

RESOLUTION NUMBER 2024-01

A RESOLUTION OF THE BOARD OF DIRECTORS OF SAN DIEGO COMMUNITY POWER AUTHORIZING THE ACCEPTANCE, APPROPRIATION, AND EXPENDITURE OF GRANT FUNDING FROM THE STATE OF CALIFORNIA DEPARTMENT OF FOOD AND AGRICULTURE AND RELATED ACTIONS

A. San Diego Community Power (“SDCP”) is a joint powers agency formed pursuant to the Joint Exercise of Powers Act, Cal. Gov. Code § 6500 *et seq.*, California Public Utilities Code § 366.2, and a Joint Powers Agreement first effective on October 1, 2019 (“JPA Agreement”), as amended from time to time.

B. The State of California Department of Food and Agriculture (“CDFA”) established the Healthy Refrigeration Grant Program (“HRGP”) to fund energy efficient refrigeration units in corner stores, small businesses, and food donation programs in low-income or low-access areas in the state to stock California-grown fresh produce, nuts, dairy, meat, eggs, and minimally processed and culturally appropriate foods.

C. In July 2023, SDCP applied for HRGP Grant Funds to implement a pilot program.

D. In December 2023, SDCP received an award letter from CDFA in an amount of \$710,000 of HRGP funds (“HRGP Grant Funds”) to support SDCP in providing technical assistance and refrigeration units to stock healthy foods at stores throughout SDCP’s service territory.

E. Pursuant to section 3.2.9 of its Joint Powers Agreement, SDCP may, at the discretion of the Board, apply for, accept, and receive licenses, permits, grants, loans, or other aid from any federal, state, or local public agency.

F. Pursuant to Section 4.6.16 of its Joint Powers Agreement, the Board has the responsibility to exercise the Specific Powers identified in Sections 3.2 except those which the Board may elect to delegate to the Chief Executive Officer.

G. The Board, or its designee, is authorized to accept, appropriate, and expend the HRGP Grant Funds.

H. The Board, or its designee, is authorized to execute a grant agreement with CDFA with respect to the HRGP Grant Funds.

I. The Board, or its designee, is authorized to take all necessary actions to administer, monitor, manage and ensure compliance and to negotiate and execute contracts with third parties to implement the grant agreement or use the funds.

NOW, THEREFORE, BE IT RESOLVED by the Board of Directors of SDCP as follows:

1. The Board of Directors has determined that the recitals herein are true and correct.
2. The Board of Directors hereby authorizes the Chief Executive Officer to accept, appropriate, and expend the HRGP Grant Funds in an amount not to exceed \$710,000.
3. The Board of Directors hereby authorizes the Chief Executive Officer to execute the Grant Agreement with CDFA with respect to the HRGP Grant Funds and to negotiate and execute any amendments, extensions, or renewals of the Grant Agreement.
4. The Board of Directors hereby authorizes the Chief Executive Officer to take all necessary actions to administer, monitor, manage, and ensure compliance with the Grant Agreement, and to negotiate and execute contracts with third parties to implement the Grant Agreement or use of grant funds.
5. This resolution shall take effect immediately upon adoption.

PASSED AND ADOPTED at a meeting of the Board of Directors of San Diego Community Power held on January 18, 2024.

Joe LaCava

Chair, Board of Directors
San Diego Community Power

ATTEST:

Megan Wiegelman

Megan Wiegelman, Interim Secretary
San Diego Community Power