

## Fresno County supervisors tie support for Swearingin's water plan to growth talks

By George  
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Fresno County Board of Supervisors members Henry R. Perea and Debbie Pochigian work at a September 2014 meeting. Tuesday, the supervisors were considering how to respond to the city of Fresno's water plan. A long discussion with top city officials led Pochigian to connect the municipal plan to its growth plans, particularly the Southeast Growth Area plan governing 14 square miles of county land that's in the city's sphere of influence. "If this isn't about growth," Pochigian said Tuesday, "then why not reduce the size of SEGA?"

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Fresno County supervisors turned a routine review of Fresno City Hall's water rates into a remarkable look at the role of trust in politics.

The sometimes chaotic debate may change the local development landscape in ways city officials never anticipated when they began tackling new water rates nearly two years ago.



The supervisors' charge on Tuesday was simple: Talk about what to do with the county's ballots in a high-profile

Proposition 218 protest vote that has City Hall in turmoil.

In the end, a divided board decided to do nothing other than write a letter, which, in this convoluted process, was a big victory for Mayor Ashley Swearingin.



The journey created the drama.

Swearingin is pushing a \$429 million upgrade of the city's water system, the centerpiece being a new surface water treatment plant in southeast Fresno.

The project's funding calls for a sharp hike in residential and commercial rates. A typical single-family residence could see its monthly water bill double in five years from about \$25 to about \$50, still a modest figure compared to other big California cities.

Simply put, Swearingin says, the project is the surest and cheapest way to secure far into the future a safe and reliable water supply for Fresno.

Critics say the project is poorly structured and needlessly expensive.

Customers — including county — can have a say

The proposed rate hikes first must survive a legally mandated test, the Proposition 218 protest vote. City Hall mailed tens of thousands of ballots to property owners and ratepayers. The rate plan dies if 66,674 valid protests are returned to the City Clerk's Office by 5 p.m. Feb. 5.

Fresno County is a city water customer. By one estimate, the county has about 30 ballots. By another, the figure is 40-plus.

Going strictly by ballot numbers, the county is a small-time factor in the vote. But it's not a stretch to suggest the supervisors could be the protest vote's single biggest influence (outside of City Hall itself) in shaping public opinion. The board has the platform and brand name to make things smooth or rough for Swearingin.

No one had to remind City Hall. Only two city officials showed up to deliver the mayor's story, but they were the water project's top guns — City Manager Bruce Rudd and Public Utilities Director Thomas Esqueda.

Esqueda took the public microphone. Rudd sat nearby in reserve.

Such presentations apparently are handled a bit differently at the county Hall of Records than at City Hall. Council members typically listen to the entire spiel, then take turns asking questions, with the council president as referee.

Perhaps because there are five supervisors compared with seven council members, perhaps because the chamber was nearly empty, but from the get-go Tuesday it was clear board Chairwoman Debbie Poochigian would let the event take a course as informal as a kitchen table chat. Esqueda obviously relished the blitz of supervisorial examination.

Esqueda condensed an opus of water data into 90 minutes of advocacy. He talked about all the river water Fresno fails to use. He identified the new infrastructure (such as the treatment plant) that would change this. He worried about a depleted aquifer. He warned of a looming hurricane of regulation from Sacramento. He itemized every attempt to lower the project's bond debt. He discussed ways to help the poor pay their water bills.

Former Fresno County Supervisor Doug Vagim, a foe of Swearingin's plan, explained his stance. He's as passionate as Esqueda, but from the other side of the coin. There's a better and less expensive answer, Vagim told the supervisors.

Uncertain course of action for supervisors

Finally, it was time to act. And, no doubt like many Fresnans with ballots staring them in the face, the supervisors weren't sure what to do.

Some said they hate telling City Hall how to do its duty because they would hate City Hall preaching to them. The supervisors then added "but ..." and proceeded to give City Hall a piece of their mind.

Some asked why the city couldn't do the project in stages, with an emphasis on leaving the new treatment plant to a time far away. Esqueda said that would only boost the project's total cost.

Some worried about the plight of downstream farmers grown accustomed to using river water that Fresno for decades viewed with indifference.

As proof of the issue's complexity, Supervisor Henry R. Perea brought things to a climax by making a motion in a way that escaped Poochigian's notice. Minutes earlier, though, Poochigian had nailed a topic that underscored the potential import of Perea's motion. That topic is public trust.

The supervisors at one point wanted to know what City Hall would do if various parts of the \$429 million project came in under budget. Would the extra money go toward another City Hall dream? Or would the excess cash be used to pay down the bond debt, thus lightening the burden on ratepayers?

Esqueda and Rudd promised to pay down the bond debt. The supervisors didn't like the idea of "promise." They asked for a rock-solid legal guarantee. Esqueda and Rudd said they'd do what they can.

While everyone is on the concept of trust, Poochigian said, let's talk about SEGA.

SEGA stands for Southeast Growth Area. It's 14 square miles of rural land on the southeast edge of Fresno's city limits. SEGA is in Fresno's sphere of influence, land officially deemed in the city's path of growth but not yet annexed. Because it's a Twilight Zone of sorts, SEGA is of immense interest to both City Hall and the supervisors.

Poochigian said she's heard from constituents about SEGA and the mayor's water plan. People, she said, fear the new treatment plant for southeast Fresno is simply a way to ensure an abundant supply of ratepayer-funded water for the rapid development of SEGA, enriching developers while perpetuating Fresno's reputation as king of sprawl.

"There's a whole lot of mistrust on that," Poochigian said.

City officials said the water plan has nothing to do with SEGA and sprawl.

If City Hall doesn't need all 14 square miles of SEGA, Poochigian said, then it's time to talk about giving back some of the land. She meant going through the legal steps of taking a portion of SEGA from Fresno's sphere of influence. Such a step could dramatically affect the land's value. Such a step almost certainly would raise a ruckus at City Hall and in the development industry.

Trust us, city officials said — the mayor's water plan has nothing to do with turning SEGA into sprawl.

Poochigian said that was exactly what she wanted to hear.

"If this isn't about growth," Poochigian said, "then why not reduce the size of SEGA?"

She didn't specify how many acres she had in mind.

Perea's motion directed county staff to write a letter to City Hall. He said the letter would ask the city to do certain things, among them reopen mutual talks on the size of SEGA.

As far as the county's 30 or 40 ballots are concerned, Perea said, they would remain untouched on a county worker's desk. In essence, the supervisors were supporting Swearingin's water plan. Unreturned ballots act as a yes vote.

The board's vote was 3-2, with Poochigian and Brian Pacheco voting no. Poochigian wanted to split the ballots, half to stay untouched and half to be returned in protest. She called this a "neutral" stance. Pacheco said Fresno might be wiser to build the new treatment plant at a later date.

The board didn't close the door on revisiting its decision before 5 p.m. Feb. 5.

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