

DEPARTMENT: Public Works

By: Marty Allan

Phone: 966-5356

RECOMMENDED ACTION AND JUSTIFICATION: (Policy Item: Yes \_\_\_ No X )

**PUBLIC HEARING**

Resolution authorizing proposed fee adjustments for water and sewer services in the Yosemite West Maintenance District.

The water and sewer system in Yosemite West have incurred major problems over the past few years with higher usages of the infrastructure. The Board has addressed these issues on an ongoing basis but resources have been dwindling in light of the continued problems. Additionally, the state has required tighter monitoring of the system, increasing the already strained budgets. The Advisory Committee and staff have been struggling with balancing the needs of the District and having to increase fees for operations. In an effort to limit excessive water usage and sewer flow, the Advisory Board asked staff to do a complete revision of the tier structure for water and sewer usage to keep the rates equitable while fostering water and sewer conservation.

The new rate structure was changed from 5,000 gallon increments to 4,000 gallons with many more usage tiers. This enables the rates to start at approximately the current level and increase at a faster rate. This is called an increasing block rate structure designed to promote water and sewer conservation. Our records indicate that over 87% if all households use less than 12,000 gallons a month, which is only 40% of the total usage. This group is made up of seasonal owners and full-time residents.

The next 6% of all households use less than 20,000 gallons a month, which amounts to 11% of the total usage. This group is made up of the bed and breakfasts, full-time residents and small transient rentals.

The final 7% of the households use over 20,000 gallons a month <sup>and</sup> makes up 49% of the total usage. The majority of users at this level are made up of larger transient rentals and large bed and breakfast operations.

Water rates have remained the same since November 1, 1996 when the increasing block rate structure was implemented. The current sewer rates were implemented July 1, 1999. The changes affecting the sewer are only the tier structure with increasing rates after you reach 12,000 gallons usage per month. The base rate and the beginning usage rates remain the same as previously implemented.

**BACKGROUND AND HISTORY OF BOARD ACTIONS:**

The current water rates were put into effect on November 1, 1996 per Board Resolution No. 96-377 on September 11, 1996.

The current sewer rate structure became effective July 1, 1999 per Board Resolution No. 99-101 on March 23, 1999.

**LIST ALTERNATIVES AND CONSEQUENCES OF NEGATIVE ACTION:**

Do not grant fee increase and change of tier structure and continue to deplete reserves.

COSTS: (X) Not Applicable  
A. Budgeted current FY> \$ \_\_\_\_\_  
B. Total anticipated Costs> \$ \_\_\_\_\_  
C. Required additional funding> \$ \_\_\_\_\_  
D. Internal transfers> \$ \_\_\_\_\_

SOURCE: ( ) 4/5th Vote Required  
A. Unanticipated revenues> \$ \_\_\_\_\_  
B. Reserve for contingencies> \$ \_\_\_\_\_  
C. Source description: > \_\_\_\_\_  
Balance in Reserve Contingencies, If Approved:  
\$ \_\_\_\_\_

SPECIAL INSTRUCTIONS:  
List the attachments and number the pages consecutively:  
1. Public Hearing Notice  
2. Allocation of Water and Sewer Expenses  
3. Projected Rates, Water Analysis  
4. Projected Rates, Sewer Analysis  
5. Current Rate Structure  
6. Proposed Rate Structure

CLERK'S USE ONLY

Res. No.: 00-267 Ord. No.: \_\_\_\_\_

Vote - Ayes: 5 Noes: \_\_\_\_\_

Absent: \_\_\_\_\_ Abstained: \_\_\_\_\_

Approved  Denied  
 Minute Order Attached  No Action Necessary

The foregoing instrument is a correct copy of the original on file in this office

Date: \_\_\_\_\_

ATTEST: \_\_\_\_\_  
MARGIE WILLIAMS, Clerk of the Board

By: \_\_\_\_\_  
Deputy

ADMINISTRATIVE OFFICER'S RECOMMENDATION:

This item on agenda as:

- \_\_\_\_\_ Recommended
- \_\_\_\_\_ Not Recommended
- \_\_\_\_\_ For Policy Determination
- \_\_\_\_\_ Submitted with Comment
- \_\_\_\_\_ Returned for Further Action

Comment: \_\_\_\_\_

C.A.O. Initials: MSA



# COUNTY OF MARIPOSA

P.O. Box 784, Mariposa, CA 95338 (209) 966-3222

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DISTRICT II  
DISTRICT I  
DISTRICT III  
DISTRICT V



## MARIPOSA COUNTY BOARD OF SUPERVISORS

### MINUTE ORDER

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TO: JIM PETROPULOS, PUBLIC WORKS DIRECTOR  
FROM: MARGIE WILLIAMS, Clerk of the Board *MW*  
SUBJECT: FEE ADJUSTMENTS FOR YOSEMITE WEST MAINTENANCE DISTRICT  
WATER AND SEWER SERVICES  
Res. No. 00-267

