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Commission Minutes

To: NCPA Commission
From: Carrie Pollo, Assistant Secretary to the Commission
Subject: NCPA Commission Meeting – February 22, 2024

1. *Call Meeting to Order and Introductions*

Chair Jerry Serventi called the meeting to order at 9:40 am at 651 Commerce Drive, Roseville, CA. Introductions were made and roll call was taken. Those in attendance are shown on the attached attendance list.

2. *Approve Minutes of the January 5, 2024 Special Commission Meeting, and the January 18, 2024 Regular Commission Meeting*

MOTION: A motion was made by Jenelle Osborne, and seconded by Pauline Roccucci to approve the minutes of the January 5, 2024 Special Commission Meeting and the January 18, 2024 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	_____	_____	X
Redding	Y	_____	_____
Roseville	Y	_____	_____
Santa Clara	Y	_____	_____
Shasta Lake	Y	_____	_____
Truckee Donner	Y	_____	_____
Ukiah	Y	_____	_____
Plumas-Sierra	Y	_____	_____

PUBLIC FORUM

Chair Serventi asked if any members of the public were present who would like to address the Commission on the agenda items. No members of the public were present.

REPORTS AND COMMITTEE UPDATES

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

Randy Howard reported:

- Thanked everyone for attending today's meeting.
- Staff is evaluating next steps now that the IARP has been approved.
- The initial FY 2025 Budget has been reviewed by the Facilities Committee and LEC PPC. It was reviewed and approved at the L&R Committee meeting. Next it will be reviewed at the UD Retreat in March and will be an informational review at the Commission meeting in March.
- Continuing to work on wildfire mitigation. Spoke at the Western Electric Industry Leaders (WEIL) on Wildfire Risk Mitigation at San Diego Gas and Electric on February 2, 2024.
- NCPA has been working on a number of new grants for members.
- Continuing with the Western Pathways Initiative and working with the CAISO. Attending a meeting in Phoenix at Arizona Public Service offices on March 11, 2024.
- The DRC is over budget and will be brought to a later meeting for a budget amendment.
- Working with an APPA advisory committee to NERC on new standards regarding cold weather.

4. *Executive Committee*

Committee Chair Serventi reported the Executive Committee met this morning. At that meeting the Committee discussed today's Commission meeting Items 33 and 34 on the Discussion /Action portion of the agenda. A quorum of the Committee was established and the Committee was supportive of the above-mentioned items. The next Executive Committee meeting is scheduled March 28, 2024.

5. *Facilities Committee*

Power Management Assistant General Manager, Tony Zimmer, reported the Facilities Committee met on February 7, 2024. A quorum was established. At that meeting the Committee discussed today's Commission meeting Items 14, 15, 16, 19, 21, and 22 on the Consent Calendar and Items 23, 24, and 25 under Discussion/Action. The Committee was supportive on the above-mentioned items. The next Facilities Committee meeting is scheduled on March 6, 2024.

6. *Finance Committee*

Administrative Services Assistant General Manager, Monty Hanks reported that the Finance Committee met on February 13th and reviewed item 13 on the Consent Calendar and items 26 and 27 for Discussion/Action. The Committee recommended all three for acceptance and/or approval. The Committee also received a report on the current conditions of the financial markets. PFM stated the Fed held rates, as expected, at their January meeting and signaled that a March rate cut would be unlikely noting the Fed wants greater confidence that inflation is moving closer to 2%.

7. Legal Committee

General Counsel Jane Luckhardt reported the Legal Committee met on February 1, 2024. During the meeting the Committee discussed wildfire mitigation, the CT2 Hydrogen Project and the Grace Solar Project. No items on the Commission meeting agenda were discussed in this meeting.

8. Legislative & Regulatory Affairs Committee

The NCPA L&R Committee met yesterday and approved our FY25 annual budget for the L&R program. The goal of our budget deliberations is to ensure it supports our agency's strategic plan for the year. We also reviewed key policy developments at the state and federal levels and provided an expanded federal report to include a briefing for those representing NCPA at next week's APPA Legislative Rally.

