

**REPORT TO THE BOARD OF DIRECTORS
BOARD MEETING OF March 14, 2023
AGENDA ITEM NO. 9A**



AGENDA SECTION: PUBLIC HEARING

SUBJECT: 2020 URBAN WATER MANAGEMENT PLAN AND WATER SHORTAGE CONTINGENCY PLAN UPDATE

PREPARED BY: Adam Brown, Operations Manager

APPROVED BY: Nicholas Schneider, General Manager

BACKGROUND

The Georgetown Divide Public Utility (District) has prepared this report in compliance with the Urban Water Management Planning Act (Act), as amended (California Water Code, Division 6, Part 2.6; §10610, et. seq. established by Assembly Bill 797, 1983). All urban water suppliers defined in Section 10617; either publicly or privately owned, providing water for municipal purposes either directly or indirectly to more than 3,000 customers, or supplying more than 3,000 acre feet (ac-ft) annually are required to prepare an UWMP. Urban water suppliers are required to prepare and/or update their Urban Water Management Plan (UWMP) and submit a complete plan to the Department of Water Resources (DWR) every five years.

DISCUSSION

During the January 10, 2022, board meeting staff presented proposed changes to the 2020 UWMP to meet DWR requirements and needs of the District. The changes have been and published on the District's website at <https://www.gd-pud.org/2020-urban-water-management-plan>. Following the February meeting the UWMP was noticed for two consecutive periods in the Georgetown Gazette, meeting DWR requirements.

FISCAL IMPACT

If the District did not meet State requirements, potential state loan and/or grant funding would not be available to the District.

CEQA ASSESSMENT

This is not a CEQA project.

RECOMMENDED ACTION

Staff recommends the Georgetown Divide Public Utility District Board of Directors adopt the revised 2020 UWMP for submittal to DWR.

Attachments:

1. Proof of Publication
2. Resolution 2023-XX



PROOF OF PUBLICATION
(2015.5 C.C.P.)

**Proof of Publication of:
NOTICE OF PUBLIC HEARING**

STATE OF CALIFORNIA
County of El Dorado

I am a citizen of the United States and a resident of the County aforesaid; I'm over the age of eighteen years, and not a party to or interested in the above-entitled matter. I am a principal agent of and/or the publisher of the El Dorado Gazette, Georgetown Gazette & Town Crier, a newspaper of general circulation printed and published once each week in the town of Georgetown, Ponderosa Judicial District, County of El Dorado, and which newspaper has been adjudged a newspaper of general circulation by the Superior Court to the County of El Dorado, State of California, under the date of April 3, 1970, Case Number 18589; that the notice, of which the attached is a printed copy (set in type no smaller than non-pareil), has been published in each regular and entire issue of said newspaper and not in any supplement thereof on the following dates, to-wit:

2/23, 3/2

All in the year 2023

I certify (or declare) under penalty of perjury that the foregoing is true and correct.

Dated at Placerville, California, this 2nd day of MARCH, 2023

Alison Rains

Signature

**NOTICE OF PUBLIC HEARING
GEORGETOWN DIVIDE PUBLIC UTILITY
DISTRICT BOARD OF DIRECTORS
URBAN WATER MANAGEMENT
PLAN UPDATE**

NOTICE IS HEREBY GIVEN that the Board of Directors of the Georgetown Divide Public Utility District (the District) will hold a public hearing at its March 14, 2023, regular Board meeting at 2:00 PM. Public hearing will be held virtual at the following link <https://us02web.zoom.us/j/7656449744?pwd=KzdUMndmT2dlS0djM01xOUVGTDNldz09> or via teleconference (666) 900-6833, Meeting ID 765 644 9744, Password: 800609, to consider the adoption of an update to the District's Urban Water Management Plan and Water Shortage Contingency Plan (UWMP). The hearing will provide an opportunity for members of the community to provide input on the District's urban water use target for compliance with the SBX7-7, also known as the Water Conservation Bill of 2009, and the District's planned methods for meeting its urban water use target. Upon conclusion of the public hearing, the Board of Directors may revise, change, modify and/or adopt the 2020 UWMP.