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THE BOARD OF SUPERVISORS OF MARIPOSA COUNTY, CALIFORNIA,

ADOPTED THIS Order on July 18, 2000

#### ACTION AND VOTE:

**2:06 p.m.** Jim Petropulos, Public Works Director;  
PUBLIC HEARING to Consider Proposed Fee Adjustments for Water and Sewer in the Yosemite West Maintenance District

**BOARD ACTION:** Chairman Parker advised that all of the correspondence that has been received for this matter has been entered into the record. Jim Petropulos presented the staff report. Marty Allan, PWD/Fleet-Fiscal Manager, provided input. Staff responded to a question from the Board relative to usage of the reserve funds. Supervisor Reilly asked that at the conclusion of the hearing that Public Works provide a report on the status of the work on the system, and she stated she would advise of her meeting with Congressman Radanovich's Office.

Public portion of the hearing was opened and input was provided by the following:

Dave Deto stated a small percentage of the homes are occupied by full-time residents like him. He asked that duplexes be considered separately in the rate structure; and that the vacancies on the Maintenance Advisory Committee and Yosemite West Planning Committee be filled quickly.

Staff responded to a question from the Board relative to consideration of single-family versus multi-family structures in the rate structure.

Louise Bond, property owner since 1969, supported the recommended increases in fees. She stated she feels it is necessary and will result in the conservation of water. She stated she feels if revenue is generated that is not needed at this time, it should be added to the Capital Improvement Fund. She further stated that she feels the heavier water users are the transient rental operations.

Peter Brickland commented on the amount of water that he feels is lost through leaky pipes; and he advised that they have contacted Congressman Radanovich to try to secure funding for the sewer and water system for the community. He noted other areas that have been successful in obtaining funding. He also

advised that they have a group from the National Small Flows Clearinghouse looking at the area and trying to come up with a system for all of Yosemite and the Yosemite West area. He requested that action on the fees be held until after the system is fixed and actual costs for maintenance and upkeep are known.

Tom Kroon stated he has owned property in the area since 1971, and he has been a real estate agent since 1972 in Yosemite West. He referred to the 12,000 gallons per month usage figure and how that was arrived at. He stated he feels that 100 gallons per minutes for water is required to adequately serve the area – he noted that the current well will produce more, but the pump is rated for 100 gpm. He referred to the previous testing and results of five wells in the area that are not currently being used, and he suggested that they be reviewed for feasibility of bringing them on-line with the system. He stated he feels that maintenance has been lax over the years. He commented on water usage for the swimming pools. He also stated the homeowners that reside in the area do not make a high salary – most people are there because they love Yosemite and the area, and these people should not be penalized.

Harry Hagen stated he does not feel this discussion is about capital improvements, it is paying for ongoing maintenance. He stated he feels that some people use a disproportionate amount of water – ten people use 60% of the sewer capacity and others are not allowed to build. He stated he feels there needs to be an incentive to conserve. He stated he does not know how the sewer system will be fixed, but the water needs to be paid for if it is being used. He does not feel that maintenance should be decreased, and he urged the Board to approve the rate restructure.

Kay Pitts, bed and breakfast owner and owner of a duplex rental, stated she feels that it is important that what is being discussed is operating costs. She stated that in the Peregrine Bed and Breakfast, they use about 70 gallons per person in the high usage months; and at the Falcons Nest, the usage is a little lower. She stated that in some areas the duplexes are using twice as much water, perhaps because of leaks, watering the garden, and extra guests. She stated she felt conservation measures could include making the guests aware of the situation and having low-flow fixtures. She stated that at the high side, this is about a 25-cent increase per room for their operation – for some homeowners, it is a smaller amount. The system needs to be kept operating and everyone paying their fair share.

Bill Duff stated he has been unable to build, even though they have planned to do so. He stated he works for Toyota and is on his way back from a meeting in Japan. He stated he sees three problems: 1) sewer system; 2) water system; and 3) lack of a decent development plan for the area, inadequate standards in the plans, and lack of enforcement. He stated he feels the high water users should pay for their increased usage. He stated he would like to see improvement in the water and sewer services – they have funds invested and are unable to build, and they can not get their money back out. He asked if the process could be sped up.

Don Pitts, member of the Yosemite West Maintenance Advisory Board, stated he supports the rate increase. He feels they need to pay for the cost of operation of the system, and he feels the deficit should be paid for by the people who live there now and not be allowed to accrue for future owners. He noted that with his bed and breakfast operation, he is the fifteenth largest user in the district. This increase will cost him about \$129 a year more, and he averages about 11,000 gallons of water a year. He stated he does not feel that is too much. He commented on a typical residential usage and the small increase the fee adjustment would bring. He stated it will be nice to resolve the problems with the systems.

