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Commission Agenda

Date: August 25, 2022

Subject: NCPA Commission Meeting

Location: NCPA, 651 Commerce Drive, Roseville, CA 95678

Time: 9:30 am

* In compliance with the Brown Act, you may participate at one of the meeting locations listed below. In either case, please: 1) post this Agenda at a publicly accessible location at the participation location no later than 72-hours before the meeting begins, and 2) have a speaker phone available for any member of the public who may wish to attend at your location. *

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| <p>CITY OF BIGGS 3016 Sixth Street Biggs, CA</p> | <p>CITY OF GRIDLEY 685 Kentucky Street, Gridley, CA</p> | <p>CITY OF HEALDSBURG CITY HALL 401 Grove Street Healdsburg, CA</p> |
| <p>CITY OF LODI CITY HALL 221 W. Pine Street Lodi, CA</p> | <p>CITY OF LOMPOC CITY HALL 100 Civic Center Plaza Lompoc, CA</p> | <p>PALO ALTO CITY HALL Ground Level 250 Hamilton Ave. Palo Alto, CA</p> |
| <p>LARRY PRICE Plumas-Sierra 971 Chandler Road Quincy, CA</p> | <p>MIKE BROZO Plumas-Sierra 3524 Mulholland Way Sacramento, CA</p> | <p>THE PORT OF OAKLAND 530 Water Street Oakland, CA</p> |
| <p>JULIE WINTER REDDING 213 Shadowrun Court Redding, CA</p> | <p>SHASTA LAKE 4332 Vallecito Street Shasta Lake, CA</p> | <p>SILICON VALLEY POWER 881 Martin Ave. Santa Clara, CA</p> |
| <p>CITY OF UKIAH City Hall Annex 411 W. Clay Street Ukiah, CA</p> | | |

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 – 9:35 am)*
2. *Approve Minutes of the July 28, 2022, Regular Commission Meeting (9:35 am – 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 am – 10:00 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 (10:00 am – 10:10 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 July 31, 2022 – approval by all members.

11. Treasurer's Report for the Month Ended July 31, 2022 – 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: e-waste from Lodi Energy Center.

Fiscal Impact: This report has no direct fiscal impact to the Agency.

13. Debt and Interest Rate Management Report as of June 30, 2022 – accept and file by all members the Debt and Interest Rate Management Report for the period ending June 30, 2022.

Fiscal Impact: On March 10th, NCPA staff along with our financial advisor, PFM, finalized the redemption of the 2012 Hydroelectric Series A bonds, termination of the interest rate swap and letter of credit, and redemption of the 2008 Hydroelectric variable rate bonds with the 2022 Hydroelectric refunding. The final numbers include the following: NPV savings: \$12.2 million through final maturity of 2032; percentage savings of 2012 refunded bonds: 16.5%; All-in TIC: 1.8%; Average annual savings: approx.. \$1.7 million per year.

14. Resolution 22-76, Sierra Hydrographics – Five-Year Multi-Task Professional Services Agreement for Hydrographic 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 Professional Services Agreement with Sierra Hydrographics for hydrographic related services, with any non-substantial changes recommended and approved by the NCPA General Counsel, which shall not exceed \$600,000 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 \$600,000 over five years.

15. Resolution 22-88, Proclaiming the Termination of the Declaration of a Local Emergency Concerning the COVID-19 Virus, and Rescinding Resolution 20-30, as modified by Resolution 22-12, in its entirety – adopt resolution by all members Proclaiming the Termination of the Declaration of a Local Emergency Concerning the COVID-19 Virus, and Rescinding Resolution 20-30, as modified by Resolution 22-12, in its entirety.

Fiscal Impact: There is no fiscal impact associated with terminating the local emergency.

16. Resolution 22-89, Approval of Second Amendment to the Antelope Expansion 1B, LLC Power Purchase Agreement – adopt resolution by all members approving the Second Amendment to the Power Purchase Agreement between NCPA and Antelope Expansion 1B, LLC, and to authorize the General Manager of NCPA to execute the Second Amendment to the PPA, including any non-substantive modifications to the Second Amendment to the PPA approved by NCPA's General Counsel.

Fiscal Impact: Work associated with developing the Second Amendment to the PPA 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.

