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Committee Minutes

To: NCPA Executive Committee
From: Cary A. Padgett - Assistant Secretary
Subject: December 3, 2020, Executive Committee Meeting / Teleconference Minutes

1. **Call to Order** – The meeting was called to order by Committee Chair Teresa O’Neill via teleconference at 8:01 am.

Executive Committee Members present via teleconference were Mark Chandler, David Hagele, Pauline Roccucci, Greg Scharff, Kirsten Schreder, and Jerry Serventi. A quorum of the Committee was established.

In attendance via teleconference were General Manager Randy Howard, General Counsel Jane Luckhardt and Assistant Secretary Cary Padgett.

Public Forum: Chair O’Neill asked if any members of the public were present who would like to address the Committee on the agenda items. No members of the public were present.

2. **Approval of Minutes** – Approval of the minutes of the October 29, 2020, Regular Executive Committee Meeting, and the November 5, 2020, November 6, 2020, November, 9 2020, November 13, 2020, and the December 1, 2020, Special Committee Meeting’s Minutes. (Motion by Greg Scharff, seconded by David Hagele). Motion carried unanimously by the Committee on a roll call vote.

INFORMATIONAL ITEMS

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

General Manager Randy Howard reported:

- Provided an update on COVID-19 cases in Placer County. Headquarters was notified that an HQ employee was clinically diagnosed with COVID-19 and this employee is home, self-isolating, as well as had another employee exposed to someone who tested positive and is getting tested. In addition, due to the increased rise of hospitalizations and a return to a more restrictive tier in the County, we once again implemented optional, full-time telecommuting through the end of the year. NCPA will continue to follow its policy and make necessary changes as necessary.
- Provided an update on the proposed 2021-2024 Strategic Plan. May have a draft later this week that will be posted to NCPA Connect for Member review. Have a call with Truckee Donner next week to review and discuss their proposed Plan.

- Update on weather conditions and the impacts to the plants and fire concerns. Wildfires are still active in many areas, including Southern California, which prompted a PSPS with several customers without power.
- Due to a lack of hydro this year, market conditions are not doing well, and conditions are extremely dry.
- Gave an update on Hometown Connections Inc., (HCI). The HCI Board met and agreed to notify AMP that HCI will terminate the contract regarding the AMI program. HCI continues to execute contracts with members on other projects, e.g., Redding is contracting for assistance with their Strategic Plan and Alameda for professional consulting services.
- Provided an overview of the December 8 the Central Valley Project (CVP) Corporation Board Agenda.
- The Agency is in the process of conducting its annual employee performance evaluations. This year, managers are taking into consideration the impacts of COVID-19 into the merit adjustments. The deadline to submit evaluations and recommended merits for unrepresentative employees is December 15.

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

- Continue to stay very active in the CVPIA litigation. Will discuss this item in more detail during Closed Session.
- Continue to monitor Governor Gavin Newsome’s Executive Orders regarding COVID.
- In the process of adding additional training for the supervisors at the Geothermal facility as we want to give them more tools to use to help with communications with their staff and others.
- NCPA is in the process of updating its fire system at the Geothermal facility. The Agency did self-report to the California Energy Commission (CEC) the issues with the system and are working the CEC. Calpine received a fine due to issues with their fire system, however, Calpine did not self-report the issue to the CEC.
- Provided an update on the TO20 case. Rate reductions are starting to be implemented to the CAISO bills. TO18 and TO19 rates have yet to be resolved.

Assistant General Manager / CFO Monty Hanks did not join the meeting for Items 6 and 7 discussion.

Randy Howard and Jane Luckhardt left the meeting for Items 6 and 7 discussion.

CLOSED SESSION

5. **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.
6. **CONFERENCE WITH LABOR NEGOTIATORS AND PERFORMANCE EVALUATION** – a) Labor negotiations pursuant to Government Code section 54957.6: Agency representatives: NCPA Executive Committee Members and Assistant General Manager/CFO Monty Hanks; Unrepresented Public Employee: General Manager; and b) Performance evaluation pursuant to Government Code Section 54957: Unrepresented Public Employee: One Category: General Manager.

