



OPPDP BOARD OF DIRECTORS

BOARD MEETING MINUTES

January 19, 2023

The regular meeting of the Board of Directors of the Omaha Public Power District ("OPPDP" or "District") was held on Thursday, January 19, 2023 at 5:00 p.m. at the Omaha Douglas Civic Center, 1819 Farnam Street, 2nd Floor Legislative Chamber, Omaha, Nebraska and via WebEx audio and video conference.

Present in person at the Civic Center were Directors A. E. Bogner, M. J. Cavanaugh, M. R. Core, S. E. Howard, J. M. Mollhoff, C. C. Moody, M. G. Spurgeon and E. H. Williams. Also present in person were L. J. Fernandez, President and Chief Executive Officer, S. M. Bruckner and T.F. Meyerson of the Fraser Stryker law firm, General Counsel for the District, B. E. Adams, Chief of Staff, and other members of the OPPDP Board meeting logistics support staff. Chair A. E. Bogner presided and B. E. Adams recorded the minutes. Members of the executive leadership team present in person included: K. W. Brown, S. M. Focht, T. D. McAreavey, K. S. McCormick, M. V. Purnell and B. R. Underwood.

Board Agenda Item 1: Chair Opening Statement

Chair Bogner gave a brief opening statement, including reminders for using the WebEx audio and video conferencing platform.

Board Agenda Item 2: Safety Briefing

J. D. Clark, Manager Protective Services, provided the safety briefing for the Civic Center. President Fernandez provided physical and psychological safety reminders, including current safety focus reminders about: (i) refocusing after the holiday season; (ii) winter storm safety; and (iii) ergonomics.

Board Agenda Item 3: Guidelines for Participation

Chair Bogner then presented the guidelines for the conduct of the meeting and instructions on the public comment process in the room and using WebEx audio and video conferencing features.

Board Agenda Item 4: Roll Call

Mr. Adams took roll call of the Board. All members were present in person.

Board Agenda Item 5: Announcement regarding public notice of meeting

Mr. Adams read the following:

"Notice of the time and place of this meeting was publicized by notifying the area news media; by publicizing same in the Omaha World Herald, OPPDP Outlets newsletter, oppd.com and social media; by displaying such notice on the Arcade

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Level of Energy Plaza; and by e-mailing such notice to each of the District's Directors on January 13, 2023.

A copy of the proposed agenda for this meeting has been maintained, on a current basis, and is readily available for public inspection in the office of the District's Corporate Secretary.

Additionally, a copy of the Open Meetings Act is available for inspection on oppd.com and in this meeting room."

Board Consent Action Items:

- Item 6. Approval of the November 2022 Comprehensive Financial and Operating Report, December 2022 Meeting Minutes and the January 19, 2023 Agenda
- Item 7. Substation Foundation, Ductlines and Miscellaneous Work – Resolution No. 6546
- Item 8. Substation Structures – Resolution No. 6547

It was moved and seconded that the Board approve the consent agenda items.

Chair Bogner noted the Board discussed the action items during the All Committees meeting held on Tuesday, January 17, 2023.

Chair Bogner then asked for public comment. There was no comment from the public in attendance at the meeting or via WebEx.

Thereafter, the vote was recorded as follows: Bogner – Yes; Cavanaugh – Yes; Core – Yes; Howard – Yes; Mollhoff – Yes; Moody – Yes; Spurgeon – Yes; Williams – Yes. The motion carried (8-0).

Board Agenda Item 9: Election of Board Officers – Resolution No. 6548

Mr. Adams read the following:

"NOW, THEREFORE, BE IT RESOLVED, by the Board of Directors of Omaha Public Power District that the Board members listed on Exhibit A, be and hereby are, elected to serve as officers of the Board, effective January 19, 2023, for a term of one year and until the election of their successor or removal from office.

