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# Commission Agenda

**Date:** November 30, 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, 1st 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 26, 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 – 10:15 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 – 10:30 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 October 31, 2023** – approval by all members.
- 11. Treasurer's Report for the Month Ended October 31, 2023** – 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: two GE Safety Disconnect Switch 3-poles and scrap metal at the Hydro Facility. 8 vehicles at the Geothermal Facility and office furniture and mobile phones from Headquarters.  
**Fiscal Impact:** This report has not direct fiscal impact to the Agency.
- 13. Amended Resolution 23-13, Revised Power Management Program Deposit Methodologies Through Calendar Year 2024** – adopt amended resolution by all members extending the temporary implementation timeframe through calendar year 2024 allowing staff to continue working with the Members obtaining the governing body approval of the updated program agreement terms. The temporary Schedule Coordination Program Agreement deposit calculation is based on the highest two months of estimated CAISO costs, and the temporary deposit calculation for the other Programs is based on the highest single-month contract cost(s) plus the two highest months of Mark-to-Market.  
**Fiscal Impact:** Approval of the First Amendment to Resolution 23-13 will not have a direct impact on the appropriations already authorized by the approval of the FY2024 budget.
- 14. Resolution 23-98, FY2022-2023 Annual Billing Settlements** – adopt resolution by all members approving the FY2022-2023 Annual Billing Settlements Summary.  
**Fiscal Impact:** Upon approval by the Commission, the amount of \$6,833,525 will be distributed to participants. NCPA member refund amounts will be deposited into their respective General Operating Reserve accounts. Non-members will receive a credit miscellaneous billing in early December.
- 15. Resolution 23-100, Property Insurance Program Renewal for CY2024** – adopt resolution by all members authorizing the General Manager or his designee to negotiate and bind Property Insurance coverage with FM Global for CY2024 at a not-to-exceed premium of \$4,100,000  
**Fiscal Impact:** The total cost to renew the Property Insurance program with FM Global is not to exceed \$4,100,000 and will be allocated to the specific project locations on an assessed value basis. This amount is already included in the Risk Management budget, no budget augmentation is required.
- 16. Resolution 23-101, Utilicast LLC – Five-Year Multi-Task Consulting Services Agreement; 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 Utilicast, LLC for energy and utility related consulting 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. This enabling agreement does not commit NCPA to any expenditure of funds.

**17. Resolution 23-102, Valley Power Systems North, 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 Multi-Task General Services Agreement with Valley Power Systems North, Inc. for fire pump 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 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 \$500,000 over five years. This enabling agreement does not commit NCPA to any expenditure of funds.

**18. Resolution 23-103, North American Substation Services, 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 Multi-Task General Services Agreement with North American Substation Services, LLC for transformer 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 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. This enabling agreement does not commit NCPA to any expenditure of funds.

**19. Resolution 23-105, Compass Global, Inc. DBA Optiwatt – Five-Year Multi-Task Consulting Services Agreement; Applicable to the following: NCPA, NCPA Members, 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 Compass Global, Inc. DBA Optiwatt for electric vehicle charging management 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 by NCPA, NCPA Members, SCPPA, and SCPPA Members.

**Fiscal Impact:** Upon execution, the total cost of the agreement shall not exceed \$2,000,000 over five years. This enabling agreement does not commit NCPA to any expenditure of funds.

**20. Resolution 23-107, ADM Associates, Inc. – Five-Year Multi-Task Consulting Services Agreement; Applicable to the following: NCPA, NCPA Members, 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 ADM Associates, Inc. for evaluation, measurement, and verification services, and technical advisory services, with any non-substantial changes recommended and approved by the NCPA General Counsel, which shall not exceed \$800,000 over five years, for use by NCPA, NCPA Members, SCPPA, and SCPPA Members.

**Fiscal Impact:** Upon execution, the total cost of the agreement shall not exceed \$800,000 over five years. This enabling agreement does not commit NCPA to any expenditure of funds.

- 21. Resolution 23-108, GDS Associates, Inc. – Five-Year Multi-Task Consulting Services Agreement; Applicable to the following: NCPA, NCPA Members, SCPAA, and SCPAA Members** – adopt resolution by all members authorizing the General Manager or his designee to enter into a Multi-Task Consulting Services Agreement with GDS Associates, Inc. for evaluation, measurement, and verification services, and technical advisory services, with any non-substantial changes recommended and approved by the NCPA General Counsel, which shall not exceed \$800,000 over five years, for use by NCPA, NCPA Members, SCPAA, and SCPAA Members.  
**Fiscal Impact:** Upon execution, the total cost of the agreement shall not exceed \$800,000 over five years. This enabling agreement does not commit NCPA to any expenditure of funds.
- 22. Resolution 23-109, Richard Heath and Associates, Inc. – Five-Year Multi-Task Consulting Services Agreement; Applicable to the following: NCPA, NCPA Members, SCPAA and SCPAA Members** – adopt resolution by all members authorizing the General Manager or his designee to enter into a Multi-Task Consulting Services Agreement with Richard Heath and Associates, Inc. for demand-side management technical advisory services, with any non-substantial changes recommended and approved by the NCPA General Counsel, which shall not exceed \$800,000 over five years, for use by NCPA, NCPA Members, SCPAA, and SCPAA Members.  
**Fiscal Impact:** Upon execution, the total cost of the agreement shall not exceed \$800,000 over five years. This enabling agreement does not commit NCPA to any expenditure of funds.
- 23. Resolution 23-110, Acterra: Action for a Healthy Planet – First Amendment to the Three-Year Multi-Task Consulting Services Agreement; Applicable to the following: NCPA, NCPA Members, SCPAA, and SCPAA Members** – adopt resolution by all members authorizing the General Manager to enter into a First Amendment to the Multi-Task Consulting Services Agreement with Acterra: Action for a Healthy Planet for Electrification Education and Outreach Services, with any non-substantial changes recommended and approved by the NCPA General Counsel, to extend the term of the Agreement for an additional two-year period and to update the Compensation Schedule, for continued use by NCPA, NCPA Members, by SCPAA and SCPAA Members.  
**Fiscal Impact:** The total cost of the agreement is unchanged by the amendment and will not exceed \$500,000 for the amended term of the contract.

