

RESOLUTION NO. 25-03-081

**A RESOLUTION OF THE BOARD OF DIRECTORS OF THE
CLEAN POWER ALLIANCE OF SOUTHERN CALIFORNIA
ESTABLISHING AND APPROVING A CLAIMS PROCEDURE
POLICY PURSUANT TO GOVERNMENT CODE SECTION 935**

THE BOARD OF DIRECTORS OF THE CLEAN POWER ALLIANCE OF SOUTHERN CALIFORNIA DOES HEREBY FIND, RESOLVE, AND ORDER AS FOLLOWS:

WHEREAS, the Clean Power Alliance of Southern California (formerly known as Los Angeles Community Choice Energy Authority) ("Clean Power Alliance" or "CPA") was formed on June 27, 2017;

WHEREAS, the Government Claims Act (Government Code section 900 et seq.) (hereinafter "Act") sets forth the general procedure for the presentation of claims as a prerequisite to commencement of actions for money or damages against local public entities;

WHEREAS, the Act excepts certain claims against local public entities from the presentation procedures of the Act;

WHEREAS, 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;

WHEREAS, all claims against CPA, for money or damages, 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,

WHEREAS, the Board now desires to adopt a procedure to govern the presentation requirements of those excepted claims to establish a claims procedure pursuant to Government Code section 935.

NOW, THEREFORE, BE IT DETERMINED, AFFIRMED, AND ORDERED BY THE BOARD OF DIRECTORS OF THE CLEAN POWER ALLIANCE OF SOUTHERN CALIFORNIA that the attached Claims Procedure Policy, presented as Exhibit A, is hereby established and approved as of March 6, 2025; and


IT IS FURTHER DETERMINED, AFFIRMED, AND ORDERED that this Resolution shall be continuing and remain in full force and effect.

APPROVED AND ADOPTED this 6th day of March 2025.



Deborah Klein Lopez, Chair

ATTEST:



Gabriela Monzon, Secretary

EXHIBIT A

CPA ALTERNATIVE CLAIMS PROCEDURE POLICY



Policy Title	Claims Procedure Policy	
Policy Number	CPA 2025-19	Effective: 03/06/2025

I. Purpose

This Claims Procedure Policy ("Policy") of the Clean Power Alliance of Southern California ("CPA") establishes the requirement of the presentment of claims not otherwise prescribed by statute or regulation and the requirement that such presentment be a prerequisite to commencement of actions for money or damages against CPA.

II. Policy

1. Claim Required: All claims against CPA, for money or damages, which are not otherwise governed by the Government Claims Act (California Government Code section 900 et seq.) or any other state statute or regulation, shall be governed by the procedure prescribed in this Policy, in accordance with Government Code section 935.
2. Claim prerequisite to suit: All claims shall be presented as provided in this Policy and acted upon by CPA prior to the filing of any legal action on such claims. No such action may be maintained by a person who has not complied with the procedures set forth in this Policy.
3. Procedures
 - a. Time of presentation: The claim must be presented to CPA's Board Clerk ("Clerk") within the time requirements set forth in Government Code section 911.2. For purposes of determining whether a claim is timely presented, a claim is presented to the Clerk when it is received at the mailing address for the Board. The mailing address is: 801 S. Grand Ave., Suite 400, Los Angeles, CA 90017.
 - b. Form: All claims shall be made in writing and signed and verified by the claimant or by his or her guardian, conservator, executor, or administrator. No claims may be filed on behalf of a class of persons unless verified by every member of that class as required by this section. In addition, all claims shall contain the information required by Government Code section 910.
 - c. Late Filing: In accordance with Section 935 of the Government Code, the late filing of claims pursuant to this chapter is regulated by Sections 911.4 to 912.2, inclusive, of the Government Code.
4. Consideration and Action on Claim: All claims shall be reviewed and audited by the Clerk for compliance with this Policy and submitted to the Board. The Board may

then act on the claim, or it may refer the matter to the Executive Committee for such action. The Board or the Executive Committee shall act on a claim in the manner provided in Government Code section 912.4.

III. Severability

If any section, subsection, sentence, or clause of this Policy is determined to be illegal, invalid, or unenforceable, such illegality, invalidity, or unenforceability shall not affect the legality, validity, or enforceability of this Policy as a whole or of any section, subsection, sentence, or clause herein that is not so determined.