

**MT. DIABLO UNIFIED SCHOOL DISTRICT GOVERNING BOARD
RESOLUTION NO. 20/21-31**

**MT. DIABLO UNIFIED SCHOOL DISTRICT RESOLUTION FOR APPROVAL OF
ENERGY CONSERVATION SERVICES AGREEMENT FOR DESIGN AND
CONSTRUCTION OF ELECTRIC VEHICLE CHARGING STATIONS PROJECT**

WHEREAS, Mt. Diablo Unified School District (the “District”) desires to install an EV charging station at its transportation yard and desires to enter into an Energy Services Contract for the design and construction of the Energy Conservation Facilities (the “Project”); and

WHEREAS, the District desires that Veteran Power, Inc. (“VPI”) design and construct, and VPI desires to design and construct, the Project; and

WHEREAS, Government Code section 4217.12 (a)(1) authorizes a public agency to enter into an energy service contract for the design and installation of energy conservation measures as defined in Government Code section 4217.11 (a). (“Energy Conservation Measures”) if the District’s governing board finds that the anticipated cost to the District for the Energy Conservation Measures provided by the energy conservation facility will be less than the anticipated marginal costs to the District of thermal, electrical or other energy that would have been consumed by the District in the absence of such purchases; and

WHEREAS, the District has determined that the installation of an EV charging system, which is “alternate energy equipment” as that term is defined in Government Code section 4217.11(a), will result in a reduction in energy consumption, which will result cleaner air and energy usage than the diesel buses being replaced; and

WHEREAS, on this date, pursuant to Government Code section 4217.10 *et seq.*, the governing board of the District held a public hearing with respect to the District entering into the Energy Services Contract (“Contract”) with VPI; and

WHEREAS, the District desires to retain VPI to design and construct the Energy Conservation Measures.

NOW, THEREFORE, it is found, determined and resolved by the Governing Board of the District as follows:

1. That the above recitals are true and correct.
2. That the District held a public hearing at a regularly scheduled meeting of the Governing Board.
3. Based upon the information provided herein, attached hereto and reviewed by the Board in connection herewith, and pursuant to Government Code section 4217.12, the Board finds that the anticipated cost to the District for the Energy Conservation Measures will be less than the

anticipated marginal costs to the District of thermal, electrical or other energy that would have been consumed by the District in the absence of such purchases.

4. That the District's superintendent or his designee is authorized to enter into an Energy Services Contract with VPI, and to take all steps and perform all actions necessary to an Energy Services Contract with Veteran Power, Inc., and to take any actions deemed necessary to best protect the interests of the District.

PASSED AND ADOPTED by the Board of Education of Mt. Diablo Unified School District, this 10th day of March, 2021, by the following vote:

AYES: NOES: ABSENCES: ABSTENTIONS:

Cherise Khaund, Board President

Debra Mason, Board Vice President

Linda Mayo, Board Member

Erin McFerrin, Board Member

Keisha Nzewi, Board Member

Dr. Adam Clark, Superintendent

Adopted at the meeting of the MDUSD Governing Board of Education on 03/10/2021
