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# Commission Agenda

**Date:** October 26, 2023

**Subject:** NCPA Commission Meeting

**Location:** NCPA Headquarters, 651 Commerce Drive, Roseville CA

**Time:** 9:30 am

In compliance with the Brown Act, you may participate at one of the meeting locations listed below or at NCPA, 651 Commerce Drive, Roseville, CA. 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.

<p><b>BAY AREA RAPID TRANSIT DISTRICT</b> 2150 Webster Street, 8<sup>th</sup> Floor Oakland, CA</p>	<p><b>CITY OF GRIDLEY</b> 685 Kentucky Street Gridley, CA</p>	<p><b>CITY OF HEALDSBURG CITY HALL</b> 401 Grove Street Healdsburg, CA</p>
<p><b>CITY OF LODI CITY HALL</b> 221 W. Pine Street Lodi, CA</p>	<p><b>CITY OF LODI</b> 1331 Ham Lane Lodi, CA</p>	<p><b>PALO ALTO CITY HALL Ground Level</b> 250 Hamilton Ave. Palo Alto, CA</p>
<p><b>PLUMAS-SIERRA REC</b> 3524 Mullholland Way Sacramento, CA</p>	<p><b>LARRY PRICE Plumas-Sierra</b> 971 Chandler Road Quincy, CA</p>	<p><b>THE PORT OF OAKLAND</b> 530 Water Street Oakland, CA</p>
<p><b>JULIE WINTER REDDING</b> 213 Shadowrun Court Redding, CA</p>	<p><b>CITY OF SANTA CLARA City Hall</b> 1500 Warburton Avenue Santa Clara, CA</p>	<p><b>CITY OF SHASTA LAKE</b> 4332 Vallecito Street Shasta Lake, CA</p>
<p><b>CITY OF LOMPOC</b> 100 Civic Center Plaza Lompoc, CA</p>	<p><b>TRUCKEE DONNER PUD</b> 11570 Donner Pass Road Truckee, CA</p>	<p><b>CITY OF UKIAH</b> 411 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](http://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 October 6, 2023, 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 – 10:45 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 (10:45 am – 11:00 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 September 30, 2023*** – approval by all members.
11. ***Treasurer's Report for the Month Ended September 30, 2023*** – accept by all members.
12. ***Resolution 23-90, High Sierra Timber Management, LLC – Five-Year Multi-Task General Services Agreement; Applicable to the following: All NCPA Facilities, NCPA Members, 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 High Sierra Timber Management, LLC. for vegetation management 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 will not exceed \$1,000,000 over five years.
13. ***Resolution 23-91, American Crane Rental, Inc. – Five-Year Multi-Task General Services Agreement; Applicable to the following: All NCPA Facilities, NCPA Members, 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 American Crane Rental, Inc. for crane related services, with any non-substantial changes recommended and approved by the NCPA General Counsel which shall not exceed \$1,500,000, 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 will not exceed \$1,500,000 over five years.
14. ***Resolution 23-92, Bayside Insulation & Construction, Inc. – Five-Year Multi-Task General Services Agreement; Applicable to the following: All NCPA Facilities, NCPA Members, 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 Bayside Insulation & Construction, Inc. for insulation services, with any non-substantial changes recommended and approved by the NCPA General Counsel which shall not exceed \$500,000, 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 will not exceed \$500,000 over five years.
15. ***Resolution 23-89, ABM Building Solutions, LLC – Five-Year Multi-Task General Services Agreement; Applicable to the following: All NCPA Facilities***– adopt resolution by all members authorizing the General Manager or his designee to enter into a Five-Year Multi-Task General Services Agreement with ABM Building Solutions, LLC for HVAC maintenance, repair, building automation, cooling tower water treatment, indoor air quality evaluation, and design-planning services, with any non-substantial changes recommended and approved by the NCPA General Counsel which shall not exceed \$350,000, for use at any facilities owned and/or operated by NCPA.  
**Fiscal Impact:** Upon execution, the total cost of the agreement will not exceed \$350,000 over five years.
16. ***Annual Financial Statement and Associated Audit Report and Letters for Years Ending June 30, 2023 and 2022*** – accept and file by all members the Annual Financial Statement and Associated Audit Report and Letters for Years ending June 30, 2023 and 2022.  
**Fiscal Impact:** This financial report for the years ended June 30, 2023 and 2022 has no direct budget impact to NCPA, it reports on the fiscal impacts for the last fiscal year.

## **DISCUSSION/ACTION ITEMS (11:00 am – 11:30 am)**

**17. 2024 NCPA Committee Meeting Calendar** – approval by all members.

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

**18. Resolution 23-95, Appointment to the NCPA Finance Committee** – adopt resolution by all members authorizing the appointment of Katie Edgar, Finance Director for the City of Healdsburg, as a member of the NCPA Finance Committee.

**Fiscal Impact:** There is no fiscal impact in appointing Katie Edgar as a member of the Finance Committee.

**19. Resolution 23-93, Approve 2024 LEC Spring Outage** – adopt resolution by all member authorizing the LEC 2024 Spring Outage and delegate authority to the General Manager or his designee to award bids, execute agreements, and to issue purchase orders for the outage in accordance with NCPA Purchasing Policies and Procedures without further approval by the Commission which shall not exceed \$3,479,649.

**Fiscal Impact:** the budgetary funds to complete the 2024 Spring Outage includes \$1,935,000 of pre-collected funds in the Maintenance Reserve. Additional funds in the amount of \$396,582 were anticipated in the Fixed Maintenance, \$1,073,067 in the O&M Project Annual Outage Project and \$75,000 from the Service Water Piping replacement. All items are part of the FY2024 Routine O&M Budget.

**20. Resolution 23-94, Gas Turbine Thermal Performance Upgrade Feasibility Study** – adopt resolution by all members delegating authority to the General Manager or his designee to award bids, execute agreements, and to issue purchase orders in accordance with NCPA Purchasing Policies and Procedures without further approval by the Commission for a total cost not to exceed \$300,000.

**Fiscal Impact:** The budgetary funds to complete the feasibility study include \$300,000 or pre-collected funds in the Maintenance Reserve. These funds were carried over into the FY2024 budget from the LEC 2023 Spring Outage.

**21. Overview of the FY2025 Budget Process and Approach** – request for Commission guidance and direct staff to prepare for the FY2025 NCPA Operating Budget in accordance with the accepted directions.

**Fiscal Impact:** Direction provided in this presentation will provide budget guidance for FY2025. Specific fiscal impact is not known at this time. Actual fiscal impact will be presented at the time of final approval of the budget, currently scheduled for April 2024.

## **INFORMATION ITEMS (11:30 am – 11:45am)**

**22. Overview of the FY2023 Annual Billing Settlement Process and Preliminary Results**– update and staff presentation.

## **CLOSED SESSION ITEM (11:45 – 12:00)**

**23. CONFERENCE WITH LEGAL COUNSEL** – pursuant to Government Code Section 54956.9(d)(2) – Anticipated Litigation – one (1) case.

**24. CONFERENCE WITH LEGAL COUNSEL** – pursuant to Government Code Section 54956.9(d)(1) – Existing Litigation regarding the following 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, 23-1262.

Sacramento Superior Court:

- City of Santa Clara dba Silicon Valley Power and Northern California Power Agency, Plaintiffs, v. California Department of Water Resources, Defendant, Sacramento County Superior Court, Case No. 34-2023-00338449

**OPEN SESSION**

**REPORT FROM CLOSED SESSION**

**NEW BUSINESS**

**ADJOURNMENT**