- *Chair of the Board – E.H. Williams*
- *Vice Chair of the Board – J.M. Mollhoff*
- *Secretary of the Board – C.C. Moody*
- *Treasurer of the Board – M.G. Spurgeon*

It was moved and seconded that the Board approve this action item.

Chair Bogner then asked for public comment.

There was no additional comment from the public in attendance at the meeting or via WebEx.

The Board next conducted a discussion of the proposed resolution.

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There was no additional comment from the members of the Board. Chair Bogner asked Mr. Adams to call roll on the resolution.

Thereafter, the vote was recorded as follows: Bogner – Yes; Cavanaugh – Yes; Core – Yes; Howard – Yes; Mollhoff – Yes; Moody – Yes; Spurgeon – Yes; Williams – Yes. The motion carried (8-0).

Board Agenda Item 10: Board Standing Committee Assignments – Resolution No. 6549

Mr. Adams read the following:

“NOW, THEREFORE, BE IT RESOLVED, by the Board of Directors of Omaha Public Power District that the 2023 Standing Committee Assignments of the Board, as outlined on Exhibit A attached, hereto, be and are hereby approved.

- *Governance – A.E. Bogner, E.H. Williams, J.M. Mollhoff and M.G. Spurgeon*
- *Finance – M.G. Spurgeon, S.E. Howard, J.M. Mollhoff and E.H. Williams*
- *Public Information – S.E. Howard, M.J. Cavanaugh, M.R. Core and C.C. Moody*
- *System Management & Nuclear Oversight – C.C. Moody, A.E. Bogner, M.J. Cavanaugh and M.R. Core*

It was moved and seconded that the Board approve this action item.

Chair Bogner then asked for public comment.

There was no additional comment from the public in attendance at the meeting or via WebEx.

The Board next conducted a discussion of the proposed resolution.

There was no additional comment from the members of the Board. Chair Bogner asked Mr. Adams to call roll on the resolution.

Thereafter, the vote was recorded as follows: Bogner – Yes; Cavanaugh – Yes; Core – Yes; Howard – Yes; Mollhoff – Yes; Moody – Yes; Spurgeon – Yes; Williams – Yes. The motion carried (8-0).

Board Agenda Item 11: President’s Report

President Fernandez next presented the following information:

- December Baseload Generation
- December Balancing Generation
- December Renewables
- New Winter Peak
- Winter Storm Elliott
- Maintaining Reliability
- Greener Together
- Honor Our Community Activities and Events, including:

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- Month of Giving
- OPPD-Douglas County SOLUS Grant Awarded
- Heat the Streets
- In Memoriam

Board Agenda Item 12: Opportunity for comment on other items of District Business

Chair Bogner asked for comments from the public on other items of District business.


Mr. David Begley, 4611 S. 96th Street, Omaha, provided written materials that referenced his Midlands Voice letter that was published in the Omaha World Herald.

Mr. David Corbin, 1002 N. 49th Street, Omaha, thanked the previous officers of the Board and congratulated the new officers. Discussed EPA grants and two legislative bills that Sierra Club is interested in following through the process.


Mr. John Pollack, 1412 N. 35th Street, Omaha, thanked the utility workers that quickly repaired an outage effecting his neighborhood and he provided a weather update.

There was no additional comment from the public in attendance at the meeting or via WebEx.

There being no further business, the meeting adjourned at 5:45 p.m.

DocuSigned by:

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S. M. Focht
Vice President – Corporate Strategy
and Governance and Assistant
Secretary

DocuSigned by:

