

CITY COUNCIL MEETING

July 21, 1982

CITY OF LODI TO JOIN
WITH NCPA IN A
COMPLETING APPLICA-
TION FOR THE LICENSE
TO OPERATE THE KINGS
RIVER HYDROELECTRIC
FACILITIES

RES. NO. 82-73

Mayor Reid introduced the subject of the possibility of the City of Lodi joining with N.C.P.A. in a completing application for the license to operate the Kings River Hydroelectric facilities.

City Clerk Reimche read a statement by Robert G. Scott, acting Lodi Manager for Pacific Gas and Electric indicating that PG&E will strongly oppose any effort by another party to license the King's River facilities. Mr. Scott was in the audience and addressed the Council regarding PG&E's position on the matter.

A lengthy discussion followed with Councilman Pinkerton voicing his opposition to participating in this project.

Mayor Reid then moved that Council authorize the City of Lodi to join with NCPA in a completing application for the license to operate the Kings River Hydroelectric facilities. The motion was seconded by Councilman Snider and carried by the following vote:

Ayes: Council Member - Olson, Snider, and Reid (Mayor)

Noes: Council Member - Pinkerton

Absent: Council Member - Murphy

Additional discussion followed with Councilman Pinkerton moving that a \$10,000 cap be placed on this project. The motion died for lack of a second.

Councilman Pinkerton then asked that the record show his proposal of a \$10,000 cap and his belief that the actual costs will be 10 times that figure.

10 7/21

CITY COUNCIL

FRED M. REID, Mayor
ROBERT G. MURPHY,
Mayor Pro Tempore
EVELYN M. OLSON
JAMES W. PINKERTON, Jr.
JOHN R. (Randy) SNIDER

CITY OF LODI

CITY HALL, 221 WEST PINE STREET
POST OFFICE BOX 320
LODI, CALIFORNIA 95241
(209) 334-5634

HENRY A. GLAVES, Jr.
City Manager
ALICE M. REIMCHE
City Clerk
RONALD M. STEIN
City Attorney

July 26, 1982

Ms. Gail Sipple
Administrative Assistant
Northern California Power Agency
8421 Auburn Blvd.
Suite 160
Citrus Heights, CA 95610

Re: Kings River Hydroelectric Facility

Dear Gail:

This letter will serve to inform you that the Lodi City Council in action taken at a regular meeting held July 21, 1982 authorized the City of Lodi to join with NCPA in a competing application for the license to operate the Kings River Hydroelectric facility.

Should you want a certified copy of the minutes regarding this item, please do not hesitate to either call or drop us a note and we will be more than happy to provide that to you once the minutes have been completed and approved.

Very truly yours,

Alice M. Reimche
Alice M. Reimche
City Clerk

AMR/lf

Kings

RESOLUTION NO. 82-73

RESOLUTION AUTHORIZING THE CITY OF LODI TO
JOIN WITH N.C.P.A. IN A COMPETING APPLICATION
FOR THE LICENSE TO OPERATE THE KINGS RIVER
HYDROELECTRIC FACILITIES

RESOLVED, that the City Council of the City of Lodi
does hereby authorize the City of Lodi to join with the
Northern California Power Agency in a competing application
for the license to operate the Kings River Hydroelectric
facilities.

Dated: July 21, 1982

I hereby certify that Resolution No. 82-73 was
passed and adopted by the City Council of the
City of Lodi in a regular meeting held by the
following vote:

Ayes: Council Members - Olson, Snider, Reid

Noes: Council Members - Pinkerton

Absent: Council Members - Murphy

Alice M. Reimche
ALICE M. REIMCHE
City Clerk

by the City Clerk this 15th day of September, 1982 by the following vote:

Ayes: Council Member - Olson, Snider, Pinkerton,
Murphy, and Reid (Mayor)

Noes: Council Member - None

Absent: Council Member - None

Fred M Reid
Mayor of the City of Lodi

Attest:

Alice M. Benche
City Clerk of the City of Lodi

Approved as to form:

Ron Stein
City Attorney

ORDINANCE NO. 1269

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LODI, CALIFORNIA, APPROVING THE TERMS AND CONDITIONS OF A MEMBER AGREEMENT BETWEEN NORTHERN CALIFORNIA POWER AGENCY AND CERTAIN PARTICIPATING MEMBERS, AND AUTHORIZING THE EXECUTION OF AND DELIVERY OF SAID AGREEMENT BY OFFICERS OF THE CITY OF LODI, CALIFORNIA.

WHEREAS, pursuant to the provisions of Chapter 5, Division 7, Title 1 of the Government Code of the State of California, as amended (the "Joint Powers Act"), the City of Lodi and certain other public agencies created pursuant to the laws of the State of California (collectively, the "Members"), have entered into a Joint Powers Agreement (the "Agreement"), as amended, creating the Northern California Public Agency (the "Agency"), a public entity separate and apart from the Members; and

WHEREAS, in accordance with the Agreement and the Joint Powers Act, the Agency has entered or will enter into agreements to acquire a project (the "Project") to consist of rights to capacity and energy from the North Fork Stanislaus River Hydroelectric Development Power Project, a hydroelectric project proposed to be constructed in the State of California, and capital improvements thereto that may be constructed from time to time, and interests in certain other properties and rights relating thereto; and

WHEREAS, the City of Lodi has need for an economical, reliable source of electric power and energy to meet the demands of the customers of its electric system, and, as such, has determined that it is desirable to enter into the Agreement for Construction, Operation and Financing of the North Fork Stanislaus River Hydroelectric Development Project (the "Member Agreement") in the form submitted to this City of Lodi and dated for convenience as of September 1, 1982, to purchase electric capacity and energy of the Project from the Agency; and

WHEREAS, this City Council finds and determines that it is in the

best interests of the customers of the electric system of the City of Lodi for the City of Lodi to purchase electric capacity and energy of the Project from the Agency;

NOW, THEREFORE, the City Council of the City of Lodi does ordain as follows:

1. The City Council hereby finds and determines that the terms and conditions of the Member Agreement, including the Project Entitlement Percentage of the City of Lodi of 10.37 percent (10.37%) be, and the same are hereby, approved.

2. The Project Entitlement Percentage of the City of Lodi as set forth in Appendix A to said Member Agreement may be increased (to such percentage, not to exceed 10.37% percent (10.37%), as shall be determined by the City Council of the City of Lodi).

3. The Mayor and City Clerk are authorized to execute and deliver said Member Agreement by and on behalf of the City of Lodi.

4. Pursuant to Section 54241 of the Government Code of the State of California, this Ordinance is subject to the provisions for referendum applicable to the City of Lodi.

5. The City Clerk shall certify to the enactment of this Ordinance and shall cause this Ordinance to be published in accordance with Section 54242 of the Government Code of the State of California.

6. Thirty (3) days from and after its enactment, this Ordinance shall take effect and be in full force, in the manner provided by law.

ADOPTED by the City Council and signed by the Mayor and attested