

RESOLUTION NO. .

BOARD OF SUPERVISORS, COUNTY OF SAN MATEO, STATE OF CALIFORNIA

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**RESOLUTION: 1. MAKING FINDINGS REQUIRED BY GOVERNMENT CODE SECTION 4217.12; AND
2. AUTHORIZING A SOLAR ENERGY POWER PURCHASE AGREEMENT BETWEEN THE COUNTY AND PENINSULA CLEAN ENERGY (PCE) FOR DESIGN, INSTALLATION, OPERATION, AND MAINTENANCE OF THE SOLAR PHOTOVOLTAIC SYSTEM FOR THE NORTH COUNTY WELLNESS CENTER**

RESOLVED, by the Board of Supervisors of the County of San Mateo, State of California, that

WHEREAS, the County of San Mateo (County) is committed to the adoption and implementation of energy conservation measures defined in Government Code Section 4217.12 at County facilities including clean and efficient energy system such as photovoltaic systems; and

WHEREAS, Government Code section 4217.12 (a) authorizes a public agency to enter into an energy services contract if the determination is made at a regularly scheduled public hearing, public notice of which is given at least two weeks in advance, that the anticipated cost to the public agency for thermal or electrical energy or conservation services provided by the energy conservation facility under the contract will be less than the anticipated marginal cost to the public agency of thermal, electrical, or other energy that would have been consumed by the public agency in the absence of those purchases; and

WHEREAS, public notice was given two weeks in advance of this public hearing; and

WHEREAS, the Project Development Unit and PCE have analyzed the energy needs for the new North County Wellness Center project and have concluded that the installation and construction of the Energy Conservation Measures at the Facility will result in an anticipated reduction in energy consumption or demand that will result in net cost savings to the County; and

WHEREAS, the Power Purchase Agreement is attached hereto as Attachment A for the Board's signature and includes the following terms: PCE to provide engineering, design, permitting, fabrication, construction, commissioning, and financing of a rooftop and carport photovoltaic system; operations and maintenance provided at no cost by PCE through the term; pricing at \$0.264/kWh based on the current design balance between roof mounted arrays (PPA rate of \$.0234/kWh) and carport mounted arrays (PPA rate of \$.0274) with such pricing subject to adjustment based on final project design and the final balance between rooftop and carport mounted arrays; 20-year term with option to renew for an additional 5-year term; and 95% performance guarantee.

NOW, THEREFORE, IT IS HEREBY DETERMINED AND ORDERED that this Board makes the following findings:

1. That County held a public hearing at a regularly scheduled Board meeting.
2. Based upon reports of staff, reviewed by this Board in connection herewith, and pursuant to Government Code Section 4217.12, this Board finds the anticipated cost to the County for Energy Conservation Measures provided pursuant to the terms of the draft Power Purchase Agreement attached as Attachment A will be less than the

anticipated marginal costs to the County of thermal, electrical or other energy that would have been consumed by the County in the absence of such purchase.

3. It is in the best interest of the County to enter into a Power Purchase Agreement in form substantially similar to the draft set forth in Attachment A, subject to revisions approved by staff and counsel consistent with the intents and interests of this Resolution.

BE IT FURTHER RESOLVED that:

1. The President of the Board be and is hereby authorized and directed to execute the Power Purchase Agreement with Peninsula Clean Energy, subject to revisions approved by staff and legal counsel consistent with the intents and interests approved in this Resolution, and the Clerk of this Board shall attest the President's signature thereto.

2. The Director of the Project Development Unit or designee is authorized to take such actions as are necessary, including the execution of any additional agreements to carry out the intent of these resolutions and to execute amendments to the Power Purchase Agreement which modify the contract terms and/or services.

3. The Director of the Project Development Unit is authorized, should the Director determine it necessary or convenient, to file a Notice of Exemption from CEQA.

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