

RESOLUTION NO. 24-037

**RESOLUTION OF THE BOARD OF VENTURA COUNTY WATERWORKS
DISTRICT NO. 1 MAKING FINDINGS ON ENERGY SAVINGS AND DETERMINING
OTHER MATTERS NECESSARY TO AUTHORIZE THE PUBLIC WORKS AGENCY
DIRECTOR OR DESIGNEE TO EXECUTE A MASTER SERVICES AGREEMENT
AND STATEMENT OF WORK 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, Ventura County Waterworks District No. 1 ("District") provides water and sanitation services to the city of Moorpark ("City") and the contiguous areas to the north and west of the City limits and operates the Moorpark Wastewater Treatment Plant, located west of the City limits along Highway 118;

WHEREAS, the District staff proposes to enter into a Master Services Agreement and Statement of Work ("Agreements") with Veolia Sustainable Buildings USA West, Inc. ("Provider") to design, install, and operate a Solar Photovoltaic Energy System ("system") at the District's real property at 9550 East Los Angeles Ave in unincorporated Moorpark, California, pursuant to which the Provider will design, construct, and install on District property and arrange with the local utility for interconnection of the system;

WHEREAS, Provider has provided the District with analysis showing the financial and other benefits of entering into the Agreements, which analysis is attached hereto as Exhibit 6 and made part hereof by this reference;

WHEREAS, Exhibit 6 includes data showing the anticipated cost to the District for electrical energy system provided by the Provider under contract will be less than the anticipated marginal cost to the District of the electrical energy that would have been consumed by the District in the absence of the new system;

WHEREAS, it is in the best interest of the District to enter into the Agreements to implement energy-related cost savings and energy conservation improvements to District owned facilities;

WHEREAS, the District proposes to enter into the Agreements, in substantially the form presented at this meeting, subject to such corrections, clarifications and technical modifications, provided such changes are consistent with the stated intent, as the District reasonably deems necessary following the Board's adoption of this Resolution;

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");

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; and

WHEREAS, the most cost effective financing for the project is through the California Energy Commission Energy Conservation Assistance Act loan at one (1) percent interest and a term of 17 years and through direct payment of 30% of the project value via tax credits from the 2022 Inflation Reduction Act;

NOW, 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 District.
2. In accordance with Government Code section 4217.12, and based on data provided in Exhibit 6, the Board finds that the anticipated cost to the District for electrical energy system provided by the Agreements will be less than the anticipated marginal cost to the District of the electrical energy that would have been consumed by the District in the absence of the Agreements.
3. The Board hereby approves the Agreement in accordance with Government Code section 4217.12.
4. The Public Works Agency Director or designee is hereby authorized and directed to negotiate any further changes, insertions and omissions to the Agreements as he/she reasonably deems necessary provided such changes are consistent with the stated intent of the underlying Agreements and do not result in the loss of any a income to the District, and do not subject the District to additional costs and are approved by County Counsel as to form and legal sufficiency, and thereafter to execute and deliver the Agreements following the Board's adoption of this Resolution. The Public Works Agency Director or designee is further authorized to execute and deliver any and all papers, instruments, opinions, certificates, affidavits, and other documents and to do our 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. District staff are hereby authorized to file and process a Notice of CEQA Exemption for the Project in accordance with CEQA and State CEQA Guidelines, and the findings set forth in this resolution.

7. The Public Works Agency Director or designee is hereby authorized to apply for and accept a project loan from the California Energy Commission and apply for and accept a direct payment tax credit from the Department of Treasury as authorized by the Inflation Reduction Act of 2022.

Upon motion of Board Member Parvin, seconded by Board Member Lopez, and duly carried, the Board hereby approves and adopts this resolution on this 9th day of April 2024.

Kelley Hong
Chair
Board of Ventura County Waterworks
District No. 1

ATTEST:

Dr. SEVET JOHNSON
Clerk of the Board of Supervisors
acting *ex officio* as Clerk of the District Board
County of Ventura, State of California.

By: Low Key
Deputy Clerk of the Board

