

Central Services
Joan Araujo, Director

Engineering Services
James O'Tousa, Director

Roads & Transportation
Anitha Balan, Director

Water & Sanitation
Joseph Pope, Director

Watershed Protection
Glenn Shephard, Director

December 19, 2023

Board of Ventura County Waterworks District No. 38
800 S. Victoria Avenue
Ventura, CA 93009

Subject: Approval of, and Authorization for the Ventura County Public Works Agency Water and Sanitation Director to Execute, an Agreement to Install Water Improvements with Sherwood Development Company for Tract 4409-6 Residential Development; Authorization for the PWA-WS Director to Extend the Term and Make Limited Amendments to the Agreement; Waterworks District No. 38 (Lake Sherwood); Supervisorial District No. 2.

Recommendation:

1. Approval of, and authorization for the Ventura County Public Works Agency Water and Sanitation (PWA-WS) Director or designee to execute three copies of an Agreement to Install Water Improvements (Agreement) with Sherwood Development Company (Developer) for construction of Tract 4409-6 residential development. (Exhibit 3)
2. Authorize the PWA-WS Director or designee to extend the term of the Agreement as provided therein so long as any such extension is consistent with the scope, terms, and conditions of the Agreement and is reviewed and approved as to form by County Counsel.
3. Authorize the PWA-WS Director or designee to approve amendments and modifications to the Agreement provided that any amendments or modifications are consistent with the original purpose of the Agreement, do not result in additional costs to the County, subject to review and approval as to form by County Counsel.



Fiscal/Mandates Impact:

Mandatory: No
 Source of Funding: Developer Fees
 Funding Match Required: None
 Impact on Other Departments: None

Summary of Revenues and Total Costs:	<u>FY 2023-24</u>	<u>FY 2024-25</u>
Revenues:	\$ 24,098	\$ 0
Costs:		
Direct Costs	\$ 24,098	\$ 0
Indirect – Agency/Dept.	\$ 0	\$ 0
Indirect – CAP	\$ 0	\$ 0
Total Costs	\$ 24,098	\$ 0
Net County Cost, Including Indirects	\$ 0	\$ 0
Recovered Indirect Cost	\$ 0	\$ 0

Current FY 2023-24 Budget Projection for Ventura County Waterworks District No. 38 – Unit 4360				
	Adopted Budget	Adjusted Budget	Projected Budget	Estimated Saving/(Deficit)
Appropriations	\$4,218,993	\$4,328,004	\$4,328,004	\$0
Revenues	\$3,700,400	\$3,700,400	\$3,700,400	\$0
Net Cost	\$518,593	\$627,604	\$627,604	\$0

Revenues and appropriations are included in the FY23-24 Adopted Budget. Net Cost totals include capital outlay and transfers-out.

Discussion:

Tract 4409-6 Residential Development Project (Project) is in the unincorporated area of Ventura County and is within the boundaries of Waterworks District No. 38 (District). Vicinity and location maps are attached. (Exhibits 1 and 2)



The Project developer, Sherwood Development Company (Developer), has already filed a conditional parcel map with several conditions of approval. One condition requires the developer, prior to final recordation of the tract map, to obtain a "Will Serve Letter" from the District, showing that the District will provide water services for the Project. To obtain this letter, the Ventura County Waterworks Manual requires the Developer to enter into a binding agreement with the District to complete the necessary water improvements to meet minimum state and county standards.

Exhibit 3 is an "Agreement to Install Water Improvements" (Agreement). The Developer has agreed to enter into the Agreement to install the improvements listed in the Agreement and has already obtained the required performance and payment surety bonds. (Exhibit 4)

The plan check and inspection fee schedule adopted by your Board requires the Developer to pay actual District costs, including overhead. The Developer has deposited \$7,766 for plan check and \$16,332.20 for construction inspection services and engineering related services.

Included in this submittal are the following items:

1. Agreement to Install Improvements
2. Security

<u>Type</u>	<u>Amount</u>	<u>Surety Co.</u>	<u>Bond No.</u>
Surety Bond	\$517,740.00	Ascot Insurance Company	SURU2210001899

Strategic Plan:

This item contributions to the Board of Supervisors (Board's) 2024-2027 strategic priority to provide:

- II. Fiscal responsibility and economic vitality through
 2. Fostering a thriving business ecosystem to create jobs, increase wages, and strengthen the local economy.



III. Reliable infrastructure and sustainability through

3. Investing in sustainable infrastructure, renewable energy, and preservation of our natural resources.

This item has been reviewed by the County Executive Office, the Auditor-Controller's Office, and County Counsel.

If you have any questions regarding this item, please call me at (805) 378-3005.



Joseph C. Pope, P.E.
Director
Water and Sanitation

Attachments:

- Exhibit 1 – Ventura County Waterworks District No.38 Vicinity Map
- Exhibit 2 – Ventura County Waterworks District No.38 Location Map
- Exhibit 3 – Agreement to Install Water Improvements
- Exhibit 4 – Surety Bond: Performance and Payment