ALL INTERESTED PARTIES are invited to participate in the March 14, 2023, public hearing to express opinions or submit evidence for or against the approval of the UWMP. At the above noted time and place, testimony from interested persons will be heard and considered by the District Board of Directors prior to taking action of making any recommendation on the UWMP. Written comments are also accepted, prior to the hearing by the District, at: P.O. Box 4240, Georgetown, CA 95634. The Urban Water Management Plan describes and specifies the proposed urban water use targets and may be viewed at the District office by appointment at: 6425 Main Street, Georgetown, CA 95634, or online at www.gd-pud.org. Please contact the Operations Manager, Adam Brown with any questions as (530) 333-4356 ext. 110, via email abrown@gd-pud.org or setup an appointment at the District office.

2/23, 3/2

002091

RESOLUTION NO. 2023–XX
OF THE BOARD OF DIRECTORS OF THE
GEORGETOWN DIVIDE PUBLIC UTILITY DISTRICT
ADOPTING THE URBAN WATER MANGEMENT PLAN
AND WATER SHORTAGE CONTINGENCY PLAN REVISIONS

WHEREAS, the Georgetown Divide Public Utility (District) in compliance with the Urban Water Management Planning Act (Act), as amended (California Water Code, Division 6, Part 2.6; §10610, et. seq. established by Assembly Bill 797, 1983).. Urban water suppliers are required to prepare and/or update their Urban Water Management Plan (UWMP) and submit a complete plan to the Department of Water Resources (DWR) every five years.; and

WHEREAS, all urban water suppliers defined in Section 10617; either publicly or privately owned, providing water for municipal purposes either directly or indirectly to more than 3,000 customers, or supplying more than 3,000-acre feet (ac-ft) annually are required to prepare an UWMP water suppliers are required to prepare and/or update their Urban Water Management Plan (UWMP) and submit a complete plan to the Department of Water Resources (DWR) every five years; and

WHEREAS, on May 11, 2021, the Board of Directors adopted the 2020 UWMP after proper public notification and public hearing which was subsequently submitted to DWR prior to the July 1, 2021, deadline; and

WHEREAS, on May 18, 2022, the District received comments from DWR to correct sections of the UWMP; and

WHEREAS, events that transpired during 2022, including drought conditions, completion of the 2020 census and Mosquito Fire, allowed the District to further evaluate the needs of the District and revise the 2020 UWMP; and

WHEREAS, recommended revisions were discussed in the January 10, 2023 Board meeting; and

WHEREAS, a Public Hearing was held at the March 14, 2023;

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF DIRECTORS OF THE GEORGETOWN DIVIDE PUBLIC UTILITY DISTRICT THAT THE REVISIONS TO THE URBAN WATER MANAGEMENT PLAN TO SUBMIT TO THE DEPARTMENT OF WATER RESOURCES WITHIN 30 DAYS OF ADOPTION BE APPROVED.

PASSED AND ADOPTED by the Board of Directors of the Georgetown Divide Public Utility District at a meeting of said Board held on the 14th day of March 2023, by the following vote:

AYES:

NOES:

ABSENT/ABSTAIN:

Mitch MacDonald, President, Board of Directors
GEORGETOWN DIVIDE PUBLIC UTILITY DISTRICT

Attest:

Nicholas Schneider, 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 2023-XX duly and regularly adopted by the Board of Directors of the Georgetown Divide Public Utility District, County of El Dorado, State of California, on this 14th day of March 2023.

