



MONTGOMERY COUNTY DEPARTMENT OF PARKS
THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION

MCPB Item No. _____

Date: December 2, 2021

MEMORANDUM

DATE: November 18, 2021

TO: Montgomery County Planning Board

VIA: Mike Riley, Director of Parks
Miti Figueredo, Deputy Director of Parks *mf*

FROM: Jim Poore, Chief, Facilities Management Division
Michelle Grace, Assistant Division Chief, Facilities Management Division *MG*

STAFF RECOMMENDATION:

Approve Maryland Soccer Foundation, Inc. Solar Project via: Lease Amendment No. 3, Rooftop System Site Sublease Agreement, and Power Purchase Agreement.

BACKGROUND:

Maryland Soccer Foundation ("**Foundation**"), Inc. is the lessee and operator of the "SoccerPlex" located at 18031 Central Park Circle, Boyds, MD 20841 ("**Lessee**"). Lessee is responsible for the maintenance and capital improvements and payment of utilities pursuant to the terms of the Lease Agreement ("**Master Lease**"), which commenced on December 2, 2000.

Lessee requests the Maryland-National Capital Park and Planning's ("**Commission**") consent to install photovoltaic solar energy generation equipment and facilities ("**Solar Project**") on the roof of the Indoor Multi-Purpose Facility building located at the SoccerPlex. Section 2(h) of the Master Lease provides that new capital improvements to the leased premises, such as the Solar Project, require Commission consent via an amendment to the Master Lease.

Commission's consent of the Foundation's Solar Project agreements includes:

1. Lease Amendment No. 3 ("**Master Lease Amendment No. 3**") between Foundation and the Commission.
2. Rooftop System Site Sublease Agreement ("**Sublease**") between the Foundation and New Energy Equity, LLC a Delaware limited liability company, requiring the Commission's consent.
3. Power Purchase Agreement ("**PPA**") between the Foundation and New Energy Equity, LLC.

Upon Commission consent, the Foundation shall:


- a. Solely be responsible for enforcing the Sublease and PPA and abide by the terms and conditions thereto.
- b. Warrant proper and timely completion of the Solar Project pursuant to the terms of the Master Lease as applicable.
- c. Warrant that entering into the Sublease and PPA shall not burden or add to the Commission's duties and/or obligations, including any financial considerations, increased utility uses, etc., beyond those agreed to under the Master Lease.
- d. Warrants that Foundation, as a party to the Sublease and PPA, shall enforce any rights or benefits of the Commission as the Master Landlord under the Sublease and/or PPA against New Energy Equity, LLC.

The Commission's Montgomery County Department of Parks is seeking Planning Board approval for the Solar Project agreements via:

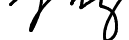
- (i) Master Lease Amendment No. 3
- (ii) Sublease
- (iii) PPA

Attachments:

Master Lease Amendment No. 3
Sublease
PPA

Signature: 

Email: Michelle.Grace@montgomeryparks.org

Signature: 

Email: miti.figueredo@montgomeryparks.org