



**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
June 22, 2023

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 LaCava (San Diego) called the SDCP Board of Directors meeting to order at 5:04 p.m.

ROLL CALL

PRESENT: Chair LaCava (San Diego), Director Aguirre (Imperial Beach), Director Hinze (Encinitas), Director Chavez (Chula Vista), Director Parent (La Mesa)

ABSENT: Director Yamane (National City) and Vice Chair Lawson-Remer (County of San Diego)

Also Present: Assistant General Counsel Norvell

PLEDGE OF ALLEGIANCE

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

PUBLIC COMMENTS ON CLOSED SESSION ITEMS

There were no public comments.

CLOSED SESSION

- 1. PUBLIC EMPLOYEE PERFORMANCE EVALUATION PURSUANT TO GOVERNMENT CODE SECTION 54957**

Title: Chief Executive Officer

2. CONFERENCE WITH LABOR NEGOTIATORS PURSUANT TO GOVERNMENT CODE SECTION 54957.6

Agency designated representative(s): Ryan Baron, General Counsel
Unrepresented employee: Chief Executive Officer

ROLL CALL

PRESENT: Chair LaCava (San Diego), Director Aguirre (Imperial Beach), Director Hinze (Encinitas), Director Chavez (Chula Vista), Director Parent (La Mesa)

ABSENT: Director Yamane (National City) and Vice Chair Lawson-Remer (County of San Diego)

Also Present: Chief Executive Officer (“CEO”) Burns, Chief Financial Officer (“CFO”) Washington, Assistant General Counsel Norvell

REPORT FROM CLOSED SESSION

Assistant General Counsel Nick Norvell reported there is no reportable action from today’s closed session.

SPECIAL PRESENTATIONS AND INTRODUCTIONS

Chair LaCava (San Diego) introduced the following new SDCP staff members and thanked departing Community Advisory Committee (CAC) members:

Jack Clark, Chief Operating Officer

ITEMS TO BE ADDED, WITHDRAWN, OR REORDERED ON THE AGENDA

The agenda items were considered in the order presented.

NON-AGENDA PUBLIC COMMENTS

Written comments submitted prior to the start of the meeting were distributed to the Board of Directors and posted on the SDCP website.

CONSENT CALENDAR

(Items 1-12)

CONSENT CALENDAR PUBLIC COMMENT

There were no public comments.

1. Approval of February 23, 2023 and March 23, 2023 Meeting Minutes

Approved

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

Received and Filed

3. Receive and File Update on Power Services

Received and Filed

4. Receive and File Update on Human Resources

Received and Filed

5. Receive and File Update on Customer (Back Office) Operations

Received and Filed

6. Receive and File Update on Marketing and Public Relations

Received and Filed

7. Receive and File Update on Regulatory and Legislative Affairs

Received and Filed

8. Receive and File Update on Community Advisory Committee

Received and Filed

9. Approval of Second Amendment to Professional Services Agreement with Keyes and Fox for up to \$1,300,000 for Legal and Regulatory Services through May 31, 2026

Approved

10. Approval of Third Amendment to the Professional Services Agreement with Maher Accountancy for up to \$297,000 for accounting services through FY2024.

Approved

11. Approval of Professional Services Agreement with Innovation Network for Communities for up to \$350,000 for a Building and Housing Stock Analysis and Funding Gap Analysis Services through June 30, 2025

Approved

12. Approval of Community Advisory Committee Reappointment of Members for Terms Ending in 2023

Approved

ACTION: Motioned by Director Hinze (Encinitas) and seconded by Director Parent (La Mesa) to approve Consent Calendar Items 1 through 12.

The motion carried by the following vote:

Vote: 5-0

Yes: Chair LaCava (San Diego), Director Aguirre (Imperial Beach), Director Hinze (Encinitas), Director Chavez (Chula Vista), Director Parent (La Mesa)

No: None
Abstained: None
Absent: Director Yamane (National City) and Vice Chair Lawson-Remer (County of San Diego)

ITEMS REMOVED FROM THE CONSENT CALENDAR

There were no items removed from the Consent Calendar.

REGULAR AGENDA

13. Approval of Second Amendment to CEO Employment Agreement

Assistant General Counsel Novell provided an overview of the process and history for Chief Executive Officer salary increases.

Board questions and comments ensued.

