



September 10, 2024

Board of Supervisors
County of Ventura
800 South Victoria Avenue
Ventura, CA 93009

SUBJECT: Approval of the Fourth Amendment to the Sustainability Fee Memorandum of Understanding Between the County of Ventura and the City of Moorpark to Reallocate \$500,000 from a Sound Wall Project to Improvements Along Arroyo Drive in Moorpark and Extend Related Deadlines

RECOMMENDATION:

Approval of the Fourth Amendment to the Sustainability Fee Memorandum of Understanding (MOU) (Attachment 3) between the County of Ventura and the City of Moorpark to reallocate \$500,000 from a sound wall project to improvements along Arroyo Drive in Moorpark and extend related deadlines.

FISCAL/MANDATES IMPACT:

| | |
|------------------------------|--------------|
| Mandatory: | No |
| Source of Funding: | General Fund |
| Funding Match Required: | \$0 |
| Impact on Other Departments: | None |

There are no changes to the County's funding commitment in the MOU approved by the Board on October 28, 2014. The County committed up to \$2 million in General Fund Fund Balance with \$1.5 million dedicated to open space land acquisition and \$500,000 towards a sound wall project on Los Angeles Avenue/State Route 118. The open space land acquisition occurred in 2018. The remaining \$500,000 will be reallocated towards improvements along Arroyo Drive. Per the MOU, the County will remit one-half (\$250,000) to the City of Moorpark within 45 days following the City's award of a construction contract and one-half within 45 days after the City's filing of a Notice of Completion for the Arroyo Drive Project. The City has until June 30, 2026 to complete environmental review and December 31, 2028 to complete the Arroyo Drive Project.

STRATEGIC PLAN:

The recommended action aligns with the County's Strategic Plan Priority of Reliable Infrastructure and Sustainability Goal #1 to maintain and improve dependable public resources to serve the needs of our diverse communities.

DISCUSSION:

In July 2011, the County and Waste Management of California, Inc. (Waste Management) entered into an Addendum Agreement for a Sustainability Fee at the Simi Valley Landfill and Recycling Center (Landfill) pursuant to which Waste Management agreed to provide County with sustainability fee payments (Sustainability Fees) for certain solid waste and recovered materials received by the Landfill originating from outside the geographic boundaries of Ventura County.

On October 28, 2014, the County approved the MOU with the City of Moorpark (City) to allocate \$2,000,000 of the Sustainability Fees to the City in recognition of expanded Landfill-related impacts on the Moorpark community.

The existing MOU, as previously amended, authorizes use of the Sustainability Fees as follows:

1. Open Space Acquisition

The County would contribute \$1,500,000 toward the purchase of open space located between (east of) Moorpark College and (west of) Alamos Canyon. Following three amendments to the MOU to extend the deadline to complete the purchase, in 2018, the City combined these funds with \$1,675,000 in City funds to obtain approximately 255 acres of land within the MOU's designated area to protect it as open space.

2. Los Angeles Avenue Sound Wall

The County would contribute \$500,000 toward an 8-foot tall (or more) sound wall along the south side of Los Angeles Avenue/State Route 118 between the western City limits and 150 feet west of Maureen Lane. Although property line walls exist along some of the properties within the project area, the sound wall project remains unbuilt currently.

First, Second, and Third Amendments to the MOU were approved on August 1, 2017, December 12, 2017, and April 17, 2018, respectively, to extend deadlines associated with City's open space land acquisition pursuant to the MOU. (See Attachments 2.)

Earlier this year, City staff contacted County staff to discuss the City's proposed reallocation of the sound wall funds because, according to the City, the sound wall project was determined to not be financially viable unless additional funds were contributed by the City and adjacent property owners. The City conducted a survey which determined that the adjacent property owners were overwhelmingly not supportive of contributing project funding. City staff presented the Arroyo Drive Improvement project to the County as an alternative, appropriate source for the Sustainability Funds since Arroyo Drive is also impacted by Landfill-related Waste Management trucks traveling on the road, particularly during times of heavy congestion on State Route 118. The City and County

subsequently prepared the proposed Fourth Amendment to the MOU, which the Moorpark City Council approved at its June 19, 2024 City Council Meeting.

The Fourth Amendment to the MOU involves the following key changes:

1. Replacement of the City Soundwall Project with the City Arroyo Drive Improvement Project

The previously planned Soundwall Project along Los Angeles Avenue has been replaced with the Arroyo Drive Improvement Project. This new project focuses on improvements to Arroyo Drive, between Collins Drive and Moorpark's eastern City limits. The improvements will include pavement rehabilitation, sidewalks, bicycle lanes, and storm drain enhancements.

2. Modification of Funding Allocation

The County has agreed to contribute up to \$500,000 towards the City's Arroyo Drive Improvement Project. The contribution will cover up to one-half of the project costs, including awarded construction contracts, CEQA compliance, engineering costs, utility relocations, and other associated expenses.

3. Revised Project Deadlines

The City must complete the environmental review and project design by June 30, 2026, and the construction must be completed by December 31, 2028.

County staff supports the reallocation of the Sustainability Fees to the Arroyo Drive Improvement Project because this project is consistent with the original intent of the Sustainability Fee, which is to address impacts from expanded Landfill operations on the Moorpark community.

This letter has been reviewed by County Counsel and the Auditor-Controller's Office. If you have any questions, please contact James Importante, Program Management Analyst at 805-654-5088.

Respectfully,



Sevet Johnson, PsyD
County Executive Officer

Attachments:

- 1) Sustainability Fee MOU
- 2) Amendment Nos. 1, 2, and 3 to Sustainability Fee MOU
- 3) Proposed Amendment No. 4 to the Sustainability Fee MOU