

RESOLUTION 26-01

A RESOLUTION OF THE BOARD OF TRUSTEES OF THE VILLAGE OF MURRAY, NEBRASKA TO APPROVE AN AMENDMENT TO THE PROFESSIONAL RETAIL OPERATIONS AGREEMENT FOR NEBRASKA PUBLIC POWER DISTRICT'S LEASE AND OPERATION OF THE VILLAGE'S ELECTRIC DISTRIBUTION SYSTEM.

WHEREAS, the Village of Murray, Nebraska and Nebraska Public Power District are currently operating within an active Professional Retail Operations Agreement which provides, among other things, for NPPD's lease and operation of the Village's Electric Distribution System;

WHEREAS, currently the Village of Murray receives a 12% franchise fee of the retail revenue generated by NPPD pursuant to the agreement;

WHEREAS, Article IV of the Professional Operations Agreement provides as follows:

"During the term of this Agreement, lease payments in an amount equal to twelve percent (12%) of the retail revenue as so adjusted, as determined by NPPD records, shall be paid by NPPD to the Village. By an act of the Village Board, the Village can increase or decrease NPPD's lease payment in one-half percent (0.5%) increments subject to an overall cap of fourteen percent (14%). Notice of the first one-half percent (0.5%) step change may be provided to NPPD anytime on or after the effective date of this Agreement. Any future one-half percent (0.5%) step changes may not take effect until a minimum of one (1) year after the effective date of the previous step change. Written notice of each one-half percent (0.5%) step change shall be provided to NPPD at least ninety (90) days before the effective date of such change.";

WHEREAS, the Village of Murray Board of Trustees has determined that it is in the public's best interest to exercise the option to increase the lease payment by one-half percent (0.5%); and

WHEREAS, the increase will become effective on May 1, 2026, providing the allowable 90-day notice requirement in Article IV.

NOW, THEREFORE, BE IT RESOLVED by the Village of Murray Board of Trustees that the Village of Murray exercise its option to increase the franchise fee by one-half percent (0.5%), for a total of 12.5%, as allowed in Article IV of the Professional Operations Agreement.

BE IT FURTHER RESOLVED that the effective date of this increase shall be May 1, 2026, which complies with the notice requirement of ninety (90) days requirement by Article IV.

BE IT FURTHER RESOLVED that the Clerk of the Village of Murray Village Clerk is directed to provide notice to NPPD, by certified mail, advising of the increase in the franchise fee together with a signed copy of this Resolution following its passage.

PASSED AND APPROVED this 13TH day of January 2026.


Jeff Anderson, Chairman

ATTEST:


Shelli S. Hayes, Village Clerk

(SEAL)