



651 Commerce Drive  
Roseville, CA 95678

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

# Executive Committee Agenda

---

**Date:** February 22, 2024  
**Subject:** NCPA Executive Committee Meeting  
**Location:** NCPA, 651 Commerce Drive, Roseville, CA 95678  
**Time:** 8:00 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.

<b>City of Gridley</b> 685 Kentucky Street Gridley, CA	<b>City of Santa Clara</b> City Hall 1500 Warburton Avenue Santa Clara, CA	<b>City of Healdsburg</b> City Hall 401 Grove Street Healdsburg, CA
--	---	--

The Committee may take action on any of the items listed on this Agenda regardless of whether the matter appears as a Discussion/Action Item or a Report or an Information Item. When this Agenda is supplemented by Staff Reports, they 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.

Persons requiring accommodation 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*
2. *Approve minutes of the January 5, 2024 Special Executive Committee Meeting, and minutes of the January 18, 2024 Executive Committee meeting.*

## PUBLIC FORUM

Any member of the public who desires to address the Committee on any item considered by the Committee at this meeting before or during the Committee'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 Committee on any item within the jurisdiction of the Committee and not listed on the Agenda may do so at this time.

### **INFORMATIONAL ITEMS**

3. **General Manager Report** – update and monthly report

4. **General Counsel Report** – update and monthly report

### **CLOSED SESSION**

5. **CONFERENCE WITH LEGAL COUNSEL** – pursuant to Government Code Section 54956.9(d)(1) – Existing Litigation regarding the following cases:

#### **FERC Dockets: Rate 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.

##### **Sacramento Superior Court:**

- Case Name: 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.

6. **CONFERENCE WITH LEGAL COUNSEL** – pursuant to Government Code Section 54956.9(d)(1) – Anticipated Litigation, two (2) cases.

7. **CONFERENCE WITH LABOR NEGOTIATORS AND PERFORMANCE EVALUATION** – a) Labor negotiations pursuant to Government Code Section 54957.6: Agency representatives: NCPA Executive Committee Members and Human Resources Manager Brynna Bryant: Unrepresented

Public Employee: General Counsel; and b) Performance evaluation pursuant to Government Code Section 54957: Unrepresented Public Employee: One Category: General Counsel.

8. **CONFERENCE WITH LABOR NEGOTIATORS AND PERFORMANCE EVALUATION** – a) Labor negotiations pursuant to Government Code Section 54957.6: Agency representatives: NCPA Executive Committee Members and Human Resources Manager Brynna Bryant: Unrepresented Public Employee: General Manager; and b) Performance evaluation pursuant to Government Code Section 54957: Unrepresented Employee: One Category: General Manager.

### OPEN SESSION

### REPORT FROM CLOSED SESSION

### DISCUSSION / ACTION ITEMS

9. **Approval of the Second Amendment to the Amended Employment Agreement for Randy S. Howard, General Manager** – approve and recommend Commission approval of the Second Amendment to the Amended Employment Agreement for Randy S. Howard; authorize the Chair of the Commission to execute the Second Amendment to the Amended Employment Agreement for Randy S. Howard; authorize the Chair of the Commission to provide a one-time employer contribution to the General Manager’s 401A account effective as soon as administratively possible, and approve the General Manager’s Performance Goals for 2024.  
**Fiscal Impact:** The cost associated with the General Manager’s compensation change is covered within the current fiscal year budget. No budget augmentation is required.
10. **Approval of the Seventh Amendment to Employment Agreement with Jane E. Luckhardt, General Counsel** – approve and recommend Commission approval of the Sixth Amendment to Employment Agreement between NCPA and Jane E. Luckhardt; authorize the Chair of the Commission to execute the Seventh Amendment to the Employment Agreement between NCPA and Jane E. Luckhardt; authorize the Chair of the Commission to execute the Seventh Amendment to the Employment Agreement; authorize the Chair of the Commission to adjust the annual salary effective as of the first pay period in 2024, and approve the General Counsel’s Performance Goals for 2024.  
**Fiscal Impact:** The cost associated with the General Counsel’s compensation change is covered within the current fiscal year budget. No budget augmentation is required.

### NEW BUSINESS

### ADJOURNMENT