

Resolution No.: 15-016
Meeting Date: 2/4/15 (1)

RESOLUTION OF INTENTION TO GRANT A FRANCHISE TO TIERRA DEL SOL
SOLAR FARM LLC TO INSTALL, MAINTAIN, OPERATE, REPAIR, RENEW AND
REMOVE AN UNDERGROUND ELECTRIC TRANSMISSION SYSTEM IN TIERRA
DEL SOL ROAD

ON MOTION of Supervisor R. Roberts, seconded by Supervisor Cox, the following Resolution is adopted:

WHEREAS, Tierra Del Sol Solar Farm LLC or its successors in interest (hereinafter referred to as "Grantee") is a limited liability company, established under the laws of the State of Delaware, and duly authorized to transact business in the State of California; and,

WHEREAS, Grantee has requested that the Board of Supervisors grant it a franchise for the purpose specified in the form of the notice set forth below; and,

WHEREAS, the granting of a franchise by the County is authorized by the California Constitution, Article 11, Section 7 and Government Code section 26001; and,

WHEREAS, the Board of Supervisors believes the public good requires that the franchise be granted; now therefore,

BE IT RESOLVED, FOUND, DETERMINED AND ORDERED by the Board of Supervisors of the County of San Diego, in regular session assembled on February 4, 2015, that it intends to grant a franchise to Grantee on the terms specified in the form of the notice set forth below and the additional terms specified in proposed ordinance entitled "AN ORDINANCE OF THE BOARD OF SUPERVISORS OF THE COUNTY OF SAN DIEGO, STATE OF CALIFORNIA, GRANTING A FRANCHISE TO TIERRA DEL SOL SOLAR FARM LLC TO INSTALL, MAINTAIN, OPERATE, REPAIR, RENEW AND REMOVE AN UNDERGROUND ELECTRIC TRANSMISSION SYSTEM IN TIERRA DEL SOL ROAD".

BE IT FURTHER RESOLVED by the Board that objections to the granting of the franchise shall be heard at the time and place specified in the form of the notice set forth below, which the Clerk of the Board is hereby directed to publish in at least one newspaper of general circulation in the County within fifteen (15) days after the adoption of this resolution. Said notice shall be in substantially the same form:

"NOTICE OF INTENTION TO GRANT FRANCHISE

NOTICE IS HEREBY GIVEN that Tierra Del Sol Solar Farm LLC, a Delaware Limited Liability Company, has requested that the Board of Supervisors of the County of San Diego grant it a franchise to install, maintain, operate, repair, renew and remove an underground electric transmission system in Tierra Del Sol Road in eastern San Diego County.

If granted, the franchise shall be for a period of 33 years. During the life of the franchise, Tierra Del Sol Solar Farm, LLC, its lawful successors in interest, in whole or in part (herein referred to as "Grantee"), shall annually pay to the County, in lawful money of the United States, annual franchise payments consistent with the payment provisions amounting to three (3) dollars per linear foot of underground transmission line system within Tierra Del Sol Road plus an annual Consumer Price Index adjustment. In no event shall the annual franchise fee be less than \$6,000.00.

In the event the payments specified herein are not made, the franchise shall be forfeited following the applicable cure period.

NOTICE IS HEREBY FURTHER GIVEN that any person objecting to the granting of the franchise may appear before the Board of Supervisors and be heard thereon at the hour of 9:00 a.m. on Wednesday, the 4th day of March at the County Administration Center, 1600 Pacific Highway, Room 310, San Diego, California 92101.

NOTICE IS HEREBY FURTHER GIVEN that at any time not later than the hour set for the hearing of objections, any person interested may make written protest stating objections against the granting of the franchise; which protest must be signed by the protestant and be delivered to the Clerk of the Board of Supervisors. The Board of Supervisors may adjourn the hearing from time to time.

For further particulars, reference is hereby made to "RESOLUTION OF INTENTION TO GRANT A FRANCHISE TO TIERRA DEL SOL SOLAR FARM, LLC TO INSTALL, MAINTAIN, OPERATE, REPAIR, RENEW AND REMOVE AN UNDERGROUND ELECTRIC TRANSMISSION SYSTEM IN TIERRA DEL SOL ROAD" adopted by the Board of Supervisors on the 4th day of February 2015, declaring its intention to grant the franchise and to propose ordinance entitled "AN ORDINANCE OF THE BOARD OF SUPERVISORS OF THE COUNTY OF SAN DIEGO, STATE OF CALIFORNIA, GRANTING A FRANCHISE TO TIERRA DEL SOL SOLAR FARM LLC TO INSTALL, MAINTAIN, OPERATE, REPAIR, RENEW AND REMOVE AN UNDERGROUND ELECTRIC TRANSMISSION SYSTEM IN TIERRA DEL SOL ROAD", an ordinance of the County of San Diego granting to Tierra Del Sol Solar Farm, LLC, and its lawful successors, in whole or in part, a franchise to install, maintain, operate, repair, renew and remove an underground electric transmission system in Tierra Del Sol Road in eastern San Diego County, both of which are on file in the office of the Clerk of the Board.

The foregoing Resolution was passed and adopted by the Board of Supervisors, County of San Diego, State of California, on this 4th day of February, 2015, by the following vote:

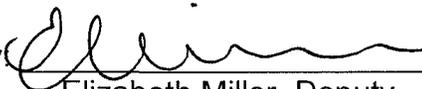
AYES: Cox, D. Roberts, R. Roberts, Horn
NOES: Jacob

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STATE OF CALIFORNIA)
County of San Diego)^{SS}

I hereby certify that the foregoing is a full, true and correct copy of the Original Resolution entered in the Minutes of the San Diego County Board of Supervisors

DAVID HALL
Clerk of the Board of Supervisors

By 
Elizabeth Miller, Deputy



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