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Commission Agenda

Date: June 25, 2020
Subject: NCPA Commission Meeting / Teleconference
Location: NCPA, 651 Commerce Drive, Roseville, California 95678
Time: 9:30 am

This meeting is being held in accordance with the Brown Act as currently in effect under the State Emergency Act, Governor Gavin Newsom's Emergency Declaration related to COVID-19, and Governor Newsom's Executive Order N-29-20 issued March 17, 2020 that allows attendance by NCPA Commissioners, staff and the public to participate and conduct the meeting by teleconference.

You may participate in the meeting via teleconference by:

Dial: 1 (646) 749-3122

Code: 347-080-781#

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 (9:30 am – 9:40 am)*
2. *Approve minutes of the May 28, 2020, Regular Commission Meeting (9:40 am – 9:45 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 (9:45 am – 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 & Regulatory Affairs Committee
9. Members' Announcements & Meeting Reporting

CONSENT CALENDAR (10:15 am – 10:25 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 May 31, 2020*** – approval by all members.
11. ***Treasurer's Report for the Month Ended May 31, 2020*** – accept by all members.
12. ***Disposal of NCPA Surplus Property*** – note and file by all members the disposal of miscellaneous past event decorations.
Fiscal Impact: This report has no direct fiscal impact to the Agency.
13. ***Amended 2020 Committee Meeting Calendar*** – approve by all members the Amended 2020 Committee Meeting Calendar by all members.
14. ***Resolution 20-47, Bell Burnett and Edwards – Five Year Multi-Task Consulting Services Agreement for financial analysis, planning, advisory and forecasting, generation and transmission project planning, project and program development, energy efficiency and demand reduction program design; Applicable to the following projects: All Northern California Power Agency (NCPA) Facilities and NCPA Members*** – adopt resolution by all members authorizing the General Manager or his designee to enter into a Multi-Task Consulting Services Agreement with Bell Burnett and Edwards for financial analysis, planning, advisory and forecasting, generation and transmission project planning, project and program development, energy efficiency and demand reduction program design, 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 and NCPA Members.
Fiscal Impact: Upon execution, the total cost of the agreement is not to exceed \$1,000,000 over five years. Purchase orders referencing the terms and conditions of the agreement will be issued following NCPA procurement policies and procedures.
15. ***Resolution 20-48, Univar USA, Inc. – First Amendment to the Five Year Multi-Task Agreement for Purchase of Equipment, Materials and Supplies; Applicable to the following projects: All Northern California Power Agency (NCPA) Facilities*** – adopt resolution by all members authorizing the General Manager or his designee to enter into a First Amendment to the five-year Multi-Task Agreement for Purchase of Equipment, Materials and Supplies with Univar USA, Inc., with any non-substantial changes as recommended and approved by the NCPA General Counsel, to change the vendor name in the Agreement to Univar Solutions, Inc., for continued use at all facilities owned and/or operated by NCPA.
Fiscal Impact: Upon execution, the total cost of the Agreement remain not to exceed \$1,500,000 over five years, to be used out of NCPA approved annual operating budgets as materials are rendered. Purchase orders referencing the terms and conditions of the Agreement will be issued following NCPA procurement policies and procedures.
16. ***Resolution 20-49, Admission of Palo Alto as a new Amended and Restated Market Purchase Program Agreement Participant*** – adopt resolution by all members authorizing Palo Alto to become a Participant as defined under the Amended and Restated Market Purchase Program Agreement (MPP Agreement), upon Palo Alto's execution of the MPP Agreement.
Fiscal Impact: NCPA's administrative costs for development and administration of the MPP Agreement will be allocated to Members in accordance with approved cost allocation methodologies as described in the NCPA annual budget
17. ***Resolution 20-50, Approval of Amendment 5 to Contract 96-SNR-00110 (O&M Funding Agreement)*** – adopt resolution by all members approving Amendment 5 to Contract 96-SNR-00110, and authorize the General Manager of NCPA to execute Amendment 5 to Contract 96-SNR-00110, on behalf of NCPA, including any non-substantive modifications to Amendment 5 to

Contract 96-SNR-00110 approved by NCPA's General Counsel.

Fiscal Impact: NCPA's administrative costs for processing Amendment 5 to Contract 96-SNR-00110 will be allocated to Members in accordance with approved cost allocation methodologies as described in the NCPA annual budget.

Consent Items pulled for discussion: _____

DISCUSSION / ACTION ITEMS (10:25 am – 10:45 am)

18. Resolution 20-51, Amendment No. 1 to the Consulting Services Agreement between NCPA and Flynn Resource Consultants Inc. – adopt resolution by all members authorizing the General Manager of NCPA to execute Amendment No. 1 to the Consulting Services Agreement between NCPA and Flynn Resource Consultants Inc., on behalf of NCPA, including any non-substantive modifications to the Consulting Services Agreement approved by NCPA's General Counsel.

Fiscal Impact: Pursuant to the terms and conditions of the Consulting Services Agreement, total expenditures authorized under the Consulting Services Agreement shall not exceed \$1,950,000 during the term of the agreement, or \$650,000 during each annual period of the term of the agreement. Payments for services provided under the Consulting Services Agreement are accounted for in the NCPA annual budget, and all costs incurred for the services shall be allocated to the BAMx Members. Amendment No. 1 to the Consulting Services Agreement does not increase the expenditure limits originally established in the Consulting Services Agreement.

19. Resolution 20-52, Amendment No. 1 to the Professional Services Agreement between NCPA and the BAMx Participants – adopt resolution by all members authorizing the General Manager of NCPA to execute Amendment No. 1 to the Professional Services Agreement between NCPA and the cities of Palo Alto and Santa Clara, on behalf of NCPA, including any non-substantive modifications to Amendment No. 1 to the Professional Services Agreement approved by NCPA's General Counsel.

Fiscal Impact: Pursuant to the terms and conditions of the Professional Services Agreement, NCPA will invoice the BAMx Members \$625 each month for related billing services under the Professional Services Agreement. Payments for services provided under the Professional Services Agreement are accounted for in the NCPA annual budget, and all costs incurred for the services shall be allocated to the BAMx Members. Amendment No. 1 to the Professional Services Agreement does not increase the expenditure limits originally established in the Professional Services Agreement.

CLOSED SESSION (10:45 am – 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 – 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.

OPEN SESSION

REPORT FROM CLOSED SESSION

NEW BUSINESS

ADJOURNMENT