

RESOLUTION NO. OC SAN 23-14

A RESOLUTION OF THE BOARD OF DIRECTORS OF THE ORANGE COUNTY SANITATION DISTRICT ADOPTING THE REPORT PROPOSING TO COLLECT SEWER SERVICE FEES ON THE TAX ROLL FOR FISCAL YEAR 2023/2024

WHEREAS, California Health and Safety Code sections 5473 *et seq.* authorize the Orange County Sanitation District to adopt an ordinance by a two-thirds vote of the Board of Directors of the Orange County Sanitation District to collect sewer service fees on the tax roll, in the same manner and at the same time as the general taxes; and

WHEREAS, on March 22, 2023, the Board of Directors adopted Ordinance No. OC SAN-58, an ordinance establishing sanitary sewer service charges and allowing for the collection of such sanitary sewer service charges ("Regional Sewer Fees") on the tax roll, in the same manner, by the same persons, and at the same time as, together with, and not separate from, its general taxes; and

WHEREAS, on May 22, 2013, the Board of Directors adopted Ordinance No. OCSD-43, an ordinance establishing local sanitary sewer service charges for customers receiving local sanitary sewer service in former revenue area 7 and allowing for the collection of such local sanitary sewer service charges ("Local Sewer Fees") on the tax roll, in the same manner, by the same persons, and at the same time as, together with, and not separate from, its general taxes; and

WHEREAS, pursuant to California Health and Safety Code sections 5473 *et seq.*, a written report (the "Report"), a copy of which is filed electronically with the Clerk of the Board of Directors of the Orange County Sanitation District and by this reference incorporated herein, describing each parcel of real property subject to said Regional Sewer Fees and Local Sewer Fees, including the amount of said charges to be imposed thereon for Fiscal Year 2023-2024; and

WHEREAS, the Orange County Sanitation District has caused notice of the filing of the Report to be published and has given notice of the hearing to consider such Report in accordance with California Health and Safety Code section 5473.1; and

WHEREAS, the Board of Directors have heard and considered all objections and protests to the Report and has determined. and hereby finds that protests have not been made by the owner of a majority of the separate parcels of property described in the Report; and

WHEREAS, the Board of Directors have determined to adopt the Report and collect the Regional Sewer Fees and the Local Sewer Fees on the tax roll, which fees shall constitute a lien against the parcels or parcels of land described in the Report in accordance with California Health and Safety Code sections 5473 *et seq.*

NOW, THEREFORE, the Board of Directors of the Orange County Sanitation District, DOES HEREBY RESOLVE, DETERMINE, AND ORDER:

Section 1: The above recitals are true and correct.

Section 2: The Report as presented is hereby adopted.

Section 3: The Clerk of the Board, or the designee, is hereby directed to file a copy of the Report with the Orange County Auditor's Office, together with a statement endorsed thereon over his/her signature that the Report has been adopted by the Board of Directors of the Orange County Sanitation District and shall request that said Regional Sewer Fees and Local Sewer Fees be entered against the respective parcels of land as they appear on the current assessment roll pursuant to California Health and Safety Code sections 5473 *et seq.*

Section 4: That pursuant to California Health & Safety Code Section 5473, this Resolution shall remain in full force and effect until amended or repealed, or until such time as the rates of sanitary sewer service charges, as established by Ordinance Nos. OC SAN-58 and OCSD-43, are changed by increasing the annual rate.

Section 5: That the General Manager, or his designee, is hereby authorized and directed to execute any necessary documents or agreements to affect the order set forth in Section 3 herein.

PASSED AND ADOPTED at a regular meeting of the Board of Directors of the Orange County Sanitation District held August 23, 2023.

Ryan Gallagher
Vice-Chairman of the Board of Directors

ATTEST:

Kelly A. Lore, MMC
Clerk of the Board

APPROVED AS TO FORM:

Bradley R. Hogin
General Counsel

