

**M-S-R PUBLIC POWER AGENCY
MINUTES
MEETING OF THE COMMISSION
SEPTEMBER 22, 2021**

The Commission of the M-S-R Public Power Agency (M-S-R PPA) met for a regular meeting on September 22, 2021 via webinar for all representatives pursuant to Executive Orders signed by Governor Gavin Newsom related to the ongoing COVID-19 pandemic. Present from Modesto Irrigation District were James McFall and Martin Caballero; present from Santa Clara was Ann Hatcher; and present from Redding was Nick Zettel. Also present were General Manager Martin Hopper, and General Counsel Steve Gross.

Mr. McFall called the meeting to order at 12:16 PM. A quorum was attained with the voting representatives being Mr. McFall, Ms. Hatcher, and Mr. Zettel.

The Commission then considered approval of the Consent Calendar Items. It was moved by Commissioner Beans and seconded by Commissioner Hatcher to approve the Consent Calendar consisting of Items 1, 2, 3, 4, 5, 6, 7, and 8 as listed below. Upon the call of the roll, the motion carried unanimously.

1. Minutes of May 19, 2021 and August 18, 2021 – approved.
2. Report of Summary invoices paid for May 2021 – August 2021 totaling \$32,171,341.43 – noted and filed.
3. May 2021 – August 2021 Treasurer’s Reports – accepted.
4. Big Horn Wind Energy Project Operations Statistics Report – noted and filed.
5. September 2021 WREGIS REC Transfers Status Report – noted and filed.
6. September 2021 Outside Services Budget Versus Actual Report – noted and filed.
7. Status Report Regarding 2021 Insurance Renewals – noted and filed.
8. Extension of M-S-R Coordinator Contract – approved.

The General Manager provided a report on his activities and those of the General and Consultant for the past month. The Commission noted and filed the report.

The Commission then considered the proposed 2022 M-S-R PPA Strategic Plan. The Commissioners noted the updated plan addresses goals, possible actions, and recommendations regarding Legacy Liability “Clean-Breaks,” Big Horn Wind Energy Project administration and BPA cost issues, reviews of the efficiency and efficacy of meeting schedules and content, Conflict of Interest Code review, and succession planning. The General Manager and General Counsel recommended the Commission modify the text regarding meetings and the Conflict-of-Interest Code to reflect further research accomplished regarding Brown Act and FPPC requirements. It was moved by Alternate Commissioner Zettel and seconded by Commissioner Hatcher to adopt the proposed 2022 M-S-R PPA Strategic Plan as amended. On the call of the roll, the motion carried unanimously.

The Commission then retired into Closed Session pursuant to Government Code Section 54956.9(d)(1) – Conference with Legal Counsel – Existing Litigation – 2 Cases (NM-PRC 20-00222-UT, and BP-22-BPA), pursuant to Government Code Section 54956.9 (d)(2) – Significant Exposure to Litigation – 1 Case, pursuant to Government Code Section 54957 (a) – Threat To Public Services or Facilities, and pursuant to Government Code Section 54956.8 – Conference with Real Property Negotiator – Property: Lake and River Stations and connecting pipelines and rights-of-way, CR 6800 N, Waterflow, NM 87421 – Negotiating Parties: Public Service Company of New Mexico and United States Bureau of Reclamation – Agency Negotiators: Martin Hopper, General Manager and Steve Gross, General Counsel – Under Negotiation: Purchase/Sale/Exchange/Lease of Real Property (provisions, price and terms of payment) at 12:32 P.M. Upon the conclusion of the Closed Session at 1:03 P.M., General Counsel reported that there were no reportable items with respect to the Closed Session items.

The Chair then called for Member Reports and Public Comment and there being none, the Chair announced the next regular meeting of the Commission will likely be held virtually in conformance with AB361 requirements on Wednesday, November 17, 2021 at 12:00 Noon due to ongoing public health concerns. The meeting was adjourned by the Chair at 1:04 P.M.

A handwritten signature in black ink, appearing to read 'M. Hopper', with a long, sweeping underline.

Martin R Hopper
Assistant Secretary



P.O. Box 4060 • Modesto, California 95352 • (209) 526-7436 • msrpower.org

November 19, 2021

Mr. Steven C. Gross, Esq.
General Counsel, M-S-R Public Power Agency
c/o Porter Simon Law Offices
40200 Truckee Airport Road
Truckee, CA 96161

Subject: Approved M-S-R PPA Commission Meeting Minutes

Dear Steve:

Please find enclosed the signed minutes of the September 22 and October 20, 2021 Commission Meeting as approved at the November 17, 2021 M-S-R PPA Commission Meeting.

If you have any questions, please do not hesitate to call me at (408) 307-0512.

Sincerely,

A handwritten signature in black ink, appearing to read 'M. Hopper', written in a cursive style.

Martin R. Hopper
General Manager

cc: Amy Santos
Commissioner James McFall
Commissioner Ann Hatcher
Commissioner Dan Beans
MID Board Secretary
Santa Clara City Clerk
Redding City Clerk

Enclosures:

/Users/martinhopper/My Laptop Documents/M-S-R Public Power Agency/Administrative/Commission/Minutes/2021 Minutes/MINUTES.doc