Earlier this week, NCPA General Manager Randy Howard testified on behalf of NCPA before the Assembly Utilities and Energy Committee. The hearing was informational and included testimony from several energy agency officials and energy sector participants. It was an opportunity to frame our policy priorities for the committee which has expressed a strong interest in addressing affordability. Randy highlighted issues related to wildfire liability, permitting reform, the transition to hydrogen, the Pathways effort toward a regionalized electric market, and how the extension of Diablo Canyon is important to electricity ratepayers today. The questions asked by committee members demonstrated that they were very receptive to the topics discussed, and we look forward to continuing to build on this dialog with the new Assembly committee chair and her team which began with a formal briefing on Capitol Day.

The committee also considered and recommended for approval a contract for outside Washington DC representation with Kanner and Associates. In anticipation of the existing contract for these services expiring, NCPA issued a Request for Proposal, and has prepared the proposed contract that is on today's Commission agenda following that process.

Please note that online registration for our annual NCPA/NWPPA Federal Policy Conference is now open. This year's event will be held April 14-18 at the Marriott Courtyard Downtown/Convention Center, and we're looking forward to another great line-up of speakers as well as productive Hill and agency visits. Registration information for this event can be found on NCPA Connect, and will also be emailed out separately to our membership and included in our Weekly publication.

9. Members' Announcements & Meeting Reporting

No member updates were provided.

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. Item 18 was pulled from the Consent Calendar and changed to Discussion/Action. Redding, Roseville, and Santa Clara abstained from the items listed below.

MOTION: A motion was made by James Takehara, and seconded by James "Bo" Sheppard to approve the Consent Calendar consisting of Agenda Items 10 through 17, and 19 through 22. 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			X
Redding	Y	19 & 22	
Roseville	Y	19 & 20	
Santa Clara	Y	19	
Shasta Lake	Y		
Truckee Donner	Y		
Ukiah	Y		
Plumas-Sierra	Y		

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

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

12. Disposal of Northern California Power Agency Surplus Property – note and file the report by all Members for the disposal of the following: 2000 Expedition from Hydro.
Fiscal Impact: This report has not direct fiscal impact to the Agency.

13. Debt and Interest Rate Management Report Ending December 31, 2023 – accept by all members.

Fiscal Impact: There is no fiscal impact in accepting the Debt and Interest Rate Management Report for the period ending December 31, 2023. There were no material changes, and no defaults and the ratings remained the same on the rated projects.

14. Resolution 24-23, American Power Systems, LLC – Five Year Multi-Task General Services Agreement for Battery Testing Related Services; Applicable to the following: All Northern California Power Agency (NCPA) Facilities, NCPA Members, Southern California Public Power Authority (SCPPA), and SCPPA Members – authorizing the General Manager or his designee to enter into a Multi-Task General Services Agreement with American Power Systems, LLC for battery testing related 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. This enabling agreement does not commit NCPA to any expenditure of funds.

15. Resolution 24-24, KW Emerson, Inc. – Five Year Multi-Task General Services Agreement for General Maintenance Related 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 with KW Emerson, Inc. for general maintenance related services, 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. This enabling agreement does not commit NCPA to any expenditure of funds.

- 16. Resolution 24-25, Alliance Cooling Products and Construction, Inc. – First Amendment to Five Year Multi-Task General Services Agreement for 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 First Amendment to the Multi-Task General Services Agreement with Alliance Cooling Products and Construction, Inc. for maintenance services, including cooling tower structures and equipment, stretford systems, buildings, structures, fiberglass piping, and other miscellaneous maintenance, with any non-substantial changes recommended and approved by the NCPA General Counsel, increasing the not to exceed amount from \$1,000,000 to \$6,000,000 and amending Exhibit B – Compensation Schedule and Hourly Fees, for continued use at any facilities owned and/or operated by NCPA, NCPA Members, by SCPPA, and SCPPA Members.

Fiscal Impact: Upon execution, the total not to exceed amount of the agreement will increase from \$1,000,000 to \$6,000,000 over the remainder of the contract term. This enabling agreement does not commit NCPA to any expenditure of funds.

