

# THE BUSINESS JOURNAL

FRESNO ■ KINGS ■ MADERA ■ TULARE

P.O. Box 126  
Fresno, CA 93707  
Telephone (559) 490-3400

(Space Below for use of County Clerk only)

## IN THE COUNTY OF FRESNO, STATE OF CALIFORNIA

BEFORE THE BOARD OF SUPERVISORS  
OF THE COUNTY OF FRESNO  
STATE OF CALIFORNIA  
Notice of Public Protest Hearing

The public protest hearing is set to  
begin at 9:30 a.m on October 22, 2024

## DECLARATION OF PUBLICATION (2015.5 C.C.P.)

### MISC. NOTICE

#### STATE OF CALIFORNIA

#### COUNTY OF FRESNO

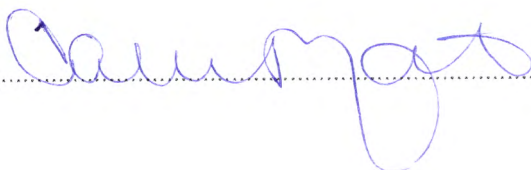
I am a citizen of the United States and a resident of the County aforesaid; I am over the age of eighteen years, and not a party to or interested in the above entitled matter. I am the principal clerk of **THE BUSINESS JOURNAL** published in the city of Fresno, County of Fresno, State of California, Monday, Wednesday, Friday, and which newspaper has been adjudged a newspaper of general circulation by the Superior Court of the County of Fresno, State of California, under the date of March 4, 1911, in Action No.14315; that the notice of which the annexed is a printed copy, has been published in each regular and entire issue of said newspaper and not in any supplement thereof on the following dates, to wit:

OCTOBER 2, 2024

I declare under penalty of perjury that the foregoing is true and correct and that this declaration was executed at Fresno, California,

OCTOBER 2, 2024

ON .....



#### BEFORE THE BOARD OF SUPERVISORS OF THE COUNTY OF FRESNO STATE OF CALIFORNIA Notice of Public Protest Hearing

Notice is hereby given under Public Utilities Code Section 6232 that the Board of Supervisors (the "Board") of the County of Fresno (the "County") will conduct a public protest hearing to receive timely objections, including protests, against granting of a non-exclusive franchise, by ordinance, to Toro Energy of California AA, LLC (also referred to as "Toro Energy") to construct, maintain and use pipes and appurtenances for transmitting derived gas from Toro Energy of California AA, LLC's landfill-gas-to-energy project ("LFGTE project") at the County's American Avenue Disposal Site ("County's AADS") for any and all purposes, as allowed by a County-approved conditional use permit and/or road permit condition, from Toro Energy's LFGTE project at the County's AADS at 18950 W. American Ave, Kerman, in, along, across, upon, and under the following public streets and highways within the unincorporated area of Fresno County: from the County's AADS, eastward on W. American Avenue for approximately 4 miles, and then southward on S. Madera Avenue for approximately 4 miles, to a PG&E connection location approximately a half of a mile north of W. Manning Avenue, just east of S. Madera Avenue/SR 145, Kerman (collectively, the "Franchise Area").

If the non-exclusive franchise is granted, Toro Energy shall annually, commencing on the first date when Toro Energy receives derived gas pursuant to Section 1.26 of the Revenue Agreement, pay a franchise fee of two percent (2%) of its gross annual receipts to the County, arising from the use, operation or possession of the franchise, plus any surcharges, if applicable to Toro Energy, under the Public Utilities Code, sec. 6350, et seq., successor legislation, or other legislation applicable to franchisee or derived gas enacted by the State of California. In the event such payment is not made, the non-exclusive franchise will be forfeited. The non-exclusive franchise will be for a term of not to exceed twenty-five (25) years from and after the date that, after Grantee has provided a bond, to the County and accepted by the Director, the County has issued a permit for Toro Energy to

commence construction within the Franchise Area. "Gross annual receipts" means all income received by Toro Energy under the Revenue Agreement without any deductions, offsets or credits described in section 1.25 of the Revenue Agreement, and separate from other payments, reimbursements, or franchise fees payable or paid to the County. "Revenue Agreement" means the Revenue Agreement between the County and Toro Energy of California AA, LLC, dated April 22, 2022, as it may be amended from time to time, for the County's future sale to Toro Energy of landfill gas as renewable energy at the American Avenue Disposal Site.

At the public protest hearing, the Board will receive and consider any timely objections, including protests, against granting of the non-exclusive franchise. At any time not later than the hour set for the hearing of objections, any person interested may make written protest stating objections against the granting of the non-exclusive franchise. The protest shall be signed by the protestant and be delivered to the Clerk of the Board. At the time set for hearing objections, the Board will proceed to hear and pass upon all protests so made and its decision shall be final and conclusive, subject to the right of referendum of the people. If no protest in writing is delivered to the Clerk up to the hour set for hearing, or such protests as are filed have been heard and determined by the Board to be insufficient, or have been overruled or denied, the Board may grant the non-exclusive franchise by ordinance adopted in the manner prescribed by law for the enactment of ordinances by the Board.

