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Commission Agenda

Date: August 26, 2021
Subject: NCPA Commission Meeting
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-08-21 issued June 11, 2021, 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:

Zoom Link: <https://us06web.zoom.us/j/84298029698>

Meeting ID: 842 9802 9698

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 (9:30 am – 9:40 am)*
2. *Approve Minutes of the July 29, 2021, 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 July 31, 2021*** – approval by all Members.
11. ***Treasurer's Report for the Month Ended July 31, 2021*** – accept by all Members.
12. ***Disposal of Northern California Power Agency Surplus Property*** – note and file by all Members the disposal of 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 – June 30, 2021*** – accept by all Members the Debt and Interest Rate Management Report for the period ending June 30, 2021.
Fiscal Impact: The total projected savings over the life of the interest rate swaps was \$13.9 million at the inception of these agreements. Total projected savings through June 30, 2021 was \$8.0 million with actual results at \$13.6 million. The difference between expected savings and actual savings is due to “basis risk”, or the difference between what NCPA pays on the variable rate bonds and the index rate used in the swap transaction. Total basis risk to date is positive, resulting in additional savings over those expected of \$5.6 million. Staff continues to monitor the potential for refinancing these bonds and terminating the swaps, however, the large mark-to-market payment due to Citibank, N.A. of over \$17 million (net) is making a potential refund not a feasible option at this time.
14. ***Resolution 21-77, Hart High Voltage Apparatus Repair & Testing Co., Inc. – Five Year Multi-Task General Services Agreement for Specialized Electrical 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 with Hart High Voltage Apparatus Repair & Testing Co., Inc. for specialized electrical maintenance services, 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.
15. ***Resolution 21-78, Cisco Air Systems, Inc. – Five Year Multi-Task General Services Agreement for Specialized OEM Air Compressor 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 with Cisco Air Systems, Inc. for specialized OEM air compressor maintenance 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.
16. ***Resolution 21-79, Dee's Design Box – Five Year Multi-Task Consulting Services Agreement for Graphic Design Services, for use at all NCPA; 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 Dee's Design Box, LLC., for graphic design services, with any non-substantial changes recommended and approved by the NCPA General Counsel, which shall not exceed \$250,000 over five years, for use by NCPA, NCPA Members, by SCPPA, and SCPPA Members.

Fiscal Impact: Upon execution, the total cost of the agreement is not to exceed \$250,000 over five years.

- 17. Resolution 21-80, Background Stories Co. – Five Year Multi-Task Consulting Services Agreement for Graphic Design Services; Applicable to the following: All 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 Multi-Task Consulting Services Agreement with Background Stories Co for graphic design services, with any non-substantial changes recommended and approved by the NCPA General Counsel, which shall not exceed \$250,000 over five years, for use by NCPA, NCPA Members, by SCPPA, and SCPPA Members.

Fiscal Impact: Upon execution, the total cost of the agreement is not to exceed \$250,000 over five years.

- 18. Resolution 21-81, Pat Davis Design Group, Inc. – Five Year Multi-Task Consulting Services Agreement for Graphic Design Services; Applicable to the following: All 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 Multi-Task Consulting Services Agreement with Pat Davis Design Group, Inc. for graphic design services, with any non-substantial changes recommended and approved by the NCPA General Counsel, which shall not exceed \$250,000 over five years, for use by NCPA, NCPA Members, by SCPPA, and SCPPA Members.

Fiscal Impact: Upon execution, the total cost of the agreement is not to exceed \$250,000 over five years.

- 19. Resolution 21-82, Flynn Resource Consultants, Inc. – Five Year Multi-Task Consulting Services Agreement for professional consulting services related to electric transmission, power generation, regulatory support, contracts, compliance and electric market issues affecting Electrical Power Utilities and/or entities' large electrical power consumers; 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 Flynn Resource Consultants, Inc., (Flynn RCI) for services related to electric transmission, power generation, regulatory support, contracts, compliance, and electric market issues, 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 all facilities owned and/or operated by NCPA, its Members, by SCPPA, or by SCPPA Members.

Fiscal Impact: The total cost of the agreement is not-to-exceed \$3,000,000 over five years to be used out of NCPA approved budgets as services are rendered.

- 20. Resolution 21-84, Northern California Power Agency (NCPA) Scheduling Coordination Program Agreement Appendix B – Approval of Revised Version 24 of Appendix B** – adopt resolution by all Members implementing a revised Version 24 of Appendix B to the Scheduling Coordination Program Agreement (SCPA), which details the allocation of California Independent System Operator (CAISO) charges and payments to NCPA Members.

