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Commission Agenda

Date: September 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: 1-669-900-6833
Meeting ID: 990 6772 8441#

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 August 27, 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 wishes⁵⁷ to abstain from one or more items on the Consent Calendar.

10. ***NCPA's Financials for the Month Ended August 31, 2020*** – approval by all members.
11. ***Treasurer's Report for the Month Ended August 31, 2020*** – accept by all members.
12. ***Disposal of Northern California Power Agency Surplus Property*** – note and file by all members for the disposal of the following: Forklift from Geothermal Plant and E-waste and obsolete printers from Hydroelectric Plant.
Fiscal Impact: This report has no direct fiscal impact to the Agency.
13. ***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.
14. ***Resolution 20-63, Approval of Second Amendment to the Funding Agreement with California Municipal Utilities Association, South California Public Power Authority for Energy Efficiency Services*** – adopt resolution by all members authorizing the Northern California Power Agency (NCPA) General Manager or his designee to execute a Second Amendment to the existing Funding Agreement with the California Municipal Utilities Association (CMUA) and Southern California Public Power Authority (SCPPA) to increase the total not-to-exceed amount by \$185,500, of which NCPA will be responsible for payment of \$31,058.78.
Fiscal Impact: No fiscal impact to NCPA. The expense for each additional upgrade will be shared only by those POUs that agreed to fund the specific upgrade, and then divided between participants based on the same "50/50" split that was used in the original cost allocation under Resolution 18-57, with 50% of program costs divided equally among participating POUs and the remaining 50% of costs split among each POUs based on their respective percentage of cumulative load from calendar year 2016.
15. ***Resolution 20-64, Northwest Industrial Engine and Compressor Company – Five Year Multi-Task General Services Agreement for Inspection and Maintenance Related Services; Applicable to the following projects: 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 Northwest Industrial Engine and Compressor Company for inspection and maintenance 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 all facilities owned and/or operated by NCPA, NCPA Members, by SCPPA, or by SCPPA Members.
Fiscal Impact: Upon execution, the total cost of the agreement is not to exceed \$500,000 over five years. Purchase orders referencing the terms and conditions of the agreement will be issued following NCPA procurement policies and procedures.

Consent Items pulled for discussion: _____

DISCUSSION / ACTION ITEMS (10:25 am – 10:30 am)

- 16. Resolution 20-65, Approval of Services Agreement with Sonoma Clean Power Authority** – adopt resolution by all members approving the Services Agreement between NCPA and Sonoma Clean Power Authority (SCP), pursuant to which NCPA will supply scheduling coordinator services to SCP, including any non-substantive modifications to the Services Agreement as may be approved by NCPA's General Counsel. Staff also recommends that the Commission authorize NCPA's General Manager to execute the Services Agreement on behalf of NCPA.
- Fiscal Impact:** In consideration for the services received from NCPA, SCP will pay Two Hundred Five Thousand Dollars (\$205,000.00) for each annual period during the term of the Services Agreement. Costs and revenues associated with the development and administration of the Services Agreement will be allocated to Members in accordance with approved cost allocation methodologies as described in the NCPA annual budget.

INFORMATIONAL ITEMS (10:30 am – 11:00 am)

- 17. Status of Geothermal Facility Kincade Fire Insurance Claim** – staff will provide an update on the Geothermal insurance claim regarding the Kincade Fire loss.
- 18. NCPA Draft FY 2021-26 Strategic Plan** – staff will provide an update on the draft NCPA FY 2021-26 Strategic Plan.

CLOSED SESSION (11:00 am – 11:30 am)

- 19. CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION** – Initiation of litigation pursuant to Government Code Section 54956.9(d)(4) - one (1) case.
- 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