

SOUTH SANGAMON WATER COMMISSION
SANGAMON COUNTY, ILLINOIS

ORDINANCE NO. 23-04

**AN ORDINANCE AMENDING ORDINANCE NO. 23-03 SUBJECT TO A CONDITION
PRECEDENT**

ADOPTED BY THE SOUTH SANGAMON WATER COMMISSION
THIS 18TH DAY OF SEPTEMBER, 2023

Published in Pamphlet form by the authority of the South Sangamon Water Commission, Sangamon
County, Illinois 18th day of September, 2023

**AN ORDINANCE AMENDING ORDINANCE NO. 23-03 SUBJECT TO A CONDITION
PRECEDENT**

WHEREAS, the South Sangamon Water Commission, Sangamon County, Illinois (the "Commission"), has heretofore been duly organized and is now operating as a commission and public corporation under the provisions of the Illinois Municipal Code, 65 ILCS 5/1-1-1, *et seq.*, as supplemented and amended (the "Act"), and in particular, 65 ILCS 5/11-135-1, *et seq.* thereof ("Division 135"); and

WHEREAS, the Village of Chatham, Illinois and the Village of New Berlin, Illinois (collectively, the "Villages") adopted ordinances pursuant to which the Villages elected to jointly acquire and operate a common source of supply of water (the "System") and establish the Commission under the authority granted by Division 135; and

WHEREAS, in accordance with 65 ILCS 5/11-135-1 *et seq.* (Illinois Intergovernmental Cooperation Act) each of the Villages approved AN ORDINANCE APPROVING A WHOLESale WATER AGREEMENT with the Commission; and

WHEREAS, Section 5 of each of the Wholesale Water Agreements provides that the Commission shall give each Village at least 60 days prior notice of any rate adjustment; and

WHEREAS, the Commission entered into a Water Supply Agreement with EJ Water Cooperative, Inc. ("EJ") which was authorized pursuant to Resolution No. 16-02 and amended by Resolution 16-06; and

WHEREAS, Section 4 of the Water Supply Agreement provides that the Commission shall give EJ at least 60 days prior notice of any rate adjustment; and

WHEREAS, the Commission entered into a Wholesale Water Agreement with Curran-Gardner Township Public Water District ("Curran-Gardner") which was authorized pursuant to Ordinance No. 11-05; and

WHEREAS, Section 5 of the Wholesale Water Agreement provides that the Commission shall give Curran-Gardner at least 60 days prior notice of any rate adjustment; and

WHEREAS, as of the date of passage of this Ordinance, only two of the wholesale water customers have indicated that they will waive the 60 days rate adjustment notice requirement; and

WHEREAS, if all of the Commissions' wholesale water customers waive the 60 days prior notice requirement in writing by September 30, 2023, then the start date for the temporary reduction in wholesale water rates shall be effective as of the October 1, 2023 meter readings.

BE IT ORDAINED BY THE SOUTH SANGAMON WATER COMMISSION, AS FOLLOWS:

SECTION 1: Recitals: The foregoing recitals shall be and are hereby incorporated into and made part of this Ordinance as if fully set forth in Section 1.

SECTION 2: Provided that the Commission receives written notice from all four of its wholesale water customers waiving the 60 days notice prior to any rate adjustment on or before September 30, 2023 at 4:00 p.m. CST, then the rates for wholesale water sales to member municipalities of the South Sangamon Water Commission and all other governmental wholesale and interconnection customers including, but not limited to, EJ Water Cooperative, Inc. And Curran-Gardner Water District shall be as follows:

- (a) Effective for meter readings on or after October 1, 2023 and continuing for meter readings until September 30, 2024, the rate shall be \$8.68 per thousand gallons; and
- (b) Effective for meter readings on or after October 1, 2024, the rate shall be \$9.28 per thousand gallons.

If the Commission does not receive the written waivers of the 60 days notice prior to any rate adjustments from all four of its wholesale water customers by September 30, 2023 at 4:00 p.m. CST, the stated rates contained in Section 2 of Ordinance 23-03 remain in full force and effect and is not amended by this Ordinance 23-04.

SECTION 3: That rates established pursuant to this Ordinance are subject to change from time to time by the Commission, so long as the coverage ratios mandated by applicable bond ordinances are maintained and as required for future bond ordinances or system improvements.

SECTION 4: The rates set forth in this Ordinance supersede all prior wholesale rates ordinances. The Clerk shall publish this Ordinance in pamphlet form.

SECTION 5: This Ordinance shall take effect and be in force from and after its passage pursuant to roll call vote.

PASSED this 18th day of September, 2023.



CHAIRMAN

ATTEST:



Clerk

AYES: Roth, Johnson

NAYS: _____

PASSED: 09/18/2023

APPROVED: 09/18/2023

ABSENT: Morris

STATE OF ILLINOIS)
) SS
COUNTY OF SANGAMON)

CERTIFICATE

I certify that I am the duly elected and acting Clerk of the South Sangamon Water Commission, Sangamon County, Illinois.

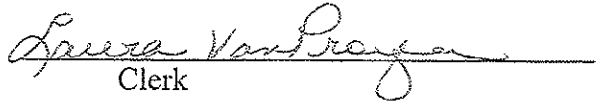
I further certify that on September 18, 2023, the corporate authorities of such Commission passed and approved Ordinance No. 23-04 entitled:

AN ORDINANCE AMENDING ORDINANCE NO. 23-03 SUBJECT TO A CONDITION PRECEDENT

which provided by its terms that it should be published in pamphlet form.

The pamphlet form of Ordinance No. 23-04, including the Ordinance and a cover sheet thereof, was prepared, and a copy of such Ordinance was posted at the offices at the South Sangamon Water Commission Plant, commencing on September 21, 2023, to continue for at least ten days thereafter. Copies of such Ordinance were also available for public inspection upon request in the Commission offices. Also this Ordinance was posted online.

DATED at the offices of the South Sangamon Water Commission this 18th day of September, 2023.


Clerk

