**NORTHSHORE FIRE PROTECTION DISTRICT**

**LAKE COUNTY, CALIFORNIA**

**RESOLUTION 2023-27**

**Resolution of the Board of Northshore Fire Protection District Approving the Solar Power Purchase Agreement, and the Associated Site Lease, with Nobell Energy Solutions, LLC**

**WHEREAS,** Northshore Fire Protection District (“District”) desires to reduce the

rising costs of meeting the energy needs at its facilities; and

**WHEREAS,** the District seeks to promote feasible means of energy conservation

and feasible uses of alternative energy supply sources; and

**WHEREAS,** District proposes entering into a Solar Power Purchase Agreement,

and the associated Site Lease, with Nobell Energy Solutions, LLC (“Nobell”) to install

solar power generation system and purchase electricity generated from the system

(“Agreement”); and

**WHEREAS,** Nobell has provided the District with analysis showing the financial

and other benefits of entering into the Agreement; and

**WHEREAS,** the proposed Agreement and purchase of energy from Nobell would

decrease the District’s energy costs as well as the District’s dependence on fossil fuel

electric generating resources and would promote the generation of electricity from solar

facilities; and

**WHEREAS,** California Government Code Section 4217.12 provides that a public

agency may enter into an energy service contract and any necessarily related facility

ground lease on terms that its governing body determines are in the best interests of the

public agency and if the governing board finds that (i) 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 (ii) the difference, if any, between the fair rental value for the real property subject to the facility ground lease and the agreed rent, is anticipated to be offset by below-market energy purchases or other benefits provided under the energy service contract; and

**WHEREAS,** on November 28, 2023, pursuant to Government Code Section

4217.12 the District provided two-week notice of the December 12, 2023 public hearing

to discuss the proposed Agreement with Nobell; and

**WHEREAS,** on December 12, 2023, pursuant to Government Code Section

4217.12 seq., the District Board held a public hearing at a regularly scheduled Board

meeting, whereby the Board analyzed, assessed and adopted findings in support of

entering into the Agreement with Nobell;

**WHEREAS,** the Board has considered all comments received at the public

hearing, prior to the adoption of this Resolution; and

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**NOW, THEREFORE, BE IT RESOLVED** that it is found, determined and resolved by

the Board of District as follows:

1. The above recitals are true and correct.

2. The District held a public hearing at a regularly scheduled meeting of the Board for

which notice was given not less than two weeks in advance pursuant to Government Code

Section 4217.12(a).

3. Based upon available information, including but not limited to the proposed agreement with Nobell, as reviewed by the Board in connection herewith, and as required by Government Code section 4217.12(a), the Board hereby finds and determines as follows:

1. 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.

2. That the difference, if any, between the fair rental value for the real property subject

to the facility ground lease and the agreed rent, is anticipated to be offset by below-

market energy purchases or other benefits provided under the energy service contract.

4. It is in the best interests of the District to approve the Agreement with Nobell.

5. The Board hereby approves the 25-year Solar Power Purchase Agreement, and the

associated Site Lease, with Nobell Energy Solutions, LLC to install solar power

generation system and purchase electricity generated from the system.

6. The Board authorizes the District’s Fire Chief to finalize and execute the Agreement

with Nobell, substantially in the form presented to this Board at this meeting.

**THIS RESOLUTION** was introduced and adopted at a regular meeting of the Board of Directors of the Northshore Fire Protection District on December 12th, 2023 by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

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 Lynn Ringuette

 Chairperson of the Board

Attest:

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Maya Colacion

Clerk to the Board