

BEFORE THE BOARD OF SUPERVISORS
OF THE COUNTY OF FRESNO
STATE OF CALIFORNIA

IN THE MATTER OF ADOPTING INCREASED)
WATER SERVICE FEES FOR)
FRESNO COUNTY SERVICE AREA) RESOLUTION
NO. 49 (FIVE POINTS))

WHEREAS, the Board of Supervisors of the County of Fresno (the "Board") is the governing board of the Fresno County Service Area No. 49 ("CSA 49"); and

WHEREAS, in accordance with California Constitution Article XIID, Section 6, which is part of Proposition 218 (Right to Vote on Taxes Act of 1996), and Government Code section 53755 of the Proposition 218 Omnibus Implementation Act, the Department of Public Works and Planning (the "Department"), through the Director of Public Works and his or her designees (collectively, the "Director"), initiated the process to seek increased water service fees for CSA 49, which consists of a total of 45 active connections, distributed across 16 parcels, which make up 39 residential connections, three commercial connections, a market, a daycare, and a school; and

WHEREAS, the CSA 49 community water system, which is funded substantially by water service fees paid by CSA 49 water users, includes a surface water treatment plant, individual water meters at each connection, a pipeline distribution system, and a water storage tank; and

WHEREAS, CSA 49's customer base is made up of 39 residential homes, three commercial buildings, a market, a daycare, and a school; and

WHEREAS, the County, on behalf of CSA 49, currently obtains surface water from the Westlands Water District ("Westlands"), which charges a commodity charge to the County for providing such surface water to CSA 49; and

WHEREAS, the increased water service fees set forth in this resolution are restructured into monthly water service fees with two components: a base component for the cost to operate and maintain the CSA 49 community water system; and a variable component to be charged for variable operation costs and water consumption by CSA 49 water users; and

1 WHEREAS, the base component of such proposed increased water service fees also includes
2 payments of CSA 49's negative cash balance of water services fees that have been held by the County,
3 and not yet charged to CSA 49 customers (and interest thereon due to non-collection), for multiple years
4 (total of \$513,490); and

5 WHEREAS, under the Board policy for special district governed by the Board, including CSA 49,
6 adopted on November 7, 2006 for which a report thereon was provided to the Board on November 10,
7 2009, each special district governed by the Board, including CSA 49, providing water services, is required
8 to have a minimum cash reserve of a minimum of 50% of the average of the last three fiscal years' annual
9 operation costs ("Board Reserve Policy"); and

10 WHEREAS, in applying the Board Reserve Policy to CSA 49, the target minimum cash reserve
11 is approximately \$273,000; and

12 WHEREAS, the "fixed charges" component of such increased water service fees also includes
13 amounts that would allow CSA 49 to build a minimum cash reserve in the amount of \$273,000 by the end
14 of FY 2030/31, which is intended to cover unanticipated expenses, as required by the Board Reserve
15 Policy; and

16 WHEREAS, as part of the process to seek and increase water service fees for CSA 49, a written
17 notice of the proposed increased water service fees ("Notice"), was duly and timely sent by CSA 49, by
18 First Class United States mail, on **May 1, 2026**, to all the record owners of each identified parcel (property
19 owners), as shown on the last equalized assessment roll, upon which the increased water service fees
20 are proposed for imposition and to each tenant listed on the CSA 49's bill register, in accordance with
21 the provisions of California Constitution Article XIII D, Section 6; and

22 WHEREAS, the Notice, which was so mailed on **May 1, 2026**, stated: (a) the amounts of the
23 proposed increases in water service fees to be imposed upon each such connection for which water
24 service is being provided, and explained how those amounts would be applied to each such connection;
25 (b) the basis upon which the amounts of the proposed increases in water service fees were calculated
26 with reference to the water rate study referenced herein; (c) the reasons for the proposed increases in
27 water service fees; (d) the dates, times, and locations of the public meeting referenced therein with
28 respect to the proposed increases in water service fees; (e) the date and time and location of the public

