

ORDINANCE NO. OC SAN-59A

AN ORDINANCE OF THE BOARD OF DIRECTORS OF THE
ORANGE COUNTY SANITATION DISTRICT, AMENDING
ORDINANCE NO. OC SAN-59 TO CORRECT AN ERROR IN
THE TABLE OF SECTION 2.10(B)

WHEREAS, Ordinance No. OC SAN-59, adopted charges and fees for Capital Facilities Capacity Charges ("Capacity Charges") to fund new capital projects or improve existing capital projects; and

WHEREAS, the Board of Directors wishes to amend Ordinance No. OC SAN-59 to correct a clerical error in Section 2.10(B) shown in Exhibit "A", which was discovered after the adoption of said Ordinance.

NOW, THEREFORE, the Board of Directors of the Orange County Sanitation District does hereby ORDAIN:

Section 1: Section 2.10(B) of Ordinance No. OC SAN-59 is hereby amended to with the corrected table in Exhibit "A".

Section 2: If any provision of this Ordinance is adjudged by a Court of proper jurisdiction to be invalid, or unenforceable, it is the intention of the governing body adopting this Ordinance, that all other provisions shall be valid and enforceable.

Section 3: This Ordinance shall be effective thirty (30) days after adoption.

Section 4: The Clerk of the Board shall Certify to the adoption of this Ordinance and shall cause a summary to be published in a newspaper of general circulation as required by law.

PASSED AND ADOPTED by a vote of not less than two-thirds of the Board of Directors of the Orange County Sanitation District at a Regular Meeting held on May 22, 2024.

Chad P. Wanke
Chairman, Board of Directors
Orange County Sanitation District

ATTEST:

Kelly A. Lore, MMC
Clerk of the Board
Orange County Sanitation District

APPROVED AS TO FORM:

Bradley R. Hogin
General Counsel
Orange County Sanitation District

STATE OF CALIFORNIA)
)SS.
COUNTY OF ORANGE)

I, Kelly A. Lore, Clerk of the Board of Directors of Orange County Sanitation District, do hereby certify that the above and foregoing Ordinance No. OCSD-59A was introduced for first reading at a regular meeting of said Board on the 24th day of April, 2024, and second reading at a regular meeting of said Board on the 22nd day of May, 2024, by the following vote, to wit:

AYES:
NOES:
ABSTENTIONS:
ABSENT:

IN WITNESS WHEREOF, I have hereunto set my hand this 22nd day of May, 2024.

Kelly A. Lore, MMC
Clerk of the Board
Orange County Sanitation District

Exhibit "A"

Section 2.10. Supplemental Capital Facilities Capacity Charge: Existing Significant Commercial – Industrial Users and Special Purpose Dischargers.

A. All Existing Significant Commercial – Industrial Users connected to and discharging to OC San's System shall be required to pay a Supplemental Capital Facilities Capacity Charge upon the occurrence of either (i) an increase of discharge flow of 25,000 gallons per day ("gpd"), or 25% per day over its established baseline authorization, whichever is lesser; or (ii) an increase of either BOD or SS discharge of 150 pounds each per day, or 25% each per day, whichever is lesser, over its established baseline authorization. The daily averages will be based on the daily discharges for a year, utilizing discharge records and reports of the discharger or OC San.

B. The Supplemental Capital Facilities Capacity Charge shall be in the following amounts for each component that is increased as provided in Section 2.10A above.

TABLE D

SUPPLEMENTAL CAPITAL FACILITIES CAPACITY CHARGES
Daily Charge

	<u>2023-24</u>	<u>2024-25</u>	<u>2025-26</u>	<u>2026-27</u>	<u>2027-28</u>
FLOW	\$0.002140	*TBD	*TBD	*TBD	*TBD
BOD	\$0.500630	*TBD	*TBD	*TBD	*TBD
SS	\$0.303640	\$0.336440	\$0.369240	\$0.402040	\$0.434830

*Adjusted Annually by the Engineering News Record Construction Cost Index

FLOW – Gallons Per Day
BOD – Pounds Per Day
SS – Pounds Per Day