



Subject: Approval of Agreement to Allow Submeters  
at Whispering Hills Mobile Home Park

Council Agenda: 05/22/12  
Item: 2-13

### City Council Action Request

<b>Department:</b> Environmental Services	<b>CEQA:</b> Categorically Exempt, File Number PP12-042	<b>Coordination:</b> Housing, CAO	<b>CMO Approval:</b> 
			<b>Dept. Approval:</b> Kerrie Romanow /s/

#### RECOMMENDED ACTION:

Approve an Agreement with W.H.M.H.P. Barnett Family Limited Partnership and L.E.L. a California General Partnership to submeter dwellings at Whispering Hills Mobile Home Park.

#### BASIS FOR RECOMMENDATION:

This agreement will allow the owners of Whispering Hills Mobile Home Park to install water submeters at each dwelling unit to monitor water consumption and to charge each resident for water usage based on consumption. The mobilehome park is located at 2780 E. Capitol Expressway in San José and there are 211 dwelling units. The City's Municipal Water System provides water to this property through one master meter.

Allowing the park owners to install and maintain submeters, at their own expense, and to charge for water based on usage monitored at the submeter, will help the City's goal to conserve water for future water supply reliability and to manage wastewater flows to the Bay. At other mobilehome parks in San José, water savings have ranged from 19.4% to 29.9% after submeters were installed.

Under San José Municipal Code, Section 15.08.500, no one can resell water from the Municipal Water system unless they obtain an agreement with the City. Section 2705.5 of the California Public Utilities Code allows mobilehome parks with a master meter to provide water service to mobilehome park tenants through a submeter service system as long as the mobilehome park tenants are charged at the same rate which would be applicable if the tenants were receiving water service directly from the City. This agreement contains provisions to ensure the mobilehome park owners are in compliance with Section 2705.5 and all other applicable laws and regulations in order to assure the City that the legal rights of tenants are protected.

The mobilehome park held community meetings on January 17, 2012 and January 21, 2012, to advise the tenants of the mobilehome park's intent to install water submeters at the park and to provide an explanation of the separate itemization of water charges on the tenants' billing statements after the submeters are installed, and how the water charges will be calculated. City staff from the Housing and Environmental Services Departments was also present to answer questions and present information on water conservation programs available to the tenants.

#### COST AND FUNDING SOURCE:

There are no costs associated with this agreement.

**FOR QUESTIONS CONTACT:** Jeffrey Provenzano, Acting Division Manager, Environmental Services Department, (408) 277-3671.