

**RESOLUTION NO. XXXX-2024**

**A RESOLUTION OF THE FORT BRAGG CITY COUNCIL AUTHORIZING CITY  
MANAGER TO EXECUTE AN ENERGY SERVICES AGREEMENT WITH  
SYSERCO ENERGY SOLUTIONS (SES) FOR THE COMPLETION OF DESIGN  
AND INSTALLATION OF SOLAR PV, CONSISTENT WITH GOVT CODE  
§§4217.10-4217.18**

**WHEREAS**, City staff has pursued energy-saving solar PV projects to reduce operating costs, generate electricity locally, and improve infrastructure at various facilities; and

**WHEREAS**, the California Public Utilities Commission (CPUC) unanimously voted to approve the transition of Net Energy Metering (NEM) from NEM 2.0 to NEM 3.0., which drastically alters the way solar system owners are compensated for the energy they generate and provide to the utility grid; and

**WHEREAS**, SES, an energy solutions company specializing in energy efficiency and solar PV, performed an analysis, at no cost to the City, to identify all viable site locations where solar PV installed under NEM 2.0 will provide the greatest financial value to the City; and

**WHEREAS**, City Council authorized City Staff to execute a Letter of Intent to contract under Government Code 4217 on March 27, 2023, to authorize Syserco Energy Solutions to complete Project Development and finalize engineering details for the project; and

**WHEREAS**, SES completed preliminary solar PV designs for each of (6) City-owned site locations, and completed design for roof replacement at (1) City-owned site location, and worked with staff to successfully submit Interconnection Applications and gain acceptance by PG&E to preserve NEM 2.0 status for at least (20) years; and

**WHEREAS**, it is understood by the City that a pending deadline exists that requires all future solar PV systems to be designed, installed, and connected to the utility grid by April 15, 2026; and

**WHEREAS**, it is understood by the City that if an Energy Services Agreement is approved and executed prior to June 27, 2024, then the City is eligible to apply for an additional 10% low-income bonus incentive with an estimated value of over \$700,000; and

**WHEREAS**, in accordance with California Government Code Section 4217.10-4217.18, renewable energy and energy efficiency projects may be sole-sourced or procured through either formal or informal procurement if the City Council is able to make findings at a regular meeting, following a public hearing, that the cost of the proposed project will be less than the anticipated cost of energy that would have been consumed by the City if the project is not completed (i.e., the energy cost savings exceed the project cost); and

**WHEREAS**, based on all the evidence presented, the City Council finds as follows:

1. This project is a positive step in the reduction of greenhouse gas and operating costs at various facilities owned and operated by the City.
2. It has been determined during the Project Development phase that, the cost of the proposed Project will be less than the anticipated cost of energy that would have been

consumed by the City if the project is not completed in accordance with Govt Code §§4217.10-4217.18.

3. The project will result in positive annual cash flow and significant NET savings to the City, over the useful life of the equipment being installed.

**WHEREAS**, the proposed project is exempt from further environmental review under the California Environmental Quality Act (CEQA) because it is consistent with CEQA Section 21080.35, which provides that solar energy systems installed on the roof of an existing building or on an existing parking lot are statutorily exempt from CEQA. The proposed project involves the construction of a solar array on the roofs of several city structures, and the proposed project would not meet any of the exceptions specified in the CEQA guidelines section 21080.35(d) through (f); and

**NOW, THEREFORE, BE IT RESOLVED, DETERMINED, AND HELD AS FOLLOWS:**

1. The Recitals set forth above are true and correct and incorporated herein as findings and determinations.
2. That the City Council of the City of Fort Bragg does hereby authorize the City Manager to execute the Energy Services Agreement,

**The above and foregoing Resolution was introduced by Councilmember \_\_\_\_\_, seconded by Councilmember \_\_\_\_\_, and passed and adopted at a regular meeting of the City Council of the City of Fort Bragg held on the 10 day of June 2024, by the following vote:**

**AYES:  
NOES:  
ABSENT:  
ABSTAIN:  
RECUSED:**

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**BERNIE NORVELL**  
Mayor

**ATTEST:**

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**DIANA SANCHEZ**  
City Clerk