

RESOLUTION NUMBER 2020-03

A RESOLUTION OF THE BOARD OF DIRECTORS
OF SAN DIEGO COMMUNITY POWER
AUTHORIZING DELEGATION OF AUTHORITY TO CEO FOR REGULATORY AND LEGISLATIVE
ACTIONS

WHEREAS, San Diego Community Power (SDCP) is a joint powers authority established in October 2019, pursuant to the San Diego Community Power Joint Powers Agreement (JPA) and organized under the Joint Exercise of Powers Act (Government Code Section 6500 et. seq.); and

WHEREAS, SDCP members include the Cities of Chula Vista, Encinitas, Imperial Beach, La Mesa and San Diego; and

WHEREAS, SDCP seeks to delegate authority to its Chief Executive or designee to take regulatory and legislative action when certain conditions are met as set forth in the attached Policy.

WHEREAS, Policy # __ will allow SDCP's Chief Executive or designee to appropriately and timely respond to regulatory or legislative actions that may impact the mission and/or operations of SDCP. This policy is intended to ensure that SDCP maintains critical presence and influence at the State level.


WHEREAS, SDCP seeks to establish a Delegation of Authority to CEO for Regulatory and Legislative Matters Policy consistent with relevant local, state, and federal laws and regulations.

NOW, THEREFORE, BE IT RESOLVED by the Board of Directors of San Diego Community Power as follows:

1. The Board of Directors has determined the recitals herein are true and correct.
2. The Board of Directors hereby adopts the Policy No. __: Delegation of Authority to CEO for Regulatory and Legislative Matters, attached hereto as Exhibit "A."
3. This Resolution shall be effective immediately after its adoption by the Board of Directors.

PASSED AND ADOPTED at a meeting of the Board of Directors of San Diego Community Power on April 23, 2020.

ATTEST:


Joe Mosca, Chair, Board of Directors
San Diego Community Power


Megan Wiegelman, Secretary, Board of Directors
San Diego Community Power

EXHIBIT "A"

SAN DIEGO COMMUNITY POWER

POLICY # _____

Delegation of Authority to CEO for Regulatory and Legislative Matters

Subject: Delegation of authority to Chief Executive Officer to take a position and/or action regarding regulatory and legislative matters of import to SDCP.

Purpose: On occasion, the Chief Executive Officer is approached with a time-sensitive request to take a position or action on a regulatory, legislative, or other governmental matter related to San Diego Community Power's mission and operations. This policy is intended to delegate authority to the Chief Executive Officer and/or relevant designee(s) to take necessary regulatory or legislative action consistent with SDCP's mission and goals when certain conditions are met.

Policy: San Diego Community Power hereby delegates authority to the Chief Executive Officer or relevant designee to sign regulatory or legislative documents or related materials on behalf of SDCP, when all of the following conditions are met:

1. The regulatory, legislative, or other proposed action is directly related to and consistent with or will adversely impact SDCP's mission and operations.
2. Because of time constraints, bringing the matter to the Board of Directors at its next regularly scheduled meeting is not practical.
3. Calling a special meeting of the Board to address the matter is neither practical nor necessary under the circumstances.
4. The CEO has investigated and is aware of the positions, if any, of (1) other California CCAs and its trade association Cal-CCA; (2) state and federal legislators representing the San Diego region its cities, and (3) SDCP's member agencies.
5. The CEO has conferred with the Chair of the Board (or Vice Chair in the Chair's absence) and both the CEO and the Chair/Vice Chair agree that: (a) the position that the CEO intends to take is consistent with the mission of SDCP; (b) bringing the matter to the Board at its next scheduled meeting is not practical or appropriate under the circumstances; and (c) taking the position without a vote of the Board is appropriate under the circumstances.
6. The CEO will report positions taken pursuant to this policy at the next regularly scheduled Board of Directors meeting as part of the CEO's Report or the Regulatory/Legislative Report.