase Agreement with IP Darden IV, LLC

### **Recommendation:**

Approve the proposed Renewable Power Purchase Agreement ("PPA") for a 91.48 MW solar and 91.48 MW, 4-hour battery energy storage facility, with IP Darden IV, LLC, for a term of up to 12 years, in substantially final form and authorize the Chief Executive Officer to execute the PPA.

## Item No. 19

2024 Power Source Disclosure Program Annual Reports and Power Content Label; and Adoption of Resolution No. 2025-13, Approving the Submission and Attesting to the Accuracy of Community Power's 2024 Power Source Disclosure Annual Reports for PowerBase, PowerOn, Power100, and Power100 Green+

### **Recommendation:**

Adopt Resolution 2025-13 approving the submission and attesting to the accuracy of Community Power's 2024 Power Source Disclosure annual reports for PowerBase, PowerOn, Power100, and Power100 Green+.



### 2024 Power Source Disclosure Program Annual Reports

### **Background:**

- California Public Utilities Code requires all Load Serving Entities (LSEs) to disclose "accurate, reliable, and simple-to-understand information on the sources of energy, and the associated emissions of greenhouse gasses, that are used to provide electric services."
  - > Power Source Disclosure, which is submitted to the CEC
  - ➤ Power Content Label, which will be distributed to all Community Power customers who were served in 2024
- August: Community Power Board attestation to the veracity of the Power Source Disclosure submission to the CEC prior to approval of the Power Content Label
- October: Power Content Label uploaded to Community Power website
- December-January: Power Content Label mailed to customers



### **Power Source Disclosure**

- Accounts for every MWh of renewable energy procured in 2024
- Data vetted & validated by Community Power Staff and consultants
- Compares total Retail Sales by product (MWh) to procure renewable energy (MWh) and then determines the emission factor for any MWh that is not carbon free

	Power100 Green+	Power100	PowerOn	PowerBase
Retail Sales	37.27	551,582.58	7,147,246.75	26,037.87
Unmet Load	-	-	3,205,615.23	14,320.87



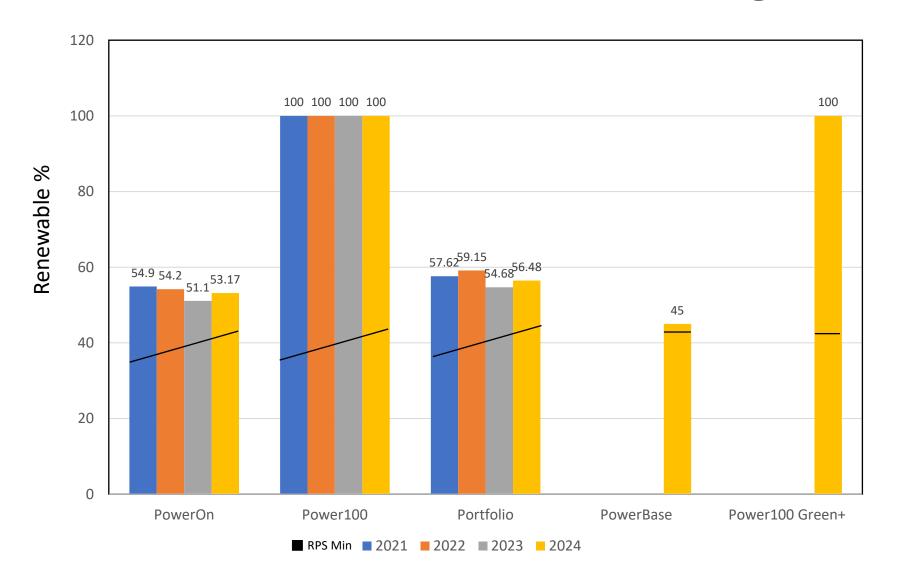
## **Power Source Disclosure**

2024 Power Content Label (Draft)

	Green+	Power100	PowerOn	PowerBase	Portfolio
Biomass & Biogas		0.00%	7.17%	34.00%	6.75%
Eligible Hydroelectric		0.00%	0.45%	0.00%	0.42%
Geothermal		0.00%	0.06%	0.00%	0.05%
Solar	50.00%	50.00%	33.89%	0.00%	34.92%
Wind	50.00%	50.00%	11.61%	11.00%	14.35%
Renewable	100.00%	100.00%	53.17%	45.00%	56.48%
Large Hydroelectric (CF)		0.00%	1.98%	0.00%	1.83%
Unspecified			44.85%	55.00%	41.68%
Grand Total	100.00%	100.00%	100.00%	100.00%	100.00%



