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# NCPA Annual Legal Committee Meeting Minutes

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**Date:** Wednesday, October 4, 2023

**Time:** 2:00 p.m. Pacific Time

**Location:** Portola Hotel and Spa at Monterey Bay, 2 Portola Plaza, Bonsai Ballroom, Monterey, CA and teleconference locations

**Subject:** NCPA Annual Legal Committee Meeting

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## 1. Call Meeting to Order and Roll Call

The Legal Committee meeting was called to order at 2:05 p.m. by Chair Barry DeWalt. At the time of roll call, the following members were present: In person: Alameda Municipal Power-Lonnie Eldridge; Lodi-Katie Lucchesi; Port of Oakland-Rachel Sommovilla; Redding-Barry DeWalt; Roseville-Joe Mandell; and Santa Clara-Daniel Ballin. Via Zoom: BART-Mary Wilke; Healdsburg-Samantha Zutler; Palo Alto-Amy Bartell, Plumas-Sierra-Michael Vergara; and Ukiah-Darcy Vaughn. A quorum was present.

Also attending the meeting by Zoom were Melissa Price, Eric Wong, Jiayo Chang, Jillian Jurcyk, Katie Edgar, Khaly Nguyen, Mark Beauchamp, Joanna Lucchi; and attending in person were Roseville City Attorney Michelle Sheidenberger, NCPA General Manager Randy Howard, NCPA General Counsel Jane Luckhardt, NCPA administrative support Linda Stone, and numerous members and guests.

## 2. Public Comment

The Chair read the notification regarding Public Comment and asked if any member of the public would like to address the Committee. There was no public comment.

## 3. Resolution Commending Barry E. DeWalt

NCPA General Counsel Jane Luckhardt spoke to the group about Barry E. DeWalt, who has served as the Legal Committee Chair for over nine years and served the City of Redding as its City Attorney since 2015. Jane read the proposed Resolution of the Legal Committee commending Barry DeWalt which highlights his outstanding service for the City, the Committee, and which shares some little-known facts about Barry. Michael Vergara (Plumas-Sierra) made a motion to approve the Resolution commending Barry DeWalt for his years of service; seconded by Joe Mandell (Roseville). Many congratulatory comments were made. A roll call vote was taken, as follows. The motion passed.

<b>Vote Summary on Motion</b>	
<b>Participant</b>	<b>Vote</b>
Alameda Municipal Power	Yes
BART	Yes
Biggs	Absent
Gridley	Absent
Healdsburg	Yes
Lodi	Yes
Lompoc	Absent
Palo Alto	Yes
Plumas-Sierra	Yes
Port of Oakland	Yes
Redding	Yes
Roseville	Yes
Santa Clara	Yes
Shasta Lake	Absent
Truckee Donner PUD	Absent
Ukiah	Yes
<b>Vote Summary</b>	
Total Yes	11
Total Noes	0
Total Abstain	0
Total Absent	5
Result:	Motion Passed.

Jane Luckhardt presented Barry with a framed Resolution. Barry thanked Jane and the Committee and addressed the meeting expressing his mixed emotions. He noted “that this is the last time I will participate in this annual meeting and be with you all. It has been a pleasure to be part of this committee.” He received a hearty round of applause.

**4. Presentation “Public Utility Rates Structures: Limitations and Options.”**

Jane Luckhardt introduced Matthew Slentz of Colantuono, Highsmith & Whatley, PC. He presented a PowerPoint entitled Public Utility Rates Structures: Limitations and Options. The presentation covered municipal finance overview, income based fixed rates, general fund transfers, and CBRT proposition. At the conclusion of his informative prepared remarks, Mr. Slentz fielded questions from the audience and participants on the phone.

**5. Adjournment.**

The meeting was adjourned at 3:00 p.m.

Respectfully submitted,

/s/ Linda Stone

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Linda Stone