

RESOLUTION NO. 2026-02

**A RESOLUTION OF THE BOARD OF DIRECTORS OF
SAN DIEGO COMMUNITY POWER AMENDING THE
TELECONFERENCING POLICY.**

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);

B. In March 2023, the Community Power Board of Directors (“Board”) adopted a Teleconferencing Policy to allow members of the Community Powers’ Board, standing committees and the Community Advisory Committee to attend meetings remotely pursuant to the Ralph M. Brown Act (Govt. Code Section 54950 *et seq.*);

C. In October 2025, Senate Bill 707 (2025) (“SB 707”) was signed into law and amended the Brown Act to, among other things, expressly allow teleconferencing as a reasonable accommodation for a disability and subsume the provision for teleconferencing requirements under “emergency circumstances” into the provision for teleconferencing under “just cause”;

D. The Board now desires to amend the Teleconferencing Policy to include a procedure for members to request teleconferencing as a reasonable accommodation for a qualified disability and to make other changes consistent with SB 707;

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

Section 1. The Board of Directors hereby approve and adopt an amended Teleconferencing Policy, as provided in Exhibit A, attached hereto and incorporated herein.

Section 2. 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 February 26, 2026.

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

NOES:

ABSTAIN:

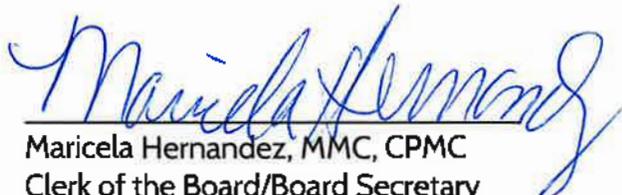
ABSENT:



Terra Lawson-Remer, Chair
San Diego Community Power

ATTEST:

APPROVED AS TO FORM:



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



Veera Tyagi, General Counsel
San Diego Community Power

POLICY	TELECONFERENCE	ORIGINAL ADOPTION DATE	MARCH 23, 2023
APPROVAL DATE	FEBRUARY 26, 2026	RESOLUTION NO.	2026-02

PURPOSE

This policy (“Policy”) is intended to authorize members of San Diego Community Power’s (“Community Power”) legislative bodies, including the Board of Directors (“Board”), standing committees of the Board, and the Community Advisory Committee (“CAC”), to attend meetings remotely under the teleconferencing provisions of the Ralph M. Brown Act (Government Code Section 54950, *et seq.*) (“Brown Act”), and to establish general procedures to ensure Brown Act compliance by Community Power and members of its legislative bodies.

POLICY

1. General Authorization for Use of Teleconferencing. Members of legislative bodies of Community Power (“Legislative Body Members”) may attend meetings using teleconferencing, subject to the requirements of the Brown Act and terms and conditions of this Policy. For purposes of this Policy, “legislative body” shall have the meaning provided under the Brown Act.

2. Procedures.

- a. Legislative Body Members shall notify the Clerk of the Board as soon as possible of a request to attend an upcoming meeting via teleconference. The Legislative Body Member shall provide a general description of the circumstances relating to their need to appear remotely.
- b. The Clerk of the Board will work with the requesting Legislative Body Member and the General Counsel to verify that the applicable Brown Act teleconferencing requirements can be met. Such requirements may vary depending on the type of teleconferencing the Legislative Body Member desires to use, or is eligible to use, under the Brown Act. For example: (1) the Legislative Body Member may have reached the maximum number of times they are eligible to use a particular method of teleconferencing for that year; (2) Community Power may be required to comply with certain time-sensitive agenda posting requirements for the member to use a particular method of teleconferencing; (3) Community Power may be unable to comply with requirements for remote public participation applicable to a particular method of teleconferencing; or (4) multiple other Legislative Body Members may have already requested to participate via teleconference and a quorum may be required to participate in person, etc.

If a Legislative Body Member’s request is not timely provided, or Community Power is otherwise unable to ensure compliance with all applicable Brown Act requirements, the requesting Legislative Body Member may be unable to participate in a meeting via teleconference.

For reasonable accommodation requests, the General Counsel will work with relevant Community Power staff who review reasonable accommodation requests to verify that the

Legislative Body member has a qualifying disability. Teleconferencing as a reasonable accommodation for a qualifying disability counts as in-person attendance for all purposes, including quorum.

- c. If a Legislative Body Member is participating in a meeting using the “just cause” provision of the Brown Act, the following provisions shall apply:
 - i. After Community Power staff has verified that the applicable Brown Act teleconferencing requirements can be met, the Legislative Body Member (or the Clerk of the Board, acting on their behalf) will notify the chair and other members of the legislative body that the Legislative Body Member intends to participate via teleconference and the general description of the circumstances relating to their need to appear remotely.
 - ii. During the meeting, the Legislative Body Member participating via teleconference shall:
 1. Before any action is taken, disclose whether any other individuals 18 years of age or older are present in the room at the remote location with the member, and the general nature of the member’s relationship with any such individuals.
 2. Participate through both audio and visual technology throughout the meeting (cameras on).
 - d. If a Legislative Body Member is participating remotely in a meeting as a reasonable accommodation due to a disability as defined by applicable law, the following provisions shall apply:
 - i. After Community Power staff verify that the Legislative Body Member has a qualifying disability, the Legislative Body Member (or the Clerk of the Board , acting on their behalf) will notify the Chair that the Legislative Body Member will be participating remotely as a reasonable accommodation due to a disability. The Legislative Body Member does not need to disclose the specific disability to the legislative body or the public.
 - ii. During the meeting, the Legislative Body Member participating via teleconference shall:
 1. Before any action is taken, disclose whether anyone 18 years of age or older is in the room at the remote location with the member, and the general nature of the member’s relationship with any such individual.
 2. Participate through both audio and visual technology throughout the meeting (camera on), except the member may participate by audio only (camera off) if a physical condition related to their disability results in a need to participate off camera.
3. **Interpretation and Severability.** This Policy is intended to supplement the provisions of the Brown Act and shall be interpreted in accordance therewith. In the event of any conflict between

the provisions of this Policy and the Brown Act or any other applicable law, the Brown Act or applicable law shall control.

PRIOR VERSIONS

DATE	ACTION	RESOLUTION NO.	POLICY NO.
MARCH 23, 2023	ADOPTION	N/A	2023-03