# **Power Source Disclosure History**







### **ITEM NO. 19**

# BOARD MEMBER COMMENTS AND QUESTIONS

2024 Power Source Disclosure Program Annual Reports and Power Content Label; and Adoption of Resolution No. 2025-13, Approving the Submission and Attesting to the Accuracy of Community Power's 2024 Power Source Disclosure Annual Reports for PowerBase, PowerOn, Power100, and Power100 Green+

### **Recommendation:**

Adopt Resolution 2025-13 approving the submission and attesting to the accuracy of Community Power's 2024 Power Source Disclosure annual reports for PowerBase, PowerOn, Power100, and Power100 Green+.

### Item No. 20

**Update on Regulatory and Legislative Affairs** 

### **Recommendation:**

Receive and File Update of Regulatory and Legislative Affairs.

### Presenter:

Laura Fernandez, Senior Director of Regulatory and Legislative Affairs Patrick Welch, Associate Director of Legislative Affairs Aisha Cisna, Senior Policy Manager



#### **State Activities**

- The Legislature adjourns on September 12. Community Power has reviewed over 170 pieces of legislation since January
- The Senate and Assembly energy committees have held 7 informational hearings and 17 bill hearings
- Energy is a major issue shaping the end of the legislative session: utility wildfire fund, cap and trade extension, oil refinery closures, electric market regionalization, and electric affordability
- Community Power supports the following bills that are still moving through the legislative process:
  - AB 44 (Schultz): California Energy Commission load modification
  - AB 740 (Harabedian): virtual power plant deployment plan
  - SB 283 (Laird): battery energy storage safety
  - SB 302 (Padilla): tax conformity for federal clean energy tax credits
  - o SB 710 (Blakespear): solar and storage property tax exclusion



About ▼ District ▼ Legislation ▼

# Assemblymember Harabedian Passes AB 740 to the Senate to Advance Virtual Power Plants and Lower Energy Costs

FOR IMMEDIATE RELEASE:

Wednesday, June 4, 2025

Tom Steel (916) 319-2288 Tom.Steel@asm.ca.gov

FOR IMMEDIATE RELEASE: Wednesday, June 4, 2025

CONTACT: Tom Steel, Tom.Steel@asm.ca.gov, (530) 713-7783

Assemblymember Harabedian Passes AB 740 to the Senate to Advance Virtual Power

Plants and Lower Energy Costs

(SACRAMENTO, CA) - Yesterday, Assemblymember John Harabedian (D-Pasadena) passed AB 740 to lower energy costs and promote grid reliability by using Virtual Power Plants. A Virtual Power Plant (VPP) connects everyday clean energy technologies-like rooftop solar, EV chargers, and smart appliances to operate as one coordinated energy source. By harnessing the power already available in our homes and businesses, VPPs help balance the grid, cut emissions, and build a more decentralized energy system.



#### **State Activities**

- Community Power supported the following bills that are <u>no longer</u> moving through the legislative process:
  - AB 259 (Rubio): just cause & emergency circumstances teleconferencing standards for governing boards\*
  - AB 915 (Petrie-Norris): clean energy funding for distributed energy assets
  - SB 239 (Arreguin): streamlined teleconferencing standards for subsidiary bodies\*
  - SB 330 (Padilla): public financing of new transmission powerlines
  - SB 331 (Padilla): streamlined environmental review for certain transmission powerlines

PRESS RELEASE

### Senator Padilla Introduces Legislative Package To Overhaul The State's Energy Grid To Save Californians Billions

**FEBRUARY 12, 2025** 

SACRAMENTO – Today, Senator Steve Padilla (D-San Diego) introduced a package of legislation designed to reduce costs of grid infrastructure projects statewide and reimagining how electrical transmission lines are financed and approved in California. Senate Bill 330 would authorize the Governor to create pilot projects to develop, finance, and operate electrical transmission infrastructure in the state, saving Californians billions this decade. Senate Bill 331 would deliver significant cost savings to ratepayers while cutting years off the time it takes for transmission projects to be approved and permitted – a reform critical for the California economy and the state's work towards addressing issues of affordability.