ACTION: Motioned by Director Hinze (Encinitas) and seconded by Director Aguirre (Imperial Beach) to approve Second Amendment to Chief Executive Officer Employment Agreement in the form included in the agenda packet, along with the addition of language providing for a 5% merit increase and 6.4% cost of living increase, for a new base salary of \$418,950, effective as of July 1, 2023.

The motion carried by the following vote:

Vote: 5-0

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

14. Approval of the FY 2023-24 Operating Budget and FY 2024-28 Capital Investment Plan

Chief Financial Officer Washington provided a summary of the budget and the capital investment plan and an overview of the budget process and history.

Board questions and comments ensued.

ACTION: Motioned by Director Aguirre (Imperial Beach) and seconded by Director Parent (La Mesa) to approve the FY 2023-24 Operating Budget and FY 2024-28 Capital Investment Plan

The motion carried by the following vote:

Vote: 5-0

Yes: Chair LaCava (San Diego), Director Aguirre (Imperial Beach), Director Hinze (Encinitas), Director Chavez (Chula Vista), Director Parent (La Mesa)

No: None

Abstained: None

Absent: Director Yamane (National City) and Vice Chair Lawson-Remer (County of San Diego)

15. Update on the Disadvantaged Communities and Community Solar Green Tariff Programs

Program Associate Tobar provided background information and an overview of the Disadvantaged Communities Green Tariff and Community Solar Green Tariff programs.

Board questions and comments ensued.

No action was taken, update was received and filed.

16. Approve the update to the Collections and Delinquency Policy to Include Residential Customers

Director of Data Analytics and Account Services Utouh and Chief Financial Officer Washington provided an overview of the update to the Collections and Delinquency Policy to include Residential Customers. Policy objectives were outlined and programs assisting customers with arrearages were presented.

Board questions and comments ensued.

ACTION: Motioned by Director Aguirre (Imperial Beach) and seconded by Director Chavez (Chula Vista) to approve the update to Collections and Delinquency Policy to include residential customers.

The motion carried by the following vote:

Vote: 5-0

Yes: Chair LaCava (San Diego), Director Aguirre (Imperial Beach), Director Hinze (Encinitas), Director Chavez (Chula Vista), Director Parent (La Mesa)

No: None

Abstained: None

Absent: Director Yamane (National City) and Vice Chair Lawson-Remer (County of San Diego)

17. Approval of the Renewable Power Purchase Agreement (PPA) Yellow Pine Solar III, LLC

Senior Portfolio Manager Torres presented a summary of SDCP Long-Term Procurement and an overview of the Yellow Pine 3 (NextEra) project. Torres discussed the workforce development and community benefits of the project.

Board questions and comments ensued.

ACTION: Motioned by Director Hinze (Encinitas) and seconded by Director Parent (La Mesa) to approve the 20-year Renewable Power Purchase Agreement with Yellow Pine Solar III, LLC for 35 MW of Solar PV Renewable Energy and 35 MW of Battery Energy Storage.

The motion carried by the following vote:

Vote: 5-0

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

SPECIAL MEETING 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.

1. Approve the Renewable Power Purchase Agreement with ORNI 30, LLC

Senior Portfolio Manager Torres presented an overview of the Brawley Solar and Storage (Ormat) project and outlined the Key terms for the power purchase agreement. Torres also described the workforce development and community benefits of the project.

Public Comment

Cristine Marquez of IBEW 569 spoke in support of the project.

Board questions and comments ensued.

ACTION: Motioned by Director Aguirre (Imperial Beach) and seconded by Director Chavez (Chula Vista) to approve the Renewable Power Purchase Agreement with ORNI 30 LLC for a term of 20 years and authorize the CEO to execute the agreement.

The motion carried by the following vote:

Vote: 5-0

Yes: Chair LaCava (San Diego), Director Aguirre (Imperial Beach), Director Hinze (Encinitas), Director Chavez (Chula Vista), Director Parent (La Mesa)

No: None
Abstained: None
Absent: Director Yamane (National City) and Vice Chair Lawson-Remer (County of San Diego)

REPORTS BY CHIEF EXECUTIVE OFFICER AND GENERAL COUNSEL

Chief Executive Officer Burns provided an update on staff efforts, hiring and activities.

DIRECTOR COMMENTS

Director Chavez thanked staff and hoped to see additional programs to benefit communities.

ADJOURNMENT

Chair LaCava (San Diego) adjourned the meeting at 7:03 p.m.

Kimberly Isley, Clerk of the Board