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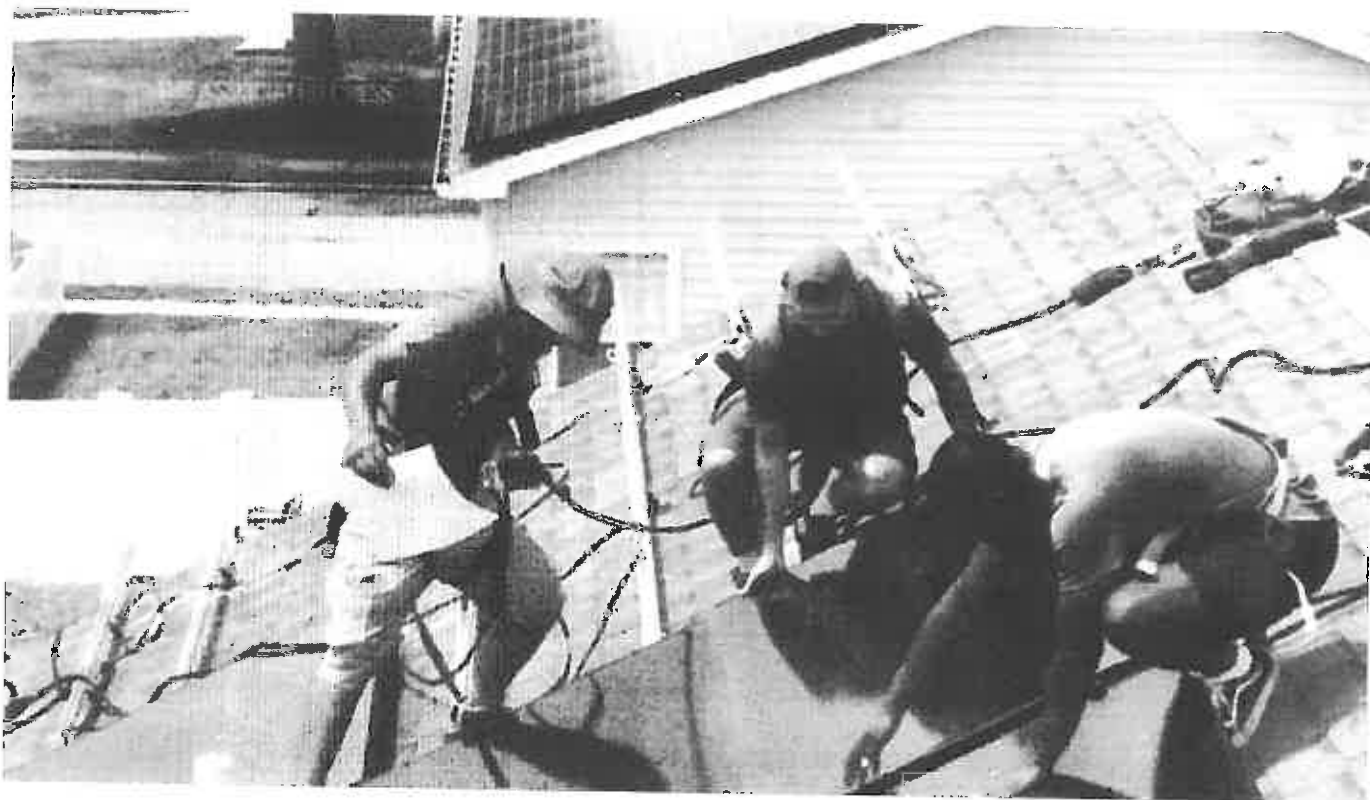
C. A. Labs
Executive Assistant to President & CEO

MIDLANDS VOICES

Midlands Voices: When it comes to wind, solar energy, Johanns and Branstad are on the wrong side

David D. Begley

Jan 10, 2023



Congress is poised to pass a transformative climate change fighting bill. Friday's vote would be the first major climate package in the U.S. and would include close to \$375 billion in spending. Most of the bill is aimed at infusions of cash, subsidies and tax breaks to make green energy eventually so cheap it's nearly irresistible. It would slice U.S. carbon emissions by about 40%. This compromise bill comes 34 years after Congress was warned that climate change was a serious threat. Since then there have been 308 weather disasters that each cost \$1 billion. On Long Island, Reid Garton, who runs a solar installation company called NY State Solar, says business is booming. Reid is also a He's gone from employing 30 people in 2017 to over 200 today. He says the new bill's continuation of the green energy tax credits will help further grow a green economy.

