



651 Commerce Drive,
Roseville, CA 95678

phone (916) 781-3636
fax (916) 783-7693
web www.ncpa.com

Agenda

Date: June 27, 2019

Subject: NCPA Commission Meeting / Teleconference

Location: NCPA, 651 Commerce Drive, Roseville, California 95678

Time: 9:30 am

*** In compliance with the Brown Act, you may participate via teleconference at one of the locations listed below, or attend at NCPA Headquarters. In either case, please: 1) post this Agenda at a publicly accessible location at the participation location at least 72-hours before the call begins, and 2) have a speaker phone available for any member of the public who may wish to attend at your location. ***

ALAMEDA MUNICIPAL POWER

2000 Grand Street
Alameda, CA

SAN FRANCISCO BAY AREA

RAPID TRANSIT
300 Lakeside Drive
Oakland, CA

CITY OF GRIDLEY

685 Kentucky Street
Gridley, CA

CITY OF HEALDSBURG

401 Grove Street
Healdsburg, CA

CITY OF LOMPOC

100 Civic Center Plaza
Lompoc, CA

LODI ELECTRIC

1331 S. Ham Lane
Lodi, CA

**CITY OF PALO ALTO
CITY HALL**

250 Hamilton Avenue
Palo Alto, CA

PLUMAS-SIERRA REC

73233 Hwy 70
Portola, CA

PORT OF OAKLAND

530 Water Street
Oakland, CA

REDDING ELECTRIC

3611 Avtech Parkway
Redding, CA

**CITY OF ROSEVILLE
CITY HALL**

311 Vernon Street
Roseville, CA

CITY OF SANTA CLARA

1500 Warburton Avenue
Santa Clara, CA

TRUCKEE DONNER PUD

11570 Donner Pass Road
Truckee, CA

KRISTEN SCHREDER – RESIDENCE

905 Sierra Vista Drive
Redding, CA

CITY OF SHASTA LAKE

Corp Yard
4332 Vallecito
Shasta Lake, CA

DAVID HAGELE – RESIDENCE

1712 Saddle Draw
Healdsburg, CA

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 and Introductions (9:30 – 9:35 am)*
2. *Approve minutes of the May 23, 2019, 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 – 10:25 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 May 31, 2019*** – approval by all members.
11. ***Treasurer's Report for the Month Ended May 31, 2019*** – accept by all members.
12. ***Sale or Disposal of Surplus Property*** – note and file report by all members for the disposal of scrap metal and e-waste that was disposed of via recycling establishments.
Fiscal Impact: This report has no direct fiscal impact to the Agency.
13. ***Resolution 19-46, Designation of Applicant's Agent Resolution for Non-State Agencies***
– adopt resolution by all members authorizing renewal of the California Office of Emergency Services (Cal OES) Designation of Applicant's Agent Resolution for Non-State Agencies to the General Manager, Chief Financial Officer and Treasurer-Controller.
Fiscal Impact: Upon approval, the resolution will allow NCPA to continue to pursue reimbursement for open claims with Cal OES and FEMA past July 1, 2019. The pending claims for the Valley Fire reimbursement of \$209,308 for the Geothermal Project and the Beaver Creek reimbursement of \$484,876 for the Hydroelectric Project will be passed through to respective project participants as revenues and netted against expenses during the Year End Settlement Process in the fiscal year during which the reimbursements are received.
14. ***Resolution 19-48, SAGE Engineers, Inc. – Second Amendment to transfer assignment of Five Year Multi-Task Professional Services Agreement for dam safety engineering and other consulting services to Gannett Fleming, Inc.; 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 Second Amendment to the Multi-Task Professional Services Agreement with SAGE Engineers, Inc., to transfer assignment of the agreement to Gannett Fleming, Inc., for engineering and other consulting services.
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.

15. Resolution 19-49, Air Hygiene International, Inc. – Five Year Multi-Task Consulting Services Agreement for source, rata and emissions testing 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 Air Hygiene International, Inc., for source, rata and emissions testing services.

Fiscal Impact: Upon execution, the total cost of the agreement is not-to-exceed \$500,000.00 over five years, to be used out of the NCPA approved budget.

16. Resolution 19-50, Lodi Energy Center Transformer Replacement Project; Applicable to the following projects: Lodi Energy Center – adopt resolution by all members approving the Lodi Energy Center (LEC) Transformer Project utilizing Siemens Energy, Inc., and delegate to NCPA the authority to issue contracts and purchase orders necessary to complete this project without further approval by the Commission.

Fiscal Impact: The project was considered and approved in the FY20 budget. The funds will come from two sources. The first is through the normal budget funding process and the second is to reallocate the remaining funds from the transmission line upgrade project, which is completed.

17. Resolution 19-51, Hydroelectric McKays Point Reservoir Sediment Removal Project – Basis of Design Report – adopt resolution by all members authorizing the General Manager or his designee to issue up to \$600,000 in purchase orders against existing agreements, for the preparation of the Basis of Design Report for the McKays Point Reservoir Sediment Removal Project.

