



**MINUTES  
REGULAR MEETING  
BOARD OF DIRECTORS  
ORANGE COUNTY POWER AUTHORITY  
Wednesday, June 29, 2022**

**1. CALL TO ORDER**

Chair Carroll called to order the Regular Meeting of the Orange County Power Authority Board of Directors at 10:05 a.m. on Wednesday, June 29, 2022.

The meeting was conducted using teleconference and electronic means consistent with public health orders and guidelines in California and in accordance with the Governor's Executive Orders. There was no location for in-person attendance. Due to the nature of the teleconference, all votes were cast via roll call. In an effort to protect public health, members of the public were able to provide live comments on agenda items using Zoom.

**2. PLEDGE OF ALLEGIANCE**

Vice Chair Jung led the Pledge of Allegiance.

**3. ROLL CALL**

|          |                         |                          |
|----------|-------------------------|--------------------------|
| Present: | Director Don Wagner     | Orange County            |
|          | Director Susan Sonne    | City of Buena Park       |
|          | Director Farrah N. Khan | City of Irvine           |
|          | Director Dan Kalmick    | City of Huntington Beach |
|          | Vice Chair Fred Jung    | City of Fullerton        |
|          | Chair Mike Carroll      | City of Irvine           |

|        |      |
|--------|------|
| Absent | None |
|--------|------|

**4. CLOSED SESSION**

The following spoke on Closed Session items prior to the Board adjourning to Closed Session:

Doug Elliott and Kathleen Treseder

At 10:16 a.m. Chair Carroll adjourned to Closed Session on the following items:

**1. CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION**

Significant exposure to litigation pursuant to Section 54956.9(d)(2):  
One (1) potential case

**2. Consideration of a request by Director Sonne:**

**PUBLIC EMPLOYEE DISCIPLINE/DISMISSAL/RELEASE**

Pursuant to Government Code Section 54957(b)(1)

**3. Consideration of a request by Director Sonne:**

**PUBLIC EMPLOYEE APPOINTMENT**

Pursuant to Government Code Section 54957(b)(1)  
Title: Acting Chief Executive Officer

4. Consideration of a request by Director Sonne:  
**PUBLIC EMPLOYEE DISCIPLINE/DISMISSAL/RELEASE**  
Pursuant to Government Code Section 54957(b)(1)

5. Consideration of a request by Director Sonne:  
**PUBLIC EMPLOYEE APPOINTMENT**  
Pursuant to Government Code Section 54957(b)(1) Title: Acting General Counsel

At 11:40 a.m. Chair Carroll adjourned closed session and called for a ten-minute recess prior to reconvening the Regular Meeting.

#### **RECONVENE REGULAR MEETING AND ROLL CALL**

At 11:50 a.m. the Regular Meeting of the OCPA Board of Directors reconvened with the following present: Directors: Wagner, Sonne, Khan, and Kalmick. Vice Chair Jung, and Chair Carroll. Absent: None

Ryan Baron, General Counsel, stated there were no reportable actions from the Closed Session.

#### **5. PUBLIC COMMENTS ON AGENDA ITEMS**

Branda Lin began to speak but was redirected to Item 6.

#### **6. PUBLIC COMMENTS ON NON-AGENDA ITEMS**

The following spoke during Item 6

Walter Nobrega  
Branda Lin  
Kathleen Treseder

#### **7. DIRECTOR ANNOUNCEMENTS**

Director Khan and Director Wagner spoke about misleading and incorrect information presented by bloggers and speakers.

Chair Carroll thanked outgoing Director Mike Posey from Huntington Beach for his service to OCPA and championing clean energy. He welcomed Director Dan Kalmick who replaced Director Mike Posey.

#### **8. STAFF REPORT**

Chief Executive Officer Probolsky spoke about a rate comparison chart published in error by SCE and noted the corrected version of the document was now posted by SCE.

The CEO also introduced new staff members Susan Davidson, Data Analyst, and Owen Lee, Controller. Each gave an overview of their qualifications.

#### **9. CONSENT CALENDAR**

Director Kalmick pulled Item 9.4 from the Consent Calendar.

