

From: [Paul-Andre Schabracq](#)
To: [Sarah Glade Gurney](#); [Patrick Slayter](#); [Una JM Glass](#); [Neysa Hinton](#); [Diana Rich](#)
Cc: [Mary Gourley](#); [Lawrence McLaughlin](#)
Subject: Proposed water rate increase & "smart water meter" purchase
Date: Tuesday, February 15, 2022 8:58:45 AM

Dear Members of the Sebastopol City Council,

We are writing in opposition to the proposed adoption of a 4% annual increase in water fees and purchase of "smart water meters."

Water Fee Increase

The proposed water fee increase of 4% per year for 15 years would result in a total of 60% increased cost for Sebastopol homeowners and renters. This would impose a significant increase in the cost of living during a time when many Sebastopol residents are experiencing economic difficulties.

Compliance with California Proposition 218

Has the City followed the requirements set out in Proposition 218, which has been incorporated as the Article XIII D of the California Constitution? Prop 218 applies to governmental entities, including special districts, such as public water systems and community service districts. It sets requirements and procedures that entities must follow if they would like to raise rates. In general, Prop 218 may require the City of Sebastopol to:

<!--[if !supportLists]--> <!--[endif]-->Provide information on the amount of the rate increase;

<!--[if !supportLists]--> <!--[endif]-->Explain why the rate increase is needed;

<!--[if !supportLists]--> <!--[endif]-->How the amount the proposed water fees increase was calculated;

<!--[if !supportLists]--> <!--[endif]-->Provide sufficient Notice to affected property owners and tenants with an opportunity to protest the increase. As a property owner, I have not received any written notice of proposed water rate increase.

<!--[if !supportLists]--> <!--[endif]-->Hold a public hearing at least 45 days after these notices are sent; and finally

<!--[if !supportLists]--> <!--[endif]-->Count and record all written protests by property owners and tenants that pay the bill directly.

In addition, Proposition 218 states that the following four substantive requirements be met to justify a proposed water rate increase:

1. Identify the particular water-related purpose for the rate increase and the funds from the increase may not be used for any other purpose.
2. The City must calculate the amount of rate increase precisely to cover the cost of the funds needed to provide the service.
3. The cost imposed on each property owner or tenant must be proportional to their water use.
4. The City must base the rate increase on actual use, not estimated use or potential use future use.

It would be appreciated if the Council would verify whether these requirements – if applicable - have been met prior to taking any action on the proposed water rate increase and ‘smart

water meter' purchase.

The proposed smart water meter (SWM) purchase is inconsistent with the General Plan.

The recently adopted General Plan Community Health and Wellness Goals call for a community wide opt out of smart meters. Action CHW 4h states “ *Support efforts to approach and encourage the California Public Utilities Commission (PUC) to allow the City to opt out of public utility wireless data transmission systems*”. Other general plan policies in this chapter are intended to minimize unsafe levels of EMF’s.

The proposed smart water meter (SWM) purchase is in violation of the intent and procedures contained in the Telecommunications Ordinance 1123 adopted in 2019 and Ordinance 1057 adopted in 2013.

Ordinance 1123 required a publicly noticed Planning Commission hearing, whereas Ordinance 1057 banned smart meters to protect public health and safety. There was no Planning Commission public hearing to consider whether to adopt or deny a conditional use permit, among other procedural defects. No CEQA determination was made to support a Categorical Exemption (Class 1?) for the SWM program, if warranted.

We respectfully suggest that no action be taken on the proposed water fee increase at this time to give the public, City staff and the City Council more time to reconsider. If an increase in water fees is needed to maintain the fiscal viability of the system, then provide a justifiable rationale for same following the procedures outlined by Proposition 218, w/o including the cost of smart water meters.

And lastly, we urge you to cancel the purchase order for these ‘smart water meters’. They will do nothing to save energy while increasing public exposure to additional microwave radiation that has been shown by many peer-reviewed studies to harm human health.

Cordially,

Paul-André Schabracq

Edmée Danan, MD