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Commission Agenda - Revised

Date: October 29, 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#

Zoom Link: <https://zoom.us/j/99067728441>

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 September 25, 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 September 30, 2020*** – approval by all members.
11. ***Treasurer's Report for the Month Ended September 30, 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 items: I-shaped cinder blocks from Collierville Powerhouse; various sized festoon cables from Collierville Powerhouse; and scrap metal from Lodi Energy Center.
Fiscal Impact: This report has no direct fiscal impact to the Agency.
13. ***Acceptance of the Annual Financial Statement and Associated Audit Report and Letter for the Year Ended June 30, 2020 and 2019*** – accept and file by all members.
14. ***Approve 2021 NCPA Committee Meeting Calendar*** – approval by all members.
15. ***Resolution 20-67, Katama Technologies, Inc. – First Amendment to the Five-Year Multi-Task Consulting Services Agreement; Applicable to the following projects: All NCPA Facilities, NCPA Members, Southern California Public Power Authority (SCPPA), or SCPPA Members*** – adopt resolution by all members authorizing the General Manager or his designee to enter into a First Amendment to the Multi-Task Consulting Services Agreement with Katama Technologies, Inc., with any non-substantial changes as recommended and approved by the NCPA General Counsel, increasing the not to exceed amount from \$250,000 to \$1,000,000, for continued use at any facilities owned and/or operated by NCPA, its Members, the Southern California Public Power Authority (SCPPA), or SCPPA Members.
Fiscal Impact: Upon execution, the total cost of the Agreement increases the not to exceed to \$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. Under the Support Services Program Agreement, a Member requesting services/goods is responsible for satisfying its own Purchasing Policies.
16. ***Resolution 20-68, Evoqua Water Technologies, LLC – Five Year Multi-Task General Services Agreement for Water Treatment 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 Evoqua Water Technologies, LLC for water treatment related 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 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 \$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.
17. ***Resolution 20-69, Sulzer Turbo Services Houston, Inc. – 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 (except LEC), 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 Sulzer Turbo Services Houston, Inc., for inspection and maintenance related 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 all facilities owned and/or operated by NCPA (except LEC), NCPA Members, by SCPPA, or by SCPPA Members.

Fiscal Impact: Upon execution, the total cost of the agreement is not to exceed \$3,000,000 over five years. Purchase orders referencing the terms and conditions of the agreement will be issued following NCPA procurement policies and procedures.

- 18. Resolution 20-70, Pure Process Filtration, Inc. – Five Year Multi-Task Agreement for Purchase of Equipment, Materials and Supplies; Applicable to the following projects: Northern California Power Agency (NCPA) CT Facilities** – adopt resolution by all members authorizing the General Manager or his designee to enter into a Multi-Task Agreement for Purchase of Equipment, Materials and Supplies with Pure Process Filtration, Inc., for filter purchases and storage of goods, 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 the NCPA CT facilities.

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.

- 19. Resolution 20-71, Ancon Marine dba Ancon – Five Year Multi-Task General Services Agreement for Specialized High Pressure Cleaning, Vacuum Trucks, Safety and Fire Watch 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 Ancon Marine dba Ancon for specialized high pressure cleaning, vacuum trucks, safety and fire watch services, with any non-substantial changes recommended and approved by the NCPA General Counsel, which shall not exceed \$2,000,000 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 \$2,000,000 over five years. Purchase orders referencing the terms and conditions of the agreement will be issued following NCPA procurement policies and procedures.

- 20. Resolution 20-72, Rege Construction – Five Year Multi-Task General Services Agreement for General 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 Rege Construction for general maintenance services, including grading, excavation, and paving, 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, NCPA Members, by SCPPA, or by SCPPA 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.

- 21. Resolution 20-73, Brian Davis dba Northern Industrial Construction – Five Year Multi-Task General Services Agreement for Miscellaneous Maintenance General 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 Five Year Multi-Task General Services Agreement with Brian Davis dba Northern Industrial Construction for general maintenance services, including welding, safety, and fire watch

services, with any non-substantial changes recommended and approved by the NCPA General Counsel, which shall not exceed \$2,500,000 for use at all facilities owned and/or operated by NCPA, its Members, by the Southern California Public Power Authority (“SCPPA”), or by SCPPA Members.

Fiscal Impact: Total cost of the agreement is not to exceed \$2,500,000 over five years. Purchase orders referencing the terms and conditions of the agreement will be issued following NCPA procurement policies and procedures.

- 22. Resolution 20-74, MP Environmental Services, Inc. – Five Year Multi-Task General Services Agreement for General Maintenance Services; 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 Multi-Task General Services Agreement with MP Environmental Services, Inc. for general maintenance services, including removal and disposal of sulfur bins, hazardous material, phase separators, and vacuum truck 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 all facilities owned and/or operated by NCPA.

Fiscal Impact: Upon execution, the total cost of the agreement is not to exceed \$3,000,000 over five years. Purchase orders referencing the terms and conditions of the agreement will be issued following NCPA procurement policies and procedures.

- 23. Resolution 20-75, First Amendment to Second Amended and Restated Ground Lease with the City of Lodi; Applicable to the following projects: Northern California Power Agency (NCPA) CT2 and LEC Facilities** – adopt resolution by all members authorizing the General Manager or his designee to enter into a First Amendment to the Second Amended and Restated Ground Lease with the City of Lodi, with any non-substantial changes recommended and approved by the NCPA General Counsel, for the Annex land.

