

RESOLUTION NO. 2023-02

**A RESOLUTION OF THE BOARD OF DIRECTORS OF SAN DIEGO
COMMUNITY POWER RENAMING THE BOARD COMPENSATION AND
REIMBURSEMENT POLICY AS THE BOARD AND COMMITTEE
COMPENSATION AND REIMBURSEMENT POLICY, AMENDING THE
POLICY TO INCLUDE BOARD-APPOINTED ADVISORY COMMITTEES,
INCLUDING THE COMMUNITY ADVISORY COMMITTEE, AND MAKING
OTHER CHANGES**

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. Section 5.10 of the JPA Agreement provides that “the Board may establish rules, regulations, policies, or procedures to govern any such commissions, boards, or committees and shall determine whether members shall be compensated or entitled to reimbursement for expenses.”

C. Government Code section 53232 *et seq.* provides that, when authorized by statute, local agencies may pay compensation to members of a legislative body for attendance at certain occurrences and to reimburse members of a legislative body for actual and necessary expenses incurred in the performance of official duties, including the activities described therein.

D. Pursuant to Government Code section 6509 and Section 3.4 of the JPA Agreement, SDGP’s powers are subject to the restrictions upon the manner of exercising power possessed by the City of Encinitas, a general law city which is authorized by statute to provide compensation and reimbursement for members of its legislative bodies.

E. On February 4, 2022, the SDGP Board of Directors adopted an initial Board Compensation and Reimbursement Policy effective March 1, 2022, as previously amended.

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

Section 1. The Board of Directors hereby renames the Board Compensation and Reimbursement Policy as the “Board and Committee Compensation and Reimbursement Policy” and amends the 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 adoption.

PASSED AND ADOPTED at a meeting of the Board of Directors of San Diego Community Power held on February 23, 2023.



Chair, Board of Directors
San Diego Community Power

ATTEST:



Secretary, Board of Directors
San Diego Community Power