

**BOARD OF COUNTY COMMISSIONERS
COUNTY OF KITTITAS
STATE OF WASHINGTON**

RESOLUTION NO: 2010- 094

A Resolution Approving Execution of the Third Amendment to a Memorandum of Agreement for Costs Associated with Review of the Teanaway Solar Reserve Project.

- WHEREAS,** Teanaway Solar Reserve, LLC (TSR) has proposed developing a solar farm in Upper Kittitas County known as the Teanaway Solar Reserve project (the "Project") located approximately four miles northeast of the town of Cle Elum; and
- WHEREAS,** On August 18, 2009, TSR submitted to the County's Community Services Department (CDS) an application for a Conditional Use Permit (CUP) and draft Development Agreement (DA) for the Project, requesting the County's expedited review of the CUP, DA and related documentation, including an expanded SEPA checklist; and
- WHEREAS,** On September 15, 2009, the County adopted Resolution 2009-121 approving execution of a Memorandum of Agreement with TSR for recovery of costs associated with the review of the Project; and
- WHEREAS,** On September 28, 2009, the Memorandum of Agreement between the County and TSR was executed for recovery of costs associated with the review of the Project, and Review Funds in the amount of \$34,109.00 were subsequently forwarded to the County; and
- WHEREAS,** The County subsequently established a Services Account for the Review Funds as authorized by Resolution 2009-121 and the Memorandum of Agreement; and
- WHEREAS,** On January 5, 2010, the County adopted Resolution 2010-02 approving execution of the First Amendment to the Memorandum of Agreement with TSR for recovery of costs associated with the review of the Project; and
- WHEREAS,** On January 27, 2010, the First Amendment to the Memorandum of Agreement between the County and TSR was executed for recovery of costs associated with the review of the Project, and Review Funds in the amount of \$25,875.00 were subsequently forwarded to the County by TSR and deposited by the County into the Services Account for review of the Project; and
- WHEREAS,** On June 15, 2010, the County adopted Resolution 2010-68 approving execution of the Second Amendment to the Memorandum of Agreement with TSR for recovery of costs associated with the review of the Project; and

WHEREAS, On August 4, 2010, the Second Amendment to the Memorandum of Agreement between the County and TSR was executed for recovery of costs associated with the review of the Project, and Review Funds in the amount of \$25,875.00 were subsequently forwarded to the County by TSR and deposited by the County into the Services Account for review of the Project; and

WHEREAS, The review fees for County and GordonDerr work on the permit review for the Project through December 31, 2010 are estimated to exceed the additional funds provided with the First and Second Amendment, and additional funds in the amount of \$30,000 are necessary for the continued expedited review of the Project; and


WHEREAS, This third amendment to the Memorandum of Agreement between the County and is necessary for additional review fees.

NOW, THEREFORE BE IT RESOLVED, that the Board of Kittitas County Commissioners does hereby resolve:


1. Upon adoption of this resolution, the County will execute a third amendment to the Memorandum of Agreement with TSR for reimbursement of costs associated with review of the proposed Project.

ADOPTED this 7th day of sept., 2010.

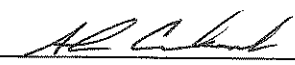
**BOARD OF COUNTY COMMISSIONERS
KIT TITAS COUNTY, WASHINGTON**



Mark McClain, Chairman



Paul Jewell, Vice Chairman



Alan Crankovich, Commissioner

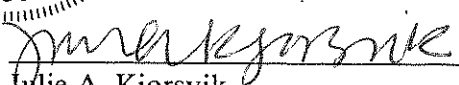
APPROVED AS TO FORM:



Neil Caulkins, Deputy Prosecuting Attorney



ATTEST
CLERK OF THE BOARD



Julie A. Kjorsvik