---------- Original Message ----------   
From: hcjpowell hcjpowell <[hcjpowell@cox.net](mailto:hcjpowell@cox.net)>   
To: [MayorToddGloria@sandiego.gov](mailto:MayorToddGloria@sandiego.gov), [VivianMoreno@sandiego.gov](mailto:VivianMoreno@sandiego.gov), [MarnivonWilpert@sandiego.gov](mailto:MarnivonWilpert@sandiego.gov), [RaulCampillo@sandiego.gov](mailto:RaulCampillo@sandiego.gov), [StephenWhitburn@sandiego.gov](mailto:StephenWhitburn@sandiego.gov), [Jennifercampbell@sandiego.gov](mailto:Jennifercampbell@sandiego.gov), [KentLee@sandiego.gov](mailto:KentLee@sandiego.gov), [CityAttorney@sandiego.gov](mailto:CityAttorney@sandiego.gov), [JoeLaCava@sandiego.gov](mailto:JoeLaCava@sandiego.gov), [SeanEloRivera@sandiego.gov](mailto:SeanEloRivera@sandiego.gov), [MMontgomerySteppe@sandiego.gov](mailto:MMontgomerySteppe@sandiego.gov)   
Cc: [RWilde@sandiego.gov](mailto:RWilde@sandiego.gov), [fortlieb@sandiego.gov](mailto:fortlieb@sandiego.gov), [Sbspivak@sandiego.gov](mailto:Sbspivak@sandiego.gov)   
Date: February 13, 2023 at 8:45 AM   
Subject: Communication to City of San Diego "Franchise Compliance Committee" Members for FEBRUARY 13 Meeting 

Mayor Todd Gloria

City Attorney Mara Elliott

Council President Sean Elo Rivera and City Councilmembers

Please find attached a communication to the "Franchise Compliance Committee" for their second meeting on Monday, February 13 at 3PM.

Main points:

1. Appointment of Members: Only four of the five committee members have been appointed contrary to the requirement of the gas and electric Franchise Agreements to appoint 5 members by July 2022.

2. Conflict of Interest Review: A proper review regarding potential conflict of interest of members has not been conducted.

3. Public Meetings:  The Committee meetings are being held in a remote and constrained conference room requiring requests to enter by phone.

4. Exparte Communications: Guidance has not been provided regarding communications by members of the committee with the franchisee or agents or intermediaries of the franchisee or with other committee members outside of the publicly noticed meetings.

5. Charge to the Committee: The Independent Auditor and the Committee should be charged to review the required schedule of actions stipulated in the franchise agreements and Energy Cooperation Agreement and report on deficiencies and reasons for any delays and impacts to program effectiveness (eg, undergrounding of electric utilities).

6. The Franchise Compliance Review **Committee should not be meeting until all members are appointed and these issues are addressed.**

Please contact me if you have any questions regarding this information and request.

FOR MEETING INFORMATION:   Franchise Agreements Website:

<https://www.sandiego.gov/sustainability/electric-and-gas-services>

Sincerely,

Jay Powell

[hcjpowell@cox.net](mailto:hcjpowell@cox.net)

(619) 813-8485 cell

Cooperations - In the Public Interest, for the Common Good

Community Energy Action Network

( SOLARSD / Franchise CRC Letter Email to Mayor and City Council 021323)