

RESOLUTION NO. _____

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

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ADOPT A RESOLUTION MAKING FINDINGS REQUIRED BY GOVERNMENT CODE SECTION 4217.12 AND AUTHORIZING A SOLAR ENERGY POWER PURCHASE AGREEMENT BETWEEN THE COUNTY OF SAN MATEO AND PENINSULA CLEAN ENERGY AUTHORITY FOR THE PURCHASE OF ENERGY AT A FIXED RATE ALLOWING FOR DESIGN, INSTALLATION, OPERATION, AND MAINTENANCE OF A ROOFTOP SOLAR PHOTOVOLTAIC SYSTEM FOR THE SAN MATEO COUNTY HUMAN SERVICES BUILDING AT 2500 MIDDLEFIELD ROAD, REDWOOD CITY

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

WHEREAS, the County of San Mateo (County) has demonstrated its commitment to a sustainable and resilient future through its policy goals and actions, including the adoption and implementation of energy conservation measures defined in Government Code Section 4217.11 at County facilities including clean and efficient energy systems such as photovoltaic systems; and

WHEREAS, on January 26, 2021, the Board of Supervisors adopted the Government Operations Climate Action Plan (Resolution No. 077960) to reduce greenhouse gas emissions by 80% of the County's 2005 emissions level by 2030 and achieve carbon neutrality by 2035; 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, with commitment from ten cities (Atherton, Brisbane, Colma, San Mateo, Hillsborough, Los Banos, Millbrae, Pacifica, San Bruno, and San Carlos) and the County, PCE conducted a competitive public-procurement process and awarded a contract to Intermountain Electric Company for installation of the solar PV systems; and

WHEREAS, the PPA allows the County to avoid increases in utility costs thus realizing energy cost savings for the term of the PPA; and

WHEREAS, on this date, pursuant to Government Code section 4217.10 et seq., this Governing Board held a public hearing with respect to the County entering into an agreement with PCE and the determination of this Resolution is based on the information and findings from that hearing; and

WHEREAS, the final form of PPA, which includes a performance guarantee from PCE, is attached hereto as Attachment A and incorporated herein; and

WHEREAS, the County is a public agency and the Board its governing body;
and

NOW, THEREFORE, IT IS HEREBY DETERMINED AND ORDERED that:

1. The President of the Board is hereby authorized and directed to execute the Solar Power Purchase Agreement (PPA) between the County of San Mateo and the Peninsula Clean Energy Authority and the Clerk of this Board shall attest the President's signature thereto.
2. The Board of Supervisors authorizes and directs the County Executive Officer, or their designee, to execute non-substantive additions, clarifications or other changes to the PPA as the County Executive Officer, or their designee, deems necessary or advisable after consultation with the County Attorney.
3. The Director of the Office of Sustainability, Director of the Public Works Department, or their designee, is authorized to take such actions as are necessary, including the execution of any additional agreements to carry out the intent of this resolution and to execute amendments to the PPA which modify the contract terms and/or services.
4. The Director of the Office of Sustainability or Director of the Public Works Department is authorized, should the Directors determine it necessary or convenient, to file a Notice of Exemption from CEQA and/or any other actions under CEQA.

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