I was saddened — but not surprised — to read the **Jan. 1, 2023, Midlands Voices** piece by Mike Johanns. It appears that the former governor of Nebraska, U.S. senator and Secretary of Agriculture has lost touch with his Nebraska roots. Like so many

former politicians, he is now a lobbyist. The goodwill he earned from Nebraskans is now being put to use in service of big wind and big solar.

Johanns works at the Center for Infrastructure and Economic Development; a lobbying outfit for solar and wind. The solar and wind industries are where the big money is right now. With the passage of the so-called Inflation Reduction Act, \$380 billion in federal tax credits are available to the right people. Federal tax credits reduce a person's federal tax liability dollar-for-dollar. But the worst of it is that we all pay for a rich person's reduction of his tax bill with this special legislation. Considering that the U.S. debt is \$31 trillion, it is the height of irresponsibility to spend billions more on Keynesian ditch digging and filling schemes.

People are also reading...

- 1 Nebraska cardiologist explains rare condition that may have felled Buffalo Bills' Hamlin**
- 2 Stanford, Baylor linemen and Virginia wideout highlight new Nebraska transfer targets**
- 3 Husker notes: New OC embraces quarterback options, pushed to retain Raiola**
- 4 Husker notes: Nebraska's key returners, reviews of a 23-year-old and familiar names in portal**

Former Iowa Gov. Terry Branstad works with Mike Johanns. Branstad's last political job was as U.S. Ambassador to China. China has invested \$50 billion in solar. It dominates the solar supply chain with 80% of the world's solar panel production.

According to the Washington Post, much of the solar mining happens in the Xinjiang Uyghur region of China. Companies there are accused of using slave labor. To correct that problem, President Biden signed a law requiring importers to prove that forced labor wasn't used to produce goods. Given the administration's record unholding the

law on our southern border, it is doubtful that the law will be rigorously enforced. Moreover, the president just granted a two-year tariff exemption on solar goods imported from Vietnam and other countries.

On the Center's webpage, it lists its mission as being to help local communities "stay centered on their core community identities." If Johanns was still in touch with Nebraska, he would know that after the Saunders County Board approved OPPD's solar project near Yutan that one of the supervisors was recalled from office. A recall election is rare in Nebraska and it only proved how much the people in Saunders County strongly objected to the solar project.

As evidenced by the Saunders County recall election, many Nebraskans do not want industrial solar developments. And they have very good reasons not to. In the first place, property values in the area of the development decline. While a few lucky farm owners get above-market rents, their neighbors suffer.

But more importantly, many Nebraskans intuitively know that wind and solar are unreliable and expensive. We saw forced blackouts in December in Tennessee and the Carolinas because the grid already has too much wind and solar. A winter blackout is a deadly thing and this net zero carbon foolishness is the proximate cause.

The left constantly claim that solar and wind are "cost-effective." That's demonstrably false. The Minnesota-based Center for the American Experiment has calculated the true cost of net zero carbon for Minnesota and Wisconsin. Electric power rates will triple if the net zero carbon buildout continues in those states. Germany already has electric rates three times as much of the U.S. average and that takes into account that the German government spends 7% of GDP subsidizing electricity.

There is hope to stop this craziness. In 2023, the Cass County Board of Supervisors will be voting on OPPD's 3,000-acre and 320-MW solar project. The supervisors are in touch with the voters as they are their friends and neighbors. The supervisors

haven't received any campaign contributions from big wind, big solar, Wall Street or the Chinese. Food production is what we do in Nebraska. I'm confident that Nebraska will remain the Cornhusker State and not become the Chinese solar panel state.