The public protest hearing is set to begin at 9:30 a.m., or as soon thereafter as the matter may be heard by the Board, at its regularly scheduled meeting on October 22, 2024 in the Chambers of the Board of Supervisors, Room 301, Hall of Records, 2281 Tulare Street, Fresno, California.

A copy of the Board agenda materials for the Board's actions on this matter will be made available for public review, commencing on or about the Wednesday immediately before the public protest hearing, at the office of the Clerk to the Board (at the address above), and on the County's Internet web site at <https://fresnocountylegistar.com/Calendar.aspx>

If you have any questions concerning this notice, please contact Jeffrey Martin, Senior Staff Analyst at [jeffmartin@fresnocountyca.gov](mailto:jeffmartin@fresnocountyca.gov) or (559) 600-4509. Bernice Seidel, Clerk of the Board of Supervisors  
10/02/2024

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## IN THE COUNTY OF FRESNO, STATE OF CALIFORNIA

### PUBLICATION OF SUMMARY OF PROPOSED ORDINANCE

An ordinance of the County of Fresno ("County") granting a franchise, up to 25 years, on a non-exclusive basis to Toro Energy of California AA, LLC (also referred to as Toro Energy)

### DATE AND TIME OF MEETING:

DECEMBER 3, 2024 AT 9:30 AM

### DECLARATION OF PUBLICATION (2015.5 C.C.P.)

### MISC. NOTICE

### STATE OF CALIFORNIA

### COUNTY OF FRESNO

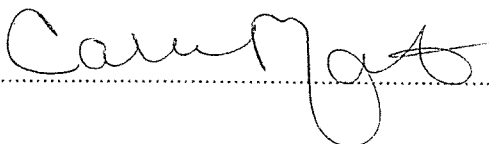
I am a citizen of the United States and a resident of the County aforesaid; I am over the age of eighteen years, and not a party to or interested in the above entitled matter. I am the principal clerk of **THE BUSINESS JOURNAL** published in the city of Fresno, County of Fresno, State of California, Monday, Wednesday, Friday, and which newspaper has been adjudged a newspaper of general circulation by the Superior Court of the County of Fresno, State of California, under the date of March 4, 1911, in Action No.14315; that the notice of which the annexed is a printed copy, has been published in each regular and entire issue of said newspaper and not in any supplement thereof on the following dates, to wit:

OCTOBER 25, 2024

I declare under penalty of perjury that the foregoing is true and correct and that this declaration was executed at Fresno, California,

OCTOBER 25, 2024

ON .....



### PUBLICATION OF SUMMARY OF PROPOSED ORDINANCE BOARD OF SUPERVISORS COUNTY OF FRESNO

The Fresno County Board of Supervisors is giving notice that at their regularly scheduled meeting on December 3, 2024, at 9:30 a.m., or as soon thereafter as the matter may be heard, at the Fresno County Hall of Records, Board of Supervisors Chambers, 3rd Floor, 2281 Tulare Street, Fresno, California, they will consider adoption of the ordinance summarized below.

### SUMMARY OF PROPOSED ORDINANCE

An ordinance of the County of Fresno ("County") granting a franchise, up to 25 years, on a non-exclusive basis to Toro Energy of California AA, LLC (also referred to as Toro Energy), upon annual payment of a franchise fee to the County, to construct, maintain and use pipes and appurtenances for transmitting derived gas from Toro Energy's landfill-gas-to-energy project ("LFGTE Project") at the County's American Avenue Disposal Site ("AADS") for any and all purposes, as allowed by a County-approved conditional use permit and/or road permit condition, from the LFGTE Project at the AADS at 18950 W. American Avenue, Kerman, in, along, across, upon, and under the following public streets and highways within the unincorporated area of Fresno County: from the County's AADS, eastward on W. American Avenue for approximately 4 miles, and then southward on S. Madera Avenue for approximately 4 miles, to a PG&E connection location approximately a half of a mile north of W. Manning Avenue, just east of S. Madera Avenue/SR 145,

Kerman. In the event such payment is not made, the franchise will be forfeited. The ordinance will become effective thirty (30) days after its final passage, pending written acceptance of the franchise by Toro Energy. The franchise, if granted, does not become effective until Toro Energy files written acceptance of it with the Clerk of the Board and copy thereof provided to the Director of Public Works and Planning. Toro Energy shall be required to file a bond running to the County in the penal sum of \$100,000 at least thirty (30) days before any permit is granted by the County for Toro Energy to commence construction within the franchise area. The 25-year period, stated above, for the franchise shall be from and after the date that, after Toro Energy has provided such bond to the County and accepted by the Director of Public Works and Planning, the County has issued a permit for Toro Energy to commence construction within the franchise area. The full text of this Ordinance will be available online at the Board of Supervisors webpage, <https://fresnocounty.legistar.com/Calendar.aspx> under the Agenda and Supporting Documents link at the December 3, 2024, meeting date or at the Clerk to the Board of Supervisors' office at 2281 Tulare Street, Room 301, Fresno, California. Bernice E. Seidel  
Clerk, Board of Supervisors  
10/25/2024