Fiscal Impact: No significant costs will be incurred to implement the changes to the SCPA Appendices and funds are available in the NCPA budget to support the work associated with these contract updates. CAISO Revenues and Costs allocated to Members are reflected in their respective share of allocated CAISO amounts that are included in the monthly All Resources Bill (ARB) and as well as, where applicable, in the NCPA annual budget for forecasted CAISO amounts.

Consent Items pulled for discussion: _____

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

21. Resolution 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 – discussion of the Emergency Declaration regarding COVID-19.

22. Amendment to Resolution 16-89, NCPA Geothermal Sulfur Product Sale, Per Updated Classification Standards; Applicable to the following: NCPA Geothermal Facility – approve amendment to Resolution 16-89 authorizing re-classification standards of sulfur levels for the Geothermal Plant Facility, delegating authority to the General Manager or his designee to sell non-hazardous sulfur product as a soil amendment, increasing the threshold of allowable vanadium content in the sulfur cakes produced at NCPA’s Geothermal facility from the current threshold limit of 10 mg/L or 100 mg/kg to a new threshold limit of 22mg/L or 220 mg/kg, to align with current industry standards.

Fiscal Impact: Upon approval of this resolution, the sale of sulfur cakes produced at the Geothermal Facility will bring in additional revenue of approximately \$2,000/year. The total cost for removal of hazardous waste will decline by approximately \$25,000/year. Funds for removal of hazardous waste are included in the yearly approved GEO O&M budget.

23. Resolution 21-83, Power Purchase Agreement between South Feather Water and Power Agency and Northern California Power Agency and the Third Phase Agreement for Power Purchase Agreement with South Feather Water and Power Agency – adopt resolution by all Members authorizing the General Manager of Northern California Power Agency (NCPA) to enter into (i) the Power Purchase Agreement between South Feather Water and Power Agency (SFWPA) and Northern California Power Agency (PPA), and (ii) the Third Phase Agreement for Power Purchase Agreement with South Feather Water and Power Agency (Third Phase Agreement), including any non-substantial modifications to the Third Phase Agreement recommended and approved by the NCPA General Counsel, and any non-substantial modification to the PPA or specific modifications to the PPA related to any pending request for approval as may be filed by SFWPA with FERC, that are recommended and approved by the NCPA General Counsel.

Fiscal Impact: SFWPA has agreed to sell to NCPA, and NCPA has agreed to purchase from SFWPA, certain energy, capacity rights and associated environmental attributes produced by the South Feather Power Project for the purchase price set forth in Appendix A of the PPA. NCPA’s costs for development and administration of the PPA and Third Phase Agreement will be allocated to Members in accordance with the Third Phase Agreement, the Power Management and Administrative Services Agreement, the Amended and Restated Facilities Agreement, and approved cost allocation methodologies as described in the NCPA annual budget.

24. Resolution 21-86, Providing additional generation for Plumas-Sierra Rural Electric Cooperative (“Plumas”) including participation in Department of Water Resources Energy

Procurement Program – adopt resolution by all Members authorizing the General Manager or his designee to award bids, execute agreements, issue purchase orders, enter into amendments to, new appendices or side agreements to the PG&E Interconnection Agreement and take all other actions necessary to provide emergency energy requirements to Plumas-Sierra Rural Electric Cooperative (“Plumas”) in the short-term and for the medium-term to develop and file license applications; secure land rights; and develop, engineer, procure, construct, operate and maintain generation resources in Plumas’ service territory materially consistent with the Term Sheet and pursuant to Governor Newsom’s Proclamation of Energy Emergency and Proclamation of Dixie Fire Emergency.

Fiscal Impact: The total cost of the project is roughly estimated to be \$20,000,000 with DWR purchasing the equipment. As specified in the Term Sheet, DWR has also agreed to reimburse NCPA for all other project expenses including labor. Any costs incurred by NCPA related to this activity will be recovered and reimbursed by DWR through NCPA’s Pass-Through billing process. If these generators are used to support Plumas-Sierra due to the damage to PG&E’s infrastructure from the Dixie and Fly fires, any charges from DWR for this energy will be recovered and reimbursed by Plumas-Sierra through the all resources bill. There is no budget impact.

CLOSED SESSION ITEMS (11:00 am – 11:15 am)

- 25. 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.
- 26. 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.
- 27. CONFERENCE WITH LEGAL COUNSEL** – Anticipated Litigation pursuant to Government Code Section 54956.9(d)(2) – one case.

OPEN SESSION

REPORT FROM CLOSED SESSION

NEW BUSINESS

ADJOURNMENT