



**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**  
November 16, 2023

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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 5:00 p.m.

Director Hinze (Encinitas) announced she was attending virtually under the just cause provision of AB 2449 due to a contagious illness that prevented her from attending in person and there was an individual over the age of 18 present in the room with her.

**ROLL CALL**

**PRESENT:** Chair LaCava (City of San Diego), Director McCann (Chula Vista), Director Hinze (Encinitas) (arrived at 5:03 p.m.), Director Aguirre (Imperial Beach), Director Parent (La Mesa), and Director Yamane (National City)

**ABSENT:** Vice Chair Lawson-Remer (County of San Diego)

*Also Present:* Chief Executive Officer (“CEO”) Burns, Chief Operating Officer (“COO”) Clark, Chief Financial Officer (“CFO”)/Treasurer Washington, General Counsel Baron, Board Clerk Isley

**PLEDGE OF ALLEGIANCE**

Chair LaCava (City of San Diego) led the Pledge of Allegiance.

**SPECIAL PRESENTATIONS AND INTRODUCTIONS**

Chair LaCava (City of San Diego) acknowledged the Kumeyaay Nation and all the original stewards of the land.

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

Diana Gonzalez Risk Manager  
Erin Hudak, Compliance 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**ITEMS TO BE ADDED, WITHDRAWN, OR REORDERED ON THE AGENDA**

There were no items added, withdrawn, or reordered on the agenda.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 10)

Director Parent pulled item 11 suggesting further discussion.

**ACTION:** Motioned by Director Parent and seconded by Director McCann (Chula Vista) to approve Consent Calendar Items 1 through 10. 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: None

**1. Approval of October 26, 2023 Meeting Minutes**

Approved.

**2. Receive and File Treasurer’s Report for Period Ending September 30, 2023**

Received and filed.

**3. Receive and File June 30, 2023 Fiscal Year-end Audited Financial Statement**

Received and filed.

**4. Receive and File Update on Programs**

Received and filed.

**5. Receive and File Update on Power Services**

Received and filed.

**6. Receive and File Update on Human Resources**

Received and filed.

**7. Receive and File Update on Customer Operations**

Received and filed.

**8. Receive and File Update on Marketing and Public Relations**

Received and filed.

**9. Receive and File Update on Community Advisory Committee**

Received and filed.

**10. Receive and File Update on Legislative and Regulatory Affairs**

Received and filed.

**11. Approval of 2023 Procurement Counsel Legal Services Request for Proposal Contracts** (This item was pulled from the consent calendar and added to the regular agenda)

- a. Approval of Amended and Restated Engagement Letter with Keyes and Fox LLP for up to \$500,000 per year for Legal Services for Power Procurement beginning January 1, 2024
- b. Approval of Engagement Letter with Perkins Coie LLP for up to \$200,000 per year for Legal Services for Power Procurement beginning January 1, 2024
- c. Approval of Engagement Letter with Sunridge Legal, LLP for up to \$200,000 per year for Legal Services for Power Procurement beginning January 1, 2024

## **REGULAR AGENDA**

### **11. Approval of 2023 Procurement Counsel Legal Services Request for Proposal Contracts** (Moved from the consent calendar to the regular agenda)

There was no presentation on this item.

Board questions and comments ensued.

**ACTION:** Motioned by Director Parent and seconded by Director Yamane (National City) to approve the Approval of 2023 Procurement Counsel Legal Services Request for Proposal Contracts with the condition that they have a period of three years before the direction of staff to do an update for an RFP or other procurement. 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:** None

### **12. Update on Quarterly Report for the Community Advisory Committee**

Community Engagement Manager Crespo and Community Advisory Committee Chair Vasilakis provided a PowerPoint presentation on the update on the quarterly report for the Community Advisory Committee.

Following Board questions and comments, no action was taken.

### **13. Approve the Appointment of CAC Member Representing the City of Imperial Beach**

Community Engagement Manager Crespo provided a PowerPoint presentation on the Community Advisory Committee's (CAC) membership terms and criteria and recommended the approval of Appointment of CAC Member Representing the City of Imperial Beach.

Board questions and comments ensued.

ACTION: Motioned by Director Aguirre (Imperial Beach) and seconded by Director Yamane (National City) to approve the Appointment of CAC Member Representing the City of Imperial Beach. 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: None

#### **14. Approve the Update to the Energy Proposal Evaluation Criteria**

Director of Power Contracts Key gave a PowerPoint presentation on the Energy Proposal Evaluation Criteria.

Public Comment:

Jason Anderson, Clean Tech, submitted a letter of support before the meeting and it was posted to the San Diego Community Power's (SDCP) website.

Board questions and comments ensued.

ACTION: Motioned by Director Parent (La Mesa) and seconded by Director McCann (Chula Vista) to approve the Update to the Energy Proposal Evaluation Criteria. This includes the clarification that any community benefit will be directed to SDCP for administration. Additionally, there is a request for staff to return with assistance in determining the scale of the community benefit. This involves proposing criteria and outlining a process for the allocation of any funds received for community benefit. 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: None

**15. Approve Arevon Avocet Standalone Storage Energy Storage Services Agreement (ESSA)**

Director of Power Contracts Key gave a PowerPoint presentation on the Arevon Avocet Standalone Storage Energy Storage Services Agreement (ESSA).

Board questions and comments ensued.

ACTION: Motioned by Director McCann (Chula Vista) and seconded by Director Yamane (National City) to approve Arevon Avocet Standalone Storage Energy Storage Services Agreement (ESSA). 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: None

**16. Approve Pomona 2 Standalone Storage Energy Storage Services Agreement (ESSA)**

Managing Director Power Services Vosburg provided a PowerPoint presentation on the Pomona 2 Standalone Storage Energy Storage Services Agreement (ESSA).

Board questions and comments ensued.

ACTION: Motioned by Director McCann (Chula Vista) and seconded by Director Parent (La Mesa) to approve the Pomona 2 Standalone Storage Energy Storage Services Agreement (ESSA). 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: None

## **REPORTS BY CHIEF EXECUTIVE OFFICER AND GENERAL COUNSEL**

CEO Burns reported on SDCP's ongoing efforts and recent activities and events.

## **DIRECTOR COMMENTS**

There were no director comments.

## **PUBLIC COMMENTS ON CLOSED SESSION ITEMS**

There were no public comments.

## **CLOSED SESSION**

### **1. CONFERENCE WITH LABOR NEGOTIATORS**

Agency designated representatives: Chair LaCava and SDCP CEO Karin Burns  
Unrepresented employee: General Counsel

### **2. PUBLIC EMPLOYEE APPOINTMENT (RECRUITMENT UPDATE)**

Title: General Counsel

## **ROLL CALL**

PRESENT: 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)

ABSENT: Vice Chair Lawson-Remer (County of San Diego)

*Also Present: General Counsel Baron*

## **REPORT FROM CLOSED SESSION**

General Counsel Ryan Baron reported there was no reportable actions from the closed session.

## **ADJOURNMENT**

Chair LaCava (City of San Diego) adjourned the meeting at 6:15 p.m.

Prepared by:  
Sandra Vences, Deputy Clerk