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# Agenda

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**Date:** May 24, 2018

**Subject:** NCPA Commission Meeting

**Location:** NCPA's Roseville Office, 651 Commerce Drive, Roseville, California

**Time:** 9:30 am

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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.

1. *Call Meeting to Order and Introductions (9:30 – 9:35 am)*
2. *Approve minutes of the April 26, 2018, Regular Commission Meeting (9:35 – 9:40 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 (9:40 – 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 – 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 April 30, 2018*** – approval by all members.
11. ***Treasurer's Report for the Month Ended April 30, 2018*** – accept by all members.
12. ***Resolution 18-34, 2018 Geothermal Steam Field and Forecast Report*** – adopt resolution by all Members approving the 2018 Steam Field Operations and Forecast Report, dated April 2018, as the Geothermal Operating Protocol, effective July 1, 2018. This Operating Protocol is to remain in effect until replaced by the Commission.  
**Fiscal Impact**: The 2018-19 approved Geothermal budget covers the proposed action.
13. ***Resolution 18-35, Bay Cities Pyrotector, Inc. – Five Year Multi-Task General Services Agreement for fire system maintenance services; Applicable to the following projects: All NCPA Facility Locations, 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 Bay Cities Pyrotector, Inc. for fire system maintenance 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, its Members, by the Southern California Public Power Authority ("SCPPA"), or by SCPPA Members.

**Fiscal Impact:** Upon execution, the total cost of the agreement is not to exceed \$500,000 over five years to be used out of NCPA approved budgets as services are rendered. Purchase orders referencing the terms and conditions of the Agreement will be issued following NCPA procurement policies and procedures.

- 14. Resolution 18-36, Chemical Waste Management – Three Year Industrial Waste & Disposal Services Agreement for disposal at Kettleman Hills Landfill Location; Applicable to the following projects: For use by all NCPA Generation Services Facilities** – adopt resolution by all Members authorizing the General Manager or his designee to enter into an Industrial Waste & Disposal Services Agreement for disposal at the Kettleman Hills landfill location, with any non-substantial changes recommended and approved by the NCPA General Counsel, which shall not exceed \$1,500,000 over three years for use at all NCPA Generation Services facilities.

**Fiscal Impact:** This enabling agreement does not commit NCPA to any expenditure of funds. At the time services are required, NCPA will bid the specific scope of work consistent with NCPA procurement policies and procedures. NCPA previously had an enabling agreement with Chemical Waste Management in Arlington, Oregon for hazardous waste disposal, however, the price for trucking to the Arlington, Oregon landfill is over three times the cost of trucking to the Kettleman Hills landfill, therefore, making the Arlington, Oregon landfill less cost efficient. NCPA seeks bids from as many qualified providers as needed. Bids awarded to the lowest cost provider. NCPA will issue purchase orders based on cost and availability of the services needed at the time the service is required.

- 15. Resolution 18-37, ECORP Consulting, Inc. – Five Year Multi-Task Consulting Services Agreement for environmental regulatory compliance reporting, forecasting/modeling and design services; Applicable to the following projects: All NCPA Facility Locations, 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 ECORP Consulting, Inc. for regulatory compliance advice and complex engineering modeling 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, its Members, by the Southern California Public Power Authority (“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 to be used out of NCPA approved budgets as services are rendered. Purchase orders referencing the Terms and Conditions of the Agreement will be issued following NCPA procurement policies and procedures.

- 16. Resolution 18-38, Fossil Energy Research Corp. – Five Year Multi-Task Professional Services Agreement for catalyst testing, ammonia grid tuning and engineering support services; Applicable to the following projects: All NCPA Facility Locations, Members, SCPPA, and SCPPA Members** – adopt resolution by Members authorizing the General Manager or his designee to enter into a Multi-Task Professional Services Agreement with Fossil Energy Research Corp., for catalyst testing, ammonia grid tuning, and engineering support 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, its Members, by the Southern California Public Power Authority (“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, to be used out of NCPA approved budgets as services are rendered. Purchase orders referencing the terms and conditions of the Agreement will be issued following NCPA procurement policies and procedures.

- 17. Resolution 18-40, Univar USA, Inc. – Five Year Multi-Task Agreement for Purchase of Chemicals; Applicable to the following projects: For use by all NCPA Plant Facilities -** authorizing the General Manager or his designee to enter into a Multi-Task Agreement for Purchase of Chemicals, with any non-substantial changes recommended and approved by the NCPA General Counsel, which shall not exceed \$1,500,000 over five years for use at all NCPA Plant Facilities.

