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# Agenda

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**Date:** January 19, 2017

**Subject:** NCPA Commission Meeting

**Location:** Embassy Suites Hotel, 100 Capitol Mall, Sacramento, California

**Time:** 9:30 am

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The Commission may take action on any of the items listed on this Agenda regardless of whether the matter appears on the Consent Calendar or is described as an Action Item, a Report or an Informational Item. This agenda is supplemented by Staff Reports which are available to the public upon request. Pursuant to California Government Code Section 54957.5, the following is the location at which the public can view Agendas and other public writings: NCPA Offices, 651 Commerce Drive, Roseville, California, or [www.ncpa.com](http://www.ncpa.com).

Time estimates are provided as part of the Commission's effort to manage its time at Commission meetings. Listed times are estimated only and are subject to change at any time, including while the meeting is in progress. The Commission reserves the right to use more or less time on any item, to change the order of items, and/or to continue items to another meeting. Particular items may be heard before or after the time estimated on the agenda. This may occur in order to best manage the time at a meeting or to adapt to the participation of the public. To ensure participation in a particular item, we suggest arriving at the beginning of the meeting and remaining until the item is called.

Persons requiring accommodations in accordance with the Americans with Disabilities Act in order to attend or participate in this meeting are requested to contact the NCPA Secretary at 916.781.3636 in advance of the meeting to arrange for such accommodations.

1. *Call Meeting to Order and Introductions (9:30 – 9:35 am)*
2. *Approve minutes of the December 1, 2016, Regular Commission Meeting (9:35 – 9:40 am)*

## **PUBLIC FORUM**

Any member of the public who desires to address the Commission on any item considered by the Commission at this meeting before or during the Commission's consideration of that item shall so advise the Chair and shall thereupon be given an opportunity to do so. Any member of the public who desires to address the Commission on any item within the jurisdiction of the Commission and not listed on the Agenda may do so at this time.

## **OPEN SESSION**

### **REPORTS AND COMMITTEE UPDATES (9:40 – 10:15 am)**

3. General Manager's Business Progress Report and Update
4. Executive Committee
5. Facilities Committee
6. Finance Committee
7. Legal Committee
8. Legislative and Regulatory Affairs Committee
9. Members' Announcements and Meeting Reporting

### **CONSENT CALENDAR (10:15 – 10:30 am)**

All items on the Consent Calendar are considered routine and will be approved without discussion by a single roll call vote. Any Commissioner or member of the public may remove any item from the Consent Calendar. If an item is removed, it will be discussed separately following approval of the remainder of the Consent Calendar. Prior to the roll call vote to approve the Consent Calendar, the Commissioners will be polled to determine if any Member wishes to abstain from one or more items on the Consent Calendar.

10. ***NCPA's Financials for the Months Ended November 30 and December 31, 2016*** – approval by all members.
11. ***Treasurer's Report for the Months Ended November 30 and December 31, 2016*** – accept by all members.
12. ***NCPA Major Insurance Renewals Update*** – accept and file by all members the updated Major Insurance Renewals.  
**Fiscal Impact:** NCPA insurance renewals have been accomplished within the Insurance Program budget. Total cost of the NCPA project insurance, including taxes and fees, is \$1,971,513, which is 22.69% below approved \$2.55 million FY 2017 budget amount for these two major programs. Property insurance costs will be allocated to members and non-member participants based on respective generation entitlement shares; liability insurance costs will be allocated to members and non-member participants as part of A&G costs.

