BEFORE THE BOARD OF TRUSTEES
OF THE HARTNELL COMMUNITY COLLEGE DISTRICT
MONTEREY COUNTY, CALIFORNIA

RESOLUTION NO. 17:17

RESOLUTION MAKING FINDINGS; AUTHORIZING AND APPROVING
SOLAR POWER PURCHASE AGREEMENT AND SOLAR SITE LEASE; AUTHORIZING
EXECUTION AND DELIVERY OF OTHER DOCUMENTS AND OTHER ACTIONS
REQUIRED IN CONNECTION THEREWITH

WHEREAS, it is the policy of the State of California and the intent of the State Legislature to
promote all feasible means of energy conservation and all feasible uses of alternative energy supply
sources; and

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

WHEREAS, OpTerra Energy Services, Inc. (“OpTerra”), acting on behalf of California Solar 1,
LLC (“California Solar”), has provided the District with analysis showing the benefits of implementing
certain energy conservation measures through the installation of certain solar photovoltaic and battery
energy storage facilities, and OpTerra’s analysis (“Analysis”) is attached hereto as Exhibit A and made
part hereof by this reference; and

WHEREAS, the District proposes to enter into solar power purchase and battery storage services
agreement (“Power Purchase Agreement”), and related agreements, including the Solar Site Lease
(“Lease”), with California Solar, pursuant to which California Solar will design, construct, install,
maintain, and operate on District property certain energy saving improvements consisting of solar
photovoltaic and/or battery energy storage facilities and will arrange with the local utility for
interconnection of the facilities, which will generate energy for the sites on which such facilities are
located; and

WHEREAS, the site(s) where such solar photovoltaic and/or battery energy storage facilities will
be located adjacent to the parking structure at: 411 Central Avenue, Salinas, CA 93901; and

WHEREAS, the Analysis includes data showing that the anticipated cost to the District for the
electrical energy provided by the Project will be less than the anticipated marginal cost to the District of
electrical energy that would have been consumed by the District in the absence of those purchases; and

WHEREAS, the Analysis includes data showing that the difference, if any, between the fair
rental value for the District property subject to the proposed agreements and the agreed rent, if any, is
anticipated to be offset by below-market energy purchases and other benefits provided under the
agreements;

WHEREAS, the Board proposes to enter into the Power Purchase Agreement and Lease
substantially in the form presented at this meeting, subject to such changes, insertions or omissions as the
Superintendent/President or his designee reasonably deems necessary following the Board’s adoption of
this Resolution; and

WHEREAS, pursuant to Government Code section 4217.12, the Board has held a public hearing,
public notice of which was given at least two weeks in advance, to receive public comment; and

NOW, THEREFORE, based upon the above-referenced recitals, the Board hereby finds,
determines and orders as follows:
1. The Board finds that the terms of the Power Purchase Agreement and Lease are in the best interests of the District.

2. In accordance with Government Code section 4217.12, and based on data provided by the Analysis, the Board finds that the anticipated cost to the District for electrical energy provided by the Project under the Power Purchase Agreement and Lease will be less than the anticipated marginal cost to the District of electrical energy that would have been consumed by the District in the absence of those purchases.

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

4. The Board hereby approves the Power Purchase Agreements and Lease, all of which shall be subject to such changes, insertions or omissions as the District's Superintendent/President or his designee reasonably deems necessary.

5. The District's Superintendent/President or designee is hereby authorized and directed to negotiate any further changes, insertions and omissions to the Power Purchase Agreement and Lease as he reasonably deems necessary, and thereafter to execute and deliver said Power Purchase Agreement and Lease following the Board's adoption of this Resolution. The District's Superintendent/President or 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 agreements.

The foregoing Resolution was adopted at a meeting of the Board of Trustees of the Hartnell Community College District on December 5, 2017, by the following vote:

AYES: DePauw, Donohue, Montemayor, Osorio, Serena

NOES: Salazar

ABSTAIN: Padilla-Chavez

ABSENT: None

[Signature]
Manuel M. Osorio
President of the Governing Board of Trustees
Hartnell Community College District

CERTIFIED TO BE A TRUE AND CORRECT COPY:

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