

# Fresno's water protest vote falls short, putting issue in council's hands

By George  
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In a September 2013 file photo, plant operator Brad Hoagland inspects equipment in the filter gallery at the city of Fresno's water treatment plant in northeast Fresno.

MARK CROSSE — THE FRESNO BEE

Fresno's historic Proposition 218 protest vote turned into an eye-opener, but failed in the end to kill Mayor Ashley Swearingin's water infrastructure plan.

All eyes now turn to the skies (send rain) and the City Council's Feb. 26 debate on higher rates needed to pay for everything.

The council on Thursday was told 41,267 valid ballots protesting the proposed rate hikes were received at the City Clerk's Office. That figure was more than 25,000 short of the 66,674 needed to stop Swearingin's \$429 million project in its tracks.

The council made no comment on City Clerk Yvonne Spence's report, then voted 7-0 that the weeks-long protest

process was over and had met legal standards.

The mayor breathed a sigh of relief.

“While we’re pleased to see the vast majority of Fresno ratepayers supporting needed investments in our water infrastructure, we also recognize that a significant number of our customers have voiced their concerns,” Swarengin said after the nearly three-hour hearing.

“As we finalize our rate plan, we are going to continue to do everything possible to lower the rates even further and ensure we have a low-income subsidy program in place for qualifying ratepayers. And, we know we need to continue working with our customers to answer their questions and clear up any misinformation they may have about the city’s plan.”

With that, another leg in what Council President Oliver Baines has called “a long journey” came to an end. The next leg is slated for Feb. 26, when Swarengin expects to ask for a council vote on her plan.

The next three weeks hold no shortage of potential bumps. For instance, city officials and state lawmakers are in talks about more financial help from Sacramento for the project.

First, though, City Hall had to get a firm answer on the legally mandated protest vote. That came at the end of the hearing.

This protest vote had some wrinkles, but the basic math was simple democracy. There were 133,347 ballots in play. The rates died if 50% plus 1 — 66,674 ballots — were marked, signed and returned to City Hall by early Thursday evening.

The city went through a similar protest vote on a water plan (later discarded) in 2013. Only about 500 protests trickled in. More than 80 times that number flooded City Hall this time.

The main reason is Doug Vagim. The former Fresno County supervisor challenged the wisdom of that first water plan in both the council chamber and the courtroom. The result of Vagim’s tenacity was another plan, another protest vote and a more energetic outreach to ratepayers by City Hall.

Thursday’s hearing had all the frustration, anger and fear of earlier public discussions of Swarengin’s plan.

About 30 audience members spoke, a majority saying they appreciate the need for better water infrastructure but oppose sharply higher rates. Conservation was a favorite theme. There was persistent worry about the effect of higher rates on low-income Fresnans.

About 10 speakers supported the plan. They said Fresno has no place to hide — water security means accepting the responsibility of self-rule, however painful.

The biggest pieces of Swarengin’s plan are a new surface water treatment plant in southeast Fresno and lots of new pipe. The monthly bill on a typical single-family residence would go from about \$25 now to about \$50 in five years. City officials said the higher bill still compares favorably with water bills in big California cities.

Swarengin has been pitching a water plan almost continuously since summer 2013. The end of February may bring Fresno’s journey to its destination. Thursday’s stop at the Proposition 218 hearing included a tactful summary from Public Utilities Director Thomas Esqueda.

“Thank you, community, for all you did to get us to this point,” Esqueda said.

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