1 protest hearing before the Board with respect to the proposed increases in water service fees; and (f)
2 instructions for how property owners (including their tenants) currently (as of the Board's public protest
3 hearing) receiving water services from the CSA 49 community water system may submit timely, valid,
4 written protests against the proposed increases in water service fees; and

5 WHEREAS, as stated in the Notice, which was so mailed on **May 1, 2026**, the proposed increases
6 in water service fees are set forth in the table therein, and the Notice referred all interested persons to
7 the completed and available Fresno County Service Area No. 49 Water Rate Study, dated April 2026,
8 prepared by Provost and Pritchard Consulting Group, Clovis, California (the "Rate Study"), which Rate
9 Study includes, among other things, a detailed explanation of the basis upon which the amounts of the
10 proposed increases in water service fees, including their rates, were calculated and that the Rate Study
11 could be found online at the County web address stated therein, or otherwise in hardcopy upon request
12 of the County; and

13 WHEREAS under the Rate Study, all revenues derived from the increased water services fees
14 under this resolution do not exceed the funds required for CSA 49 to provide the water services to the
15 connections in CSA 49; and

16 WHEREAS all of the amounts calculated in the Rate Study produce increased water service fee
17 rates that will be necessary to recover only the actual costs of the water services per connection under
18 these proposed water rates, and that taking into account these proposed increased water service fees,
19 as applicable, each connection's total water bill will not exceed the proportional cost of service for each
20 connection; and

21 WHEREAS, the increased water service fees are set forth in Table 1 and Table 2 of
22 **ATTACHMENT A**, to this resolution (as referenced in Section 3), which increased water services fees
23 will be imposed in CSA 49 upon each such connection for which water services are being provided,
24 beginning July 1, 2026; and

25 WHEREAS, on **June 3, 2026, at 6:00 PM**, the Department of Public Works and Planning, as staff
26 to CSA 49, conducted a public meeting at the Westside Elementary School, to provide members of the
27 public, including property owners (including any tenant of their property), and opportunity to provide
28 relevant testimony to CSA 49 staff and to ask questions and provide comments about the proposed

1 increases in water service fees they would find in the Notice mailed on **May 1, 2026**; and

2 WHEREAS, at such public meeting, CSA 49 staff made their presentations, received testimony
3 questions, and comments from such members of the public and responded to their questions and
4 comments; and

5 WHEREAS a public protest hearing was held on **June 30, 2026, at 9:30 AM** (or as soon as
6 practicable thereafter as the Board determined), before the Board, at which time a full and fair opportunity
7 was provided for public comment, objections, and submission to the Board of written protests against the
8 proposed increased water services fees by owners of property (also referred to above as the record
9 owners of each identified parcel and property owner, upon which the increased water service fees are
10 proposed for imposition including such record owners' tenants) currently (as of the Board's public protest
11 hearing) receiving water services from the CSA 49 community water systems; and

12 WHEREAS, following the closure of the public protest hearing as directed by the Board, the Clerk
13 of the Board of Supervisors or his or her designee tabulated the written protests submitted against the
14 proposed increased water services fees, and the Board found that a majority of owners of property
15 (including their tenants) currently (as of the Board's public protest hearing) receiving water services from
16 the CSA 49 water community water systems did **not** submit written protests against the proposed
17 increased water service fees for CSA 49 as set forth in the Notice; and

18 WHEREAS, such tabulation, and the Board's consideration of the timelines and validity of all
19 written protests submitted, and all objections, if any, and such submitted written protests were duly and
20 regularly conducted.

21 THE BOARD OF SUPERVISORS OF THE COUNTY OF FRESNO, AS THE GOVERNING
22 BOARD OF CSA 49, THEREFORE RESOLVES AS FOLLOWS:

23 **Section 1.** All of the foregoing recitals are true and correct.