Paul Konapelsky, Attorney representing Richard Long, stated his client is the largest water user in the District. He noted that he and his partner own Lot 72 on Henness Ridge Road, a lot that they can not build on under the current circumstances. He stated he has reviewed all of the materials and feels that based on the report, there is insufficient information available for a decision to be made today. He requested that the Board table this issue and consider additional facts. Between the transient occupancy tax permit fees and rental property taxes and personal property taxes, he feels Yosemite West contributes about three-quarters of a million dollars in revenue to the County. He stated there is no discussion on what the reserves are and where they are, and where the revenue goes. He agrees that if an increase is granted, there is no information on where the dollars will go. He stated he does not feel this is a water conservation problem, but he feels it is a penalty for heavy users. He stated his client has several duplexes with one meter and he feels they are penalized in this proposal. He stated he does not feel that water availability is addressed, and he advised of discussions with Mr. Regla, who is a biologist. He stated that there is no allocation of how to use the funds created by Yosemite West in terms of the reserve. He again stated he feels more information is needed before a decision is made about the water availability, reserve funding, and what is set aside.

Walter Rowland, member of the Maintenance Board for about twenty years, and as a civil engineer, stated he has tried to make a contribution to the activities of the Board and to the County. He noted the Maintenance Board supported the rate increase and he feels it is necessary. In regard to the equity issue, he asked why the community only has a residential rate, even though there are commercial uses in the District. He stated he feels the use of a dual-rate structure is common. He recommended the following: 1) that the rate structure be approved as recommended; and 2) that staff be directed to come up with a rate structure for both residential and commercial type uses.

Neil Meisner stated he owns a transient rental duplex. He feels there is too much turmoil on where they are going with the water and sewer systems and maintenance costs. He feels a decision should be held pending more information so that actual costs will be known.

Public portion of the hearing was closed and the Board commenced with deliberations. Staff responded to questions from the Board relative to the rate structure for duplexes and commercial uses. Clif Price, PWD/Facility Maintenance Manager, responded to a question from the Board relative to the status of the pipe repairs to solve the leak problems. (M)Reilly, (S)Pickard, Res. 00-267 adopted adjusting the fees as recommended/Ayes: Unanimous. Hearing was closed.

cc: Jeff Green, County Counsel  
Ken Hawkins, Auditor  
File

YOSEMITE WEST MAINTENANCE DISTRICT

PROPOSED  
EFFECTIVE AUGUST 1, 2000

<b>Water and Sewer Hook-up Fee</b>	<b>\$2,650.00</b> flat rate
<b>Water User Fee/Monthly</b>	<b>\$21.35</b> base rate plus: \$4.95 per 1000 gallons for 0-4,000 gallons \$5.15 per 1000 gallons for 4,001-8,000 gallons \$5.35 per 1000 gallons for 8,001-12,000 gallons \$5.85 per 1000 gallons for 12,001-16,000 gallons \$6.35 per 1000 gallons for 16,001-20,000 gallons \$7.10 per 1000 gallons for 20,001-24,000 gallons \$7.85 per 1000 gallons for 24,001-28,000 gallons \$8.60 per 1000 gallons for 28,001-32,000 gallons \$9.35 per 1000 gallons for 32,001-36,000 gallons \$10.35 per 1000 gallons for 36,001-40,000 gallons \$11.35 per 1000 gallons for 40,001-44,000 gallons \$12.35 per 1000 gallons for 44,001-48,000 gallons \$13.35 per 1000 gallons for 48,001-52,000 gallons \$14.35 per 1000 gallons for 52,001 and over
<b>Water Standby Fee/Annual</b>	<b>\$30.00</b> per parcel
<b>Sewer User Fee/Monthly</b>	<b>\$16.20</b> base rate plus: \$1.90 per 1000 gallons for 0-4,000 gallons \$2.00 per 1000 gallons for 4,001-8,000 gallons \$2.10 per 1000 gallons for 8,001-12,000 gallons \$2.35 per 1000 gallons for 12,001-16,000 gallons \$2.60 per 1000 gallons for 16,001-20,000 gallons \$3.10 per 1000 gallons for 20,001-24,000 gallons \$3.60 per 1000 gallons for 24,001-28,000 gallons \$4.10 per 1000 gallons for 28,001-32,000 gallons \$4.85 per 1000 gallons for 32,001-36,000 gallons \$5.60 per 1000 gallons for 36,001-40,000 gallons \$6.60 per 1000 gallons for 40,001-44,000 gallons \$7.60 per 1000 gallons for 44,001-48,000 gallons \$8.60 per 1000 gallons for 48,001-52,000 gallons \$9.60 per 1000 gallons for 52,001 and over
<b>Sewer Standby Fee/Annual</b>	<b>\$30.00</b> per parcel
<b>Road Maintenance Fee/Annual</b>	<b>\$96.00</b> flat rate