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 Assistant General Manager/CFO Monty Hanks: Unrepresented Public Employee: General Counsel; and b) Performance evaluation pursuant to Government Code Section 54957: Unrepresented Public Employee: One Category: General Counsel.

RECONVENED TO OPEN SESSION

Randy Howard and Jane Luckhardt rejoined the meeting.

REPORT FROM CLOSED SESSION

Closed Session Disclosure: Chair O'Neill stated there was no reportable action taken in Closed Session.

DISCUSSION / ACTION ITEMS

8. ***Approval of Letter Agreement to Award Additional Paid Administrative Leave for Calendar Year 20-21 to Randy S. Howard, General Manager*** – approve and recommend Commission approval of the General Manager's 2021 performance goals, and approve and recommend the Commission authorize the Chair of the Commission to provide the General Manager a Letter Agreement for additional leave that may not be cashed out for use in 2021. **Fiscal Impact:** There is no fiscal impact to the Executive Services Salaries and Benefits account, and the cost associated the General Manager's compensation change is covered within the current fiscal year budget.

Motion: A motion was made by Jerry Serventi and seconded by Mark Chandler recommending Commission approve the General Manager's 2021 performance goals, and approve and recommend the Commission authorize the Chair of the Commission to provide the General Manager a Letter Agreement for additional leave that may not be cashed out for use in 2021. Motion carried unanimously by the Committee on a roll call vote.

9. ***Approval of Fourth Amendment to Employment Agreement with Jane E. Luckhardt, General Counsel*** – approve and recommend Commission approval of the Fourth Amendment to the Employment Agreement between NCPA and Jane E. Luckhardt; approve and recommend the Commission authorize the Chair of Commission to execute the Fourth Amendment to Employment Agreement; approve and recommend Commission approve the Chair of the Commission to award a Letter Agreement awarding additional leave that may not be cashed out for use in 2021; and approve the General Counsel's Performance Goals for 2021. **Fiscal Impact:** Funds are available in the Executive Services – Legal Salaries and Benefits account; there is no material change to the current fiscal year budget.

Motion: A motion was made by Mark Chandler and seconded by Jerry Serventi recommending Commission approve the Fourth Amendment to the Employment Agreement between NCPA and Jane E. Luckhardt; approve and recommend the Commission authorize the Chair of Commission to execute the Fourth Amendment to Employment Agreement; approve and recommend Commission approve the Chair of the Commission to award a Letter Agreement awarding

additional leave that may not be cashed out for use in 2021; and approve the General Counsel's Performance Goals for 2021. Motion carried unanimously by the Committee on a roll call vote.

10. **Approval of FY20-21 New Slate of Officers** – Committee approval and recommendation to the Commission of Chair and Vice Chair of the Commission.

Nominating Committee Chair O'Neill reported the Nominating Committee met on November 17, 2020, to discuss and recommend the nomination of Chair of the Commission and Executive Committee, filling the vacancy of Chair of the Commission occurring on December 3. The Nominating Committee brought forth a nomination of Vice-Chair David Hagele to serve for the remainder of the term of office of the departing Chair, and the nomination of Executive Committee Member Jerry Serventi to serve for the remainder of the term of office of the vacant seat of Vice-Chair. Officers will take office following Commission approval at the December meeting. The Nominating Committee also discussed the nomination of Lompoc Commissioner Jenelle Osborne to fill the vacant Executive Committee seat. A recommendation will be brought to the Commission at the January 2021 Commission meeting for approval.

Motion: A motion was made by Greg Scharff and seconded by Pauline Roccucci recommending Commission approve the election of Vice-Chair David Hagele to serve for the remainder of the term of office of the departing Chair, and the nomination of Executive Committee Member Jerry Serventi to serve for the remainder of the term of office of the vacant seat of Vice-Chair. Motion carried unanimously by the Committee on a roll call vote.

NEW BUSINESS

No new business was discussed.

ADJOURNMENT

The Executive Committee meeting adjourned at 8:51 am.

Sincerely,



CARY A. PADGETT
Assistant Secretary