



## STAFF REPORT

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**MEETING DATE:** November 13, 2024

**PRESENTER:** John Jansons, City Manager

**SUBJECT:** Discussion-Study Session on West Fresno County Solar Projects (JAJ)

**RECOMMENDATION:** That Council hear a brief presentation regarding solar development in West Fresno County, including that of Westlands Water District, to become informed about current development proposals and any impacts to Kerman, with possible direction to staff.

**BACKGROUND:**

In March of 2024, the City was introduced to Keith Bergthold of Community Energy California advocating that community benefit provisions be imbedded in proposed large scale solar array developments in western Fresno County to the benefit of local cities. Much emphasis was placed on the creation of a Non-Profit Organization that would have a Board of Directors comprised of local Mayors to direct and control community benefits exacted from solar development projects.

It is staff's understanding that local Mayors of West Fresno County cities, including Kerman, had been introduced to this issue and had meetings with Mr. Bergthold and his team (Rural Communities Rising) to discuss opportunities and effects of large-scale solar developments.

Peeked with interest, and in an attempt to better understand a burgeoning advocacy and organizing effort by Mr. Bergthold and others, Kerman hosted a meeting of West Fresno County City Managers in April to gain greater understanding of this subject area.

In June, Mr. Bergthold and his group were invited to brief City Council and describe their advocacy work, but did not accept the City's offer indicating they would be busy throughout the summer doing community outreach activities for their newly rebranded organization, "Regenerate California Initiative" in conjunction with Rural Communities Rising.

In August, a follow-up meeting of Westside Mayors and representatives of Assembly Member Esmerelda Soria discussed Soria's proposed legislation, AB 2661, which would condition development of large-scale solar development on Westlands Water District fallowed properties.

On September 26, 2024 Esmerelda Soria's AB 2661 (**Attachment 'A'**) was signed into law by Governor Newsom thereby setting conditions on solar development and energy generation, transmission, sale, storage, maintenance and community benefit programs, into law.

Official Summary/Bill Text:

The California Water District Law provides for the establishment of water districts and authorizes a district to construct, maintain, and operate plants for the generation of hydroelectric energy and transmission lines for the conveyance of the hydroelectric energy. Existing law merged the former West Plains Water Storage District into the Westlands Water District, and provides for the operation of the Westlands Water District.

This bill would authorize the Westlands Water District to provide, generate, and deliver solar photovoltaic electricity and to construct, operate, and maintain works, facilities, improvements, and property necessary or convenient for generating and delivering that electricity. The bill would require the district to use the electricity for the district's own purposes, and the bill would authorize the district to sell surplus electricity to a public or private entity engaged in the distribution or sale of electricity. The bill would also authorize the district to construct, operate, and maintain energy storage systems and electric transmission lines, and to construct, operate, and maintain works, facilities, improvements, and property necessary or convenient for the operation of the energy storage systems and electric transmission lines, within the boundaries of the district, as specified. The bill would require the district to report the amount of income, and the purposes for expenditure of that income, from electricity facilities constructed pursuant to these provisions in a specified report. The bill would require the district to establish a community benefits agreement plan for a specified electrical infrastructure development plan and related transmission and other electrical projects, as provided. The bill makes legislative findings and declarations as to the necessity of a special statute for the Westlands Water District.

On October 10, 2024, Mayor Pacheco and City Manager Jansons accepted an invitation to tour the West County communities with other west Fresno County city representatives to describe their respective communities to Intersect Power solar developers (**Attachment 'B'**) and provide a better understanding of West County communities, including Kerman, and the assets, opportunities, and challenges of each city. The narrated tour also featured a review of Kerman's infrastructure and commercial businesses that could serve, support, or subcontract with the solar firms looking to develop nearby.

On October 16, 2024, the California Energy Commission (CEC) conducted an in-person "environmental scoping and informational meeting" at Harris Ranch to review the Darden (Intersect Power) Clean Energy Project. Materials associated with that CEC Hearing are included as **Attachment 'C'**.

On October 23, 2024, Staff provided City Council with the project description materials from the Intersect Power sponsored tour along with a short briefing on the tour, and Council directed staff to return to Council with a report and presentation so as to discuss the matter in more depth.

Representatives of Assembly Member Soria's office, a representative of Westlands Water District, representatives of Workforce Development Board, and a local solar engineering

consultant are scheduled to attend and support the discussion and be available for Council questions. Representatives of Intersect Power were not available due to a scheduling conflict, but offered to attend at a later date if requested.

**FISCAL IMPACT:**

There is no fiscal impact associated with receiving this presentation.

**ATTACHMENTS:**

- A. AB 2661
- B. Intersect Power Materials
- C. CEC Notes