Fiscal Impact: The entire McKays Sediment Removal Project is estimated to cost approximately \$31.8M, with most of that cost anticipated during construction forecast for FY2023. Funds for the Project are being collected from the participating members, and by the end of FY2019, the estimated Hydro Capital Development Reserve Net Ending balance is estimated to be approximately \$18M. Staff recommends authorizing the expenditure of up to \$600,000 at this time for preparation of a Basis of Design Report.

The FEMA document entitled “Public Assistance Cost Estimating Tool for Engineering and Design Services” provides a means of estimating engineering costs based on data from the American Society of Civil Engineers (ASCE) using the total construction cost for above-average complexity and standard complexity jobs. Both curves show engineering and design services at 7.1% for a \$31.8M project.

This analysis provides a method with which to evaluate the proposed levels of effort and budgets for preliminary engineering design and analysis for the Project. Staff believes that the BODR can be prepared for the significantly lower expenditure of \$600,000.

Consent Items pulled for discussion: _____

DISCUSSION / ACTION ITEMS (10:25 am – 10:45 am)

18. Resolution 19-33, Approval of Exhibit C, Revision 23 to Contract 96-SNR-00110 – adopt resolution by all members approving Exhibit C, Revision 23 to Contract 96-SNR-00110, and authorize the General Manager of NCPA to execute Exhibit C, Revision 23 to Contract 96-SNR-0010, on behalf of NCPA, including any non-substantive modifications to Exhibit C, Revision 23 to Contract 96-SNR-00110 approved by NCPA's General Counsel.

Fiscal Impact: Execution of Exhibit C, Revision 23 to Contract 96-SNR-00110 would establish a commitment by NCPA, specifically the Assigning Members, to provide funds associated with federal FY 2023 in the amount of \$10,931,542.95. The obligation to provide funds survives termination of the O&M Agreement, but any and all future obligations would be absolved coincident with the termination of the Base Resource contract.

WAPA will invoice and collect funds according to a monthly schedule. Approximately one (1) month following payment, WAPA will return funds to NCPA through a bill credit on the monthly WAPA power bill. Therefore, the net fiscal impact is approximately zero dollars (\$0.00). Costs associated with this commitment will be allocated to the Assigning Members based on Western Allocation percentages.

19. Resolution 19-47, Approval of Four Multi-Task Consulting Services Agreements to Provide Wildfire Mitigation Plan Technical Advisory and/or Independent Evaluation Services, and Delegation of Authority to the NCPA General Manager or his Designee to Administer the Agreements to Provide Services to Eligible Entities Under the NCPA Shared Services Agreement and the Southern California Public Power Authority (SCPPA) Joint Services Agreement; Applicable to the following: NCPA, NCPA Members, the SCPPA, and SCPPA Members – authorizing the General Manager or his designee to enter into four separate multi-task consulting services agreements to provide Wildfire Mitigation Plan Technical Advisory and/or Independent Evaluation Services to NCPA, NCPA Members, as well as the Southern California Public Power Authority (SCPPA), and members of SCPPA, with any non-substantial changes recommended and approved by the NCPA General Counsel, with:

- Chloeta Fire, LLC, in an amount not-to-exceed \$1,000,000
- Dudek, in an amount not-to-exceed \$1,000,000
- Navigant Consulting, Inc., in an amount not-to-exceed \$1,000,000
- Siemens Industry, Inc., in an amount not-to-exceed \$1,000,000

Delegation of Authority to NCPA General Manager or his designee to administer these contracts to provide these services to eligible entities under the NCPA Shared Services Agreement and the SCPPA Joint Services Agreement.

Fiscal Impact: These agreements do not commit NCPA to any new expenditure of funds. The total contractual not-to-exceed cost of the four agreements is \$4,000,000 (or \$1,000,000 per each agreement) to enable NCPA, its members, SCPPA, and SCPPA members to utilize these services to assure compliance with state wildfire mitigation requirements. Any work completed by these firms under these agreements would be processed and billed to the individual utility system as a pass-through charge in accordance with NCPA's Shared Services Agreement. Should NCPA itself utilize services under these contracts, the cost will be covered by previously approved funds in NCPA's existing FY20 budget.

CLOSED SESSION (10:45 am – 11:15 am)

- 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.
- 22. Conference with Legal Counsel** – Existing litigation pursuant to Government Code Section 54956.9(d)(1): Name of case: *American Public Power Assoc. V. F.C.C., et al.*, United States Court of Appeals for the Ninth Circuit No. 19-70339 (FCC Nos. 18-133, 83-FR-51867).
- 23. Conference with Legal Counsel** – Initiation of litigation pursuant to paragraph (4) of subdivision (d) of Section 54956.9: One case.

NEW BUSINESS (11:15 – 11:20 am)

ADJOURNMENT