#### **State Activities**

- Community Power is opposing the following bills that are still moving through the legislative process, unless they are amended:
  - AB 825 (Petrie-Norris): state task force oversight of local demand side management programs
  - SB 540 (Becker): regional energy market pathway
    - Note: Community Power supported prior versions of the bill and along with coalition members, is seeking amendments that would again garner support
- Community Power opposed the following bill unless it was amended. It is no longer moving through the legislative process:
  - AB 1295 (Patterson): customer billing





Governor Newsom calls on Legislature to pass critical power grid proposal: 'Our best shot at affordability this year'



giving the grid operator access to a wider pool of energy resources, strengthening our ability to handle

More Affordable Clean Energy: A regional energy market will help California develop more renewable
energy we can use or sell to other states, and expanding our access to clean electricity supply from
other Western states will reduce our reliance on fossil fuels for grid reliability, helping to improve our air

climate-driven disruptions and reducing the risk of blackouts.

quality and further our climate goals.

### **State Activities**



Support for Self-Generation Incentive Funding



Support for Energy Efficiency Funding



Support for Distributed Electricity Backup Assets and Demand Side Grid Support Funding



# SDG&E Application to Withdraw from Regional Energy Efficiency Administration

### **Key Milestones**

Date	Milestone
April 25, 2025	SDG&E filed off-cycle application to discontinue administration of regional energy efficiency (EE) programs in the region
May 29, 2025	Protests and response to application filed
September 5, 2025	Legal briefs
September 26, 2025	Reply briefs
November 2025	Proposed decision on legal permissibility
December 2025	Final decision on legal permissibility



# SDG&E Application to Withdraw from Regional Energy Efficiency Administration

### Key Issues to Be Addressed in Legal Briefs

- Statutory Compliance: Assess whether SDG&E is legally permitted to withdraw
- Impacts of Withdrawal: Clarify how legal mandates for <u>first meeting unmet</u> resource needs with energy efficiency and <u>achievement of CPUC-assigned savings</u> goals would be satisfied if SDG&E withdraws from regional program administration
- Role of SDREN: Evaluate the Commission's legal authority to assign SDG&E's responsibilities to San Diego Regional Energy Network (SDREN)





### ITEM NO. 20

# BOARD MEMBER COMMENTS AND QUESTIONS

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

### **Recommendation:**

Receive and File Update of Regulatory and Legislative Affairs.

### Item No. 21

**Update on Results from Clean Prepayment Transaction No. 2** 

### **Recommendation:**

Receive and file the update for the Clean Energy Prepayment Bond finance initiative.

### Presenter:

Dr. Eric Washington, Chief Financial Officer/Treasurer Jeb Spengler, Senior Strategic Finance Manger



## Clean Energy Prepayment Transaction Overview

- Goal Reduce cost of power purchases by 8% or more to enhance affordability
- How Leverage use of tax-exempt bonding capacity to secure long-term supply
- Background
  - Codified in the U.S. tax law
  - Used since the 1990s largely for natural gas transactions
  - Over 100 transactions totaling over \$75 billion completed in the U.S. mostly for gas
  - 21 energy prepayment transactions totaling \$21.5 billion completed since 2021 for California Community Choice Aggregators
  - Community Power (through CCCFA) sold its first prepayment bond issue in November 2024 and second prepayment bond issue in July 2025



# Prepayments That Have Been Completed by CCAs in California

Date	Amt. (\$000)	Issuer	Description	Beneficiary
09/2021	1,234,720	CCCFA (21A)	Elec (Green)	SVCE, AVA
11/2021	602,655	CCCFA (21B)	Elec (Green)	MCE
06/2022	931,120	CCCFA (22A)	Elec (Green)	AVA
12/2022	459,640	CCCFA (23A)	Elec (Green)	Pioneer
01/2023	841,550	CCCFA (23B)	Elec (Green)	SVCE
02/2023	998,780	CCCFA (23C)	Elec (Green)	СРА
06/2023	958,290	CCCFA (23D)	Elec (Green)	СРА
08/2023	997,895	CCCFA (23E)	Elec (Green)	AVA
10/2023	647,750	CCCFA (23F)	Elec (Green)	CCCE
12/2023	1,038,285	CCCFA (23G)	Elec (Green)	MCE
01/2024	1,101,625	CCCFA (24A)	Elec (Green)	SVCE
08/2024	1,524,180	CCCFA (24B)	Elec (Green)	СРА
10/2024	959,825	CCCFA (24C)	Elec (Green)	PCE
10/2024	1,152,995	CCCFA (24D)	Elec (Green)	СРА

