

TRIBAL COUNCIL SUMMARY

WARM SPRINGS POWER & WATER ENTERPRISE WORKSHOP

JULY 18, 2023

Page 1 of 2

TRIBAL COUNCIL MINUTES

WARM SPRINGS POWER & WATER ENTERPRISE WORKSHOP

JULY 18, 2023

1. The meeting was called to order at 9:19 by Chairman Jonathan W. Smith, Sr. 9:00- James "Jim" Manion, Chief Joseph Moses, Vice Chairman Raymond "Captain" Moody, Carlos Calica, Wilson Wewa, Jr. (9:15), Rosa Graybael (9:23). Minnie Yahtin, Recorder.
2. Travel Delegations - Tribal Council:
 - Motion by Captain approving Tribal Council delegation to attend the Oregon Department of Fish & Wildlife meeting in Salem on July 24; Second by Carlos; Question; Carlos/yes, Jim/yes, Wilson/yes, Captain/yes, Rosa/yes, Joe/yes, 6/0/0, Chairman not voting; Motion carried.
3. Warm Springs Power & Water Enterprise background - Ellen Grover.
 - Enabling Governance/history.
 - Generating Trust Revenues
 - Energy Timeline.
 - Solar Energy & Storage Review
4. Chapter 413 Amendment:
 - Motion by Joe adopting Resolution No. 13,067, that the Tribal Council hereby adopts Chapter 413 of the Warm Springs Tribal Code as amended and restated in substantially similar form as set for in Exhibit "A"; That the Tribal Council hereby authorizes and directs the Secretary-Treasurer/CEO to execute and deliver Chapter 413, as amended and restated, to the United States Department of the Interior for review and approval; That the Tribal Council hereby directs that: 1) the Tribe will continue to exercise its authority under Chapter 413 to the greatest extent previously approved by Interior under the HEARTH Act during Interior's review of the amended and restated Chapter 413; 2) the Tribe may negotiate and execute leases for wind and solar leases consistent with the provisions contained in the amended and restated Chapter 413 which leases will become effective upon Interior approval of the amended restated Chapter 413 (as may be further amended for Interior approval) or upon Interior approval of the lease(s); the Tribal Council Chair, Vice-Chair, or Secretary-Treasurer (each an "Authorized Representative") is hereby authorized to execute and deliver on behalf of the Tribe any other documents and take such further and additional action as the Authorized Representative reasonably determines to be necessary or appropriate to carry out the foregoing resolution; Second by Jim; Question; Carlos/yes, Jim/yes, Wilson/yes, Captain/no, Rosa/yes, Joe/yes, 5/0/1, Chairman not voting; Motion carried.

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Page 2 of 2

5. Warm Springs Power & Water Enterprise to investigate solar energy development on the Reservation:

- Motion by Joe adopting Resolution No. 13,068, Tribal Council hereby: 1) Authorizes WSPWE to advance development of utility scale solar pursuant to the Development Strategy generally outlined above as may be adjusted as necessary by WSPWE from time-to-time; 2) Authorizes WSPWE to form subsidiary or affiliate companies to carry out WSPWE's delegated functions as identified in this Resolution and as otherwise appropriate for advancing the Development Strategy; 3) Authorizes and delegates to WSPWE and/or the Secretary-Treasurer to further document the Tribal Council's consent to an exclusive development relationship with BrightNight for on-Reservation solar energy project development at the BrightNight project site intended to demonstrate appropriate site control, for example without limitation through a term sheet; 4) Approves of the WSPWE Board of Directors developing and approving project financing, as appropriate, within the WSPWE Plan of Operation financing authority provided WSPWE provides a detailed report to the Tribal Council of the financing plan prior to final approval of the same; The Tribal Council Chair, Vice-Chair or Secretary-Treasurer is hereby authorized to execute and deliver on behalf of the Tribe any other documents and take such further and additional action as the Authorized Representative reasonably determines to be necessary or appropriate to complete and implement the Development Strategy and carry out the foregoing resolutions; Second by Jim; Question; Carlos/yes, Jim/yes, Wilson/yes, Captain/no, Rosa/yes, Joe/yes, 5/0/1, Chairman not voting; Motion carried.

6. Motion by Jim to adjourn at 1:42PM.

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CC: Tribal Council
Secretary-Treasurer
BIA Superintendent
Tribal Attorneys
Spilyay Tymoo