**DISCUSSION/ACTION ITEMS (10:30 am – 11:15 am)**

- 24. Resolution 23-96, Reclassify Engineer V, Supervising Plant, Hydroelectric Facilities to Supervisor III** – adopt resolution by all members authorizing the Agency to reclassify the Hydroelectric Engineer V, Supervising Plant (Chief Dam Safety Engineer) classification to the Supervisor III, Engineer classification.  
**Fiscal Impact:** Total cost of the revised compensation package (salary and benefits) is projected to be \$323,198.96 per year. If the Agency began recruiting immediately after approval of this change, it is not likely the position would be filled before the beginning of February. This change would only impact five months of the fiscal year. The net effect of this change will result in a cost savings of \$52,316.30 for FY2024. The overall impact is positive this fiscal year. The change will be budgeted appropriately in coming fiscal years.

**25. Resolution 23-99, Delegate Investment Duties to the Treasurer-Controller for Calendar Year 2024** – adopt resolution by all members delegating to the Treasurer-Controller the authority to establish proper safeguards, controls, and procedures to maintain NCPA funds in a lawful, rational, and prudent manner including the investment of such funds consistent with NCPA’s Investment Policy and respective bond indentures. In addition, the Treasurer-Controller shall make a report each month of those transactions to the Commission.

**Fiscal Impact:** There is no direct dollar impact to the proposed policy. The resolution delegates authority to the Treasurer-Controller for the investment activities of the Agency.

**26. Resolution 23-104, Approve the NCPA Geothermal Plant 2 Fire System Modernization Project** – adopt resolution by all members authorizing the Geothermal Plant 2 Fire System Modernization Project and delegate authority to the General Manager or his designee to award bids and issue purchase orders under the existing Multi-Task Agreement between NCPA and Veterans Industrial Protection, Inc. for the project in accordance with NCPA purchasing policies and procedures, without further approval by the Commission, for a total Project cost not to exceed \$778,855.50.

**Fiscal Impact:** The Geothermal Plant 2 Fire System Modernization Project forecast is \$778,855.50. Purchase orders issued for work related to this Project will reference the terms and conditions of the Multi-Task Agreement executed between NCPA and Veterans Industrial Protection, Inc.

**27. Resolution 23-111, Zero Waste Energy Development Company, LLC** – adopt resolution by all members authorizing the General Manager or his designee to enter into (i) the Power Purchase Agreement between Zero Waste Energy Development Company, LLC and Northern California Power Agency (PPA), and (ii) the Third Phase Agreement for Power Purchase Agreement with Zero Waste Energy Development Company, LLC (Third Phase Agreement), including any modifications to the Third Phase Agreement and any modifications to the PPA as recommended and approved by the NCPA General Counsel..

**Fiscal Impact:** Pursuant to the terms and conditions of the Third Phase Agreement, each Participant acknowledges and agrees to be bound by the terms and conditions of the Third Phase Agreement, and that the Third Phase Agreement is written as a “take or pay” agreement, and any Product delivered to NCPA under the PPA shall be delivered to each Participant in proportion to such Participant’s Project Participation Percentage as set forth in Exhibit A of the Third Phase Agreement, and each Participant shall accept and pay for its respective percentage of such Product.

NCPA’s costs for development and administration of the PPA and the 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.

**28. Resolution 23-112, NCPA Transmission Owner Rate Case Project Implementation** – adopt resolution by all members authorizing the implementation of the Transmission Owner Rate Case Project for NCPA, and delegating authority to the General Manager or his designee to award proposals, execute agreements, and issue purchase orders for the Project, in accordance with NCPA purchasing policies and procedures, without further approval by the Commission, and in conformity with NCPA’s annual approved budgets for these services and activities.

**Fiscal Impact:** Funding for legal services in support of the Project, and the subsequent Program, are included in the approved FY2024 Legal Budget under FERC Rate Cases in the amount of \$300,000, together with funds for consulting services in support of the Transmission Owner Rate Case Project, and subsequent Program, are also included in the approved FY2024 budget in the amount of \$300,000. These amounts are placeholders. NCPA will charge only those costs resulting from the direction provided by the ad hoc committee of Project Participants, including but not limited to, participation in PG&E's Transmission Owner 21 rate case.

### **INFORMATION ITEMS (11:15 am – 11:45am)**

**29. Intra-Agency Resource Plan** – Staff will provide an update on the NCPA Intra-Agency Resource Plan.

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

**30. 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.

### **OPEN SESSION**

### **REPORT FROM CLOSED SESSION**

### **NEW BUSINESS**

### **ADJOURNMENT**