

SOUTH PLACER MUNICIPAL UTILITY DISTRICT

ORDINANCE NO. 22-02

**AN ORDINANCE REVISING THE TIMELINE FOR REIMBURSEMENT AGREEMENTS AS
CONTAINED IN DISTRICT SEWER CODE SECTION 4.04.001**

SECTION 1

The Board of Directors of the South Placer Municipal Utility District (the “District”) hereby finds and declares as follows:

- A. WHEREAS, the South Placer Municipal Utility District was formed and organized under the Municipal Utility District Act (the “MUD Act”) of the State of California (California Public Utilities Code Section 11501 et seq.); and
- B. WHEREAS, on May 3, 2018, the District adopted Ordinance 18-01 creating the South Placer Municipal Utility District Sewer Code (the “Sewer Code”). The Sewer Code compiled the District’s ordinances into one document and reference location, making the laws of the District more accessible, readable and understandable to those persons governed by such laws, and by those persons administering such laws on behalf of the District; and
- C. WHEREAS, from time to time, the District can modify the Sewer Code and incorporate such changes by subsequent Ordinance; and
- D. WHEREAS, Section 4 of the Sewer Code sets forth the criteria whereby a property owner or developer may obtain credits in lieu of payment of Local Sewer Participation Charges for the construction of Trunk Sewer Mains and/or Major Facilities and/or seek reimbursement for the costs of construction of Trunk Sewer Mains and/or Major Facilities under certain eligibility criteria; and
- E. WHEREAS, Section 4.04.001H of the Sewer Code establishes the terms for reimbursements

made under Section 4, and the District desires to accelerate the timeframe for said reimbursements; and

F. WHEREAS, on May 5, and June 2, 2022, the Board conducted hearings on this ordinance to consider public testimony prior to its adoption.

NOW, THEREFORE, BE IT ENACTED BY THE BOARD OF DIRECTORS OF THE SOUTH PLACER MUNICIPAL UTILITY DISTRICT AS FOLLOWS:

SECTION 2

Section 4.04.001.H of the Sewer Code is hereby revised as follows:

Notwithstanding any other provisions contained herein, reimbursements will be made under the following terms:

- a. Reimbursements less than \$1,000,000 shall be made within twelve months of the execution of the reimbursement agreement.
- b. Reimbursements greater than \$1,000,000 shall be made over a period of 5 years, in such amounts and frequency as the District may determine in its sole and exclusive discretion, calculated from the date of execution of the reimbursement agreement.

SECTION 3

This Ordinance shall go into effect on July 2, 2022.

SECTION 4

This Ordinance was introduced at a regular meeting of the Board of Directors held on the 5th Day of May 2022.

SECTION 5

Upon final passage, this Ordinance, or a summary of this Ordinance, shall be published once a week for two successive weeks in a newspaper of general circulation within the District, pursuant to the provisions of Sections 11534 and 11910 of the Public Utilities Code.

PASSED AND ADOPTED at a regular meeting of the Board of Directors of South Placer Municipal Utility District on this 2nd day of June 2022 by the following vote:

AYES: 4

NOES: 1

ABSTAIN: 0

ABSENT: 0

SOUTH PLACER MUNICIPAL UTILITY DISTRICT

Signed: _____

Gerald P. Mitchell, President of the Board of Directors

ATTEST:

Emilie Costan

Emilie Costan, Board Secretary