Nicholas Schneider, Clerk and Ex officio
Secretary, Board of Directors
GEORGETOWN DIVIDE PUBLIC UTILITY DISTRICT

**REPORT TO THE BOARD OF DIRECTORS
BOARD MEETING OF MARCH 14, 2023
AGENDA ITEM NO. 9B**



AGENDA SECTION: PUBLIC HEARING

SUBJECT: CONNECTION FEES ASSOCIATED WITH ACCESSORY DWELLING UNITS

PREPARED BY: Adam Brown, Operations Manager

APPROVED BY: Nicholas Schnieder, General Manager

BACKGROUND

The Georgetown Divide Public Utility (District) Ordinance 2016-02 defines fees associated with a second connection to the District's treated water system. The Ordinance in part reads, *...connection for a second 5/8-3/4 meter, serving the same parcel for residential purposes, shall be 50 percent of the...connection fee of Capital Facility Charge (CFC)*. On October 8, 2017, Senate Bill 229 (SB-229), pertaining to Accessory Dwelling Units (ADU) was approved by the Governor of California. The bill addresses ADU criteria which impacts District operations.

DISCUSSION

SB-229 included as Attachment 1 defines and outlines criteria associated with the development of an ADU and connection to a water system. Specific details pertaining to the District include:

- Specifies property containing an ADU must be zoned to allow single-family or multifamily and must include a proposed or existing single-family dwelling;
- Specifies an ADU to be either attached to or located within the living area of the proposed or existing primary dwelling, or detached from the proposed or existing primary dwelling, and located on the same lot as the proposed or existing primary dwelling;
- Specifies that the total area of floor space of an ADU shall not exceed 50% of the proposed or existing primary dwelling living area or 1,200 square feet; and
- Clarifies that a local agency, special district, or water corporation shall not consider an ADU to be a new residential use for the purposes of calculating connection fees or capacity charges for utilities, including water and sewer service.

In order to account for ADU legislation Ordinance 07-01 is proposed to be amended. Amended Ordinance is included as Attachment 2. It is suggested by District staff at the time of a Water Rate Study, a multifamily rate structure be evaluated to account for additional use and impact from multifamily connections. Currently, new multifamily connections require a 1-inch meter, and which would continue to be required.

FISCAL IMPACT

In 2022, a total of two ADUs were connected to the District's treated water system resulting in a revenue of \$11,684. The District has seen in recent months additional requests for ADUs constructions. The CFC revenue could be deferred by implementing multifamily rate charge at the time of the next water rate study. For example, if 1.5 times base charge was applied for a multifamily connection, CFC revenue would be deferred over a 16 year period.

CEQA ASSESSMENT

This is not a CEQA project.

RECOMMENDED ACTION

Staff recommends the Georgetown Divide Public Utility District Board of Directors accepted the first reading of Ordinance 2023-02

ATTACHMENTS

1. Ordinance 2023-02
2. Proof of Publication
3. Resolution 2023-XX

ORDINANCE 2023-02

**AN ORDINANCE OF THE
GEORGETOWN DIVIDE PUBLIC UTILITY DISTRICT AMENDING ORDINANCE NO.
07-01; ARTICLE 2 – *Amendment to Ordinance 07-01*; Article 5 – *Connection to the
District’s Treated Water System***

BE IT ENACTED by the Board of Directors of the GEORGETOWN DIVIDE PUBLIC UTILITY DISTRICT, County of El Dorado, State of California, as follows:

ARTICLE 1. *Recitals*

A. Pursuant to Government Code Section 66013 et seq. the governing board of a district is authorized to levy a fee or capacity charge for any new connection to the district’s water system to defray the cost of the public facilities necessary to serve the new connection.

B. Under this Ordinance, new connection shall include situations where a second connection is made to a parcel for residential purposes and that parcel must include an existing or proposed primary dwelling.

C. Senate Bill No. 229 outlines criteria associated with development of an Accessory Dwelling Unit and connection to a water system.

