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Commission Agenda

Date: January 20, 2022
Subject: NCPA Commission Meeting
Location: Meeting is being held via Teleconference
Time: 9:00 am

This meeting is being held in accordance with the Brown Act, Governor Gavin Newsom's Emergency Declaration related to COVID-19 adopted pursuant to the California Emergency Services Act, and Assembly Bill 361, that allow attendance by Commission, Members, staff and the public to participate and conduct the meeting by teleconference.

You may participate in the meeting via teleconference by:

Zoom Link: <https://us06web.zoom.us/j/88607817507>
Meeting ID: 886 0781 7507
Dial: 1 669-900-6833

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.

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.

REVIEW SAFETY PROCEDURES

1. *Call Meeting to Order, Introductions and Roll Call (9:00 am – 9:10 am)*
2. *Approve Minutes of the December 2, 2021, Regular Commission Meeting, the December 2, 2021, Special Commission Meeting (9:10 am – 9:15 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 (9:15 am – 9:45 am)

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

CONSENT CALENDAR (9:45 am – 9:50 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 Month Ended November 30, 2021* – approval by all members.
11. *Treasurer's Report for the Month Ended November 30, 2021* – accept by all members.
12. *NCPA's Financials for the Month Ended December 31, 2021* – approval by all members.

- 13. Treasurer's Report for the Month Ended December 31, 2021** – accept by all members.
- 14. Disposal of Northern California Power Agency Surplus Property** – note and file the report by all members for the disposal of the following: Scrap metal from Lodi Energy Center and a Meyer snow plow from Hydroelectric Facility.
Fiscal Impact: This report has no direct fiscal impact to the Agency.
- 15. Resolution 100-22, iParametrics, LLC – Five Year Multi-Task Consulting Agreement for Grant Writing Assistance Services; Applicable to the following: All Northern California Power Agency (NCPA) Facilities, NCPA Members, Southern California Public Power Authority (SCPPA), and SCPPA Members** – adopt resolution by all members authorizing the General Manager or his designee to enter into a Multi-Task Consulting Services Agreement with iParametrics, LLC for grant writing assistance 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 is not to exceed \$500,000 over five years.
- 16. Resolution 22-02, Intuitive Group, LLC – Five Year Multi-Task Consulting Services Agreement for Grant Writing Assistance Services; Applicable to the following: All Northern California Power Agency (NCPA) Facilities, NCPA Members, Southern California Public Power Authority (SCPPA), and SCPPA Members** – adopt resolution by all members authorizing the General Manager or his designee to enter into a Multi-Task Consulting Services Agreement with Intuitive Group, LLC for grant writing assistance 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 is not to exceed \$500,000 over five years.
- 17. Resolution 22-06, Recalculated Nexant Cost Allocation Model for Fiscal Year 2022** – adopt resolution by all members authorizing the recalculation of the Nexant Cost Allocation Model for Fiscal Year 2022 to incorporate the mid-year addition of six (6) electrical generation resources into the NCPA scheduling coordination portfolio on behalf of various participating Members in addition to the removal of a resource associated with an expired Purchase Power Agreement (PPA). Recalculation of the Nexant Model will provide for the equitable allocation of certain budgeted Power Management costs for Fiscal Year 2022.
Fiscal Impact: The recommended adjustments will result in a change to all members' allocated shares of Power Management costs in varying proportion to their respective entitlement shares in each of the existing and new generating resources. Table 3 in the accompanying Appendix A to this staff report identifies the change in allocated costs associated with addition of the six (6) resources and removal of the Richmond Landfill PPA resource. If the proposed recalculation to the Nexant Model is approved, these reallocated amounts will appear beginning on the February 2022 All Resources Bill ("ARB").
- 18. Resolution 22-07, Black & Veatch Corporation – Five Year Multi-Task Professional Services Agreement for Consulting Services Related to Project Support and Plant Operations; Applicable to the following: All Northern California Power Agency (NCPA) Facilities, NCPA Members, Southern California Public Power Authority (SCPPA), and SCPPA Members** – adopt resolution by all members authorizing the General Manager or his

designee to enter into a Multi-Task Professional Services Agreement with Black & Veatch Corporation for 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 \$3,000,000 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 is not to exceed \$3,000,000 over five years.

- 19. Resolution 22-08, ACCO Engineered Systems, Inc. – Five Year Multi-Task General Services Agreement for HVAC Maintenance Services; Applicable to the following: All Northern California Power Agency (NCPA) Facilities, NCPA Members, Southern California Public Power Authority (SCPPA), and SCPPA Members** – adopt resolution by all members 08

authorizing the General Manager or his designee to enter into a Multi-Task General Services Agreement with ACCO Engineered Systems, Inc. for HVAC maintenance services, with any non-substantial changes recommended and approved by the NCPA General Counsel, which shall not exceed \$750,000 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 is not to exceed \$750,000 over five years.