OWH Midland Voices December 2022

Midlands Voices: Preserve our nonpartisan Nebraska Legislature

Updated Dec 30, 2022

David D. Begley
4611 South 96th Street, Ste 234
Omaha, NE 68127

January 16, 2023

Douglas County Board of Commissioners

Re: SOLUS, 12608 State St. real estate

Dear Commissioners:

From media reports, I learned that Douglas County intends to lease its former landfill at 12608 State Street for an industrial solar development. It was not clear to me if OPPD would be the lessee or – as with OPPD’s Saunders County project¹ – a developer would be the lessee and OPPD would enter into a power purchase agreement with the developer.

I’m a strong opponent to unreliable and expensive wind and solar energy. But I will not oppose this project because the Board is both the lessor and the governmental subdivision that would approve any zoning change or conditional use permit. The Board has no incentive to deny a permit because it stands to generate revenue from this 160 - acre parcel.

The main point of this letter is to stress that each of you have a duty to taxpayers to maximize the value of the County’s assets.

Commissioner Morgan is a very experienced real estate professional and I think he will agree with me that the Board is in a very strong bargaining position to get a good deal for taxpayers.

Right now, there is a frenzy by solar developers to build projects. The reason is because of the extremely generous federal tax credits under the so-called Inflation Reduction Act. There is high demand for land - especially urban real estate – to be turned into industrial solar developments.

The County’s land is very near to Google’s data center at Blair High Road and State Street. This proximity will lower OPPD’s cost of transmission. Google and OPPD have entered into long term power purchase agreements. While the terms of these agreements are not public, it is my information that OPPD has to supply a certain percentage of solar

¹ Nameplate production of 81 MW on 500 acres.

and wind power to Google.² By locating a small industrial solar production development close to Google's data center, both Google and OPPD can virtue signal to their constituents that they are saving Planet Earth from catastrophic global warming in the year 2100; laughable as that claim is.

OPPD has foolishly committed to achieving net zero carbon by the year 2050. Its own consultant has advised OPPD that the cost will be at least \$28 billion.³ That estimate was made in 2021 and prices for all things solar have rapidly increased since then. The actual cost will likely be closer to \$50 billion.

The Center for the American Experiment, a Minnesota think-tank, has studied the cost of net zero carbon for Minnesota and Wisconsin.⁴ **Electric rates will triple in those states. They will also experience deadly blackouts in January.** If OPPD is able to continue its push to net zero carbon, OPPD will have to triple electric rates and customer-owners will likely experience blackouts in the winter.

I am very familiar with the OPPD Board. I am of the opinion that the Directors are completely indifferent as to the true cost of net zero carbon. **In other words, the OPPD Board will force its customer-owners to pay any price and bear any burden to satisfy its utopian and expensive goal.**

OPPD has stated that it plans to acquire 3,000 MW of solar power by 2050. At best, the County's 160 acres would produce 30 MW. That's only 1% of OPPD's goal. OPPD's only other industrial solar project is rated at 81 MW. And to be clear, solar projects produce zero power at night and nearly zero in the winter. The nameplate number is very deceptive.

My sources indicate that solar developers have paid ten times the cash rental value for undeveloped real estate. For the year 2022, the USDA reports that non-irrigated Douglas County farm ground cash rents for \$230/acre. Given all the facts and circumstances of this lease, OPPD would certainly pay \$2,300 per acre for year one. That's rental income of \$368,000 per year. Taking into account all the federal tax benefits available, a starting point in your negotiations should be \$500,000 for the first year's lease payment to the County. A thirty-year lease would generate at least \$15 million; exclusive of inflation increases and personal property tax payments.

² [Google goes all in on green energy - Grist | Grist](#)

³ OPPD's Pathways to Decarbonization report, page 61.

