

AFTERNOON SESSION: 1:30 P.M.**Regular meeting of the Board of Directors of the Nevada County Sanitation District No. 1.****Call the meeting called to order.**

ACTION TAKEN: Chair Miller called the meeting of the Nevada County Sanitation District No. 1 to order at 1:30 p.m. (All Directors were present. Director Hall arrived a few moments after the meeting was called to order.)

Consent:

Director of Public Works: Trisha Tillotson

51. [SR 21-0495](#) Resolution approving a renewal contract between Nevada County Sanitation District No. 1 and Cranmer Engineering, Inc. for testing provided samples from Wastewater Treatment Facilities and Collection Systems, in the amount of \$55,000, for the period July 1, 2021 through June 30, 2022, and authorizing the Chair of the Board of Directors to execute the contract.

Adopted.

Enactment No: SD21-004

Approval of the Consent Agenda

Adopted.

MOTION: Motion made by Supervisor Scofield, seconded by Supervisor Bullock, to adopt the Nevada County Sanitation District No. 1 consent calendar. On a roll call vote the motion passed unanimously.

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PUBLIC HEARING:

Director of Public Works: Trisha Tillotson

52. [SR 21-0484](#) Public hearing to consider the proposed adjustments and increases in Sewer Service Charge fees for all customers within the District for Fiscal Years 2021/22 through 2025/26. At the public hearing, any record owner of a parcel upon which the Sewer Service Charges are proposed to be imposed and any tenant directly liable for the payment of Sewer Service Charge fees may submit a written protest to the proposed Sewer Service Charge adjustments and increases to the District's service charges. Protest must (1) be in writing, (2) state which utility service rate adjustments(s) the identified property owner or tenant is protesting, (3) provide the location of the identified parcel by street address or assessor's parcel number, and (4) include the name and signature of the property owner or tenant submitting the written protest. Only one protest will be counted per identified parcel (All Zones)

Public hearing held.

- 52a.** [SR 21-0519](#) Resolution accepting the County of Nevada Sanitation District No. 1 Wastewater Fee Study, dated April 23, 2021. (All Zones)
Adopted.
Enactment No: SD21-005
- 52b.** [SR 21-0485](#) (Introduce/Waive further reading/Adopt) An Ordinance amending Subsections 1.6, 4.3, 4.4 and 4.5 of Title 4 of the Sanitation District Code pertaining to revised sewer service charge rate adjustments.
Adopted.
Enactment No: ORD SD-74
- 52c.** [SR 21-0486](#) Resolution requesting the County of Nevada place Sanitation District No. 1 Sewer Service and Standby Charges for Zones 1, 2, 4, 5, 6, 7, 8, 9, 11, and 12 for Fiscal Year 2021/22 on the Nevada County Tax Roll.
Adopted.
Enactment No: SD21-006

ACTION TAKEN: Chair Miller introduced the public hearing and read the title of the agenda item into the record.

Trisha Tillotson, Director of Public Works, provided an introduction. Brad Torres, Wastewater Program Manager, and Rick Simonson, Senior Vice President, HF&H Consultants, provided a PowerPoint presentation regarding the Wastewater Fee Study process and proposed increase in parcel charges. Brad Torres clarified that Nevada County Sanitation District No. 1 (NCSD1) is an independent special district, funded solely by the rates generated by its customers. NCSD1 provides wastewater services for ten Zones located in the unincorporated areas of the County, which includes 5,600 residential connections and 15 commercial connections. Additionally, there are 703 properties located within the zones that are not yet connected to the system. Brad Torres reviewed rate background for the current annual service charges, which were last adjusted in 2011. Rate-making objectives and considerations include providing revenue efficiency and financial stability to fund projected capital and operations and maintenance costs of the District.

Brad Torres report that Proposition 218 process requirements dictate that rates must be based on the actual cost of service; notices must be mailed to property owners/rate payers; and a public hearing must be held, no sooner than 45 days after the notices are mailed. Brad Torres explained that the Board can adopt the rates if less than a majority of rate payers protest.

Brad Torres shared a video created by the Nevada County Public Works Department regarding sewer service provided by NCSD1.

Rick Simonson, Senior Vice President, HF&H Consultants, provided an overview of the Rate Study process: Step 1 - Revenue Requirement Projections; Step 2 - Cost of Service Allocations; and Step 3 - Rate Design. Rick Simonson provided expenses specific to each Zone, and explained that the Consumer Price Index (CPI) is budgeted over the next 10 fiscal years. Rates are designed to generate sufficient revenue to maintain each system moving forward. The proposed rates meet, or approach, the total target reserve by Fiscal Year 2025/26. Rick Simonson reviewed Revenue Requirement Projections for each of the ten Zones.

Board questioning and discussion ensued.

Trisha Tillotson reviewed the Protest Process, which is mandated by Proposition (Prop) 218. Prop 218 provides for a majority protest; written protest must be received in writing in advance or before the close of the public comment period. Trisha Tillotson reviewed staff's recommendations: open the public hearing allowing for public comment and submittal of written protests; close the public hearing; tally the written protests; and determine if a majority protest has been submitted.

Chair Miller opened the public comment portion of the public hearing, and the following member of the public provided comments: Tom Benoit, District IV. There being no additional members of the public waiting to speak, Chair Miller closed the public comment portion of the public hearing.

Staff initiated the protest ballot count within view of the public. If less than 45% of eligible protests are received (less than 2,615) a majority protest has not occurred and staff will announce the count. If 45% or more of eligible protests (2,615 or more) are received, a majority protest may have occurred but each protest letter will have to be verified.

Following the end of the protest count, Trisha Tillotson reported that the initial count was completed, resulting in a final tally of 1,184 ballots, which is under the 45% of protest ballots that are required. Therefore, Trisha Tillotson recommended the Board accept the Wastewater Fee Study for all Zones; adopt the Resolution accepting the Fee Study; introduce, waive further reading, and adopt the Ordinance; and approve the Resolution placing the NCSD1 charges for all Zones on the Fiscal Year 2021/22 Nevada County Tax Roll.

MOTION: Motion made by Supervisor Bullock, seconded by Supervisor Hall, to adopt Nevada County Sanitation District No. 1 Resolution SD21-005, accepting the County of Nevada Wastewater Fee Study. On a roll call vote the motion passed unanimously.

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MOTION: Motion made by Supervisor Hall, seconded by Supervisor Scofield, to introduce, waive further reading, and adopt Nevada County Sanitation District No. 1 Ordinance SD-74, amending the Sanitation District Code pertaining to revised service charge rate adjustments. On a roll call vote the motion passed unanimously.

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MOTION: Motion made by Supervisor Scofield, seconded by Supervisor Hoek, to adopt Nevada County Sanitation District No. 1 Resolution SD21-006, placing Sewer Service and Standby Charges for all Zones for Fiscal Year 2021/22 on the Nevada County Tax Roll. On a roll call vote the motion passed unanimously.

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Public comment:

ACTION TAKEN: No public comment was heard.

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Adjournment:

Chair Miller adjourned the meeting of the Nevada County District No. 1 Board of Directors.

ADJOURNMENT:

ACTION TAKEN: Chair Miller reconvened as the Board of Supervisors, and adjourned the meeting at 2:56 P.M.

Signature and Attestation:

Dan Miller, Chair

ATTEST:

By:

Julie Patterson Hunter, Clerk of the Board