- 17. Resolution 24-31, Frontier Energy, Inc.– First Amendment to Three Year Multi-Task Consulting Services Agreement for Electrification Education and Outreach Services; Applicable to the following: Northern California Power Agency (NCPA), NCPA Members, the 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 First Amendment to the Multi-Task Consulting Services Agreement (MTCSA) with Frontier Energy, Inc. for Electrification Education and Outreach Services, with any non-substantial changes recommended and approved by the NCPA General Counsel, to extend the term of the Agreement for an additional two year period and to update the Scope of Services and Compensation Schedule, for continued use by NCPA, NCPA Members, by SCPPA, and SCPPA Members.

Fiscal Impact: Upon execution, the total not to exceed amount of the agreement will remain at \$1,000,000 for the amended contract term. This enabling agreement does not commit NCPA to any expenditure of funds.

- 18. Resolution 24-32, Kanner & Associates, LLC—One Year Multi-Task Consulting Services Agreement—with a right to renew up to additional two years—for Federal Legislative Consulting Services; Applicable to the following: Northern California Power Agency (NCPA)** – authorizing the General Manager or his designee to enter into a Multi-Task Consulting Services Agreement and Option Agreement with Kanner and Associates, LLC consulting for federal legislative and regulatory consulting services, with any non-substantial changes recommended and approved by the NCPA General Counsel, which shall not exceed \$300,000 for a one-year agreement including a right to renew for up to two additional years, for use by NCPA.

Fiscal Impact: Upon execution, the total cost of the agreement is not to exceed \$300,000.00 for one year including the right to renew for up to two additional years. The fee for these federal legislative services will be paid as a \$25,000 monthly retainer, including approved travel expenses. There is no change to the cost of the retainer from the previous contract, and this retainer amount has remained the same since July 2011.

NCPA expenditures for these services are limited to the amount authorized for federal legislative advocacy by the NCPA Commission in the agency's annual budget.

- Item # 18 was pulled from the Consent Calendar for discussion and is listed first under the Discussion/Action Items

19. Resolution 24-28, Approval of Western Area Power Administration (WAPA) 2024 Renewable Energy Credit (REC) Program Letter of Agreement 24-SNR-03048 –

adopt resolution by all members authorizing the General Manager or his designee to execute the WAPA 2024 REC Program Letter of Agreement 24-SNR-03048, on behalf of NCPA, including any non-substantive modifications to the WAPA 2024 REC Program Letter of Agreement 24-SNR-03048 approved by NCPA's General Counsel.

Fiscal Impact: Costs associated with entering into the WAPA 2024 REC Program Letter of Agreement 24-SNR-03048 are estimated to be less than \$10,000 for the term of the agreement, and will be allocated according to Base Resource percentages of the represented Members. NCPA's administrative costs for development and administration of the agreement will be allocated to Members in accordance with approved cost allocation methodologies as described in the NCPA annual budget.

20. Amended Resolution 21-120, Execute Amended Confirmation Number 0236 for CLEAResult Consulting, Inc. Services to the City of Santa Clara/Silicon Valley Power and Issue a Corresponding Change Order to the Existing Purchase Order Under the Support Services Program for Services through December 17, 2025 –

adopt Amended Resolution 21-120 by all members authorizing the NCPA General Manager or his designee to execute Amended Confirmation Number 0236, with any non-substantive changes as approved by the NCPA General Counsel, and issue a Change Order to the existing Purchase Order to CLEAResult Consulting, Inc. for electric vehicle charging infrastructure assistance, electrification education, and electrification assessment services through December 17, 2025.

Fiscal Impact: There is no fiscal impact to NCPA. The services provided by CLEAResult to SVP will be billed to and paid by SVP pursuant to the terms of the Support Services Program Agreement. NCPA's administrative costs will be reimbursed by SVP.

21. Resolution 24-18, Approval of Northern California Power Agency's Casualty Insurance Program Renewal for March 2024 to March 2025 –

adopt resolution by all members authorizing the General Manager or his designee to negotiate and bind the Casualty Insurance program for the term starting March 1, 2024, and ending March 1, 2025, at a not-to-exceed premium of \$2,500,000 for the Northern California Power Agency and Lodi Energy Center.