⁴ [The-High-Cost-of-100-Percent-Carbon-Free-Electricity-by-2040-in-Minnesota.pdf \(americanexperiment.org\)](#)

[The-High-Cost-of-100-Percent-Carbon-Free-Electricity.pdf \(americanexperiment.org\)](#)

Douglas County Board

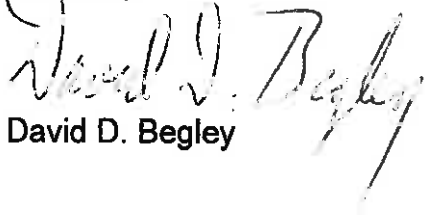
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A Nevada industrial solar development was shut down by a terrorist attack this month.⁵ OPPD has a duty to protect its solar facility. Your lease should require strict security measures and the cost should be paid by the tenant.

In your 2022-2023 budget, the County estimated \$300,000 in revenue from keno. I urge you to take full advantage of the County's strong bargaining position and enter into a lease with OPPD or its developer that will exceed the County's revenue from keno.

Sincerely,



David D. Begley

cc: OPPD Board

⁵ [Man faces terror charge for damaging power plant outside Las Vegas \(8newsnow.com\)](https://www.8newsnow.com/story/news/crime/2023/01/15/man-faces-terror-charge-for-damaging-power-plant-outside-las-vegas/8newsnow.com)

Police: Suspect from Idaho scoped out Nevada power-generating site

by: [David Charns](#)

Posted: Jan 6, 2023 / 11:51 AM PST

Updated: Jan 6, 2023 / 06:33 PM PST

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LAS VEGAS (KLAS) — A man is facing terror-related charges after police said he rammed his car through a gate at a solar plant outside Las Vegas and set his car on fire, disabling the huge facility, the 8 News Now Investigators have learned.

Around 11:30 a.m. Wednesday, Las Vegas Metro police responded to the solar plant on U.S. 93 north of the Las Vegas Motor Speedway, sources told the 8 News Now Investigators. Employees at the plant said they found a car smoldering in a generator pit.

The Mega Solar Array facility provides energy to MGM properties but is run by a company called Invenergy.

The driver, later identified as Mohammad Mesmarian, 34, is accused of ramming through a fence and setting the car on fire. The car is registered out of Idaho, documents said.

