

**SAN PASQUAL UNION SCHOOL DISTRICT  
GOVERNING BOARD RESOLUTION**

**Resolution #R23-24-05**

**APPROVE FINDINGS REQUIRED BY GOVERNMENT CODE SECTION 4217.12  
APPROVE SOLAR ENERGY POWER PURCHASE AGREEMENT AND LEASE  
BETWEEN SAN PASQUAL SCHOOL DISTRICT AND ROCKWOOD ROAD SOLAR  
PROJECT 2023, LLC**

January 9, 2024

**WHEREAS**, the San Pasqual Union School District ("District") Board of Trustees ("Board") supports the goal of energy efficient school operations and desires to reduce the steadily rising costs of energy needs at the District's facilities; and

**WHEREAS**, on October 10, 2023, in furtherance of its goal of energy efficiency, the Board approved a proposal from Baker Electric and DSD Renewables to negotiate terms for a solar energy project ("Proposal");

**WHEREAS**, the Proposal contemplated the installation of solar photovoltaic systems on parking lot shade structures at one site to be implemented through a Power Purchase Agreement and Lease between the District and DSD or a related entity ("Power Purchase Agreement") attached hereto as Exhibit A; and

**WHEREAS**, under the Power Purchase Agreement (i) DSD or its related entity will design, construct, install, operate and maintain a photovoltaic system on the District site ("System"); and (ii) the District will purchase energy generated by the System at prices projected to be beneficial to the District; and

**WHEREAS**, California Government Code Sections 4217.10 et seq. authorize the District to enter into the Power Purchase Agreement after hearing public comment, making certain required findings and considering the solar project during a regularly scheduled Board meeting; and

**WHEREAS**, the Board heard public comment and reviewed data presented by DSD and Baker Electric predicting that the cost to the District for energy purchased under the Power Purchase Agreement will be less than the anticipated costs to the District for energy that would have been consumed by the District in the absence of the solar installations;

**WHEREAS**, the Board also received an analysis of the Project in accordance with the requirements of the California Environmental Quality Act, set forth at Public Resources Code section 21000 et seq. ("CEQA") and CEQA Guidelines;

**WHEREAS**, for purposes of CEQA review, the analysis concludes that the Project consists of minor alterations to the site, including the installation of solar energy photovoltaic

systems on shade structures located on an existing site, and causes negligible or no expansion of the existing use of that site;

**NOW, THEREFORE, BE IT RESOLVED** that the foregoing recitals are true and correct;

**BE IT FURTHER RESOLVED**, that the Board received public comment, information and data at a regularly scheduled Board meeting, for which notice was given not less than two weeks in advance.

**BE IT FURTHER RESOLVED**, that in accordance with Government Code section 4217.12, the Board finds that the cost to the District for energy provided under the Power Purchase Agreement is anticipated to be less than the anticipated cost to the District in the absence of the Power Purchase Agreement.

**BE IT FURTHER RESOLVED**, that the Board authorizes the superintendent or his designee to take such actions and execute such agreements, including financing consents and other documentation necessary to effect the intent of this Resolution.

**BE IT FURTHER RESOLVED**, that the Board finds that the Project is exempt from the requirements of CEQA, pursuant to Public Resources Code section 21080.35 and CEQA Guidelines sections 15301 and 15329, and authorizes the superintendent or her designee to file a Notice of CEQA Exemption for the Project.

**BE IT FURTHER RESOLVED**, that the Board hereby approves the Power Purchase Agreement.

**PASSED AND ADOPTED** this 9th day of January, 2024, the Board of Trustees of the San Pasqual Union School District of San Diego County, California, by the following vote:

AYES: \_\_\_\_\_ NOES: \_\_\_\_\_ ABSENT: \_\_\_\_\_ ABSTAIN: \_\_\_\_\_

I hereby certify that the foregoing is a full, true and correct copy of the resolution duly adopted by said Board of Trustees at a regularly called and conducted meeting held on said date, which resolution is on file and of record in the office of said Board.

President of the Board

Clerk to the Board

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