Fiscal Impact: The total cost to renew the Casualty Insurance program is estimated not-to-exceed \$2,500,000. This amount is already included in the Risk Management budget; no budget augmentation is required.

22. Resolution 24-20, Nexant Cost Allocation Model Update for Fiscal Year 2025 –

adopt resolution by all members approving the annual updates to the Nexant Model to allocate budgeted costs to members for Fiscal Year 2025.

Fiscal Impact: The annually updated Nexant determinants will result in a change to all members' allocated shares of Power Management costs in varying amounts. Table 1 of Appendix A provides indicative changes in allocated Nexant Power Management costs to members based on current Fiscal Year 2024 budget after applying updated Calendar Year 2023 determinants to the model.

DISCUSSION/ACTION ITEMS

18. Resolution 24-32, Kanner & Associates, LLC—One Year Multi-Task Consulting Services Agreement—with a right to renew up to additional two years—for Federal Legislative Consulting Services; Applicable to the following: Northern California Power Agency (NCPA) – authorizing the General Manager or his designee to enter into a Multi-Task Consulting Services Agreement and Option Agreement with Kanner and Associates, LLC consulting for federal legislative and regulatory consulting services, with any non-substantial changes recommended and approved by the NCPA General Counsel, which shall not exceed \$300,000 for a one-year agreement including a right to renew for up to two additional years, for use by NCPA.

Fiscal Impact: Upon execution, the total cost of the agreement is not to exceed \$300,000.00 for one year including the right to renew for up to two additional years. The fee for these federal legislative services will be paid as a \$25,000 monthly retainer, including approved travel expenses. There is no change to the cost of the retainer from the previous contract, and this retainer amount has remained the same since July 2011. NCPA expenditures for these services are limited to the amount authorized for federal legislative advocacy by the NCPA Commission in the agency’s annual budget.

Long time consultant Marty Kanner retired after the Strategic Issues Conference this year. Sam MacDonald has taken over Kanner and Associates, LLC. L&R did an RFP for federal and legislative and regulatory consulting services. Kanner and Associates, LLC was the only respondent. Currently this is a one-year agreement with an option to extend for three years. Both parties need to agree to the extension. This was discussed at the L&R Committee meeting yesterday and recommended for approval.

Motion: A motion was made by Jenelle Osborne and seconded by Pauline Rocucci recommending the Commission adopt Resolution 24-32 authorizing the General Manager or his designee to enter into a Multi-Task Consulting Services Agreement and Option Agreement with Kanner and Associates, LLC consulting for federal legislative and regulatory consulting services, with any non-substantial changes recommended and approved by the NCPA General Counsel, for a one-year agreement including a right to execute one or consecutive one-year options to extend the Agreement, for a total maximum term of three years, which shall not exceed \$300,000 per year and \$900,000 over the total three year term, for use by NCPA. 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	N		
Port of Oakland			X
Redding		X	
Roseville	Y		
Santa Clara	N		
Shasta Lake	Y		
Truckee Donner	Y		
Ukiah	Y		
Plumas-Sierra	Y		

23. Resolution 24-26, Lake Alpine Handrails and Walkway Replacement Project; Applicable to the following: Northern California Power Agency (NCPA)

Hydroelectric Project – adopt resolution by all members authorizing the Lake Alpine Handrail and Walkway Replacement Project and delegating authority to the General Manager or his designee to award bids, execute agreements, and to issue purchase orders for the project in accordance with NCPA purchasing policies and procedures, without further approval by the Commission, for a total not-to-exceed amount of \$1,690,000, and authorizing \$235,000 from the approved FY24 budget and the remaining \$1,455,000 collected in the FY25 Hydroelectric budget. A FEMA claim has been submitted and if any collections are received, funds will be refunded during the final settlements for the fiscal year they were received.

Fiscal Impact: The total cost of the Lake Alpine Handrail and Walkway Replacement Project is estimated to be \$1,690,000 which includes maintenance work, engineering and inspection services during the project, and contingency funds. This Project will be funded using \$235,000 of the available FY24 budget and the remaining \$1,455,000 collected in the FY25 Hydroelectric budget. A breakdown of project costs is included in the table below.