- 17. Resolution 22-90, Ascend Analytics, LLC – Five-Year Multi-Task Consulting Services Agreement for Integrated Resource Plan (IRP) Related Consulting 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 Ascend Analytics, LLC for Integrated Resource Plan (IRP) related consulting services, with any non-substantial changes recommended and approved by the NCPA General Counsel, which shall not exceed \$1,500,000 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 \$1,500,000 over five years.
- 18. Resolution 22-91, EN Engineering, LLC – First Amendment to Five-Year Multi-Task Professional Services Agreement for Engineering and Testing Related Services; Applicable to the following: 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 Multi-Task Professional Services Agreement with EN Engineering, LLC for engineering and testing related services, with any non-substantial changes recommended and approved by the NCPA General Counsel, modifying the Scope of Work, for continued use at any facilities owned and/or operated by NCPA.
Fiscal Impact: Upon execution, the total cost of the agreement will be not to exceed \$1,000,000 over the remainder of the contract term.
- 19. Resolution 22-92, Fremouw Environmental Services, Inc. – First Amendment to Five Year Multi-Task General Services Agreement for Waste Cleanup Services; Applicable to the following: 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 Multi-Task General Services Agreement with Fremouw Environmental Services, Inc. for waste cleanup services, with any non-substantial changes recommended and approved by the NCPA General Counsel, accepting assignment to Advanced Chemical Transport, Inc. dba ACTEnviro and modifying Exhibit B pricing, for continued use at any facilities owned and/or operated by NCPA.
Fiscal Impact: Upon execution, the total cost of the agreement will be not to exceed \$3,000,000 over the remainder of the contract term.
- 20. Resolution 22-94, Approval of Revisions to NCPA's Personnel Policies and Procedures Manual Telecommute Program (Policy 404.4 and Procedure P404.4)** – adopt resolution by all members authorizing the General Manager or his designee to implement the revisions to NCPA's Personnel Policies and Procedures Manual.
Fiscal Impact: Approval of these changes to NCPA's Personnel Policies and Procedures Manual will have minimal fiscal impacts. Therefore, this action does not require budget augmentation.
- 21. Resolution 22-96, Approval of the Special Conditions Agreement for Grant Administration By and Between Plumas Sierra Rural Electric Cooperative and the Northern California Power Agency** – adopt resolution by all members approving the Special Conditions Agreement for Grant Administration by and Between the Plumas Sierra Rural Electric Cooperative (Plumas) and the Northern California Power Agency (NCPA) (the "Special Conditions Agreement"), and to

authorize the General Manager of NCPA, or their designee, to (1) execute the Special Conditions Agreement on behalf of NCPA, and (2) upon full execution of the Special Conditions Agreement, execute a United States Department of Defense, Defense Community Infrastructure Pilot Program Grant (DCIP Program Grant) agreement (the "Grant Agreement"), if such DCIP Program Grant is ultimately awarded and accepted, and the Grant Agreement is recommended for approval by the NCPA General Counsel, including any changes to the Special Conditions Agreement and Grant Agreement recommended and approved by the NCPA General Counsel. **Fiscal Impact:** Pursuant to the Special Conditions Agreement, Plumas will reimburse NCPA for all direct and indirect costs NCPA may incur associated with NCPA's administration of the DCIP Program Grant, including costs associated with NCPA staff time and materials. Therefore, there is no direct fiscal impact to NCPA.

- 22. Resolution 22-97, SpryPoint Services, Inc. – Five-Year Multi-Task Consulting Services Agreement for Cloud-Based Enterprise Solutions; Applicable to the Northern California Power Agency (NCPA), 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 five-year Multi-Task General Services Agreement with SpryPoint Services, Inc. for cloud-based enterprise solutions, with any non-substantive changes recommended and approved by the NCPA General Counsel, with a not to exceed of \$1,000,000, for use at any facilities owned and/or operated by NCPA, NCPA Members, SCPPA, and SCPPA Members. **Fiscal Impact:** Upon execution, the total cost of the agreement shall not exceed \$1,000,000 over five years.

Consent Items pulled for discussion: _____

DISCUSSION / ACTION ITEMS (10:10 am – 10:40 am)

- 23. Resolution 22-93, Geothermal Plant 1 Cooling Tower Refurbishment Project; Applicable to the following: NCPA Geothermal** – adopt resolution by all members authorizing the Geothermal Plant 1 Cooling Tower Refurbishment 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 cost of \$2,858,647, and authorizing funds for Phase 1 from the approved FY23 budget and funds for Phase 2 contingent upon future approval of the FY24 budget. **Fiscal Impact:** Funds for the project will come from the FY23 and FY24 budget (including encumbered funds). Funds from the FY24 budget are contingent upon future approval of the FY24 budget, and no commitment of funds for Phase 2 of the project will be made until that date. No cash collection or budget augmentation is required. The total Plant 1 Cooling Tower Refurbishment Project cost is not to exceed \$2,858,647.

CLOSED SESSION ITEMS (10:40 am – 11:30 am)

24. CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION

Pursuant to Government Code Section 54956.9(d)(1) - Existing Litigation, three (3) cases:

- A. Case Name: *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.

B. Case Name: *City of Santa Clara dba Silicon Valley Power and Northern California Power Agency v. California Department of Water Resources*, Sacramento County Superior Court, Case No. 34-2022-00323425.

C. Name: *In Re PG&E Corporation and Pacific Gas and Electric Company: United States District Court, Northern District of California*, Case No. 4:22-cv-02833-HSG.

OPEN SESSION

REPORT FROM CLOSED SESSION

NEW BUSINESS

ADJOURNMENT