



## **RESOLUTION No. \_\_\_\_\_**

### **OF THE BOARD OF SUPERVISORS OF THE COUNTY OF NEVADA**

**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 COUNTY EXECUTIVE OFFICER TO EXECUTE THE  
AMENDMENT**

WHEREAS, on August 16, 2016, the Board of Supervisors adopted Resolution 16-433, approving and approving and authorizing the execution of various documents with respect to the financing of energy conservation equipment and certain solar power generating equipment for the Energy Conservation and Generation Project (Project); and

WHEREAS, pursuant to Sanitation District Resolution SD16-012, approved August 16, 2016, the Nevada County Sanitation District No. 1 (District) had installed at the Lake of the Pines Wastewater Treatment Plant (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 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 District; and

WHEREAS, the Equipment Sublease/Purchase Agreement dated as of August 1, 2016 between County of Nevada, California and Nevada County Sanitation District No. 1 is one of the documents authorized under Resolution 16-433, with respect to 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 Nevada County Board of Supervisors:

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.
2. Authorizes the County Executive Officer to execute the Amendment on behalf of the County of Nevada.