Funding	Amount
Maintenance P.O.	\$1,322,810
Engineering Services During Work (12%)	\$159,000
Contingency (14%)	\$208,190
Total	\$1,690,000

FEMA has indicated that this project is a candidate for reimbursement. NCPA staff provided the FEMA inspection team with an inspection tour of the site on September 18, 2023, and continues to work closely with FEMA providing responses to all of their requests for information. If any FEMA collections are received, they will be refunded during the final settlements for the fiscal year they were received.

Motion: A motion was made by Pauline Roccucci and seconded by James “Bo” Sheppard recommending the Commission adopt Resolution 24-26 authorizing the Lake Alpine Handrail and Walkway Replacement Project and delegating authority to the General Manager or his designee to award bids, execute agreements, and to issue purchase orders for the project in accordance with NCPA purchasing policies and procedures, without further approval by the Commission, for a total not-to-exceed amount of \$1,690,000, and authorizing \$235,000 from the approved FY24 budget and the remaining \$1,455,000 collected in the FY25 Hydroelectric budget. A FEMA claim has been submitted and if any collections are received, funds will be refunded during the final settlements for the fiscal year they were received. 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			X
Redding		X	
Roseville	Y		
Santa Clara	Y		
Shasta Lake		X	
Truckee Donner		X	
Ukiah	Y		
Plumas-Sierra	Y		

24. Resolution 24-27, FERC 2409 Part 12 Independent Consultant Inspection (IC) Project – Applicable to the following: Northern California Power Agency (NCPA) Hydroelectric Project – adopt resolution by all members authorizing the FERC 2409

Part 12 Independent Consultant (IC) Inspection Project and delegating authority to the General Manager or his designee to award bids, execute agreements, and to issue purchase orders for the project in accordance with NCPA Purchasing Policies and Procedures, without further approval by the Commission, for a total not-to-exceed amount of \$709,500, and authorizing \$70,950 from the approved FY24 budget and the remaining \$638,550 collected in the FY25 Hydroelectric budget.

Fiscal Impact: The total cost of the FERC 2409 Part 12 Independent Consultant (IC) Inspection Project is estimated to be \$709,500, which includes research, dam safety engineering, inspections, workshops, risk analyses, and reporting. In order to meet the FERC deadlines of April and June 2025, this Project will be funded using \$70,950 of available resources in the FY24 budget and the remaining \$638,550 collected in the FY25 Hydroelectric budget. FERC issued new regulations to NCPA on November 11, 2023, and provided clarifying review schedule timelines during a mandatory pre-bid FERC-Licensee conference call on January 11, 2024 which necessitates the issuance of a FERC Part 12 IC inspection contract in early March 2024 in order to maintain FERC regulatory compliance. A breakdown of project costs is included in the table below.

Funding	Amount
Part 12 (IC) Contract Estimate	\$645,000
Contingency (10%)	\$64,500
Total	\$709,500

Motion: A motion was made by Sudhanshu Jain and seconded by Pauline Roccucci recommending the Commission adopt Resolution 24-27 authorizing the FERC 2409 Part 12 Independent Consultant (IC) Inspection Project and delegating authority to the General Manager or his designee to award bids, execute agreements, and to issue purchase orders for the project in accordance with NCPA Purchasing Policies and Procedures, without further approval by the Commission, for a total not-to-exceed amount of \$709,500, and authorizing \$70,950 from the approved FY24 budget and the

remaining \$638,550 collected in the FY25 Hydroelectric budget. 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			X
Redding		X	
Roseville	Y		
Santa Clara	Y		
Shasta Lake		X	
Truckee Donner		X	
Ukiah	Y		
Plumas-Sierra	Y		

25. Amended Resolution 21-109, Fourth Amendment to Resolution 21-109 NCPA Geothermal Plant 2, Unit 4 Overhaul Project; Applicable to the following: NCPA Geothermal Facility – adopt resolution by all members approving the Fourth

Amendment to Resolution 21-109 for the NCPA Geothermal Plant 2 Unit 4 Overhaul Project increasing the total not-to-exceed amount of this project from \$7,400,000 to \$7,591,623 for settlement of the final invoice to close out the project.