**Fiscal Impact:** This enabling agreement does not commit NCPA to any expenditure of funds. At the time services are required, NCPA will bid the specific scope of work consistent with NCPA procurement policies and procedures. NCPA currently has in place other enabling agreements for similar services with CellMark and Dow Chemical. NCPA seeks bids from multiple qualified providers whenever services are needed. Bids are awarded to the lowest cost provider. NCPA will issue purchase orders based on cost and availability of the services needed at the time the service is required.

- 18. Resolution 18-41, Association Management Solutions and KMK Design – Three Year Multi-Task Consulting Services Agreements for Conference and Event Planning and Management Services; Applicable to NCPA, NCPA Members, SCPPA and SCPPA Members –** adopt resolution by all Members authorizing the General Manager or his designee to enter into Multi-Task Consulting Services Agreements with Association Management Solutions and KMK Design and Events for conference and event planning services to provide needed support for the planning and management of NCPA conferences and events, as well as for use separately by signatories to the Shared Services Agreement (NCPA members, SCPPA, and SCPPA members) including any non-substantial changes recommended and approved by NCPA General Counsel. These agreements, with Association Management Solutions for up to \$150,000 a year for three years, and with KMK Design and Events for up to \$50,000 a year for three years, shall not exceed a total of \$600,000 combined including all fees, costs, and expenses.

**Fiscal Impact:** The total cost of these agreements is not to exceed \$600,000 over three years. The not to exceed limits in the agreements have been established to meet NCPA's needs as well as the potential conference and event management needs of the signatories to the Shared Services Agreement which include NCPA members, the Southern California Public Power Authority (SCPPA) and SCPPA members. NCPA expenditures for these services is limited to the amount authorized for conference/event planning by the NCPA Commission in the agency's annual budget. For FY19, \$120,000 was allocated for this purpose, and this amount was offset and made available by reductions in departmental staffing elsewhere. Under these agreements, \$80,000 a year in conference and event planning services will be available for use by NCPA members, SCPPA, and SCPPA members, and use of these agreements by these parties will not result in costs to NCPA.

**Consent Items pulled for discussion:** \_\_\_\_\_

## **CLOSED SESSION (10:30 – 10:45 am)**

19. **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.
20. **Conference with Labor Negotiators and Public Employee Performance Evaluation** – Pursuant to Government Code Section 54957.6: *Agency Labor Representatives*: NCPA Executive Committee Members and Human Resources Manager Vicki Cichocki. Pursuant to California Government Code Section 54957: *Performance Evaluation*: Unrepresented Public Employee: General Counsel.

## **DISCUSSION / ACTION ITEMS (10:45 – 11:00 am)**

21. **Resolution 18-33, General Counsel Salary Increase; Approval of First Amendment to Employment Agreement** – adopt resolution by all Members approving the First Amendment to the Employment Agreement with the General Counsel. Additionally, the Executive Committee requests the Commission authorize the Chair of the Commission to execute the First Amendment to the Employment Agreement with the General Counsel and approve the General Counsel's Performance Goals for 2018.  
**Fiscal Impact:** There is no fiscal impact to the Executive Services Salaries and Benefits account, and the cost associated with the General Counsel's compensation change is covered within the current fiscal year budget.
22. **Resolution 18-39, Siemens Energy, Inc. – Five Year Multi-Task General Services Agreement for T3000 maintenance and support services; Applicable to the following projects: NCPA Lodi Energy Center and Geothermal Facility Locations, City of Redding and City of Roseville** – adopt resolution by all Members authorizing the General Manager or his designee to enter into a Multi-Task General Services Agreement with Siemens Energy, Inc. for T3000 maintenance and support services, with any non-substantial changes recommended and approved by the NCPA General Counsel, which shall not exceed \$3,500,000 over five years for use at NCPA Lodi Energy Center (LEC) and Geothermal (GEO) facilities as well as the City of Redding and the City of Roseville.  
**Fiscal Impact:** Upon execution, the total cost of the agreement is not to exceed \$3,500,000 over five years to be used out of NCPA approved budgets as services are rendered. Purchase orders referencing the terms and conditions of the Agreement will be issued following NCPA procurement policies and procedures.

## **NEW BUSINESS**

## **ADJOURNMENT**