D. ADU is a second dwelling attached or located on the same parcel with a residential dwelling

ARTICLE 2. *Amendment to Ordinance 07-02; ARTICLE 5 – Connection to the District’s Treated Water System:*

Upon the effective date of this Ordinance, ARTICLE 5, of Ordinance No. 07-02 is amended. ARTICLE 5. *Connection to the District’s Treated Water System is amended to delete the following section:*

- (1) The connection fee for a second 5/8-3/4 meter, serving the same parcel for residential purposes, shall be 50-percent of the value identified in section (a) above for 5/8-3/4 meters.

ARTICLE 5. *Connection to the District’s Treated Water System is amended to add the following section:*

- (2) The connection fee for a second 5/8-3/4 meter, serving the same parcel for residential purposes, shall be 50-percent of the value identified in section (a) above for 5/8-3/4 meters if any of the following criteria are not met:
 - a. The parcel must be zoned to allow single-family or multifamily dwellings;
 - b. A Parcel containing an ADU that is either attached or located on the same parcel as an existing or proposed primary dwelling; and

- c. The total floor space of an ADU shall not exceed 50% of the proposed or existing primary dwelling living area or 1,200 square feet;

If all criteria are met, no connection fee will be charged to connect to the District's treated water system.

ARTICLE 3. *Commencement Date*

The effective date of this Ordinance shall be 30 calendar days following its adoption by the Board

ARTICLE 4. *Severability*

If any portion, phrase or segment of this Ordinance is found by a Court or competent jurisdiction to be invalid, such finding shall not affect the validity of the remaining portions of this Ordinance. The District hereby declares its intent to adopt this Ordinance irrespective of the fact that one or more of its provisions may be declared invalid subsequent thereto.

I HEREBY CERTIFY that the foregoing Ordinance was duly INTRODUCED at a regularly held meeting of the Board of Directors of the GEORGETOWN DIVIDE PUBLIC UTILITY DISTRICT on the 14th day of February 2023 was **PASSED AND ADOPTED** at a regular meeting of the Board of Directors of the GEORGETOWN DIVIDE PUBLIC UTILITY DISTRICT held on the 14th day of March 2023, by the following vote:

AYES:

NAYS:

ABSENT:

Mitch MacDonald, President Board of Directors
GEORGETOWN DIVIDE PUBLIC UTILITY DISTRICT

Attest:

Nicholas Schneider, 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 **Ordinance 2023-02** duly and regularly adopted by the Board of Directors of the GEORGETOWN DIVIDE PUBLIC UTILITY DISTRICT, El Dorado County, California, at a meeting duly held on the fourteenth day of February 2023.

Nicholas Schneider, Clerk and ex officio
Secretary, Board of Directors
GEORGETOWN DIVIDE PUBLIC UTILITY DISTRICT



**PROOF OF PUBLICATION
(2015.5 C.C.P.)**

**Proof of Publication of:
NOTICE OF PUBLIC HEARING**

STATE OF CALIFORNIA
County of El Dorado

I am a citizen of the United States and a resident of the County aforesaid; I'm over the age of eighteen years, and not a party to or interested in the above-entitled matter. I am a principal agent of and/or the publisher of the El Dorado Gazette, Georgetown Gazette & Town Crier, a newspaper of general circulation printed and published once each week in the town of Georgetown, Ponderosa Judicial District, County of El Dorado, and which newspaper has been adjudged a newspaper of general circulation by the Superior Court to the County of El Dorado, State of California, under the date of April 3, 1970, Case Number 18589; that the notice, of which the attached is a printed copy (set in type no smaller than non-pareil), has been published in each regular and entire issue of said newspaper and not in any supplement thereof on the following dates, to-wit:

2/23

All in the year **2023**

I certify (or declare) under penalty of perjury that the foregoing is true and correct.