- 20. Resolution 22-09, Control Components, Inc. – Five Year Multi-Task General Services Agreement and Agreement for Purchase of Equipment, Materials and Supplies for Valve and Vent Maintenance Services; Applicable to the following: All Northern California Power Agency (NCPA) Facilities, NCPA Members, Southern California Public Power Authority (SCPPA), and SCPPA Members** – adopt resolution by all members authorizing the General

Manager or his designee to enter into a Multi-Task General Services Agreement and Agreement for Purchase of Equipment, Materials and Supplies with Control Components, Inc. for valve and vent maintenance services and spare parts, 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 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 is not to exceed \$1,000,000 over five years.

- 21. Resolution 22-12, Reaffirm Proclaiming the Existence of a Local Emergency Concerning the COVID-19 Virus, Authorizing the General Manager as the Director of Emergency Services to Coordinate Planning, Preparedness and Response Efforts Regarding COVID-19** – adopt resolution by all members Reaffirming the Existence of a Local Emergency Concerning the COVID-19 Virus, Authorizing the General Manager as the Director of Emergency Services to Coordinate Planning, Preparedness and Response Efforts Regarding COVID-19.

Fiscal Impact: The fiscal impact has yet to be determined.

Consent Items pulled for discussion: _____

CLOSED SESSION ITEMS (9:50 am – 10:00 am)

- 22. CONFERENCE WITH LEGAL COUNSEL** – Existing litigation pursuant to Government Code Section 54956.9(d)(1): Name of case: *In Re PG&E Corporation and Pacific Gas and Electric Company, Debtors; United States Bankruptcy Court, Northern District of California, Case Nos. 19-30088 (Lead Case) and 19-30089 DM.*

- 23. 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.
- 24. CONFERENCE WITH LABOR NEGOTIATORS AND PERFORMANCE EVALUATION** – Labor negotiations pursuant to Government Code section 54957.6: Agency representatives: NCPA Executive Committee Members and Human Resources Manager Elizabeth Gonzalez: Unrepresented Public Employee: General Counsel; and b) Performance evaluation pursuant to Government Code Section 54957: Unrepresented Public Employee: One Category: General Counsel.

OPEN SESSION

REPORT FROM CLOSED SESSION

DISCUSSION / ACTION ITEMS (10:00 am – 10:45 am)

- 25. Resolution 22-13, Approval of Fifth Amendment to Employment Agreement with Jane E. Luckhardt, General Counsel** – adopt resolution by all members approving the Fifth Amendment to Employment Agreement between NCPA and Jane E. Luckhardt; authorize the Chair of Commission to execute the Fifth Amendment to Employment Agreement; authorize the Chair of the Commission to award a Letter Agreement awarding additional leave that may not be cashed out for use in 2022; and approve the General Counsel's Performance Goals for 2022.
Fiscal Impact: Funds are available in the Executive Services – Legal Salaries and Benefits account; there is no material change to the current fiscal year budget.
- 26. Resolution 22-10, Lodi Energy Center 2022 Spring Major Outage; Applicable to the following: Northern California Power Agency (NCPA) Lodi Energy Center Facility** – adopt resolution by all members authorizing the 2022 Lodi Energy Center (LEC) 2022 Spring Major Outage Project and delegate authority to the General Manager or his designee to award bids, execute agreements, and to issue purchase orders for the outage in accordance with NCPA purchasing policies and procedures without further approval by the Commission, for a total cost not to exceed \$4,800,000.
Fiscal Impact: The budgetary funds to complete the 2022 Spring Major Outage include \$3,045,000 of pre-collected funds in the Maintenance Reserve (Account # 265-009-005-610-044-002). Additional funds in the amount of \$782,268 were anticipated in the Fixed Maintenance and \$973,308 in the O&M Project Annual Outage Project. All items are a part of the FY22 Routine O&M budget.
- 27. Resolution 22-11, Approval of Assignment Administration Agreement for Western Area Power Administration Base Resource Percentage** – adopt resolution by all members approving the 2025 Assignment Administration Agreement for Western Area Power Administration Base Resource Percentage (AAA), including any non-substantial modifications to the AAA approved by the NCPA General Counsel, and authorizing the General Manager of Northern California Power Agency (NCPA) to enter into the AAA on behalf of the Agency with Assignors.
Fiscal Impact: Pursuant to the 2025 Base Resource Contract, Western markets Base

Resource on a take-or-pay basis. NCPA, acting on behalf of the Members' who assign all or a portion of their Base Resource percentage to NCPA, will be obligated to pay its Base Resource percentage share of Base Resources costs, as set forth in the Marketing Plan and associated rate schedules. Therefore, in addition to the 2025 Base Resource Contract and Request for Assignment of Base Resource Percentage letter agreement, each Member who elects to assign all or a portion of its Base Resource percentage to NCPA will be required to execute the AAA between NCPA and the Member, and the AAA sets forth the terms and conditions under which NCPA will administer the Member's Base Resource percentage, and establishes the assigning Member's obligation to pay for all Base Resource costs incurred by NCPA as a result of the assignment.

28. Resolution 22-04, Approval of Resolution Commending Michelle Bertolino – adopt resolution by all members commending Michelle Bertolino.

29. Resolution 22-05, Approval of Resolution Commending Mel Grandi – adopt resolution by all members commending Mel Grandi.

NEW BUSINESS

ADJOURNMENT