24 **Section 2.** Any objections made to the Board, including but not limited to the regularity of the
25 proceedings that are subject of this resolution, are hereby overruled by the Board. The Board hereby
26 finds that there is **no majority protest** against the proposed increased water service fees for CSA 49 as
27 set forth in the Notice, which was so mailed on **May 1, 2026**.

28 **Section 3.** The increased monthly water service fees for CSA 49, including a base component

1 and a variable component, beginning **July 1, 2026 and continuing to increase through and including**
2 **June 30, 2031**, are hereby adopted, approved and authorized by the Board, and shall be imposed and
3 increased to their full amounts, as and when stated in Tables 1 through 4 of **Attachment A, CSA 49**
4 **Increased Water Service Fees**, which is attached hereto and incorporated herein by this reference.
5 Without limiting the foregoing provision in this Section 3, (a) the increased water service fees in Tables 3
6 and 4 of Attachment A are dependent on whether and when CSA 49 is able to transition from surface
7 water usage to groundwater; (b) the increased water service fees in Tables 1 and 2 of Attachment A shall
8 be the increased water service fees unless and until actual completion of the groundwater wells, and
9 ability for CSA 49 to deliver groundwater to CSA 49 water users, as determined by the Director, in his or
10 her sole discretion, (c) in the event of such actual completion and ability to deliver groundwater, as
11 determined by the Director, the Tables 3 and 4 of Attachment A shall thereupon be the increased water
12 services fees for CSA 49, and all such increased water service fees in Tables 3 and 4 of Attachment A
13 shall be collected from CSA water users without the necessity of any further action of the Board, **provided**
14 **however**, in the event that there are any third-party (e.g., other agency) sources of funds that may be
15 obtained by the County to reduce property owners' (including their tenants') payments of the increased
16 water services fees that may be imposed under this resolution, the Director shall promptly seek, and
17 thereby obtain, the authority of the Board to apply such amounts, as they may be used, to reduce the
18 increased water service fees that may be imposed under this resolution, and upon receiving such
19 authority of the Board, the Director shall promptly thereafter so apply such amounts and inform the CSA
20 49 water users (in writing in such form the Director so determines) of such amounts so applied or to be
21 applied, **provided further however**, nothing in this resolution, including this Section 3 shall mean or be
22 interpreted to mean that the Board's adoption of this resolution is conditioned or premised on the receipt
23 or expectation of receipt any third-party (e.g., other agency) sources of funds that may be obtained by
24 the County to reduce property owners' (including their tenants') payments of the increased water services
25 fees that may be imposed under this resolution.

26 **Section 4.** The CSA 49 water service fees increased by this resolution shall be published by or
27 for the Director at the appropriate times in the County's Master Schedule of Fees, Charges, and
28 Recovered Costs for administrative purposes only.

1 THE FOREGOING was passed and adopted by the following vote of the Board of Supervisors
2 of the County of Fresno this ____ day of _____, 2026, to-wit:

- 3
- 4 AYES:
- 5 NOES:
- 6 ABSENT:
- 7 ABSTAINED:

8
9
10 _____
11 Garry Bredefeld, Chairman of the
Board of Supervisors of the County of Fresno

12 **Attest:**
13 Bernice E. Seidel
14 Clerk of the Board of Supervisors
County of Fresno, State of California

15
16
17 By _____
Deputy

18
19 **FOR ACCOUTING USE ONLY**
20 Org: 9249
21 Fund: 0235
22 Subclass: 12800
23 Account: 5060

24
25
26
27
28

Attachment A
CSA 49 Increased Water Service Fees

Table 1

Proposed Monthly Base Fee Portion of Water Service Fees With 3.00% Annual Inflation						
Assumes Surface Water for all Years, starting July 1, 2026 (Rates until the new groundwater wells are completed and are in service)						
		Proposed Increased Rates (Year*)				
Years*	Current Rate	Effective July 1, 2026	Effective July 1, 2027	Effective July 1, 2028	Effective July 1, 2029	Effective July 1, 2030
Residential	\$39.98	\$201.49	\$207.53	\$213.76	\$220.16	\$226.74
Day Care	\$119.94	\$604.46	\$622.60	\$641.27	\$660.48	\$680.22
Elementary School	\$1,059.43	\$5,339.41	\$5,449.64	\$5,664.59	\$5,834.24	\$6,008.61
Market	\$79.95	\$402.97	\$415.07	\$427.52	\$440.32	\$453.48
Commercial	\$47.98	\$241.78	\$249.04	\$256.51	\$264.19	\$272.09

Note:

* All references to “year” mean the period starting on July 1 of a given year and ending on June 30 of the following year.