Date	Amt. (\$000)	Issuer	Description	Beneficiary
10/2024	1,152,995	CCCFA (24D)	Elec (Green)	СРА
11/2024	1,243,210	CCCFA (24E)	Elec (Green)	SJCE
11/2024	1,000,500	CCCFA (24F)	Elec (Green)	Community Power
11/2024	775,590	CCCFA (24G)	Elec (Green)	SCPA
12/2024	1,290,750	CCCFA (24H)	Elec (Green)	СРА
01/2025	493,345	CCCFA (25A)	Elec (Green)	VCEA
06/2025	1,062,605	CCCFA (25B)	Elec (Green)	MCE
[07/2025]	***	CCCFA (25C)	Elec (Green)	AVA
07/2025	1,005,685	CCCFA (25D)	Elec (Green)	Community Power
Total	21,473,990			

<sup>\*\*\*</sup> Preliminary, not yet final



### **Board Authorized Execution Parameters**

- Aggregate principal amount of bonds will not exceed \$1.5 billion
  - ✓ Final principal amount = \$1.005 billion
- Minimum discount of at least 8% of the fixed cash flows or equivalent \$ per MWh
  - ✓ Discount of 10.5% achieved
- Total issuance costs will not exceed 1.00% of the amount of bond proceeds issued
  - ✓ Total final costs = 0.62% of bond proceeds
- Bonds are not obligations of Community Power
  - ✓ Bonds were issued by CCCFA and are secured by a pledge of the "Trust Estate"



# 2025 Prepay #2 Transaction Highlights

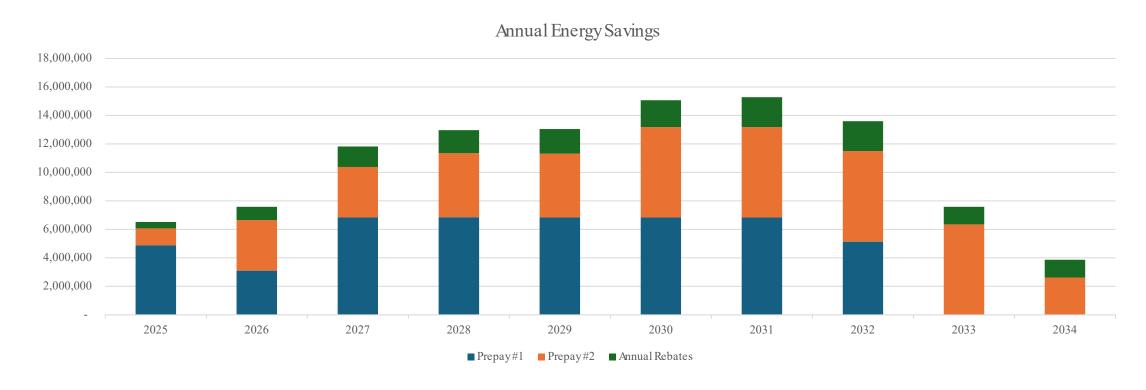
Aggregate Bond Principal	\$1,005,685,000
Municipal Bond Rating	A2 (Moody's)
Green Bond Certification	Kestrel Sustainability Benchmark 5.00 out of 5.00, Top 1%* *compared to all bonds scored in electric utility sector
Initial Bond Pricing Period	<ul> <li>9 Years (July 1, 2034)</li> <li>After the initial period, bonds will be repriced per the negotiated repricing agreement and a new discount will be established based on the then prevailing market conditions</li> </ul>
Final Bond Maturity Date	• October 1, 2055
Discount Achieved	• \$7.625/MWh 9/25 – 7/34
	<ul> <li>~\$6.1 million per year for Community Power through initial 9-year period (including annual rebates)**</li> </ul>
Energy Volume Supported by Bond Proceeds	• 5,934,510 MWh (initial term)
Power Delivery Start Date	September 1, 2025

<sup>\*\*</sup>Annual savings are not uniform



## **Community Power Prepay Energy Cost Savings**

### Total Energy Cost Savings Plus Annual Custodial Account Rebates







### ITEM NO. 21

# BOARD MEMBER COMMENTS AND QUESTIONS

# **Update on Results from Clean Prepayment Transaction No. 2**

### **Recommendation:**

Receive and file the update for the Clean Energy Prepayment Bond finance initiative.



# Recent Speaking Engagements



North San Diego Business Chamber Military Summit



South Bay Economic Development Center Summit



# **Community Power in the Community**







Olivewood Garden Day of Play

Chula Vista Lemon Festival

Power100 Champion Summer Mixer



# **Upcoming Events and Announcements**







2024 Solar Battery Savings Contractor Training











**September 25, 2025**