Fiscal Impact: Throughout this project, a number of change orders to the agreement with RTS were executed, resulting in an updated total project cost of \$7,312,440.43. The proposed Fourth Amendment to Resolution 21-109 would increase the not to exceed amount by \$191,623, for an updated total project authorization of \$7,591,623. This additional work will be funded from the cancelled Intertie Switch Project, which was budgeted at \$1,750,000. Of that, \$990,725 was previously authorized for additional turbine related work related to this project. There remain sufficient funds from this project to cover the remaining costs of the work.

Motion: A motion was made by Sudhanshu Jain and seconded by James “Bo” Sheppard recommending the Commission adopt Amended Resolution 21-109 approving Fourth Amendment to Resolution 21-109 for the NCPA Geothermal Plant 2 Unit 4 Overhaul Project increasing the total not-to-exceed amount of this project from \$7,400,000 to \$7,591,623 for settlement of the final invoice to close out the project. 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		X	
Port of Oakland			X
Redding		X	
Roseville	Y		

Santa Clara	Y		
Shasta Lake		X	
Truckee Donner		X	
Ukiah	Y		
Plumas-Sierra	Y		

26. Resolution 24-19, Appointment to the NCPA Finance Committee – adopt resolution by all members appointing Teri Alderson, acting Assistant General Manager of Administration for Alameda Municipal Power, as a member of the Finance Committee. **Fiscal Impact:** There is no fiscal impact in appointing Teri Alderson as a member of the Finance Committee.

Motion: A motion was made by Sudhanshu Jain and seconded by Pauline Rocucci recommending the Commission adopt Resolution 24-19 appointing Teri Alderson, acting Assistant General Manager of Administration for Alameda Municipal Power, as a member of the Finance Committee. 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			X
Redding	Y		
Roseville	Y		
Santa Clara	Y		
Shasta Lake	Y		
Truckee Donner	Y		
Ukiah	Y		
Plumas-Sierra	Y		

27. Resolution 24-22, Approval to Explore the Merits and Risks of an Energy Prepayment Transaction – adopt resolution by all members authorizing the General Manager to direct staff to explore the merits and risks of a prepayment bond transaction regarding the Geysers Power Purchase Agreement. Staff will return to the Commission with a recommendation to continue moving forward or to discontinue this effort. **Fiscal Impact:** Rates as of October 2023 showed an estimated savings (or discount) of ~\$6/MWh from the contract price, equivalent to ~\$60 million in retail ratepayer savings over the 12-year term of the PPA. This is net of all cost of issuance expenses. Please note that a higher interest rate environment helps provide higher savings.

Motion: A motion was made by Sudhanshu Jain and seconded by Vicki Veenker recommending the Commission adopt Resolution 24-22 authorizing the General Manager to direct staff to explore the merits and risks of a prepayment bond transaction regarding the Geysers Power Purchase Agreement. Staff will return to the Commission with a recommendation to continue moving forward or to discontinue this effort. 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			X
Redding			X
Roseville	Y		
Santa Clara	Y		
Shasta Lake	Y		
Truckee Donner	Y		
Ukiah	Y		
Plumas-Sierra	Y		

28. Resolution 24-21, Approval of Revisions to NCPA's Energy Risk Management

Regulations – adopt resolution by all members approving revised Energy Risk Management Regulations.

Fiscal Impact: There is no fiscal impact to approving the revisions to NCPA's Energy Risk Management Regulations.

Motion: A motion was made by Jenelle Osborne and seconded by Sudhanshu Jain recommending the Commission adopt Resolution 24-21 approving revised Energy Risk Management Regulations. 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			X
Redding			X
Roseville	Y		
Santa Clara	Y		
Shasta Lake	Y		
Truckee Donner	Y		
Ukiah	Y		
Plumas-Sierra	Y		

Non-essential Members and NCPA staff left the meeting for closed session items.

CLOSED SESSION ITEMS

Chair Serventi asked General Counsel to move the Commission into Closed Session at 11:47 am to discuss Closed Session items 31 and 32. General Counsel Jane Luckhardt took the Commission into Closed Session. Randy Howard and Jane Luckhardt left the meeting.

