

BEFORE THE BOARD OF SUPERVISORS
OF THE
COUNTY OF FRESNO, STATE OF CALIFORNIA

IN THE MATTER OF MAKING FINDINGS ON ENERGY)
SAVINGS AND DETERMINING OTHER MATTERS IN) RESOLUTION
CONNECTION WITH POWER PURCHASE AGREEMENTS)

WHEREAS, the County of Fresno desires to reduce the steadily-rising costs of meeting the energy needs at its facilities;

WHEREAS, the County is eligible under applicable laws, including Government Code Section 4217.10, through and including 4217.18, and County procurement policies designated in the County's Purchasing Manual, to enter into a services agreement based on suspension of the competitive bidding process due to the unusual or extraordinary circumstances, and the System Orders (hereinafter referred to as "Power Purchase Agreements") referenced below are service agreements;

WHEREAS, the County's Purchasing Manager has determined that the County's best interest would be served by not securing competitive bids or issuing a request for proposal when entering into the Power Purchase Agreements;

WHEREAS, the County proposes to enter into two Power Purchase Agreements with Bloom Development, Inc. ("Bloom") for a solid oxide fuel cell systems (collectively, "Systems"), to be located at the two separate locations as defined in the Agreements. These locations include (1) the Fresno County Sheriff Office Jail Buildings at 2280 Tulare Street, Fresno, CA 93721; and (2) the Plaza Building at 2220 Tulare Street, Fresno, CA 93721. The systems will generate energy, and provide energy services, for each of the locations (the System Orders, together with the Power Purchase Agreement-General Terms, shall be referred to herein as "Power Purchase Agreements");

WHEREAS, pursuant to the requirements of the Energy Services Agreements, Bloom will design, engineer, permit, procure, construct, install, start-up, test, and commission Systems at both of

1 the locations, and County staff will arrange with Pacific Gas and Electric Company ("PG&E") for
2 interconnection of the Systems to California's electricity grid;

3 WHEREAS, Bloom has provided the County with an analysis of the County's data showing
4 the anticipated financial and other benefits of entering into the Power Purchase Agreements, which
5 energy findings are attached as Attachment A, and which includes data and analysis showing that the
6 anticipated cost to the County for the electrical energy provided by the System will be less than the
7 anticipated cost to the County of electrical energy that would have been consumed by the County and
8 would have been purchased from PG&E in the absence of such measures;

9 WHEREAS, the County proposes to enter into the Power Purchase Agreements in the forms
10 presented at this meeting;

11 WHEREAS, pursuant to Government Code Section 4217.12, this Board held a public hearing
12 with respect to the matters described herein, on this date, notice of which was given two weeks in
13 advance as follows: by posting on the County's website, by posting at the County's ordinary and
14 customary locations for posting where members of the public frequently visit;

15 WHEREAS, the Power Purchase Agreements are in the best interest of the County; and

16 WHEREAS, the Board has considered all comments received at the public hearing on this
17 item prior to adoption of this Resolution.

18 NOW THEREFORE, IT IS ORDERED based on the above referenced recitals, the Board
19 hereby finds, determines and orders as follows:

- 20 1. All of the recitals set forth above are true and correct.
- 21 2. The terms of the Power Purchase Agreements are in the best interest of the County.
- 22 3. In accordance with Government Code Section 4217.12, and based on data and analyses
23 provided in Attachment A, the Board finds and determines that the anticipated cost to the
24 County for electrical energy provide by the energy conservation facility system under each
25 Power Purchase Agreement will be less than the anticipated marginal cost to the County of
26 electrical energy that would have been consumed by the County at the specified location in
27 the absence of the Power Purchase Agreements, which aggregate estimated gross cumulative
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1 savings, for both Power Purchase Agreements, together, will be up to \$19,857,679 over the
2 initial 20-year term of the Power Purchase Agreements.

3 4. The Power Purchase Agreements do not require the County to grant Bloom a facility
4 ground lease relating to an energy conservation facility system, and Bloom is not requesting
5 such a facility ground lease from the County.

6 5. The Board hereby approves the Energy Services Agreements in accordance with
7 Government Code Section 4217.12.

8 6. The County's Director of General Services, or their designee, is hereby authorized and
9 directed to approve and execute all interconnection applications and agreements required by
10 PG&E for System operation.

11 7. The County's Director of General Services, or their designee, is hereby authorized and
12 directed to approve and execute contract change orders, not to exceed \$0.01/kWh increase of
13 the specified rates identified in the respective System Order.

14 8. The County's Director of General Services, or their designee, is hereby authorized and
15 directed to approve and execute any agreements, consents, waivers, incumbency, estoppel, or
16 similar certificates, recordable real estate property rights, and any related documents, all
17 subject to the approval of the County Counsel as to legal form and the Auditor-
18 Controller/Treasurer-Tax Collector as to accounting form, necessary to finalize the
19 recommended Agreements, including any financing that ForeFront might later obtain in
20 relation to such Agreements.
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1 THE FOREGOING, was passed and adopted by the following vote of the Board of
2 Supervisors of the County of Fresno this 9th day of December, 2025, to wit:

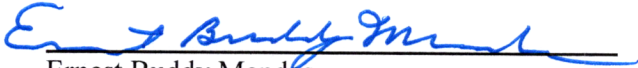
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4 AYES: Supervisors Bredefeld, Chavez, Mendes, Pacheco

5 NOES: None

6 ABSENT: None

7 ABSTAINED: None

8 RECUSED: Supervisor Magsig

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10 Ernest Buddy Mendes,
11 Chairman of the Board of Supervisors
12 of the County of Fresno
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16 **ATTEST:**

17 Bernice E. Seidel
18 Clerk of the Board of Supervisors
19 County of Fresno, State of California

20 By: 

21 Deputy
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Attachment A

