

SEP 24 1990 *[Signature]*

RESOLUTION NO. 90-SW-11

1
2 A RESOLUTION OF THE BOARD OF COUNTY
3 COMMISSIONERS PROVIDING LEGISLATIVE DETER-
4 MINATIONS NECESSARY TO ALLOCATE PHASE IV
5 SEWER SERVICE CAPACITY WITHIN THE EASTERN
6 WASTEWATER SERVICE AREA; ENLARGING SERVICE
7 AREA; DESIGNATING SALE DATE; PROVIDING AN
8 ECONOMIC IMPACT DETERMINATION; PROVIDING
9 FOR SEVERABILITY; PROVIDING AN EFFECTIVE
10 DATE.

7 PREMISES

8 1. The Board of County Commissioners allocates sewer
9 service capacity within the Eastern Wastewater Service Area
10 pursuant to the Eastern Wastewater Service Area Allocation
11 Rules (hereinafter "EWSAAR").

12 2. The Board had previously sold Eastern Phase IV
13 capacity on June 27, 1990 and not all capacity was sold.
14 Additional Phase IV treatment capacity was permitted beyond
15 the amount offered on September 20, 1988.

16 3. The Board had determined that it has available
17 Phase IV sewer service capacity to allocate within the
18 Eastern Wastewater Service Area.

19 4. Capacity release for this sale is expected on the
20 Allocation Day. Capacity to individual properties may be
21 delayed until adequate wastewater transmission facilities are
22 available.

23 5. The EWSAAR requires the adoption of a resolution to
24 implement certain terms and conditions of the allocations for
25 this sewer service capacity within the Eastern Wastewater
26 Service Area.

27 ACCORDINGLY, BE IT RESOLVED BY THE BOARD OF COUNTY
28 COMMISSIONERS:

29 Section 1. Legislative Determination by the Board. In
30 its legislative, governmental capacity, the Board hereby
31 makes the following findings and determinations:

32 (1) The Board hereby determines pursuant to Section 5,
33 EWSAAR, that eight hundred ninety-three thousand, one
34 hundred and ninety-three gallons per day (893,193 gpd)
35 is available for allocation and sale within the Eastern
36 Wastewater Service Area.

1 (2) The Board had previously set aside one hundred
2 fifty thousand gallons per day (150,000 gpd) of said
3 total capacity pursuant to Subsection 5(a) of EWSAAR.
4 The Board hereby determines that no further additional
5 allocation of this capacity beyond 150,000 is needed at
6 this time.

7 Section 2. Service Area Enlargement. The Board hereby
8 declares the Eastern Wastewater Service Area to include those
9 lands depicted as eligible for capacity sales in the map
10 attached hereto and incorporated in this resolution as
11 Exhibit "A".

12 Section 3. Designation of November Allocation Day. The
13 Board hereby designates November 1, 1990 between the hours of
14 9:00 A.M. to 5:00 P.M. as an allocation day pursuant to
15 Section 4, EWSAAR, and authorizes and directs the Clerk to
16 the Board to publish a notice of said Allocation Day in a
17 newspaper of general circulation in the County in accordance
18 with Section 4, EWSAAR. Pursuant to Section 5, EWSAAR, the
19 Board hereby authorizes the appropriate County staff to make
20 available for allocation on said day eight hundred
21 ninety-three thousand, one hundred and ninety-three gallons
22 per day (893,193 gpd) of sewer service capacity to owners (or
23 authorized agents thereof) of property within the Eastern
24 Wastewater Service Area pursuant to Section 2 in this
25 Resolution as Exhibit "A". The Board authorizes the
26 appropriate County staff to accept correct applications until
27 5:00 p.m. October 31, 1990.

28 Section 3. Economic Impact Determination. The Board does
29 hereby determine and find, pursuant to Section 1-27 (2)(b),
30 Orange County Code, that sufficient information has been pro-
31 vided for the Board to assess the economic impact of this
32 resolution on the development of real property in Orange
33 County. The Board does hereby determine and find that no
34 further economic impact statement or economic impact inform-
35 ation is required in this matter.
36

EXHIBIT "A"

