

BEFORE THE BOARD OF TRUSTEES OF THE
OAK GROVE SCHOOL DISTRICT
SAN JOSE, CALIFORNIA

RESOLUTION NO. 1458-04/24

RESOLUTION AUTHORIZING DEDICATION OF PUBLIC UTILITY EASEMENT TO
THE PACIFIC GAS AND ELECTRIC COMPANY FOR THE DISTRICT'S
PARTICIPATION IN THE PACIFIC GAS AND ELECTRIC COMPANY'S
ELECTRICAL VEHICLE FLEET PROGRAM

WHEREAS, the Oak Grove School District ("District") owns certain real property located at 6578 Santa Teresa Boulevard, San Jose, CA 95119, currently designated as Assessor's Parcel Number ("APN") 706-03-008, more particularly described in the Easement Deed, attached hereto and incorporated herein as **Exhibit A** to this Resolution ("Easement Deed"), and depicted in Grantee's Drawing Number 35436219 ("Site"); and

WHEREAS, the Pacific Gas and Electric Company ("PG&E"), a California Corporation selected the Site to join PG&E's Electric Vehicle Fleet Electrification Program ("Program"); and

WHEREAS, the purpose of the Program is to provide electrical vehicle charging infrastructure from PG&E's transformer to the District's meter; and

WHEREAS, as part of the District's participation in the Program, PG&E will construct, own, and maintain the electrical vehicle infrastructure from the transformer to the District's meter ("To The Meter [TTM] Infrastructure"); and

WHEREAS, as part of the District's participation in the Program, the District will purchase twenty-one (21) electric vehicles by December 21, 2026, and design, build, own, operate, and maintain the EV supply infrastructure behind the meter ("customer-owned make-ready infrastructure"); and

WHEREAS, as part of the District's participation in the Program, PG&E will provide an incentive that is equal to the lesser amount of either: (i) 80% of the customer-owned make-ready infrastructure costs; or (ii) an incentive cap of \$84,000.00; and

WHEREAS, as part of the District's participation in the Program, the District may also qualify for a rebate of up to \$315,000.00, capped at 50% of the purchase cost, for qualified electric vehicle chargers; and

WHEREAS, PG&E has requested that the District convey an easement to PG&E to allow PG&E access to the Site to install and maintain the TTM Infrastructure that PG&E is providing to the District as part of the District's participation in the Program; and

WHEREAS, the easement conveyed to PG&E is intended to allow PG&E to construct, reconstruct, replace, remove, maintain, inspect, and use facilities, to install and maintain the TTM Infrastructure and all equipment necessary for the distribution of electric energy and communication purposes, as described in the Easement Deed attached hereto as **Exhibit A**, together with a right of way therefor, on, over, and under that certain land described and depicted as part of the Easement Deed attached hereto as **Exhibit A**; and

WHEREAS, Education Code section 17556 provides that the governing board may dedicate or convey to any public corporation, or private corporation engaged in the public utility business, without a vote of the electors first being taken, an easement to lay, construct, reconstruct, maintain, and operate water, sewer, gas, or storm drain pipes or ditches, electric or telephone lines, and access roads used in connection therewith, over and upon any land belonging to the District, upon such terms and conditions as the parties thereto may agree; and

WHEREAS, pursuant to Education Code section 17557, on March 14, 2024, the District's Board of Education, in a regular open meeting, by at least two-thirds vote of all its members adopted Resolution No. 1454-03/24 ("the Resolution of Intent") declaring its intention to dedicate the easement and right of way; and

WHEREAS, in accordance with Education Code section 17557, the District's Board of Education fixed April 18, 2024, at the hour of 6:00 p.m., or as soon thereafter as the matter can be heard for a public hearing ("Public Hearing") upon the question of making the dedication of the easement and right of way to PG&E; and

WHEREAS, in accordance with Education Code Section 17558, the District posted copies of the Resolution of Intent in three public places in the District not less than ten (10) days before the Public Hearing described above, and published notice once, not less than five (5) days before the Public Hearing described above, in a local newspaper within the District; and

WHEREAS, pursuant to Education Code Section 17558, April 18, 2024, at the regular open meeting of the District's Board of Education, the District held a Public Hearing upon the question about making the dedication of the easement and right of way to PG&E; and

WHEREAS, no petition pursuant to Education Code Section 17560 has been filed with the District's Board of Education.

NOW, THEREFORE, THE BOARD DOES HEREBY RESOLVE, DETERMINE AND ORDER AS FOLLOWS:

1. Recitals. That the above recitals are all true and correct.
2. Authorizing Dedication, Terms, and Conditions. That the Easement Deed attached hereto as **Exhibit A** is hereby approved subject to any minor revisions agreed to by the District's legal counsel and the District's Superintendent or designee.

That upon the PG&E's execution of the Easement Deed, and of any other documentation necessary to effectuate the property transaction contemplated by this Resolution, the Board of Education hereby authorizes and directs the Superintendent or designee to execute the

Easement Deed, and to take whatever action is necessary to complete the dedication of the easement and right of way to PG&E, pursuant to the terms and conditions of said Easement Deed.

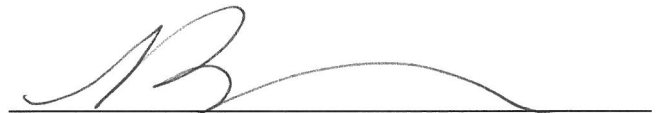
That the Board of the District hereby determines that the District is in compliance with all relevant sections of the Education Code and all other applicable laws.

PASSED AND ADOPTED on APRIL 18, 2024, by the following vote:

AYES: C. Hernandez, D. Martinez, J. Pacheco Jr., T. Jacob, D. Gonzalez

NOES: None

ABSENT OR NOT VOTING: None



President, Board of Trustees of the
Oak Grove School District

CERTIFIED TO BE A TRUE AND CORRECT COPY:


Clerk of the Board of Trustees of the
Oak Grove School District

EXHIBIT A

Easement Deed between the District and PG&E