

STAFF REPORT
Lancaster Power Authority

PA CC 2
07/23/13
MVB

Date: July 23, 2013

To: Chairman Parris and Authority Members

From: Mark V. Bozigian

Subject: **Amendment to Ground Lease with US Topco Energy, Inc. for the Construction of Photovoltaic Solar Generation Facilities**

Recommendation:

Authorize the Executive Director to execute all documents necessary to amend the previously executed ground lease with US Topco on March 1, 2013 to remove 16 acres from the original agreement referencing APN 3176-005-914 located east of Division Street.

Fiscal Impact:

None. The removed 16 acres is leased under a separate agreement between Lancaster Housing Authority (LHA) and US Topco dated May 14, 2013. Total revenues will not be decreased by the removal of the acreage.

Background:

On March 2nd, the State of California approved the transfer of APN 3176-005-914 to the Lancaster Housing Authority. As such, this change required the Lancaster Housing Authority to re-approve the lease with US Topco as the true and final owner of said property and a new ground lease was approved on May 14, 2013. As a result, the existing agreement between the Lancaster Power Authority and US Topco must be modified to remove APN 3176-005-914 as it is covered by the May 14, 2013 lease agreement.

Attachment:

Amendment to Ground Lease