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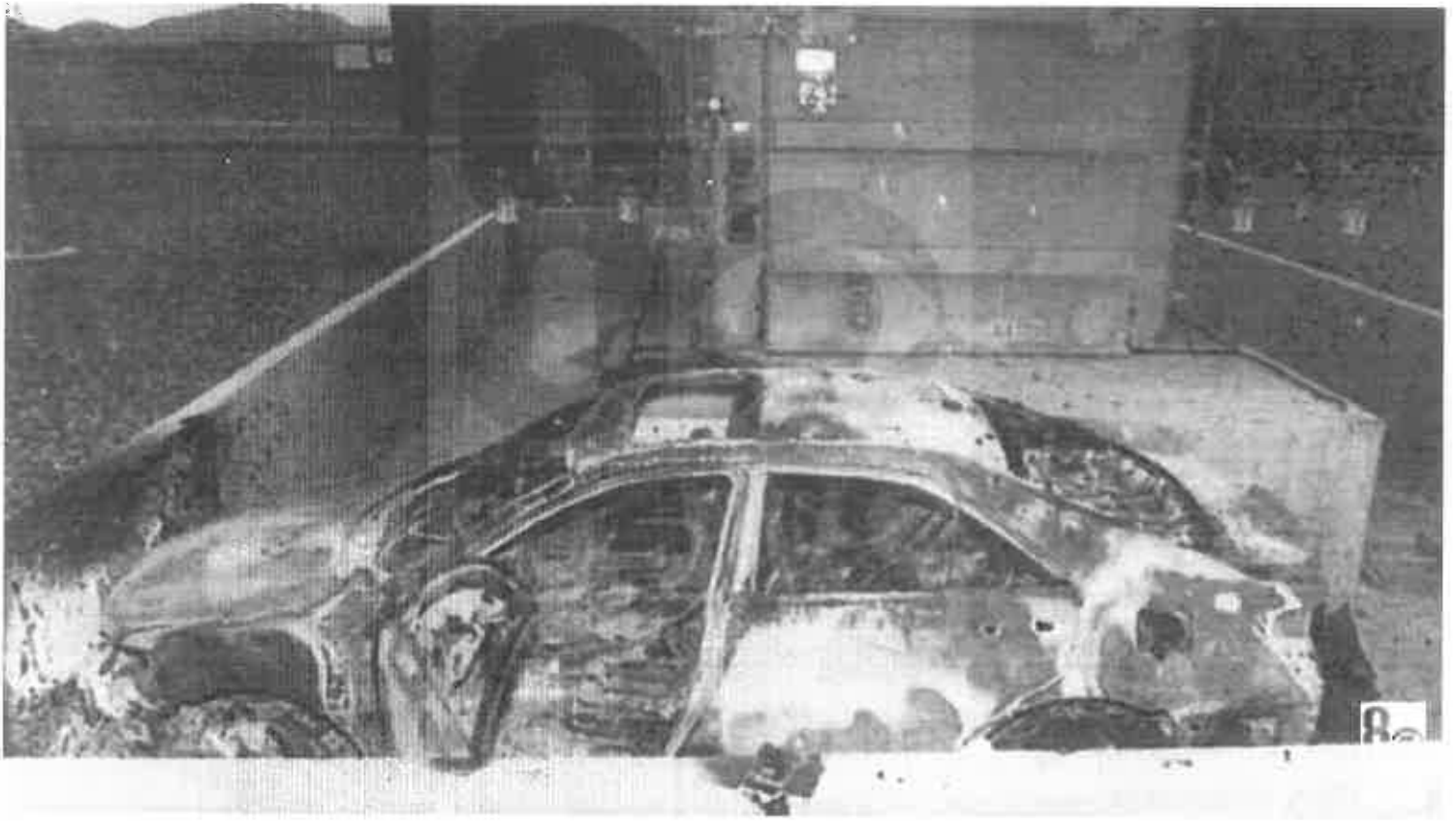
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A man is facing terror-related charges after police said he broke into a solar energy facility and set his car on fire. (KLAS)

Police suspect Mesmarian drove through the fence Tuesday afternoon after employees had left for the day. It was not until 12 a.m. Wednesday when video reportedly shows Mesmarian setting the car on fire, documents said.

Mesmarian reportedly watched the car burn, sitting in a chair for about 15 minutes before walking off, documents said.

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Investigators also believe Mesmarian siphoned gasoline from his car to put on wires at the transformer, documents the 8 News Now Investigators obtained said.

Investigators found an iPhone in the burnt car with an account connected to Mesmarian, documents said. Police also found two laptops.



A man is facing terror-related charges after police say he rammed his car through a gate at a solar plant outside Las Vegas and set his car on fire, disabling the huge facility. (KLAS)

Police located Mesmarian at a campground Thursday — a day after the fire — in Boulder Beach at Lake Mead. It was unclear how Mesmarian made it from the solar site to Boulder City, a 30-mile drive.

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Metro police said a person from Republic Services, which is near the solar plant, called police earlier on Wednesday about a person who was trespassing, documents said.

Police noted numerous recent attacks on power infrastructure in recent months.



