



651 Commerce Drive  
Roseville, CA 95678

phone (916) 781-3636  
fax (916) 783-7693  
web www.ncpa.com

# Commission Minutes

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**To:** NCPA Commission

**From:** Trisha Zimmer, Assistant Secretary to the Commission

**Subject:** NCPA Commission Meeting – August 24, 2023

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## 1. *Call Meeting to Order and Introductions*

Chair Jerry Serventi called the meeting to order at 9:34am at 651 Commerce Drive, Roseville, California. Introductions and roll call were made. Those in attendance are shown on the attached attendance list.

## 2. *Approve Minutes of the July 27, 2023, Regular Commission Meeting*

MOTION: A motion was made by Pauline Roccucci, and seconded by Suds Jain to approve the minutes of the July 27, 2023, Regular Commission Meeting. The motion carried by a majority on a roll call vote of those Members present as follows:

	Vote	Abstained	Absent
Alameda	Y		
San Francisco BART	Y		
Biggs	Y		
Gridley	Y		
Healdsburg	Y		
Lodi	Y		
Lompoc	Y		
Palo Alto	Y		
Port of Oakland	Y		
Redding	Y		
Roseville	Y		
Santa Clara	Y		
Shasta Lake			X
Truckee Donner	Y		
Ukiah	Y		
Plumas-Sierra	Y		

## **PUBLIC FORUM**

Chair Serventi opened the public comment period. Two members from the public addressed the Commission. Retiree Ruthann Godwin spoke to the Commission about retiree medical coverage. Ms. Godwin said she was told prior to retiring from NCPA that retirement health

benefits would be covered 100%, which included Medicare, however, she is having to pay a portion of her Medicare premiums. She is requesting reimbursement of those premiums.

Retiree Don Dame also addressed the Commission and stated that he understood medical benefits would be covered 100% throughout retirement which includes payment of Medicare premiums. He has spoken to many other retirees who also understood this to be true. He, on behalf of NCPA retirees requested that a third-party conduct a study as to whether or not they believe Medicare premiums should be covered by NCPA. Mr. Dame recommended this third-party conduct interviews with retired and current NCPA employees.

Chair Serventi thanked Ms. Godwin and Mr. Dame for comments and attendance at today's Commission meeting. There were no other members of the public present. Chair Serventi closed the public comment period.

## **REPORTS AND COMMITTEE UPDATES**

### **3. *General Manager's Business Progress Report and Update***

Randy Howard reported:

- Regarding current market conditions: forward prices remain high, however, the Agency's assets continue to operate well. Hot temperatures outside of California has been effecting the market.
- Will be attending a meeting with Calaveras County Water District next week regarding the FERC relicensing framework. Will report the results of this meeting at the next Commission meeting.
- Steve Schwabauer, has resigned as City Manager for Lodi.
- The crane at our Geothermal Facility is scheduled to be fully repaired by the end of September.
- Attended the August 23 TANC Commission meeting. There is a large amount of capital work upcoming and WAPA has asked for assistance. Costs will still apply to those members with layoff agreements.

### **4. *Executive Committee***

Committee Chair Serventi reported the Executive Committee met this morning to discuss and consider recommending the updated NCPA Policies and Procedures Manual for Commission approval. The Committee voted unanimously recommending the Commission approve the updated NCPA Policies and Procedures Manual.

### **5. *Facilities Committee***

Assistant General Manager of Power Management, Tony Zimmer, reported the Facilities Committee met on August 2. At that meeting the Committee discussed today's Commission meeting items 12 through 15 on the Consent Calendar. A quorum of the Committee was established periodically during discussions regarding items 12 through 15, however, the Members present at the meeting voiced their support for the recommendations of these items. The next Facilities Committee meeting is scheduled for September 6, 2023.

### **6. *Finance Committee***

Finance Committee Chair, Catalina Sanchez, reported the Finance Committee met on August 8 and reviewed item 16 on today's Consent Calendar and recommended the Commission adopt and file the report. The Committee also received an update on the status of the financial markets from PFM. The Committee discussed and agreed to include the Finance Committee in the annual budget review that would be in conjunction with the Facilities Committee budget

review meetings. The Committee also reviewed the revised NCPA Member Report Card which was identified as a goal in NCPA's Strategic Plan. The Committee was very pleased with the new format and Members can now access it on NCPA Connect. The next regular Finance Committee meeting is scheduled for October 17, 2023.

