

**RESOLUTION NO. \_\_\_\_\_**

**RESOLUTION OF THE BOARD OF SUPERVISORS OF THE  
COUNTY OF VENTURA MAKING FINDINGS ON ENERGY SAVINGS  
AND DETERMINING OTHER MATTERS NECESSARY TO AUTHORIZE THE  
GENERAL SERVICES AGENCY DIRECTOR OR DESIGNEE TO EXECUTE  
ENERGY SERVICE AGREEMENTS AND RELATED DOCUMENTS**

**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;

**WHEREAS**, County of Ventura ("County") desires to reduce the rising costs of meeting the energy needs at its facilities;

**WHEREAS**, the County proposes to enter into two Energy Services Agreements ("Agreement") with Swell Services, Inc. ("Provider") to install and operate a Battery Energy Storage System (BESS) on the premises of County's real property located at Fire Station 42, 295 East High Street in Moorpark, California, and at Fire Station 43, 5874 East Los Angeles Avenue in Simi Valley, California, specifically a battery system for the purpose of storing electrical energy to increase resiliency for the County's facilities located on those premises;

**WHEREAS**, Provider has prepared an analysis showing the financial and other benefits of entering into these Agreements, which analysis is attached hereto as Exhibits A and B, and made part hereof by this reference;

**WHEREAS**, Exhibits A and B include data showing that the anticipated avoided demand costs to the County for the electrical energy provided by the battery energy storage systems will be less than the anticipated cost to the County of electrical energy that would have been consumed by the County in the absence of such measures;

**WHEREAS**, Provider was an approved vendor for statewide Self Generation Incentive Program, a Public Utilities Commission program administered through the public utilities;

**WHEREAS**, pursuant to Government Code section 4217.12, this Board held a public hearing, public notice of which was given two weeks in advance, to receive public comment;

**WHEREAS**, the County's proposed approval of the Agreements is a "Project" for purposes of the California Environmental Quality Act ("CEQA"); and

**WHEREAS**, CEQA Guidelines section 15303 categorically exempts from CEQA evaluation construction and location of limited numbers of new, small facilities and installation of small new equipment and facilities;

\* \* \* \* \*

**THEREFORE, BE IT RESOLVED**, based upon the above-referenced recitals, the Board hereby finds, determines and orders as follows:

1. The terms of the Agreement are in the best interests of the County.
2. In accordance with Government Code section 4217.12, and based on data provided by Exhibits A and B, the Board finds that the anticipated cost to the County for electrical energy provided by the Agreement will be less than the anticipated cost to the County of electrical energy that would have been consumed by the County in the absence of the Agreements.
3. The Board hereby approves the Agreement in accordance with Government Code section 4217.12.
4. The County's General Services Agency Director, or his designee, is hereby authorized and directed to negotiate any further changes, insertions and omissions to the Agreement as he/she reasonably deems necessary provided such changes are consistent with the stated intent of the underlying Agreement and do not result in the loss of any income to the County, and do not subject the County to additional costs, and are approved by County Counsel as to form and legal sufficiency, and thereafter to execute and deliver the Agreement following the Board's adoption of this Resolution. The County's General Services Agency Director, or his 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 Agreement.
5. The Project is hereby found to be categorically exempt from the requirements of CEQA as a Class 3 project pursuant to CEQA Guidelines section 15303, and no exceptions to the exemption apply.

6. County staff are hereby authorized 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.

Upon motion of Supervisor \_\_\_\_\_, seconded by Supervisor \_\_\_\_\_, and duly carried, the Board hereby approves and adopts this resolution on the 28<sup>th</sup> day of February, 2023.

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Matt LaVere, Chair, Board of  
Supervisors  
County of Ventura

ATTEST: DR. SEVET JOHNSON  
Clerk of the Board of Supervisors  
County of Ventura, State of California.

By: \_\_\_\_\_  
Deputy Clerk of the Board