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Minutes - **DRAFT**

To: NCPA Executive Committee
From: Cary A. Padgett - Assistant Secretary
Subject: October 26, 2017, Executive Committee Meeting Minutes

1. **Call to Order** – The meeting was called to order by Chair Bob Lingl at 8:00 am, at NCPA’s Roseville Office, 651 Commerce Drive, Roseville, California.

Executive Committee Members present were Chair Bob Lingl, Roger Frith and Teresa O’Neill. Mark Chandler and Greg Scharff were absent.

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

2. **Approval of Minutes** – approval of the minutes from the August 24, 2017, Executive Committee meeting were approved. (Motion by Teresa O’Neill and second by Roger Frith). Motion passed by unanimous voice vote. Mark Chandler and Greg Scharff were absent.

Public Forum: There were no comments from any members of the public.

INFORMATIONAL ITEMS

3. **General Manager Report** – update and monthly report.
 - No report was provided.
4. **General Counsel Report** – update and monthly report
 - Provided an update on the Agency’s legal activities.
 - Attended and spoke on a panel at an Environmental Law Conference last week. The conference provided a great opportunity for networking.
 - NCPA’s bond legal counsel has announced his retirement. NCPA currently contracts with Orrick Herrington & Suttcliffe for bond legal services. NCPA does plan refunding bonds in the spring of 2018, which does require specialty work of legal counsel. The Committee discussed and agreed that conducting and Request for Proposal of special bond counsel is needed.

- Gave an update on the CVPIA litigation. Discovery of documents are due on October 30. NCPA staff James Takehara will be the trial witness representing NCPA. Case General Counsel spoke with their staff and have agreed to the terms of the proposed agreement.

CLOSED SESSION

5. **Conference with Legal Counsel** existing litigation pursuant to California Government Code Section 54956.9(d)(1): *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.

General Counsel Jane Luckhardt and Assistant Secretary Cary Padgett left the meeting for item 6 discussions.

6. **Public Employee Performance Evaluation** Pursuant to California Government Code section 54957, three categories: General Manager, General Counsel and Management.

RECONVENED TO OPEN SESSION

General Counsel Jane Luckhardt rejoined the meeting.

REPORT FROM CLOSED SESSION

Closed Session Disclosure: Upon return to open session, General Counsel Jane Luckhardt reported there was no reportable action taken on the closed session items 5 and 6.

ADJOURNMENT

The Executive Committee adjourned at 9:29 am.

Respectfully submitted,
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CARY A. PADGETT
Assistant Secretary