



ORANGE COUNTY SANITATION DISTRICT Memorandum

February 24, 2016

TO: Board of Directors
Orange County Sanitation District

FROM: Kelly A. Lore
Clerk of the Board

SUBJECT: LATE COMMUNICATION

The Clerk of the Board received the following letter and attachment from the County of Orange AND late communication from the Director of Engineering regarding Item 15:

- Correspondence received February 23, 2016, from Jessica Witt, Deputy Chief Operating Officer, County of Orange, regarding proposed property tax exchange resolution for local sewer Service Area 7.

15. **NEWHOPE-PLACENTIA TRUNK SEWER REPLACEMENT
(FULLERTON/ANAHEIM SEGMENT "A"), CONTRACT NO. 2-72A**

The Director of Engineering corrected the recommendation to Item 15A as highlighted and the CEQA paragraph following is corrected in its entirety:

- A. Receive and file Addendum to the ~~1999 OCSD Strategic Plan Program~~ **Collection System Improvement Plan Program** Environmental Impact Report (PEIR) for additional project analysis for the Newhope-Placentia Trunk Sewer Replacement (Fullerton/Anaheim Segment "A"), Contract No. 2-72A;
- B. Receive and file bid tabulation and recommendation;
- C. Award a Construction Contract to Trautwein Construction Inc. for Newhope-Placentia Trunk Sewer Replacement (Fullerton/Anaheim Segment "A"), Contract No. 2-72A, for a total amount not to exceed \$21,134,650; and
- D. Approve a contingency of \$2,113,465 (10%).

CEQA

Newhope-Placentia Trunk Sewer Replacement (Fullerton/Anaheim Segment "A"), Project No. 2-72A is within the scope of the Program Environmental Impact Report (PEIR) for the Collection System Improvement Plan, SCH# 2006101018, certified on August 22, 2007. Pursuant to CEQA Guidelines section 15168(c)(4), the Sanitation District has prepared an addendum to the PEIR to cover sections that needed further analyzes. After reviewing the facts and analyzing the circumstances, staff has determined that these issue areas are of no substantial changes since the certification of the Final PEIR for the Collection System Improvement Plan.



County of Orange

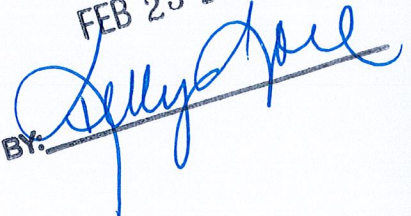
County Executive Office

February 23, 2016

Mr. Jim Herberg
General Manager
Orange County Sanitation District
10844 Ellis Avenue
Fountain Valley, CA 92708

FILED IN THE OFFICE OF
THE CLERK OF THE BOARD
ORANGE COUNTY SANITATION DISTRICT

FEB 23 2016

BY: 

Dear Mr. Herberg,

As a follow-up to our discussion today, please find attached the draft property tax exchange resolution between Orange County Sanitation District (OCSD) and Irvine Ranch Water District (IRWD). The proposed resolution includes the transfer of the existing property tax revenue received by OCSD for Service Area 7 to IRWD, if the application is approved by the Orange County Local Agency Formation Commission (LAFCO) Board.

County staff plans to submit this resolution for consideration by the Orange County Board of Supervisors at the Tuesday, March 1, 2016 Board meeting.

Revenue and Taxation Code Section 99(b)(5) requires notification of each member and executive officer of the affected district boards of the negotiation. This letter serves to fulfill that requirement. We request your assistance in forwarding this letter and the draft resolution to your Board of Directors.

If you have any questions or if I can be of any further assistance, please don't hesitate to contact me at (714) 834-7250 or by email at Jessica.Witt@ocgov.com.

Sincerely,



Jessica Witt
Deputy Chief Operating Officer

Attachment

cc: Chair John Nielsen, OCSD Board of Directors

RESOLUTION OF THE BOARD OF SUPERVISORS OF COUNTY OF ORANGE
APPROVING PROPERTY TAX EXCHANGE BETWEEN THE ORANGE COUNTY
SANITATION DISTRICT AND IRVINE RANCH WATER DISTRICT FOR OCSD
SERVICE AREA 7.

WHEREAS, Orange County Sanitation District (“OCSD”) has been exploring opportunities to divest its responsibilities for local sewer service provision; and

WHEREAS, the Irvine Ranch Water District (“IRWD”) filed an application with the Local Agency Formation Commission (“LAFCO”) for reorganization and sphere of influence update to allow IRWD to assume local retail sewer responsibilities in OCSD Service Area 7; and

WHEREAS, pursuant to Revenue and Taxation Code Section 99(b)(5): “In the event that a jurisdictional change would affect the service area or service responsibility of one or more special districts, the Board of Supervisors of the County or Counties in which the districts are located shall, on behalf of the district or districts, negotiate any exchange of property tax revenues;” and

WHEREAS, each Board Member and the Executive Officer of the Districts have been notified of the pending action and been given adequate time to comment on the negotiation; and

WHEREAS, upon the effective date of the reorganization (“Effective Date”), 100% of the property tax revenue from the consolidated area that formerly would have been allocated to OCSD for Service Area 7 for local retail sewer service shall from the Effective Date be allocated to IRWD.

NOW, THEREFORE BE IT RESOLVED that the Board of Supervisors does hereby approve that all property tax revenues that formerly were allocated to the OCSD for Service Area 7 for local retail sewer service, shall on the Effective Date be fully transferred and henceforth allocated to IRWD.