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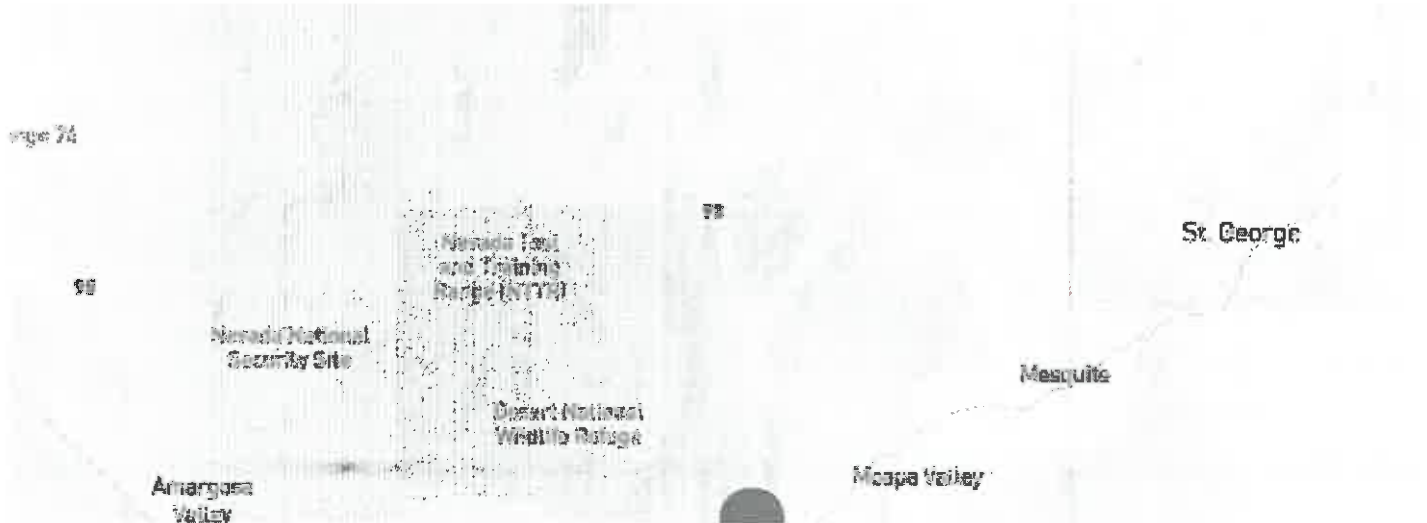
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No MGM facility was impacted by the incident.

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An employee at the plant said the fire caused “major damage,” estimating it would take two years to receive replacement parts, police said. The damaged unit remained shut down due to the fire and the plant was not producing electricity, police said.



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“Following an incident at the Mega Solar Array facility, on-site personnel immediately notified authorities and shut down the plant’s operations as a precaution in accordance with industry-standard safety protocols,” an Invenergy spokesperson said, “No one was injured, and we are currently restoring the facility’s full operations.”

Court officials said Mesmarian was disruptive before his first court appearance Friday. He did not appear for the hearing. Judge Danial Westmeyer denied bail.

Mesmarian was due in court Tuesday.

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Proposed OPPD resolution, January 19, 2023

RESOLUTION #65XX

WHEREAS, OPPD has adopted policy SD-7 which sets a goal of net zero carbon production by 2050;

WHEREAS, at page 61 of OPPD's draft final Pathways to Decarbonization report it is recommended that OPPD spend at least \$28 billion by 2050 to achieve net zero carbon;

WHEREAS, life on planet Earth in the year 2100 is dependent upon OPPD achieving net zero carbon by 2050; and

WHEREAS, the EPA estimates that the entire state of Nebraska emits 33m tons of carbon dioxide per year;

WHEREAS, there are expert claims that even if all carbon dioxide emissions stopped today global temperatures will increase by 2.3 degrees C by 2100; a breach of the Paris Agreement;

WHEREAS, the geoengineering start-up Make Sunsets can release sulfur dioxide particles into the atmosphere in order to cool Nebraska;

WHEREAS, Make Sunsets claims that as an additional benefit to its service is that crop yields will increase 10%;

NOW THEREFORE, BE IT RESOLVED, that OPPD hire Make Sunsets for the sum of \$29,000,000 in order to release sulfur dioxide particles over the state of Nebraska so that temperatures will be lowered, crop yields will increase and Planet Earth will be saved from catastrophic global warming.

Prepared and submitted by customer-owner David D. Begley, 4611 South 96th Street, Omaha, Nebraska.