

AGENDA – PUBLIC HEARING
FALL RIVER VALLEY COMMUNITY SERVICES DISTRICT
Special Meeting Proposition 218 Public Hearing
February 17, 2021 at 6PM
District Office, 24850 3rd Street, Fall River Mills, CA 96028

Due to COVID 19 restrictions, this meeting is being held via ZOOM. **Meeting ID 930 0929 4812**
You can also call in at 1-669-900-6833 Call the office at 336-5263 if you need assistance joining the meeting.

Mission:

The Fall River Valley CSD is committed to providing quality municipal services to the residents of the Fall River Valley in a reliable, professional, cost effective, and environmentally conscious manner.

CALL TO ORDER

ROLL CALL OF DIRECTORS

(A) Action Item

(D) Discussion Item

(I) Information Item

NEW BUSINESS:

- Open public hearing on sewer rate increase - 218 process (A)
 - o Receive public comment or protests (D)(I)(A)
- Close Public Hearing
 - o Count of Protest Votes (D)(I)(A)
 - o Consider Resolution 2021-01 – Wastewater rate increase (D)(I)(A)

ADJOURNMENT

RESOLUTION 2021-01

A RESOLUTION OF THE FALL RIVER VALLEY COMMUNITY SERVICES DISTRICT

ADOPTING REVISED WASTEWATER RATES IN ACCORDANCE WITH THE 2021 WASTEWATER UTILITY RATE UPDATE

WHEREAS, The Fall River Valley CSD Board hired Sergio Guillen PE (Consultant) to complete a Wastewater Utility Rate Study to determine the CSD's revenue requirements for its wastewater system; and

WHEREAS, The Fall River Valley CSD Board has reviewed and commented on the Wastewater Utility Rate Study Findings and Recommendations and public comment was received; and

WHEREAS, The Fall River Valley CSD Board authorized staff to begin the Proposition 218 process with respect to possible adjustments to the CSD's wastewater rates and charges; and

WHEREAS, in accordance with provisions of California Constitution Article XIII D and the Proposition 218 Omnibus Implementation Act (Government Code Sections 53750-53758), a notice of public hearing was mailed to all property owners and account holders regarding the proposed rate increases at least 45 days before the date of that hearing; and

WHEREAS, a public hearing was conducted via Zoom video conference on Wednesday, February 17, 2021 at 6 pm to receive public comment on the proposed rates and tabulate protests that were submitted with respect to the proposed rate adjustments; and

WHEREAS, insufficient protest votes were received to constitute a majority protest against the proposed rates, and the Fall River Valley CSD's Board of Directors may therefore take action to adjust the wastewater rates, as proposed.

NOW, THEREFORE, BE IT RESOLVED by The Fall River Valley CSD Board as follows:

Section 1. The Wastewater Utility Rate increases shown below, as previously described in the CSD's written notice, are hereby adopted effective March 1st of each year through 2023, beginning March 1, 2021, with subsequently adjustments to be effective on March 1, 2022 and March 1, 2023.

PROPOSED SEWER RATES

Currently, residential sewer customers are charged based on meter size, plus the average usage over the designated allowance between November and March. Commercial customers are charged based on meter size, and actual water usage over the allowance each month. Commercial kitchens are charged as commercial but are given a multiplier based on their impact to the sewer system. If approved, the new rates would take effect from the billing period of March 2021 with the last increase in March 2023.

Sewer rates will be based on Equivalent Residential Units (hereafter referred to as ERU). Each connection will be billed one ERU per residence. Most residential customers will be billed 1 ERU. The amount of your sewer bill will no longer be re-calculated in April, as it will be the same rate every month. Commercial customers, and multi-unit residence will be subject to the modifiers below.

COMMERCIAL CUSTOMERS

Rate calculation is based on usage history, rate study and the modifiers below.

Monthly charge per 1 ERU

<u>Date of Increase</u>	<u>Amount</u>
March 2021	\$35.19
March 2022	\$42.00
March 2023	\$49.00

<u>Modifier</u>	<u>Additional ERU</u>
Per Sewer Connection	1 ERU
4+ Employees	+1
Public Restroom	+1
1" Meter	+1
2" Meter	+2
3" Meter	+3
Commercial Laundry	+1
Commercial Kitchen	+1
Hotel	+6
Hospital	+49
School	+12
+Residence (or Unit)	+1 each

Section 3. CEQA EXEMPTION. The approval of said wastewater rates and fees by this Board of Directors is exempt from the requirements of the California Environmental Quality Act under the provisions of the Public Resources Code, Section 21080 (b)(8), and this DISTRICT makes this claim of exemption pursuant to said section and authorized claim of exemption to be filed with the appropriate agencies.

