

RESOLUTION NO. 2025-11

**A RESOLUTION OF THE BOARD OF DIRECTORS OF SAN DIEGO
COMMUNITY POWER, ESTABLISHING AND APPROVING A CLAIMS
PROCEDURES POLICY PURSUANT TO GOVERNMENT CODE
SECTION 935.**

A. San Diego Community Power (Community Power) 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 effective on October 1, 2019, and amended and restated December 16, 2021 (JPA Agreement); and

B. The Government Claims Act (Government Code Section 900 *et seq.*) (hereinafter "Act") sets forth the general procedures for the presentation of claims as a prerequisite to commencing any action for money or damages against local public entities; and

C. The Act excepts certain claims against local public entities from the presentation procedures of the Act; and

D. The Act also specifies that local public entities may adopt a procedure for claims excepted under the Act and which are not governed by any other statutes or regulations; and

E. All claims for money or damages against Community Power or its employees acting within the course and scope of their employment, which are not otherwise governed by the Act or any other state statute or regulation, may be governed by a regulation adopted in accordance with Government Code section 935; and

F. The Board of Directors now desires to adopt a procedure to govern the presentation requirements of those excepted claims to establish a claims procedures pursuant to Government Code Section 935.

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

Section 1. The Board of Directors hereby approves and adopts a Claims Procedures Policy, as provided in Exhibit A, attached hereto and incorporated herein.

Section 2. If any provision of this resolution, the attached policy, or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of the resolution or policy which can be given effect without the invalid provision or application, and to this end the provisions of this resolution and the policy are severable. The Board of Directors hereby declares that it would have adopted

this resolution and the attached policy irrespective of the invalidity of any particular portion thereof.

Section 3. This resolution shall take effect immediately upon its adoption.

PASSED AND ADOPTED at a meeting of the Board of Directors of San Diego Community Power held on August 28, 2025.

AYES: CHAIR LAWSON-REMER, VICE CHAIR YAMANE, ALTERNATE DIRECTOR FISHER, DIRECTORS ELO-RIVERA, INZUNZA, SAN ANTONIO AND SUZUKI

NOES: NONE

ABSTAIN: NONE

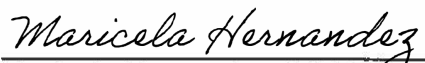
ABSENT: NONE



Terra Lawson-Remer, Chair
Board of Directors
San Diego Community Power

ATTEST:

APPROVED AS TO FORM:



Maricela Hernandez, MMC, CPMC
Clerk of the Board of Directors
San Diego Community Power



Veera Tyagi, General Counsel
San Diego Community Power

Policy	Claims Procedure	Original Adoption Date	August 28, 2025
Approval Date	August 28, 2025	Resolution No.	2025-11

Claims Procedures Policy**PURPOSE:**

The purpose of this Claims Procedures Policy (“Policy”) is to establish the requirements for the presentation of claims for money or damages not otherwise governed by statute or regulation against San Diego Community Power (“Community Power”) or its employees acting within the scope and course of their employment, pursuant to Section 935 of the Government Code.

POLICY:

1. The requirements of this Policy and the procedures contained in the Government Claims Act (commencing in Government Code Section 900 *et seq.*) shall apply to claims exempted from the Act by Section 905 of the Government Code and any claims not otherwise governed by statute or regulation.
2. All claims must be presented pursuant to this Policy as a prerequisite to any lawsuit or legal action against Community Power or its employees acting within the scope and course of their employment.
3. Claims shall be presented to Community Power’s Clerk of the Board in a form prepared by Community Power. Applications for leave to present a late claim shall also be presented to the Clerk of the Board. Claims and applications for leave to present a late claim may be presented to the Clerk of the Board electronically in a manner prescribed by Community Power.
4. The Chief Executive Officer and General Counsel and their designees are authorized to take all appropriate and necessary actions to process claims against Community Power. These actions shall include, but are not limited to, rejecting insufficient claims, returning untimely claims, acting on applications for leave to present late claims, and subject to their settlement authority, approving or rejecting claims.