

April 10, 2024

TO: Administration Committee
Orange County Sanitation District

FROM: Kelly Lore
Clerk of the Board

RE: LATE COMMUNICATION

The Clerk of the Board received a modification to Item No. 5 and Item No. 6 from Director of Finance Wally Ritchie after the publication of the agenda. The recommendations have been amended as redlined, and a final version of the Ordinances are attached for your reference.

NON-CONSENT CALENDAR:

**5. PROPOSED ORDINANCE NO. OC SAN-59A AMENDING ORDINANCE [2024-3547](#)
NO. OC SAN-59 TO CORRECT AN ERROR IN ~~THE TABLE D OF SECTION 2.10(B)~~**

RECOMMENDATION: Recommend to the Board of Directors to:

- A. Motion to read Ordinance No. OC SAN-59A by title only and waive reading of said entire Ordinance;
- B. Introduce Ordinance No. OC SAN-59A entitled, "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) Table D~~";
- C. Set May 22, 2024 as the date of the Public Hearing to hear protests and for the second reading of Ordinance No. OC SAN-59A; and
- D. Direct the Clerk of the Board to publish summaries of the Ordinance as required by law.

**6. PROPOSED ORDINANCE NO. OC SAN-60A AMENDING ORDINANCE [2024-3548](#)
NO. OC SAN-60 TO CORRECT ERRORS IN ~~ARTICLE II~~, TABLE F AND TABLE G**

RECOMMENDATION: Recommend to the Board of Directors to:

- A. Motion to read Ordinance No. OC SAN-60A by title only and waive reading of said entire Ordinance;
- B. Introduce Ordinance No. OC SAN-60A entitled, "An Ordinance of the Board of Directors of the Orange County Sanitation District, Amending Ordinance No. OC SAN-60 to correct errors in ~~Article II~~, Table F and Table G";
- C. Set May 22, 2024 as the date of the Public Hearing to hear protests and for the second reading of Ordinance No. OC SAN-60A; and
- D. Direct the Clerk of the Board to publish summaries of the Ordinance as required by law.

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 D OF SECTION 2.10(B)~~

WHEREAS, Ordinance No. OC SAN-59, ~~established 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”~~ Table D, 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: ~~Table D Section 2.10(B)~~ of Ordinance No. OC SAN-59 is hereby amended ~~as shown on to with the corrected table in~~ Exhibit “A” attached hereto and incorporated herein by reference .

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

ORDINANCE NO. OC SAN-60A

AN ORDINANCE OF THE BOARD OF DIRECTORS OF THE ORANGE COUNTY SANITATION DISTRICT, AMENDING ORDINANCE NO. OC SAN-60 TO CORRECT ERRORS IN ~~ARTICLE II,~~ TABLE F AND TABLE G.

WHEREAS, Ordinance No. OC SAN-60, ~~adopted~~ established charges and fees on industrial dischargers, source control permittees, and wastehaulers for services and facilities furnished by the Orange County Sanitation District (OC San) in connection with OC San's sewage collection, treatment, disposal, and reuse system; and

WHEREAS, the Board of Directors wishes to amend Ordinance No. OC SAN-60 to correct clerical errors in ~~Article II,~~ Table F and Table G, ~~shown in Exhibit "A", which were~~ discovered after the adoption of said Ordinance.

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

Section 1: ~~Article II,~~ Table F and Table G of Ordinance No. OC SAN-60 ~~is~~ are hereby amended ~~to with the corrected tables shown on in~~ Exhibit "A" attached hereto and incorporated herein by reference.-

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-60A 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"

TABLE F
INDUSTRIAL DISCHARGER, SOURCE CONTROL
AND NON-COMPLIANCE SAMPLING FEES

<u>Cost of Processing and Sampling Following a Minor Violation</u>	<u>Charge</u> \$200.00/event
<u>Cost of Processing and Sampling Following a Major Violation</u>	\$400.00/event
<u>Non-Compliance Resampling Fee</u>	\$275.00/event

Cost of Analysis per Fiscal year

Heavy Metals:	<u>2023-24</u>	<u>2024-25</u>	<u>2025-26</u>	<u>2026-27</u>	<u>2027-28</u>
	\$52.00	\$54.00	\$56.00	\$58.00	\$60.00

- Aluminum
- Antimony
- Arsenic
- Cadmium
- Chromium
- Copper
- Gold
- Lead
- Molybdenum
- Nickel
- Palladium
- Platinum
- Selenium
- Silver
- Thallium
- Tin
- Titanium
- Vanadium
- Zinc

