

**BEFORE THE GOVERNING BOARD
OF THE SOUTHERN KERN UNIFIED SCHOOL DISTRICT**

RESOLUTION 25-26-09

**RESOLUTION MAKING FINDINGS, AUTHORIZING AND APPROVING
POWER PURCHASE AGREEMENT, AND OTHER ASSOCIATED AGREEMENTS
WITH LUMINANCE, AND 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, Southern Kern Unified School District ("District") desires to reduce the steadily rising costs of meeting the energy needs at its facilities; and

WHEREAS, an analysis showing the benefits of implementing certain energy conservation measures through the installation of certain photovoltaic energy generating facilities is attached hereto as Exhibit A and made part hereof by this reference; and

WHEREAS, the District proposes to enter into a power purchase agreement and related contract documents ("Power Purchase Agreement") with Luminance ("Company"), pursuant to which Company will design, construct, install, maintain, and operate on District property certain energy saving improvements consisting of solar photovoltaic facilities and arrange with the local utility for interconnection of the facilities, which will generate energy for the sites on which such facilities are located ("Project"); and

WHEREAS, the sites where such facilities will be located are: Rosamond Elementary School, Rosamond High Early College Campus, Tropico Middle School, Westpark Elementary School;

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 Power Purchase Agreement and other associated agreements substantially in the form presented at this meeting, subject to such changes, insertions or omissions as the Superintendent 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

WHEREAS, the District's proposed approval of the Power Purchase Agreement whereby Company is required to perform the Project 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: (1) projects consisting of the new construction or conversion of small structures (“Class 3 Exemption”; Cal. Code Regs., tit. 14, § 15303); (2) projects consisting of the construction or placement of minor accessory structures to existing facilities (“Class 11 Exemption”; Cal. Code Regs., tit. 14, § 15311); and (3) projects consisting of minor additions to existing schools (“Class 14 Exemption”; Cal. Code Regs., tit. 14, § 15314), and the Project is categorically exempt under one or more of 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

WHEREAS, Public Resources Code section 21080.35 statutorily exempts from CEQA evaluation the installation of a solar energy system, including associated equipment, on the roof of an existing building or at an existing parking lot; and

WHEREAS, the portions of the Project to be installed at an existing parking lot do not involve either of the following and so are eligible for the statutory exemption of Public Resources Code section 21080.35:

- (a) the removal of a tree required to be planted, maintained, or protected pursuant to local, state, or federal requirements, unless the tree dies and there is no requirement to replace the tree; or
- (b) the removal of a native tree over 25 years old.

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 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 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 Power Purchase Agreement and other associated agreement, all of which shall be subject to such changes, insertions or omissions as the District's Superintendent or his designee reasonably deems necessary.

4. The District's Superintendent or designee is hereby authorized and directed to negotiate any further changes, insertions and omissions to the Power Purchase Agreement, and other associated agreements as he reasonably deems necessary, and thereafter to execute and deliver the Power Purchase Agreement, and other associated agreements following the Board's adoption of this Resolution. The final Power Purchase Agreement, and other associated agreements shall be presented to the Board for ratification. 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.

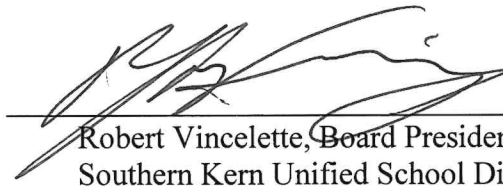
5. The Project is hereby found to be exempt from the requirements of CEQA pursuant to the Class 3, Class 11 and Class 14 Exemptions, as described above.

6. The Project is hereby found to be exempt from the requirements of CEQA pursuant to Public Resources Code section 21080.35, as described above.

7. 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 Southern Kern Unified School District Board of Trustees on March 18, 2026, by the following vote:

Yes __ No __ Abstain __


Robert Vincelette, Board President
Southern Kern Unified School District

CERTIFIED TO BE A TRUE
AND CORRECT COPY:


Clerk, Board of Trustees
Southern Kern Unified School District

EXHIBIT A SAVINGS SUMMARY

Savings Summary

Savings Projections	
Cumulative Savings Projection Years 1-25	\$3,820,000 - \$4,720,000
Power Purchase Agreement (PPA) Terms	
Capital Costs	\$0.00
1 st year PPA rate per kWh (aggregate)	\$0.1859
PPA annual rate increase, to Year 15	3.90%
PPA annual rate increase, from Year 16 to end of term	0.00%
PPA term	25 years
Historical Consumption Data (for proposed meters)	
Total 12-month energy usage (kWh)	3,681,736
Total 12-month electricity cost during analysis period	\$1,106,414
Average electricity rate during analysis period	\$0.3005
Projected Utility Costs	
Average electricity rate on current tariff for 12-month period following projected solar operation date	\$0.3218
Average utility annual rate increase	5.0%
Proposed Solar System	
Mounting type	Parking Canopy and Elevated Structure
Solar system size (kW DC)	1,921
Number of sites	4
Projected 1st year production (kWh)	3,364,000
Solar offset of historical usage	91%