Dated at Placerville, California, this **23rd** day of **FEBRUARY, 2023**

Alison Rains

Signature

**NOTICE OF PUBLIC HEARING
AN ORDINANCE OF THE BOARD OF
DIRECTORS OF THE GEORGETOWN
DIVIDE PUBLIC UTILITY DISTRICT
ADDING ORDINANCE 2023-02 TO AMEND
ORDINANCE 07-01 FIRST AMENDED BY
ORDINANCE 16-02.**

NOTICE IS HEREBY GIVEN that a Public Hearing will be held by the Board of Directors of the Georgetown Divide Public Utility District (the "District") at its next regularly scheduled meeting of March 14, 2023 at 2:00 PM at the District Office located at 6425 Main Street, Georgetown, California, 95634 for a vote on the adoption of Ordinance 2023-02 (the "Ordinance") stating Senate Bill 229 (SB-229), pertaining to Accessory Dwelling Units (ADU) defines and outlines criteria associated with the development of an ADU and connection to a water system.

ALL INTERESTED PARTIES are invited to attend the March 14, 2023 Public Hearing at 2:00 PM to express opinions or submit evidence for or against the approval of the Ordinance. At the above-noted time and place, testimony from interested persons will be heard and considered by the District Board of Directors prior to taking action or asking any recommendation on the Ordinance. Upon request, the agenda and the documents in the hearing agenda packet can be made available to persons with disabilities. In compliance with the American Disabilities Act, the District encourages those with disabilities to participate fully in the public hearing process. Any person requiring special assistance to participate in the meeting should call (530) 333-4356 or email gm@gd-pud.org at least forty-eight (48) hours prior to the meeting.

Written comments are also accepted prior to the hearing by the District at P.O. Box 4240, Georgetown, California 95634. Information regarding the hearing is on file and may be viewed by interested individuals at the District Office located at 6425 Main Street, Georgetown, California, 95634. If a challenge to the above-purposed actions is made in court, persons may be limited to raising only those issues they or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the District Board of Directors. Copies of the proposed Ordinance are available for public review at the District Office.

If you have any questions, please call the Operations Manager, Adam Brown, abrown@gd-pud.org, (530) 333-4356, or stop by the office at 6425 Main Street, Georgetown, California, 95634.

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RESOLUTION NO. 2023-XX
OF THE BOARD OF DIRECTORS OF THE
GEORGETOWN DIVIDE PUBLIC UTILITY DISTRICT
APPROVE ORDINANCE 2023-02 REVISIONS

WHEREAS, the Georgetown Divide Public Utility (District) Ordinance 2016-02 (revised by Ordinance 07-01) defines fees associated with a second connection to the District's treated water system; and

WHEREAS, Senate Bill 229 (SB-229), pertaining to Accessory Dwelling Units (ADU) was approved by the Governor of California on October 8, 2017; and

WHEREAS, the bill addresses ADU criteria which impacts District operations; and

WHEREAS, SB-229 defines and outlines criteria associated with the development of an ADU and connection to a water system; and

WHEREAS, to account for ADU legislation Ordinance 2023-02 is proposed to amend Ordinance 2016-02; and

WHEREAS, proposed Ordinance 2023-02 was discussed in Public Hearing on March 14, 2023; and

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF DIRECTORS OF THE GEORGETOWN DIVIDE PUBLIC UTILITY DISTRICT THAT ORDINANCE 2023-02 BE ADOPTED

PASSED AND ADOPTED by the Board of Directors of the Georgetown Divide Public Utility District at a meeting of said Board held on the 14th day of March 2023, by the following vote:

AYES:

NOES:

ABSENT/ABSTAIN:

Mitch MacDonald, President, Board of Directors
GEORGETOWN DIVIDE PUBLIC UTILITY DISTRICT

Attest:

Nicholas Schneider, 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 2023-XX duly and regularly adopted by the Board of Directors of the Georgetown Divide Public Utility District, County of El Dorado, State of California, on this 14th day of March 2023.

Nicholas Schneider, Clerk and Ex officio
Secretary, Board of Directors
GEORGETOWN DIVIDE PUBLIC UTILITY DISTRICT

Attachment:

1. Notice of Public Hearing