	<u>Per Fiscal Year</u>	<u>2023-24</u>	<u>2024-25</u>	<u>2025-26</u>	<u>2026-27</u>	<u>2027-28</u>
Ammonia Analysis as Nitrogen		\$38.00	\$39.00	\$40.00	\$41.00	\$43.00
Biochemical Oxygen Demand (BOD)		\$57.00	\$59.00	\$60.00	\$62.00	\$64.00
BOD and Suspended Solids (SS) Analysis		\$114.00	\$117.00	\$121.00	\$124.00	\$128.00
Chemical Oxygen Demand		\$38.00	\$39.00	\$40.00	\$41.00	\$43.00
Conductivity		\$76.00	\$78.00	\$81.00	\$83.00	\$85.00
Cyanide (Amenable)		\$171.00	\$176.00	\$181.00	\$187.00	\$182 192.00
Cyanide (Total)		\$99.00	\$102.00	\$105.00	\$108.00	\$111.00
Total Radium Determination		\$207.00	\$213.00	\$219.00	\$226.00	\$232.00

Gross Alpha and Beta Determination	\$111.00	\$114.00	\$117.00	\$121.00	\$124.00
Tritium Determination	\$102.00	\$105.00	\$108.00	\$112.00	\$115.00
Oil & Grease (Hexane Soluble Matter)	\$95.00	\$98.00	\$101.00	\$104.00	\$107.00
Total Organic Nitrogen	\$76.00	\$78.00	\$81.00	\$83.00	\$85.00
pH	\$38.00	\$39.00	\$40.00	\$41.00	\$43.00
Fluoride	\$38.00	\$39.00	\$40.00	\$41.00	\$43.00
Suspended Solids (Total)	\$57.00	\$59.00	\$60.00	\$62.00	\$64.00
Suspended Solids (Total and Volatile)	\$171.00	\$176.00	\$181.00	\$187.00	\$192.00
Total Dissolved Solids	\$57.00	\$59.00	\$60.00	\$62.00	\$64.00
Total Sulfides	\$83.00	\$87.00	\$89.00	\$92.00	\$95.00
Strontium Determination	\$134.00	\$138.00	\$142.00	\$146.00	\$150.00
Uranium Determination	\$45.00	\$46.00	\$48.00	\$49.00	\$50.00
Mercury (EPA 245.1)	\$76.00	\$78.00	\$81.00	\$83.00	\$86.00
Pharmaceutical Industry (EPA 1666)	\$342.00	\$352.00	\$363.00	\$374.00	\$385.00
Chlorinated Pesticides and Aroclors (EPA 608)	\$128.00	\$132.00	\$136.00	\$140.00	\$144.00
Volatile Organics (EPA 624)	\$304.00	\$313.00	\$322.00	\$332.00	\$342.00
Semi-Volatile Organics (EPA 625)	\$683.00	\$704.00	\$725.00	\$747.00	\$769.00
PFAS	\$413.00	\$431.00	\$444.00	\$457.00	\$471.00
Dissolved Sulfides	\$58.00	\$60.00	\$62.00	\$64.00	\$66.00

SELF-MONITORING AND DATA REPORTING
NON-COMPLIANCE

Cost of Processing and Issuing Significant Non-Compliance Notification	\$165.00
Cost of Processing Annual SNC and Publication	\$485.00
Non-Compliance Appeal Filing Fee*	\$150.00

*Filing Fee will be refunded if customer wins appeal

TABLE G

**CLASS I AND CLASS II PERMITTEES AND
SPECIAL PURPOSE DISCHARGE PERMITTEES**

CHARGES FOR USE (Fiscal Year)

Class I and II	<u>2023-24</u>	<u>2024-25</u>	<u>2025-26</u>	<u>2026-27</u>	<u>2027-28</u>
Flow (*)	\$1676.09	\$1754.41	\$1836.37	\$1922.17	\$2011.98
B.O.D. (**)	\$705.08	\$744.23	\$785.55	\$829.17	\$875.21
S.S. (***)	\$815.51	\$855.92	\$898.34	\$842 942.86	\$989.58

Special Purpose

Discharge Permit	<u>2023-24</u>	<u>2024-25</u>	<u>2025-26</u>	<u>2026-27</u>	<u>2027-28</u>
Flow (*) (Fiscal Year)	\$1676.09	\$1754.41	\$1836.37	\$1922.17	\$2011.98

- (*) Flow Per million gallons of Flow
- (**) B.O.D. Per thousand pounds of Biochemical Oxygen Demand
- (***) S.S. Per thousand pounds of Suspended Solids

All properties located within Revenue Area No. 14 pay no annual service fees. OC San's costs relating to providing service to these properties are billed by OC San directly to the Irvine Ranch Water District, the local agency providing the local sewer service.