## **ACTION**

Vice Chair Jung made a motion, seconded by Director Sonne, and unanimously carried to approve Consent Calendar items 9.1 through 9.3.

### **1. FINDINGS NECESSARY FOR REMOTE PARTICIPATION IN PUBLIC MEETINGS**

#### **Recommended Action:**

Declare that the findings made in Resolution No. 2022-02, "Resolution of the Orange County Board of Directors Making Findings Necessary for Remote Participation in Public Meetings" remain valid and applicable, so as to allow remote participation in public meetings for the next 30 days.

### **2. MINUTES FOR THE REGULAR BOARD MEETING OF MAY 3, 2022**

#### **Recommended Action:**

Approve as submitted

### **3. TREASURER REPORT – FISCAL YEAR ENDED APRIL 30, 2022**

#### **Recommended Action:**

Receive and File

### **4. APPROVE PRINTING AND MAILING SERVICES CONTRACT WITH ORANGE COUNTY PRINTING COMPANY**

Director Kalmick asked for the Board to consider union status in future RFP's.

## **ACTION**

Director Kalmick made a motion, seconded by Vice Chair Jung, which carried unanimously to:

- a. Approve Contract with Orange County Printing Company for Printing and Mailing Services, and
- b. Authorize the Chief Executive Officer or delegated staff to negotiate, finalize, and execute contract for Printing and Mailing Services.

## **10. REGULAR CALENDAR**

CEO Probolsky reported on OCPA efforts to reduce greenhouse gas which is the equivalent of taking 200,000 cars off the roads and gave an overview of outreach efforts. The CEO asked the CFO to make the budget presentation.

### **1. APPROVE FISCAL YEAR 2022-2023 BUDGET**

Tiffany Law, Chief Financial Officer, gave a detailed and thorough presentation on the FY 2022-23 Budget.

In answer to questions from directors, CFO Law explained the development of revenue projection scenarios.

Brian Dickman, a partner with New Gen Strategies and Solutions, stated he had helped staff put together the financial performance part of the budget. He answered questions about the variability of the components that go into revenue sufficiency calculations and

meet debt covenants.

The CEO and CFO answered questions about staffing projections, salary benchmarks, the qualifications of current staff, and cost comparisons of using staff in lieu of consultants.

John Dalessi of Pacific Energy Advisors presented the five-year financial outlook and spoke of reserve projections and requirements.

**ACTION**

Director Kalmick made a motion with the caveats to 1) further discuss FTEs and 2) have staff present on the data analytics platform, seconded by Vice Chair Jung, and unanimously carried to approve the Fiscal Year 2022-2023 Budget.

- 2. APPROVE AGREEMENT FOR PURCHASE OF RESOURCE ADEQUACY CAPACITY FROM MARSH LANDING, LLC**
- 3. APPROVE AGREEMENT FOR PURCHASE OF RESOURCE ADEQUACY CAPACITY FROM SUNRISE POWER COMPANY, LLC**

CEO Probolsky presented and explained Items 9.2 and 9.3 on the Regular Agenda which were combined due to similarity and introduced Kirby Dusel of Pacific Energy Advisors,

Mr. Dusel explained why part of the proposed contracts were redacted for confidentiality, explained the necessity for contracts for resource adequacy capacity and how costs are affected by supply fluctuations.

**ACTION**

Director Kalmick made a motion, seconded by Chair Carroll, and unanimously carried to: authorize OCPA's Chief Executive Officer ("CEO") to enter into a resource adequacy capacity purchase agreement with Marsh Landing, LLC ("Marsh Landing"),

**ACTION**

Director Kalmick made a motion, seconded by Chair Carroll, and unanimously carried, to authorize OCPA's Chief Executive Officer ("CEO") to enter into a resource adequacy capacity purchase agreement with Sunrise Power Company, LLC ("Sunrise Power")

**11. ADJOURNMENT**

At 1:44 p.m., Chair Carroll adjourned the Regular Meeting of the Orange County Power Authority. The next meeting will be held Tuesday, July 12, 2022, at 10:00 a.m.

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**Brian S. Probolsky, Secretary**