Section 4. VALIDITY. That if any section, subsection, sentence, clause, or phrase in this Resolution or the application thereof to any person or circumstances is for any reason held invalid, the validity of the remainder of the Resolution or the application of such provision to other persons or circumstances shall not be affected thereby. The Fall River Valley CSD Board hereby declares that it would have passed this Resolution and each section, subsection, sentence, clause, or phrase thereof, irrespective of the fact that one or more sections, subsections, sentences, clauses, or phrases or the application thereof to any person or circumstance be held invalid.

The foregoing resolution was passed and adopted this 17th day of February 2021 by the following vote:

- AYES:
- NOES:
- ABSENT:
- ABSTAIN:

DATED: February 17, 2021

FRVCSD Board President, Jerry Monath

FRVCSD General Manger, Cecil D Ray



Fall River Valley Community Services District
P.O. Box 427, 24850 3rd St.
Fall River Mills, CA 96028

**PROPOSITION 218 NOTIFICATION
NOTICE OF PUBLIC HEARING ON SEWER RATE INCREASES
February 17, 2021 at 6 P.M.**

WHY RATE INCREASES ARE NEEDED

Fall River Valley Community Services District (District) provides water and sewer services to ratepayers within its boundaries. While the District strives to be efficient and competitive with its rates, its costs continue to rise due to the replacement of aging infrastructure, labor, and maintenance of collection piping, manholes, lift stations and treatment ponds. The District is proposing predictable, incremental increases to keep pace with these costs, which continue to increase. The District engaged an independent consultant to prepare a rate study to determine the appropriate user rates for sewer services in order that the District can meet its costs of service and revenue requirements.

The proposed rate increases are necessary to enable the District to: (1) recover current and projected increases in the costs of operating and maintaining the sewer system; (2) maintain the operational and financial stability of the District; (3) avoid operational deficits and depletion of reserves; (4) construct capital infrastructure improvements needed to repair, replace and update the District's aging systems so that services can continue to be provided in a manner that protects public health and safety; (5) replace aging equipment; and (6) comply with state and federal regulatory requirements. For further information regarding the rates and analysis, please refer to the 2020 Sewer Rate Study, which is available for review on the District's website FRVCSD.org or by request. For any questions, please contact the District Office at (530) 336-5263.

PUBLIC HEARING AND PROTESTS

The District's Board will hold a public hearing on February 17, 2021 at 6 P.M. In accordance with the current State of Emergency for COVID-19 and the Governor's Executive Orders that temporarily suspend requirements of the Brown Act, teleconferencing will be used during this public hearing. Members of the public are invited to participate in the public hearing via Zoom.

**Join the Live Zoom Meeting:
<https://zoom.us/j/93009294812>
Meeting ID: 930 0929 4812**

Or listen in using this information and dialing (669) 900-6833

Call (530) 336-5263 or Email Amber@frvcsd.org if you need assistance or would like an invite emailed to you.

Customers directly responsible for the payment of the rates and/or property owners, if different, may submit a written protest against the noticed rate changes; however, only one protest will be counted per identified parcel.

Any written protest must: (1) specifically identify what is being protested; (2) provide the location of the identified parcel (by assessor's parcel number or street address); and (3) include the printed name and signature of the person who is listed on the utility account and is responsible for paying the utility bill and/or the property owner.

Written protests must be submitted by mail to the District Board of Directors at P.O. Box 427, Fall River Mills, CA 96028, or in person by utilizing the drop box located 24850 3rd Street, Fall River Mills, CA 96028, or during the Public Hearing (date and time noted above), provided they are received prior to the conclusion of the public comment portion of the Public Hearing. Please identify on the front of the envelope for any protest, whether mailed or submitted in person to the Board of Directors, **Attn: Public Hearing on Rate Increases.**

The Board will hear and consider all written and oral protests to the proposed rate increase at the Public Hearing on February 17, 2021. Oral comments at the Public Hearing will not qualify as formal protests unless accompanied by a written protest. If there is no majority protest upon the conclusion of the Public Hearing, the Board will consider and may adopt the increased rates.

For more information, please contact the District office at (530) 336-5263.

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Sewer rates will be based on Equivalent Residential Units (hereafter referred to as ERU). Each connection will be billed one ERU per residence. Most residential customers will be billed 1 ERU. The amount of your sewer bill will no longer be re-calculated in April, as it will be the same rate every month. Commercial customers, and multi-unit residence will be subject to the modifiers below. **Customers charged more than one ERU will receive extra information in this mailing.**

COMMERCIAL CUSTOMERS

Rate calculation is based on usage history, rate study and the modifiers below.

Monthly charge per 1 ERU

<u>Date of Increase</u>	<u>Amount</u>
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1” Meter	+1
2” Meter	+2
3” Meter	+3
Commercial Laundry	+1
Commercial Kitchen	+1
Hotel	+6
Hospital	+49
School	+12
+Residence (or Unit)	+1 each

For further details regarding the proposed rate increases to the District’s sewer rates or for any questions you may have regarding the proposed fees that may be imposed on your parcel, please contact the District office at (530) 336-5263 and ask to speak with Cecil Ray, General Manager or Amber Beck, Office Manager.