## **7. Legal Committee**

General Counsel Jane Luckhardt reported the Committee met on August 3. The Legal Committee discussed and reviewed a draft Legal Committee charter. The draft is currently being circulated through Committee members for review and comment. Jane is working on a program for the Legal Committee meeting during the upcoming Annual Conference – the program will focus on rates, income graduated fixed charge, and general fund transfers. This program at the Annual Conference will be available remotely as well. The next Legal Committee meeting is scheduled for September 7.

## **8. Legislative & Regulatory Affairs Committee**

L&R Committee Chair, Jenelle Osborne, reported that the L&R Committee met August 23 and discussed a broad number of NCPA's state and federal policy priorities, including efforts to shape the implementation of the Inflation Reduction Act provisions of importance to the agency, pending state legislative initiatives, and decarbonization policies advancing in the state and federal regulatory agencies. The next meeting of the committee is scheduled for October 4 in Monterey during the upcoming Annual Conference. L&R staff will be initiating a number of virtual meetings with House and Senate staff and energy committees over the coming weeks to discuss important issues including implementation of the direct pay and hydrogen tax credit provisions of the IRA, support for California's selection as a hydrogen hub for funding by DOE, and farm bill priorities.

As mentioned, the NCPA Annual Conference will be held October 4-6 at the Portola Hotel and Spa in Monterey. Topics include the economy and financial issues of particular importance to our sector, workforce issues and the unique challenges and opportunities for public power systems in recruiting and retaining employees today, cyber and physical security concerns and a panel of energy developers discussing the resources that are coming online. Further details on the conference can be found at NCPA Connect.

## **9. Members' Announcements & Meeting Reporting**

Jerry Serventi reported that he met with retiree Don Dame prior to today's meeting to hear his concerns on the retiree medical coverage in more detail. He stated that he was only able to listen to Mr. Dame and was limited in providing comments on the situation.

## **CONSENT CALENDAR**

Prior to the roll call vote to approve the Consent Calendar, the Commissioners were polled to determine if any Member wished to pull an item or abstain from one or more items on the Consent Calendar. No items were requested to be pulled from the Consent Calendar.

MOTION: A motion was made by Jenelle Osborne, and seconded by Dean Batchelor to approve the Consent Calendar consisting of Agenda Items 10 through 16. The motion carried by a majority of those members present on a roll call vote as follows:

	Vote	Abstained	Absent
Alameda	Y		
San Francisco BART	Y		
Biggs	Y		
Gridley	Y		
Healdsburg	Y		
Lodi	Y		
Lompoc	Y		
Palo Alto	Y		
Port of Oakland	Y		
Redding	Y	14, 15	
Roseville	Y	15	
Santa Clara	Y	15	
Shasta Lake			X
Truckee Donner	Y		
Ukiah	Y		
Plumas-Sierra	Y		

**10. NCPA's Financials for the Month Ended July 31, 2023** – approval by all Members.

**11. Treasurer's Report for the Month Ended July 31, 2023** – accept by all Members.

**12. Resolution 23-79, Advanced Turbine Support, LLC. – Five-Year Multi-Task Consulting Services Agreement; Applicable to the following: All NCPA Facilities, NCPA Members, SCPPA, and SCPPA Members** – adopt resolution by all members authorizing the General Manager or his designee to enter into a Five-Year Multi-Task Consulting Services Agreement with Advanced Turbine Support, LLC. for borescope inspection and non-destructive testing services, with any non-substantial changes recommended and approved by the NCPA General Counsel, which shall not exceed \$500,000 over five years, for use at any facilities owned and/or operated by NCPA, NCPA Members, by SCPPA and SCPPA Members.  
**Fiscal Impact:** Upon execution, the total cost of the agreement will not exceed \$500,000 over five years.

**13. Resolution 23-80, Titan Crane & Rigging, Inc. – Five-Year Multi-Task General Services Agreement; Applicable to the following: All NCPA Facilities, NCPA Members, SCPPA and SCPPA Members** – adopt resolution by all members authorizing the General Manager or his designee to enter into a Five-Year Multi-Task General Services Agreement for crane related services, with any non-substantial changes recommended and approved by the NCPA General Counsel which shall not exceed \$500,000, for use at any facilities owned and/or operated by NCPA, NCPA Members, by SCPPA and SCPPA Members.  
**Fiscal Impact:** Upon execution, the total cost of the agreement will not exceed \$500,000 over five years.

**14. Resolution 23-81, Scheduling Coordination Program Agreement Appendix B Revision 25**– adopt resolution by all members authorizing the implementation of revised version 25 of the Scheduling Coordination Program Agreement (SCPA) Appendix B, which details the allocation of California Independent System Operator (CAISO) charges and payments to NCPA members.  
**Fiscal Impact:** No significant costs will be incurred to implement the changes to the

SCPA Appendices and funds are available in the NCPA budget to support the work associated with these contract updates.

