

## BOARD OF PUBLIC UTILITIES

December 3, 2024

The regular meeting of the Board of Public Utilities held on the 3rd day of December, 2024, was called to order at 4:00 p.m. with VICE CHAIRMAN SCHNEIDER presiding and the following COMMISSIONERS present:

COMMISSIONERS LeJEUNE, BROWN, MOFFITT, McNEIL AND POWELL

Also Present: SECRETARY SALLIS, CITY MANAGER MARTINEZ, UTILITY MANAGER TORRANCE AND OTHER KEY STAFF

EX ABSNC COMMISSIONER MOFFITT MOVED, SECONDED BY COMMISSIONER LeJEUNE, to grant an excused absence to CHAIRMAN CAMPBELL Motion carried by the following roll call vote:

AYES: VICE CHAIRMAN SCHNEIDER, COMMISSIONERS  
LeJEUNE, BROWN, MOFFITT, McNEIL AND POWELL  
NOES: NONE  
ABSENT: CHAIRMAN CAMPBELL

Deputy City Clerk Sallis administered the Oath of Office to new Board Member Michael G. Powell and he was welcomed by the other Members.

APPROVAL COMMISSIONER McNEIL MOVED, SECONDED BY COMMISSIONER  
AGENDA MOFFITT, to approve the agenda. Motion carried by the following roll call vote:

AYES: VICE CHAIRMAN SCHNEIDER, COMMISSIONERS  
LeJEUNE, BROWN, MOFFITT, McNEIL AND POWELL  
NOES: NONE  
ABSENT: CHAIRMAN CAMPBELL

VICE CHAIRMAN SCHNEIDER opened for public comments pertaining to the executive session item - None

VICE CHAIRMAN SCHNEIDER declared the regular meeting adjourned at 4:04 p.m. for the purpose of an Executive Session pursuant to California Government Code Section 54956.9(d)(2) and/or (3) and/or (4) - conference with legal counsel regarding potential litigation (one potential case adverse to Rio Buena Vista HOA)

VICE CHAIRMAN SCHNEIDER declared the regular meeting reconvened at 4:16 p.m. with all persons heretofore mentioned present.

City Manager Martinez reported there was no reportable action taken.

CORSPNDN: None

PBLC APRN: None

CNST CAL: VICE CHAIRMAN SCHNEIDER requested to pull item #2 (Accept the Annual Report to the California Energy Commission Power Content Label for the year ending December 31, 2023) so that an explanation can be provided for COMMISSIONER POWELL.

COMMISSIONER MOFFITT MOVED, SECONDED BY COMMISSIONER BROWN, to pull consent item 2 and approve consent calendar item 1.

1. Minutes of adjourned regular meeting held October 1, 2024

Motion carried by the following roll call vote:

AYES: COMMISSIONERS LeJEUNE, BROWN AND MOFFITT  
NOES: NONE  
ABSENT: CHAIRMAN CAMPBELL  
ABSTAIN: VICE CHAIRMAN SCHNEIDER, COMMISSIONERS McNEIL AND POWELL

ANNL RPT TO CEC  
PWR CNTNT LABEL 2023 Utility Manager Torrance briefly explained the annual report to the California Energy Commission Power Content Label for the year ending December 31, 2023. VICE CHAIRMAN SCHNEIDER noted that unfunded mandates are mentioned frequently by this Board as the California legislators enact laws with no funding sources and with no way for the utilities to pay the costs so they must be paid by the ratepayer.

COMMISSIONER MOFFITT MOVED, SECONDED BY COMMISSIONER McNEIL, to accept the Annual Report to the California Energy Commission Power Content Label for the year ending December 31, 2023. Motion carried by the following roll call vote:

AYES: VICE CHAIRMAN SCHNEIDER, COMMISSIONERS LeJEUNE, BROWN, MOFFITT, McNEIL AND POWELL  
NOES: NONE  
ABSENT: CHAIRMAN CAMPBELL

REG ITEMS: Utility Manager Torrance provided background on the Parker-Davis contract and allocating a certain amount of power each month. Parties met to discuss a voluntary reduction in Parker-Davis allocation by using pre-purchased term purchased energy. This is not saying our utilities will forego the Parker-Davis allocation but only if we have excess in term purchase which is for the benefit of the ratepayers. There is no harm no foul to this agreement.

