

**SPECIAL MEETING**

The HBPW Board of Directors met  
**November 28, 2022**  
at 4:00 p.m.  
625 Hastings Ave.  
Holland, Michigan

**Chair Thompson called the meeting to order at 4:00 p.m.**

**Members Present:** PJ Thompson, Tim Hemingway, Paul Lilly, Carolyn Maalouf, City Council Liaison Nathan Bocks, and Ex Officio Member Keith Van Beek

**Members Absent:** Beth Snyder

**Staff Present:** Dave Koster, Janet Lemson, Becky Lehman, Ted Siler, Chuck Warren, Joel Davenport, Julie DeCook, Tracy York, Tamara Black, Steve Bruinsma, Guest: City Attorney Ron VanderVeen

23.102 **Approval of Agenda**

*Board Member Lilly made a motion to approve the agenda. The motion was seconded by Board Member Hemingway.*

23.103 **Communications from the Audience**

*None*

23.104 **CLOSED Session – Review Trial and Settlement Strategy With the City’s Attorney re: City v HDC Real Estate Holdings LLC Condemnation Proceedings**

**Motion to enter Closed Session @ 4:03 p.m.**

**Made by:** Lilly  
**Second:** Hemingway  
**Favor** 4  
**Oppose** 0

**ROLL CALL:** Lilly, Hemingway, Thompson, Maalouf

**Motion to re-enter Open Session @ XXX p.m.**

**Made by** Lilly  
**Second** Hemingway  
**Favor** 4  
**Oppose** 0

23.105 **Financial Update**

*For information only*

23.106 **Invenergy Solar Amended and Restated Letter of Authorization**

In October 2018, the HBPW Board of Directors and Holland City Council authorized the HBPW General Manager to execute a Letter of Authorization (LOA) for participation in a solar power

*\* Red italics indicate information or discussion added during the meeting and/or action taken.*

project being developed by Invenergy Solar Development North America, LLC. The LOA provided for Holland to receive approximately 5.5 MW of installed capacity from the project.

Since the time of the original authorization, the market for solar PPAs has seen a dramatic escalation due to issues including but not limited to supply chain delays, inflation, and tariffs. These same issues have created time delays and cost escalation with the Invenergy solar development and ultimately placed the completion of the project into jeopardy. Without some concessions from MPPA and its members, it could be more advantageous for the developer to default on the PPA and simply pay penalties.

Recognizing that it is in neither party's interest for the project to fail, MPPA and Invenergy negotiated in good faith on an amendment. Key issues addressed by the amendment include a new commercial operation date of May 31, 2023, and a new starting contract rate of \$42.45 per megawatt hour (MWh). Of note relative to this new rate is that while it does represent an escalation of about 7% above the original PPA contract rate, it is well below current market and is even below the maximum value (\$43.75/MWh) authorized as part of the original LOA for the project. Staff recommends the execution of this amended and restated LOA in order to maintain the value this deal provides for our power resource portfolio and the continued progress it provides relative to the decarbonization goals of the Community Energy Plan.

*Recommendation: The Board of Directors approved the signing of an amended and restated Letter of Authorization by the HBPW General Manager as part of the MPPA Energy Services Project for approximately 5.5 MW of installed capacity of solar power from Invenergy Solar Development North America, LLC.*

*Motion to approve recommendation*  
*Second*  
*Favor*  
*Oppose*

*Maalouf*  
*Hemingway*  
*4*  
*0*

**STUDY  
ITEM**

**Electric Utility Issues Discussion**

23.107

Staff begins a four-month series of presentations on the HBPW's Electric, Water, Wastewater, and Broadband Utility operations. Staff will highlight major policy issues at the national, regional, state, and local level that affect current operations and future planning.

Plans to address short- and long-term supply and delivery of services will be discussed along with high-level summaries of the capital plans

*Presented for information. No Board action required.*

23.108

**General Manager Comments**

- Our next meeting is December 12
- Study Session is on December 19, where broadband is the study topic
- The Holland Energy Fund Board meeting is December 7 at 4:00 p.m.
- MPPA's Stakeholder meeting is at Frederick Meijer Gardens May 18, 2023. Hold the date.
- Holland's Parade of Lights will take place November 29
- Holland Energy Park's lights are now on; There's even a tunnel!

23.109

**Board Comments**

- Paul Lilly reported that the Water System Advisory Council met today. We are moving toward access to see to lines in a GIS type program from our HBPW website. Sue Franz's position on the Council is open. BOD members need to be looking for someone to replace her.

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ADJOURNMENT

A motion to adjourn the meeting of *November 28, 2022*, was made by *Hemingway* supported by *Lilly* and agreed upon by the Board of Directors present.

The Board Meeting of November 28, 2022, adjourned at *7:10 p.m.*

Minutes respectfully submitted by,

Janet Lemson, Secretary to the Board

DRAFT