



651 Commerce Drive
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Agenda – Legal Committee Meeting

Meeting Date: November 4, 2021 Legal Committee Meeting

Location: 651 Commerce Drive, Roseville, CA, and via Posted Teleconference Locations

Time: 8:30 a.m. PDT

In compliance with the Brown Act, you may participate in person at the meeting location or via teleconference at one of the locations listed below. In either case, please (1) post the Agenda at a publically accessible location at the participation location at least 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.

<p>Northern California Power Agency 651 Commerce Drive Roseville, CA 95678</p>	<p>City of Alameda Alameda City Attorney's Office 2263 Santa Clara Avenue, No. 280 Alameda, CA 94501</p>	<p>Bay Area Rapid Transit 300 Lakeside Drive, 23rd Floor Oakland, CA 94612</p>
<p>City of Biggs Law Office of Gregory P. Einhorn 854 Manzanita Court, No. 110 Chico, CA 95926</p>		<p>City of Healdsburg Burke Williams 918 Hough Avenue Lafayette, CA 94549</p>
<p>City of Lodi 221 West Pine Street Lodi, CA 95242</p>	<p>City of Lompoc Aleshire & Wynder, LLP 6001 Boeing Place Los Angeles, CA 90045</p>	<p>Plumas-Sierra Rural Electric Coop Somach, Simmons & Dunn 500 Capitol Mall, Suite 1000 Sacramento, CA 95814</p>
<p>City of Palo Alto Palo Alto City Attorney's Office 250 Hamilton Avenue Palo Alto, CA 94301</p>	<p>City of Palo Alto Assistant City Attorney Office 54 Bosworth Field Mendon, NY 14506</p>	<p>Port of Oakland Office of General Counsel 530 Water Street Oakland, CA 94607</p>
<p>City of Redding Office of the City Attorney 777 Cypress Avenue Redding, CA 96001</p>	<p>City of Roseville Civic Center-City Attorney's Office 311 Vernon Street Roseville, CA 95678</p>	<p>City of Santa Clara Santa Clara City Attorney's Office 1500 Warburton Ave. Santa Clara, CA 95050</p>
<p>Truckee Donner PUD Porter Simon 40200 Truckee Airport Road Truckee, CA 96161</p>	<p>City of Ukiah Rapport and Marston 405 West Perkins Street Ukiah, CA 95482</p>	

To participate by phone from posted meeting location: Dial: 1-669-900-6833
Meeting ID: 925 6080 4024

To participate via Zoom from posted meeting location: Link: <https://zoom.us/j/92560804024>

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.

The Committee may act on any of the items listed on this Agenda regardless of whether an item is described as an Action item, a Report, or an Informational or Discussion item. This Agenda may be 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.

- **Review Safety Procedures – NCPA Headquarters Facility**

1. CALL MEETING TO ORDER AND ROLL CALL

2. PUBLIC COMMENT

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

3. MEETING MINUTES – The Legal Committee did not establish a quorum for its noticed meeting on September 29, 2021 (*Informational Item*)

CLOSED SESSION

4. CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION

Pursuant to Government Code Section 54956.9(d)(1) - Existing Litigation, two (2) cases:

A. Case Name: *Northern California Power Agency, City of Redding, City of Roseville, and City of Santa Clara v. the United States, United States Court of Federal Claims No. 14-817-C.*

B. Case Name: *Voluntary Petitions for Filing of Chapter 11 Bankruptcy, PG&E Corporation, Debtor, and Pacific Gas and Electric Company, Debtor, United States Bankruptcy Court, Northern District of California, San Francisco Division, jointly administered under No. 19-30088*

5. CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION

Pursuant to Government Code Section 54956.9(d)(2) - Anticipated Litigation, one (1) case.

OPEN SESSION

6. REPORT FROM CLOSED SESSION

- 7. 2025 WESTERN BASE RESOURCE CONTRACT AND ASSOCIATED AGREEMENTS** - In conjunction with NCPA's anticipated execution of the 2025 Base Resource contract with the United States Department of Energy Western Area Power Administration, which will enable NCPA to receive Member assignments, two associated agreements are needed:
 - A. ASSIGNMENT ADMINISTRATION AGREEMENT (AAA)** – A new AAA is needed for administration of the 2025 Base Resource Contract, or in the alternative, the existing AAA will need to be amended and restated. The AAA requires approval by each assigning member. *(Discussion Item)*
 - B. REQUEST FOR ASSIGNMENT OF THE BASE RESOURCE CONTRACT** – The Letter Agreement used by a member to assign its share of the Base Resource Contract to NCPA's Base Resource Contract. NCPA and members must execute the AAA prior to accepting assignment to ensure assigning member accepts financial responsibility of assignment. *(Discussion Item)*
- 8. ELECTRIC VEHICLE INFRASTRUCTURE PLANNING: PROPOSED MEMORANDUM OF UNDERSTANDING CALIFORNIA ELECTRIC TRANSPORTATION COALITION REGIONAL CHARGING NETWORK** – Review of the proposed Memorandum of Understanding among LADWP, NCPA, PG&E, SMUD, SDG&E, SCE, and SCPPA to promote coordination and cooperation on charging infrastructure optimization. *(Discussion Item)*
- 9. PROPOSED LEGAL COMMITTEE MEETING SCHEDULE FOR 2022** - Review and approval of Legal Committee regular meeting dates for calendar year 2022. *(Action Item)*
- 10. GENERAL COUNSEL UPDATES**
NCPA's General Counsel will update the Committee on miscellaneous business matters of interest.
- 11. ADJOURNMENT**