Table 2

Proposed Variable Fee Portion of Water Service Fees (per 1,000 gallons)						
Assumes Surface Water for all Years, starting July 1, 2026 (Rates until the new groundwater wells are completed and are in service)						
		Proposed Increased Rates (Year*)				
Years*	Current Rate	Effective July 1, 2026	Effective July 1, 2027	Effective July 1, 2028	Effective July 1, 2029	Effective July 1, 2030
Variable Operations	See Note**	\$5.94	\$6.12	\$6.30	\$6.49	\$6.68
Commodity charge (Treated Surface Water)	Tier I \$2.01 Tier II \$3.35 Tier III \$5.98	Actual cost. See Note***				

Notes:

* All references to “year” mean the period starting on July 1 of a given year and ending on the last day of June of the following year.

**There is no separate current rate for the variable fee portion (for operation costs) of the water services fees relating to surface water.

***Automatic adjustments will be made at any time for all years based on the following: if, at any time, Westlands establishes and implements any changes in the cost of surface water that Westlands provides to CSA 49, the County shall **automatically adjust** the cost of such surface water, as treated, to property owners (including their tenants) receiving water service from CSA 49, and **pass through any such cost changes** to such property owners (including such tenants), upon 30 days’ advance notice by County staff to such property owners (including their tenants who are listed on the CSA 49 bill registers).

Table 3

<p align="center">Proposed Monthly Base Fee Portion with 3.00% Annual Inflation</p> <p align="center">Assumes Groundwater for all Years</p> <p align="center">(Rates after the new groundwater wells are completed and are in service)</p>						
		<p align="center">Proposed Increased Rates (Year*)</p>				
Years*	Current Rate	Effective July 1, 2026	Effective July 1, 2027	Effective July 1, 2028	Effective July 1, 2029	Effective July 1, 2030
Residential	\$39.98	\$174.45	\$179.72	\$185.09	\$190.65	\$196.41
Day Care	\$119.94	\$523.34	\$539.15	\$555.26	\$571.95	\$589.23
Elementary School	\$1,059.43	\$4,622.81	\$4,762.51	\$4,904.79	\$5,052.24	\$5,204.87
Market	\$79.95	\$348.89	\$359.43	\$370.17	\$381.30	\$392.82
Commercial	\$47.98	\$209.33	\$215.66	\$222.10	\$228.78	\$235.69

Note:

* All references to “year” mean the period starting on July 1 of a given year and ending on the last date of June of the following year.

Table 4

Proposed Variable Fee Portion (per 1,000 gallons)						
Assumes Groundwater for all Years (Rates after the new groundwater wells are completed and are in service)						
		Proposed Increased Rates (Year*)				
Fiscal Years	Current Rate	Effective July 1, 2026	Effective July 1, 2027	Effective July 1, 2028	Effective July 1, 2029	Effective July 1, 2030
Variable Operations	See Note**	\$2.81	\$2.89	\$2.98	\$3.07	\$3.16
Commodity charge (Treated Surface Water)	Tier I \$2.01 Tier II \$3.35 Tier III \$5.98	Actual cost. See Note***				

* All references to “year” mean the period starting on July 1 of a given year and ending on the last date of June of the following year.

**There is no separate current rate for the variable operations fee portion of the water services fees relating to surface water.

***Once a switch is made to groundwater, the fee for groundwater will not include a portion for a commodity charge.

-END-