- 15. Resolution 23-78, Approval of the Calendar Year 2024 NCPA Capacity Pool Rates** – adopt resolution by all members approving the Local Area, System, and Flexible Resource Adequacy capacity rates proposed herein for use in the NCPA Capacity Pool, as further described in Pooling Schedule 4, during the 2024 Resource Adequacy compliance year.

**Fiscal Impact:** Work associated with developing the NCPA Capacity Pool Local Area, System, and Flexible Resource Adequacy capacity rates was undertaken pursuant to approved Power Management budget categories, and costs associated with this effort are allocated in accordance with approved cost allocation methodologies as described in the NCPA annual budget.

- 16. Debt and Interest Rate Management Report ending June 30, 2023** – accept and file by all members the Debt and Interest Rate Management Report for the period ending June 30, 2023.

**Fiscal Impact:** There is no fiscal impact in accepting the Debt and Interest Rate Management Report. There were no material changes, and no defaults and the ratings remained the same on the rated projects.

## **DISCUSSION/ACTION ITEMS**

- 17. Resolution 23-77, Approval of the Revisions to NCPA's Personnel Policies and Procedures Manual** – adopt resolution by all members authorizing the General Manager or his designee to implement the revised NCPA Personnel Policies and Procedures Manual.

**Fiscal Impact:** Approval of the revised NCPA Personnel Policies and Procedures Manual will have minimal fiscal impacts. Therefore, this action does not require a budget augmentation.

Motion: A motion was made by Jenelle Osborne and seconded by Pauline Roccucci recommending approval of Resolution 23-77 authorizing the General Manager or his designee to implement the revised NCPA Personnel Policies and Procedures Manual. The motion carried by a majority of those members present on a roll call vote as follows:

	Vote	Abstained	Absent
Alameda	Y		
San Francisco BART	Y		
Biggs	Y		
Gridley	Y		
Healdsburg	Y		
Lodi	Y		
Lompoc	Y		
Palo Alto	Y		
Port of Oakland	Y		
Redding	Y		
Roseville	Y		
Santa Clara	Y		
Shasta Lake			X
Truckee Donner	Y		
Ukiah	Y		
Plumas-Sierra	Y		

## **CLOSED SESSION**

Chair Serventi asked General Counsel to move the Commission into closed session at 10:27am. General Counsel Jane Luckhardt took the Commission into closed session.

## **18. CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION**

Pursuant to Government Code Section 54956.9(d)(1) – Existing Litigation, one (1) case: *City of Santa Clara dba Silicon Valley Power and Northern California Power Agency, Plaintiffs v. California Department of Water Resources, Defendant*, Sacramento County Superior Court, Case No. 34-2023-00336449.

## **OPEN SESSION**

## **RECONVENED TO OPEN SESSION**

The Commission reconvened open session at 10:30am.

## **REPORT FROM CLOSED SESSION**

General Counsel Jane Luckhardt reported there was no reportable action taken in closed session.

## **NEW BUSINESS**

No new business discussed.

## **ADJOURNMENT**

The August 24, 2023, Commission meeting was adjourned at 10:31 am by Chair Serventi.

Respectfully submitted,



JERRY SERVENTI  
Commission Chair

Prepared by,



TRISHA ZIMMER  
Assistant Secretary to the Commission



**Commission Meeting**  
**August 24, 2023**  
**COMMISSIONERS**  
**Attendance List**

NCPA Commissioners are requested to sign, but signature by members of the public is voluntary.

MEMBER	NAME
1 - ALAMEDA	<i>Jerry Leroy</i>
2 - BIGGS	<i>Bo Sheppard</i>
3 - GRIDLEY	CATALINA SANCHEZ
4 - HEALDSBURG	DAVID HAGELE
5 - LODI	JEFF BERKHEIMER
6 - LOMPOC	<i>Jenelle G Osborne</i>
7 - PALO ALTO	<i>Dean Betcher</i>
8 - PLUMAS-SIERRA REC	LARRY PRICE
9 - PORT OF OAKLAND	KHALY NGUYEN
10 - REDDING	JULIE WINTER
11 - ROSEVILLE	<i>Pauline Rocucci</i>
12 - SAN FRANCISCO BAY AREA RAPID TRANSIT DISTRICT	YULIYA SHMIDT
13 - SANTA CLARA	SUDS JAIN + BASIL WONG
14 - SHASTA LAKE	ABSENT
15 - TRUCKEE DONNER	STEVEN PONCELET
16 - UKIAH	CINDY SAUERS

**Commission Meeting  
August 24, 2023  
Attendance List**