29. CONFERENCE WITH LEGAL COUNSEL – pursuant to Government Code Section 54956.9(d)(1) – Existing Litigation regarding the following cases:

FERC Dockets: Rate Cases:

FERC TO18:

- *Pacific Gas and Electric Co.*, Federal Energy Regulatory Commission, Docket No. ER16-2320
- *Pacific Gas and Electric Co.*, Federal Energy Regulatory Commission, Docket No. EL18-108

FERC TO19:

- *Pacific Gas and Electric Co.*, Federal Energy Regulatory Commission, Docket No. ER17-2154
- *California Public Utilities Commission, et al. v. Pacific Gas and Electric Co.*, Federal Energy Regulatory Commission, Docket No. EL17-95

FERC TO20:

- *Pacific Gas and Electric Co.*, Federal Energy Regulatory Commission, Docket No. ER19-13
- *Pacific Gas and Electric Co.*, Federal Energy Regulatory Commission, Docket No. ER19-1816
- *Pacific Gas and Electric Co.*, Federal Energy Regulatory Commission, Docket No. ER20-2265

D.C. Circuit:

- *Pacific Gas and Electric Co. v. Federal Energy Regulatory Commission*, D.C. Circuit Case No. 21-1061 (lead), consolidated with Case Nos. 21-1135, 21-1172, 21-1204, 22-1095, 22-1113.

30. CONFERENCE WITH LEGAL COUNSEL – pursuant to Government Code Section 54956.9(d)(1) – Anticipated Litigation, one (1) case.

31. CONFERENCE WITH LABOR NEGOTIATORS AND PERFORMANCE EVALUATION –

a) Labor negotiations pursuant to Government Code Section 54957.6: Agency representatives: NCPA Executive Committee Members and Human Resources Manager Brynna Bryant; Unrepresented Public Employee: General Manager; and b) Performance evaluation pursuant to Government Code Section 54957: Unrepresented Employee: One Category: General Manager.

32. CONFERENCE WITH LABOR NEGOTIATORS AND PERFORMANCE EVALUATION –

a) Labor negotiations pursuant to Government Code Section 54957.6: Agency representatives: NCPA Executive Committee Members and Human Resources Manager Brynna Bryant; Unrepresented Public Employee: General Counsel; and b) Performance evaluation pursuant to Government Code Section 54957: Unrepresented Public Employee: One Category: General Counsel.

OPEN SESSION

RECONVENED TO OPEN SESSION

All meeting attendees rejoined the public meeting at 12:06 pm.

REPORT FROM CLOSED SESSION

Closed Session Disclosure: General Counsel Jane Luckhardt reported there was no reportable action taken in closed session.

DISCUSSION/ACTION ITEMS

33. Resolution 24-29, Approval of the Second Amendment to the Amended Employment Agreement for Randy S. Howard, General Manager – adopt resolution by all members approving the Second Amendment to the Amended Employment Agreement for Randy S. Howard; authorize the Chair of the Commission to execute the Second Amendment to the Amended Employment Agreement for Randy S. Howard; authorize the Chair of the Commission to provide a one-time employer contribution of 3.5% to the General Manager’s 401A account effective as soon as administratively possible, and approve the General Manager’s Performance Goals for 2024.

Fiscal Impact: The cost associated with the General Manager’s compensation change is covered within the current fiscal year budget. No budget augmentation is required.

Chair Serventi thanked Randy for his outstanding work during the past year. Randy’s work is very impressive and he is well known throughout the industry.

Motion: A motion was made by James “Bo” Sheppard and seconded by Pauline Roccucci recommending the Commission adopt Resolution 24-29 approving the Second Amendment to the Amended Employment Agreement for Randy S. Howard; authorize the Chair of the Commission to execute the Second Amendment to the Amended Employment Agreement for Randy S. Howard; authorize the Chair of the Commission to provide a one-time employer contribution of 3.5% to the General Manager’s 401A account effective as soon as administratively possible, and approve the General Manager’s Performance Goals for 2024. 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			X
Redding			X
Roseville	Y		
Santa Clara	Y		
Shasta Lake	Y		
Truckee Donner	Y		
Ukiah			X
Plumas-Sierra	Y		