Fiscal Impact: The lease annex is expected to be utilized for only LEC. LEC FY2021 budget for lease is \$1,194,809. The first year lease will be prorated from the start date, expected to be \$13,540. Total lease expenditures for the first year will be \$1,202,226.16. This is \$7,417.16 above the budgeted amount and can be absorbed in the existing budget.

- 24. Resolution 20-76, LEC Annex Land Improvement Project; Applicable to the following projects: Northern California Power Agency (NCPA) CT2 and LEC Facilities** – adopt resolution by all members delegating authority for the General Manager or his designee to award bids, execute agreements, and to issue purchase orders for the project in accordance with NCPA Procurement Policies and Procedures, without further approval by the Commission for the LEC Annex Land Improvement Project, for a total not to exceed project amount of \$300,000, including approval for this project to be funded from the LEC Maintenance Reserve.

Fiscal Impact: The land improvements will cost \$300,000. Because of the change of scope of work in the LEC major overhaul scheduled for 2022, funds are available in the Maintenance Reserve to pay for these costs.

- 25. Resolution 20-77, Lodi Energy Center 2022 Major Parts Purchase; Applicable to the following projects: Northern California Power Agency (NCPA) Lodi Energy Center (LEC) Facility** – adopt resolution by all members authorizing the LEC 2022 Major Parts Purchase as per the Long Term (LTP) agreement between NCPA and Siemens, and delegate authority to the General Manager or his designee to award bids, execute agreements, and to issue purchase orders for the parts in accordance with NCPA purchasing policies and procedures, without further approval by the Commission, for a total cost not to exceed \$2,500,000, and approval for these funds to come from the LEC Maintenance Reserve.

Fiscal Impact: The funds to complete the 2022 Major Parts Purchase in the amount of \$2,500,000 have been collected as part of the LEC Maintenance Reserve.

26. Resolution 20-78, National Oceanic and Atmospheric Administration (NOAA) - License Agreement; Applicable to the following projects: NCPA Geothermal Facility – adopt resolution by all members authorizing the General Manager or his designee to enter into a License Agreement with the National Oceanic and Atmospheric Administration (NOAA), for a term of ten years, allowing them to install, operate, and maintain a weather monitoring station at the NCPA Geothermal Facility.

Fiscal Impact: NCPA incurs negligible costs associated with this agreement, therefore, there is no fiscal impact to NCPA.

Consent Items pulled for discussion: _____

DISCUSSION / ACTION ITEMS (10:25 am – 11:00 am)

27. Approval of Amendment to Resolution No. 20-08, Geothermal Plant 1 HVAC System Project Request for Additional Funds; Applicable to the following projects: NCPA Geothermal Facility – approve amendment to resolution by all members for the Geothermal Plant 1 HVAC System Project, delegating authority to the General Manager or his designee to award bids, execute agreements, and to issue purchase orders for the project, without further approval by the Commission, for an updated total not to exceed project cost of \$1,500,000, and authorizing the use of up to \$606,183 from the Maintenance Reserve.

Fiscal Impact: Total cost of the Plant 1 HVAC System Project is not to exceed \$1,500,000. This project was partially funded in FY2021. Additional funds will be needed to complete the project, which staff is proposing will come from FY2022 budget.

28. Overview of Budget Process and Approach – Request for Guidance of FY2021/22 Northern California Power Agency Operating Budget Directions – request of guidance and direct staff to prepare for the FY2021/22 NCPA Operation Budget in accordance with accepted directions.

28.A Resolution 20-79, Demonstration of Energy & Efficiency Developments Grant Agreement for Northern California Power Agency Green Hydrogen Electrolyzer Feasibility Study – Supporting Clean Energy; Applicable to the following project: NCPA Lodi Energy Center (LEC) Facility – adopt resolution by all members authorizing the General Manager or his designee to enter into a Demonstration of Energy & Efficiency Developments (DEED) Grant Agreement for NCPA Green Hydrogen Electrolyzer Feasibility Study Supporting Clean Energy Investment, between NCPA and the American Public Power Association, conditioned on the approval of the LEC Project Participants Committee, with any non-substantial changes recommended and approved by the NCPA General Counsel, to accept the grant of \$48,450.00 to be used towards completing a Green Hydrogen Electrolyzer Feasibility Study. And, grant APPA a non-exclusive, royalty-free, perpetual, worldwide, irrevocable license to use, copy, publish, create derivative works, distribute, market and support, in all mediums including APPA’s website, all information, materials and work product, including reports, abstracts, videos, guidebooks, software programs, documentation, and other deliverables, created pursuant to this Grant (collectively, the “Work”).

Fiscal Impact: NCPA has been awarded \$48,450 for this project. This funding award will pay for approximately 50% of the feasibility study being performed by Black and Veatch. The remaining funding will come from LEC’s FY2021 operations and maintenance approved budget.

INFORMATIONAL ITEMS (11:00 am – 11:15 am)

29. Overview of FY 2020 Annual Billing Settlements Review Process – update and staff presentation.

CLOSED SESSION ITEMS (11:15 am – 11:45 am)

30. 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.

31. 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