- 13. Resolution 17-01, Approve Nalco Company Water and Process Services (Nalco Company LLC) – First Amendment to the existing Multi-Task General Services Agreement for specialty chemicals and services; Applicable to all facilities owned and/or operated by NCPA** – adopt resolution by all members approving a First Amendment to the existing five year Multi-Task General Services Agreement with Nalco Company Water and Process Services (Nalco Company LLC), increasing the not to exceed amount from \$1,000,000 to \$2,000,000 and revising the scope of work to include all facilities owned and/or operated by NCPA.
- Fiscal Impact:** Upon execution, the total cost of the agreement is not to exceed \$2,000,000 over five years to be used out of NCPA approved budgets as services are rendered. Purchase Orders referencing the terms and conditions of the agreement will be issued following NCPA procurement policies and procedures. This enabling agreement does not commit NCPA to any expenditure of funds. At the time services are required, NCPA will bid the specific scope of work consistent with NCPA procurement policies and procedures. In addition to this agreement, NCPA has entered into enabling agreements with CellMark USA, LLC, Univar and GE Betz for similar services. NCPA will seek bids from as many qualified providers as possible. Bids are awarded to the lowest cost provider. NCPA will issue purchase orders based on cost and availability of the services needed at the time the service is required.
- 14. Resolution 17-02, Approve CellMark USA, LLC – First Amendment to the Existing Five Year Multi-Task Agreement for Stretford System Chemicals; Applicable to the Geothermal Facility** – adopt resolution by all members approving a First Amendment to the existing five year Multi-Task Agreement for Purchase of Equipment, Materials and Supplies for chemicals, increasing the not to exceed amount from \$95,000 to \$500,000 over five years for use at the Geothermal facility.
- Fiscal Impact:** Upon execution, the total cost of the agreement is not to exceed \$500,000 over five years to be used out of NCPA Geothermal approved budgets as services are rendered. Purchase Orders referencing the terms and conditions of the Agreement will be issued following NCPA procurement policies and procedures.
- 15. Resolution 17-03, Approve Condor Earth Technologies, Inc. – Five Year Multi-Task Professional Services Agreement for Engineering Services; Applicable to the following projects: All NCPA Facility Locations, Members, SPPA and SPPA Members** – adopt resolution by all members authorizing the General Manager or his designee to enter into a Multi-Task Professional Services Agreement with Condor Earth Technologies, Inc., for engineering consulting services related to project support and plant operations, with any non-substantial changes recommended and approved by the NCPA General Counsel, which shall not exceed \$1,000,000 over five years for use at all facilities owned and/or operated by NCPA, its members, by the Southern California Public Power Authority (“SPPA”), or by SPPA members.
- Fiscal Impact:** Upon execution, the total cost of the agreement is not to exceed \$1,000,000 over five years to be used out of NCPA approved budgets as services are rendered. Purchase orders referencing the terms and conditions of the Agreement will be issued following NCPA procurement policies and procedures.
- 16. Resolution 17-05, Approval of Resolution Commending Donna I. Stevener** – adopt resolution by all members commending Donna I. Stevener.

**17. Resolution 17-06, Approval of Amendment No. 3 to the BART Single Member Services**

**Agreement** – adopt resolution by all members approving Amendment No. 3 to the BART SMSA, which includes a revised Attachment A that is attached to and made part of the BART SMSA, and authorize the General Manager of NCPA to execute Amendment No. 3 to the BART SMSA, on behalf of NCPA, including any non-substantive modifications to Amendment No. 3 to the BART SMSA approved by NCPA’s General Counsel.

**Fiscal Impact:** Costs associated with development of Amendment No. 3 to the BART SMSA are included in the FY 2017 annual budget. All costs associated with NCPA’s provision of services to BART pursuant to the BART SMSA are determined and allocated through the annual budget process.

**Consent Items pulled for discussion:** \_\_\_\_\_

**DISCUSSION / ACTION ITEMS (10:30 – 10:45 am)**

**18. Resolution 17-04, Approval of Long-Term Funding Plan for NCPA’s Employee Pension**

**Plan** – adopt resolution by all members authorizing that the NCPA Commission direct staff to incorporate the proposed Long-Term Funding Plan for NCPA’s Employee Pension Program in the FY2018 Budget subject to final review and recommendation of approval by the Finance Committee.

**Fiscal Impact:** Adoption of the funding plan would increase annual NCPA contributions for the pension plan by \$1,455,070. Cost allocation is based on labor costs for each NCPA program and project. Labor costs are allocated based on project or program participation percentages and allocation methods per the budget. A schedule that reflects projected fiscal impact by member is included in the attachment to the Staff Report.

**19. Resolution 17-07, Letter Agreement to Award the General Manager Additional Paid**

**Administrative Leave for Calendar Year 2017** – adopt resolution by all members approving the General Manager’s 2017 performance goals. In addition, the Executive Committee recommends that the Commission adopt a resolution authorizing the Chair of the Commission to provide the General Manager a letter granting forty (40) hours of additional paid administrative leave (that may not be cashed out) for use in 2017.

**Fiscal Impact:** There is no fiscal impact due to the change in the General Manager’s additional hours of paid time off in 2017. The costs associated with the additional paid time off are included in the budget for the current fiscal year.

**CLOSED SESSION (10:45 – 11:00 am)**

**20. CONFERENCE WITH LEGAL COUNSEL** – Existing litigation pursuant to Government Code Section 54956.9(d)(1): Name of case: *Northern California Power Agency, City of Redding, City of Roseville, and City of Santa Clara v. the United States*, Court of Federal Claims no. 14-817C.

**21. CONFERENCE WITH LEGAL COUNSEL** – Consideration of Initiation of litigation pursuant to § 54956.9(c): One case

**NEW BUSINESS**

**ADJOURNMENT**