

**RESOLUTION OF THE BOARD OF TRUSTEES OF  
THE VENTURA COUNTY COMMUNITY COLLEGE DISTRICT  
RESOLUTION NO. 2019-04**

**RESOLUTION TO MAKE CERTAIN DETERMINATIONS AND FINDINGS PURSUANT TO  
GOVERNMENT CODE SECTION 4217.10, ET SEQ. AND FOR  
AUTHORIZATION TO ENTER INTO ENERGY SERVICE CONTRACT (MOORPARK  
COLLEGE) WITH FFP BTM SOLAR, LLC, dba FOREFRONT POWER**

**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**, the Ventura County Community College District (“District”) desires to reduce the rising costs of meeting the energy needs at its facilities; and

**WHEREAS**, the District proposes to enter into a power purchase agreement (“Power Purchase Agreement”) and related contract documents with FFP BTM Solar, LLC, dba ForeFront Power (“ForeFront Power”) for the District’s Moorpark College campus, pursuant to which Power Purchase Agreement ForeFront Power will design, construct, and install on the Moorpark College campus solar photovoltaic facilities (“Solar Facilities”) and arrange with the local utility for interconnection of the facilities, which will generate energy for the Moorpark College campus; and

**WHEREAS**, the District entered into a consultant contract with Sage Renewables (“Sage”) to perform energy consulting and related services; and

**WHEREAS**, Sage has analyzed the energy needs of the Moorpark College campus and has concluded that the installation and construction of the Solar Facilities proposed by ForeFront Power will result in an anticipated cost savings that the District could realize with the installation of the Solar Facilities (“Sage Analysis”); and

**WHEREAS**, ForeFront Power has represented to the District that it can design, construct, and install the Solar Facilities; and

**WHEREAS**, based upon the Sage Analysis attached as **Exhibit A**, and presentation by District staff and its consultants, the cost to the District for ForeFront Power to design, construct, and install the Solar Facilities 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 the Solar Facilities; and

**WHEREAS**, Government Code section 4217.12 (a) authorizes a public agency to enter into an energy services contract on terms that its governing body determines are in the best interests of the public agency if the determination is made at a regularly scheduled public hearing, public notice of which is given at least two weeks in advance, and if the governing body finds that the anticipated cost to the public agency for thermal or electrical energy or conservation services provided by the energy conservation facility under the contract will be less than the anticipated marginal cost to the public agency of thermal, electrical, or other energy that would have been consumed by the public agency in the absence of those purchases; and

**WHEREAS**, on this date, August 13, 2019, pursuant to Government Code section 4217.10 et seq., this Governing Board held a public hearing with respect to the District’s entering into the Power Purchase Agreement with ForeFront Power, which is incorporated herein by this reference (“Power Purchase Agreement”); and

**WHEREAS**, the Governing Board has determined that the anticipated cost to the District for electrical energy pursuant to the Power Purchase Agreement to design, construct, and install the Solar Facilities 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 Solar Facilities; and

**WHEREAS**, the District desires to retain ForeFront Power to design, construct, and install the Solar Facilities pursuant to the terms and conditions of the Power Purchase Agreement.

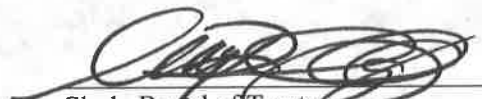
**NOW, THEREFORE**, it is found, determined and resolved by the Governing Board of the District as follows:

1. That the District held a public hearing at a regularly scheduled meeting of the Governing Board.
2. Based upon the Sage Analysis and report of staff, reviewed by the Governing Board in connection herewith, and pursuant to Government Code section 4217.12, the anticipated cost to the District for the Solar Facilities provided pursuant to the Power Purchase Agreement to design, construct, and install the Solar Facilities will be less than the anticipated marginal costs to the District of electrical energy that would have been consumed by the District in the absence of such Solar Facilities.
3. It is in the best interests of the District to enter into the Power Purchase Agreement pursuant to the terms as indicated in the form of Power Purchase Agreement, subject to minor revisions approved by staff and legal counsel that do not alter or reduce the best interests approved in this Resolution.
4. That the District's Vice Chancellor, Business and Administrative Services or designee is authorized to enter into the Power Purchase Agreement pursuant to the terms as indicated in the form of the Power Purchase Agreement for the Moorpark College campus, subject to minor revisions approved by staff and legal counsel that do not alter or reduce the best interests approved in this Resolution and to take all steps and perform all actions necessary to execute and implement that Power Purchase Agreement and to take any actions deemed necessary to best protect the interests of the District.

**PASSED AND ADOPTED by the Board of Trustees the Ventura County Community College District, this 13<sup>th</sup> day of August, 2019, by the following vote:**

**AYES: 5**  
**NOES: 0**  
**ABSTAINED: 0**  
**ABSENT: 0**

**CERTIFICATION**  
I, Greg R. Gillispie Clerk of the Board of Trustees of the Ventura County Community College District, Ventura County, State of California, do hereby certify that the foregoing Resolution was duly approved and adopted by the Board of Trustees of said district at a meeting thereof held on the 13<sup>th</sup> day of August, 2019, with a copy of the Resolution being on file in the Administrative Office of the District.

  
Clerk, Board of Trustees

Attachments:  
Exhibit A – Sage Analysis (Moorpark College)