

RESOLUTION 2015-11
A RESOLUTION OF THE BOARD OF DIRECTORS OF
GEORGETOWN DIVIDE PUBLIC UTILITY DISTRICT
ACCEPTING AND CLOSING THE PROPOSITION 218 PUBLIC NOTIFICATION
AND PROTEST PROCESS AS IT RELATES TO A REGULATORY COMPLIANCE
SUPPLEMENTAL CHARGE ON TREATED WATER ACCOUNTS

WHEREAS, on February 9, 2004 the California Department of Public Health, Division of Drinking Water, issued Georgetown Divide Public Utility District (“District”) an administrative order instructing the District to comply with updated filtration requirements for drinking water; and

WHEREAS, the District’s current “in-line filtration” system that was built in the 1970s does not meet the current standards for drinking water filtration; and

WHEREAS, the District must replace its aging infrastructure to comply with the requirements for drinking water; and

WHEREAS, the State Water Resources Control Board (“SWRCB”) has agreed to provide a low-interest loan to the District to finance system improvements; and

WHEREAS, as a condition of the SWRCB low-interest loan, the District must have sufficient revenue to pay for its operations as a District and to service the debt on the loan; and

WHEREAS, to comply with the debt-service requirements of the SWRCB low-interest loan, the District must impose a supplemental monthly charge to treated water accounts with the District; and

WHEREAS, the District has completed a rate study demonstrating that the supplemental charge is necessary for the District to support the District’s operations and service the debt on the low-interest loan; and

WHEREAS, the Board of Directors of the District (“Board”) finds that the revenues derived from the supplemental monthly charge on treated water accounts will not exceed the funds required to continue District operations and service the low-interest loan debt, and the supplemental monthly charge on treated water accounts will be used exclusively for the District to continue to provide water service in the future, specifically in the form of servicing the SWRCB low-interest loan; and

WHEREAS, pursuant to Proposition 218 (Cal. Const., Art. XIIIID, § 6), the District provided written notice by mail to the affected property owners at least 45 days prior to the public hearing regarding the proposed supplemental monthly charge, the amount of

that supplemental charge, the basis upon which the supplemental monthly charge was calculated, the reasons for the supplemental charge, and the date, time, and place for the public hearing regarding the supplemental charge; and

WHEREAS, on September 14, 2015 the Board heard and considered all oral testimony, written materials, and written protests concerning the rate increase; and

WHEREAS, upon the close of the hearing, the District did not receive written protests against the proposed supplemental charge for treated water accounts from a majority of the affected property owners;


NOW, THEREFORE, BE IT RESOLVED that the Board of Directors of the Georgetown Divide Public Utility District does hereby accept and close the Proposition 218 proceedings in connection with the District's proposed supplemental monthly charge, with receipt of less than a majority protest, and the District may adopt the supplemental monthly charge not exceeding \$15.08 per month for the duration of the proposed 20-year SWRCB loan, in accordance with the rate study.

BE IT FURTHER RESOLVED that all supplemental monthly charges will be held in a separate, restricted account, used solely for servicing the SWRCB low-interest loan and reserve account, and upon full payment of the SWRCB low-interest loan, the supplemental monthly charges will cease.

The foregoing Resolution was introduced at a special meeting of the Board of Directors of the Georgetown Divide Public Utility District held on the 14th day of September, 2015 by Director Uso, who moved its adoption. The motion was seconded by Director Hanschield, and a vote was taken which stood as follows:

AYES: Uso, Hanschild, Krizl
NOES:
ABSTAIN:
ABSENT: Capraun, Hoelscher

The motion having a majority of votes "Aye", the Resolution was declared to have been adopted, and it was so ordered.



Norm Krizl, President

Board of Directors

GEORGETOWN DISTRICT PUBLIC UTILITY DISTRICT

ATTEST:



Wendell Wall, Clerk
and ex officio Secretary, Board
of Directors, GEORGETOWN DIVIDE PUBLIC UTILITY DISTRICT

CERTIFICATION

I hereby certify that the foregoing is a full, true and correct copy of Resolution 2015- 11 duly and regularly adopted by the Board of Directors of the Georgetown Divide Public Utility District, County of El Dorado, State of California, on the 14th day of September 2015.



Wendell Wall, Clerk
and ex officio Secretary, Board
of Directors, Georgetown Divide
Public Utility District