



RESOLUTION NO. 2016-17-23

**RESOLUTION MAKING FINDINGS ON ENERGY SAVINGS
AND DETERMINING OTHER MATTERS IN CONNECTION WITH
AN ENERGY SERVICES AGREEMENT**

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, Campbell Union School District (“District”) desires to reduce the steadily rising costs of meeting the energy needs at its facilities; and

WHEREAS, the District has calculated the benefits of implementing certain energy conservation measures in the District (“Analysis”), which is attached hereto as Exhibit A and made part hereof by this reference; and

WHEREAS, the District proposes to enter into an energy services agreement and related contract documents (“Energy Services Agreement”) with Regreen (“Contractor”), pursuant to which Contractor will design, construct, and install on District property certain energy saving improvements consisting of converting the current fluorescent light fixtures to LED (light-emitting diode), which will result in greater energy efficiency and cost savings for the District sites on which such facilities are located or (“Project”); and

WHEREAS, the sites where such energy saving improvements will be located are: Capri, Forest Hill, Marshall Lane, Rolling Hills, Rosemary, and Sherman Oaks; 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 Board proposes to enter into the Energy Services Agreement substantially in the form presented at this meeting, subject to such changes, insertions or omissions as the Superintendent reasonably deems necessary following the Board’s adoption of this Resolution; and

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

WHEREAS, the District’s proposed approval of the Energy Services Agreement is a “Project” for purposes of the California Environmental Quality Act (“CEQA”); and

WHEREAS, the Guidelines for CEQA, California Code of Regulations Title 14, Chapter 13 (“State CEQA Guidelines”), exempt certain projects from further CEQA evaluation, including the following: projects consisting of the repair, maintenance, or minor alteration of existing public or private structures involving negligible or no expansion of existing use (“Class 1 Exemption”; Cal. Code Regs., tit. 14, § 15301); and the Project is categorically exempt under such exemptions; and

WHEREAS, the Project does not involve any of the following and so are eligible for a categorical exemption as described above under State CEQA Guidelines section 15300.2:

- (a) the cumulative impact of successive projects of the same type in the same place, which over time are significant;
- (b) an activity where there is a reasonable possibility that the activity will have a significant effect on the environment due to unusual circumstances;
- (c) a project which may result in damage to scenic resources, including but not limited to, trees, historic buildings, rock outcroppings, or similar resources, within a highway officially designated as a state scenic highway;
- (d) a hazardous waste site which is included on any list compiled pursuant to Section 65962.5 of the Government Code; and
- (e) a project which may cause a substantial adverse change in the significance of a historical resource; and

* * * * *

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

1. The terms of the Energy Services Agreement in the form presented at this meeting 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 Energy Services Agreements 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. The Board hereby approves the Energy Services Contract, in accordance with Government Code section 4217.12.
4. The District’s Superintendent or designee is hereby authorized and directed to negotiate any further changes, insertions and omissions to the Energy Services Contract as he

reasonably deems necessary, and thereafter to execute and deliver the Energy Services Contract following the Board's adoption of this Resolution. The District's Superintendent 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.

5. The Project hereby found to be exempt from the requirements of CEQA pursuant to the Class 1 Exemptions, as described above.

6. District staff are hereby authorized and directed to file and process a Notice of CEQA Exemption for the Project in accordance with CEQA and the State CEQA Guidelines, and the findings set forth in this resolution.

The foregoing Resolution was adopted at a meeting of the Governing Board of the Campbell Union School District on March 16, 2017, by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

Board President
Campbell Union School District

CERTIFIED TO BE A TRUE
AND CORRECT COPY:

Clerk
Campbell Union School District