HARTNELL COMMUNITY COLLEGE DISTRICT
Resolution 14:3

Resolution Approving Energy Service Contract and Determining Other Matters
In Connection With an Energy Conservation Project

WHEREAS, Hartnell Community College District ("College") desires to reduce the steadily rising costs of meeting the energy needs at its facilities;

WHEREAS, the College proposes to enter into a contract with Chevron Energy Solutions ("Company"), for three energy projects, one which includes all three sites (LED) ("Project"), as authorized by Government Code section 4217.10, et seq.;

WHEREAS, Company has determined that the anticipated cost to the District for the electrical and gas energy savings provided by the Project will be less than the anticipated marginal cost to the District and has prepared an estimate of the potential benefits of the Project which estimate electrical energy that would have been consumed by the District in the absence of the Project;

WHEREAS, the difference, if any, between the fair rental value for the real property subject to the proposed contracts and the agreed rent, if any, is anticipated to be offset by below-market energy purchases and other benefits provided under the contracts;

WHEREAS, the College proposes to enter into the contract with Company substantially in the form presented to the Board at this meeting; and

WHEREAS, pursuant to Government Code section 4217.12 and 4217.13, this Board has held a public hearing, public notice of which was given two weeks in advance, to receive public comment on the contract proposals.

NOW, THEREFORE, based upon the above-referenced recitals, the Board hereby finds, determines, and orders as follows:

1. In accordance with Government Code section 4217.12, the Board finds that the anticipated cost to the College for electrical & gas energy saved by the Project will be less than the anticipated marginal cost to the College of electrical and gas energy that would have been consumed by the College in the absence of the Project.

2. In accordance with Government Code section 4217.12, the Board finds that the difference, if any, between the fair rental value for the real property subject to the proposed contracts and the agreed rent, if any, is anticipated to be offset by below-market energy purchases and other benefits provided under the contracts.

3. The Board finds that the proposed energy service contract with the Company in the form presented to the Board is in the best interests of the College and hereby approves the contract in accordance with Government Code sections 4217.12.
4. The College’s Superintendent/President, or his designee, is hereby authorized and directed to execute and deliver the energy service contract with any changes, insertions, and omissions therein as may be approved by the officer who executes the contract, such approval to be conclusively evidenced by such execution and delivery of said contract. The College’s Superintendent/President, or his designee, is further authorized and directed to execute and deliver any and all papers, instruments, opinions, certificates, affidavits, and other documents and to do or cause to be done any and all other acts and things necessary or proper for carrying out this Resolution and said contracts.

5. This Resolution shall take effect immediately upon its adoption.

The foregoing Resolution was adopted by the Board of Trustees of Hartnell Community College District at a meeting of the Board on May 6, 2014, by the following vote:

AYES: DePauw, Donohue, Freeman, Gonzalez-Castro, Montemayor, Pruneda

NOES: None

ABSENT: None

ABSTAINED: Padilla-Chavez

[Signature]
President of the Governing Board of Trustees
Hartnell Community College District

ATTEST:

[Signature]
Clerk of the Governing Board of Trustees
Hartnell Community College District