34. Resolution 24-30, Approval of the Seventh Amendment to the Employment Agreement with Jane E. Luckhardt, General Counsel – adopt resolution by all members approving the Seventh Amendment to the Employment Agreement between NCPA and Jane E. Luckhardt; authorize the Chair of the Commission to execute the Seventh Amendment to the Employment Agreement; authorize the Chair of the Commission to adjust the annual salary to 99.89% of the General Counsel classification control point per the 2024 NCPA Administrative Wage Schedule, effective as of the first pay period in 2024, and approve the General Counsel’s Performance Goals for 2024. **Fiscal Impact:** The cost associated with the General Counsel’s compensation change is covered within the current fiscal year budget. No budget augmentation is required.

Chair Serventi thanked Jane Luckhardt for the exceptional job she has been doing the past year for the agency. Jane takes her time to understand the issues, is very organized, and well versed on all the issues concerning the agency.

Motion: A motion was made by Jenelle Osborne and seconded by James Takehara recommending the Commission adopt Resolution 24-30 approving the Seventh Amendment to the Employment Agreement between NCPA and Jane E. Luckhardt; authorize the Chair of the Commission to execute the Seventh Amendment to the Employment Agreement; authorize the Chair of the Commission to adjust the annual salary to 99.89% of the General Counsel classification control point per the 2024 NCPA Administrative Wage Schedule, effective as of the first pay period in 2024, and approve the General Counsel’s Performance Goals for 2024. 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			X
Redding			X
Roseville	Y		
Santa Clara	Y		
Shasta Lake	Y		
Truckee Donner	Y		
Ukiah			X
Plumas-Sierra	Y		

Non-essential Members and NCPA staff left the meeting for closed session items.

CLOSED SESSION

Chair Serventi asked General Counsel to move the Commission into closed session at 12:18 pm to discuss Closed Session items 29 and 30 on the agenda. General Counsel Jane Luckhardt took the Commission into closed session.

RECONVENED TO OPEN SESSION

All meeting attendees rejoined the public meeting at 12:41 pm.

REPORT FROM CLOSED SESSION

Closed Session Disclosure: General Counsel Jane Luckhardt reported there was no reportable action taken in closed session.

NEW BUSINESS

No new business was discussed.

ADJOURNMENT

The February 22, 2024 Commission meeting was adjourned at 12:42 pm by Chair Serventi.

Respectfully submitted,

Prepared by,

JERRY SERVENTI
Commission Chair

CARRIE POLLO
Assistant Secretary to the Commission



Commission Meeting
February 22, 2024
COMMISSIONERS
Attendance List

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

MEMBER	NAME
1 - ALAMEDA	<i>Jerry Jensen</i>
2 - BIGGS	<i>Bo Sheppard</i>
3 - GRIDLEY	<i>Catalina Sanchez</i>
4 - HEALDSBURG	<i>Dave Hagele</i>
5 - LODI	<i>Mikey Hotli</i>
6 - LOMPOC	<i>Jenelle Osborne</i>
7 - PALO ALTO	<i>Vicki Venker</i>
8 - PLUMAS-SIERRA REC	<i>Larry Price</i>
9 - PORT OF OAKLAND	
10 - REDDING	<i>Julie Winter</i>
11 - ROSEVILLE	<i>Pauline Rocucci</i>
12 - SAN FRANCISCO BAY AREA RAPID TRANSIT DISTRICT	<i>Yuliya Schmidt</i>
13 - SANTA CLARA	<i>Sudhanshu Jain</i>
14 - SHASTA LAKE	<i>Tom Edler</i>
15 - TRUCKEE DONNER	<i>M. Pant</i>
16 - UKIAH	<i>Cindy Samers</i>



**Commission Meeting
February 22, 2024
Attendance List**

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

NAME	AFFILIATION
Carmie Pollo	NCPA
Tony Zimmer	NCPA
Michael DeBortoli	NCPA
James Taketara	Shasta Lake
MONTE HANES	NCPA
Jane Cirrinione	NCPA
Dan Bears	Roseville
Randy S. Howard	NCPA
Jane E. Luckhardt	NCPA