PARKER-DAVIS VOL REDUCTN AGREEMNT

COMMISSIONER McNEIL MOVED, SECONDED BY COMMISSIONER LeJEUNE, to authorize the City Manager to execute the Parker-Davis Voluntary Reduction Agreement providing for a voluntary reduction in reliance on Western Area Power Administration purchased power. Motion carried by the following roll call vote:

AYES: VICE CHAIRMAN SCHNEIDER, COMMISSIONERS  
LeJEUNE, BROWN, MOFFITT, McNEIL AND POWELL  
NOES: NONE  
ABSENT: CHAIRMAN CAMPBELL

RENEWABLE  
ENERGY  
RESOURCES  
PROCUREMENT  
PLAN

Utility Manager Torrance explained the renewable portfolio standards (RPS) and the mandate for carbon free emissions by 2045. She noted a revised Procurement Plan has been provided to the Board at this meeting that comes at the recommendation of legal and changes were made to set the procurement maximum at the cost of the 10 year RPS contract. She is recommending adoption of the revised Plan. A brief discussion followed on the excess solar power currently available in California due to an aggressive shift to renewable energy leading to a surplus and that energy being shipped out of California

COMMISSIONER BROWN MOVED, SECONDED BY COMMISSIONER LeJEUNE, to adopt the revised City of Needles Renewable Energy Resources Procurement Plan dated December 11, 2024 at a cost not to exceed \$454,000 to come from the adopted NPUA budget. Motion carried by the following roll call vote:

AYES: VICE CHAIRMAN SCHNEIDER, COMMISSIONERS  
LeJEUNE, BROWN, MOFFITT, McNEIL AND POWELL  
NOES: NONE  
ABSENT: CHAIRMAN CAMPBELL

FORT MOJAVE  
TRIBE JOINT  
USE OF  
POLES AGREEMENT

Utility Manager Torrance explained that currently the city has two joint use of poles agreements, one with Frontier and the other Route 66 Broadband. The Fort Mojave Tribe reached out as they have received funding to expand fiber optic but have run into permitting issues. A Fort Mojave executed Joint Pole Agreement with Fort Mojave Telecommunications, Inc., with a change of name per the entity's request, was distributed to the Board and is for two locations only: Eagle Pass - BNSF Crossing and Needles Highway - Flood Control Crossing.

COMMISSIONER MOFFITT MOVED, SECONDED BY COMMISSIONER BROWN, to approve a License Agreement for the Joint Use of Poles between the City of Needles and Fort Mojave Telecommunications, Inc. for TC Attachment to City Poles. Motion carried by the following roll call vote:

AYES: VICE CHAIRMAN SCHNEIDER, COMMISSIONERS  
LeJEUNE, BROWN, MOFFITT, McNEIL AND POWELL  
NOES: NONE  
ABSENT: CHAIRMAN CAMPBELL

REPORTS:

VICE CHAIRMAN SCHNEIDER acknowledged the following reports: 1) Western Area Power Administration FY25 Q3 term purchase; 2) Present Perfected Rights (PPR) report October 2024; 3) EUSI, LLC operational support services relating to the wastewater treatment facility and collection system October 2024

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**BRD RQSTS:** VICE CHAIRMAN SCHNEIDER again welcomed COMMISSIONER POWELL and asked if he had any questions. VICE CHAIRMAN SCHNEIDER noted that there is a lot of history on this Board in regard to electric purchase, water rights and other utility matters.

ATTEST: \_\_\_\_\_

Vice Chairman Secretary