

DOCKETED

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From:
To:
Subject: Battery farm... NOT HERE
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Subject: NO BATTERY FARM EVER

You will be putting all of our lives at risk. One fire could be perilous to us all! Insurance is near impossible to get now and is skyrocketing. This will only make this exponentially worse. lithium ion batteries are massive fire hazards! There are other forms of batteries coming to market that have Little or no fire hazards to them! Why are they not being considered?

It is completely unfathomable any council member or politician would give this even the slightest bit of consideration. If you think you can't be held personally liable, consider what our team of homeowners pulled up below when doing a search regarding your liability:

- **Good Faith Actions:**

Council members are generally protected from personal liability for torts (civil wrongs) stemming from their official actions, provided those actions were taken in good faith, meaning without willful or malicious intent to harm.

- **Legislative vs. Administrative Actions:**

Immunity generally applies to legislative or discretionary acts performed in good faith and within the scope of their official duties. However, it may not apply to administrative actions or actions/omissions that violate the law.

- **Malicious or Bad Faith Conduct:**

If a council member acts maliciously or in bad faith, using their position to cause harm, they may be personally liable.

As a former Attorney of mine said to me when I asked about being sued, he said "Anyone can be sued for any reason at any time". And this would be a great reason. I think any number of attorneys would want to take on the case saying you acted in bad faith and are personally liable for any damages. Homeowners insurance costs alone for all those impacted will probably increase into the tens of millions. I would certainly do all I can to find a law firm that will help us recover all of those losses, the increased costs of life insurance policies, the depreciation of our homes, and any and all other costs to us that this battery farm would cause.

Do the right thing for our community and all those you represent. No lithium battery farm

can be located in Orange County anywhere EVER!!!

William Milne

The Talega Gallery

San Clemente, 92673