

**RESOLUTION NO. \_\_\_\_\_  
OF THE BOARD OF DIRECTORS OF  
NEVADA COUNTY SANITATION DISTRICT NO. 1**

**RESOLUTION APPROVING AMENDMENT NO. 1 TO THE  
EQUIPMENT SUBLEASE/PURCHASE AGREEMENT BETWEEN  
COUNTY OF NEVADA, CALIFORNIA AND NEVADA COUNTY  
SANITATION DISTRICT NO. 1 REGARDING THE FINANCING  
OF SOLAR POWER GENERATING EQUIPMENT AT THE LAKE  
OF THE PINES WASTEWATER TREATMENT PLANT AND  
AUTHORIZING THE CHAIR OF THE BOARD OF DIRECTORS  
TO EXECUTE THE AMENDMENT AND DIRECTING THE  
AUDITOR-CONTROLLER TO AMEND THE FISCAL YEAR  
2019/20 SANITATION DISTRICT BUDGET (4/5 AFFIRMATIVE  
VOTE REQUIRED)**

WHEREAS, Nevada County Sanitation District No. 1 (the “*Sanitation District*”) owns and operates certain facilities and property for the collection, treatment and disposal of wastewater at its Lake of the Pines Treatment Plant (the “*Treatment Plant*”); and

WHEREAS, pursuant to resolution SD16-012, approved August 16, 2016, the Sanitation District had installed at the Treatment Plant a solar system and photovoltaic power generating system and related improvements (collectively, the “*Treatment Plant Solar Equipment*”) in order to reduce the energy charges associated with the operation of the Treatment Plant; and

WHEREAS, the County of Nevada installed solar systems and photovoltaic power generating systems and related improvements at certain of its public buildings and other facilities (collectively, together with the Treatment Plant Solar Equipment, the “*NCREBs Solar Equipment*”); and

WHEREAS, the County financed the NCREBs Solar Equipment through a lease-leaseback arrangement with the County and the Nevada County Finance Authority (the “*Authority*”); and

WHEREAS, including the financing of the Treatment Plant Solar Equipment in the County’s financing of the remainder of the NCREBs Solar Equipment reduced the financing costs that would have otherwise been incurred by the Sanitation District; and

WHEREAS, pursuant to Resolution SD16-012, approved August 16, 2016, the Sanitation District approved the execution of a Sublease/Purchase Agreement (the “*Agreement*”) with respect to the financing the costs of the Treatment Plant Solar Equipment; and

WHEREAS, the final Treatment Plant Solar Equipment costs equaling \$1,810,021.45 exceeded the estimates used to develop the Sublease Payment Schedule in the Agreement.

NOW, THEREFORE, BE IT RESOLVED that the Board of Directors of Nevada County Sanitation District No. 1:

1. Approves Amendment No. 1 to the Equipment Sublease/Purchase Agreement dated as of August 1, 2016 between the between County of Nevada, California and Nevada County Sanitation District No. 1, to reflect the final Treatment Plant Solar Equipment costs of \$1,810,021.45, plus interest at a rate equal to that applied to the County’s New Clean Renewable Energy Bond issuance; and

2. Authorizes the Chair of the Board of Directors to execute the Amendment on behalf of Nevada County Sanitation District No. 1; and
3. Directs the Auditor-Controller to release Lake of the Pines Operations & Maintenance Fund 4740 fund balance in the amount of \$10,470 amend the Fiscal Year 2019/20 Sanitation District budget as follows

Increase:      4740-91005-709-2000 / 521700      \$10,470