

RESOLUTION NO. 21-417

AUTHORIZING PARTICIPATION IN THE CALIFORNIA WATER AND WASTEWATER ARREARAGE PAYMENT PROGRAM

WHEREAS, on March 4, 2020 Governor Newsom proclaimed a state of emergency due to the COVID-19 pandemic, issued Executive Order N-33-20 to require individuals to stay at home except as needed to maintain continuity of critical operations, issued Executive Order N-42-20 prohibiting discontinuation of water service indefinitely, and issued Executive Order N-60-20 that created a risk-based approach to reopening the economy; and

WHEREAS, the stay at home order and risk-based reopening framework were rescinded on June 11, 2021 by Executive Order N-07-21 and many provisions of other Executive Orders were phased out by Executive Order N-08-21 including establishing an end date for the water moratorium on September 30, 2021; and

WHEREAS, the Legislature passed SB 155 on September 9, 2021 extending the prohibition on the disconnection of water service until December 31, 2021, and the Governor is anticipated to sign into law; and

WHEREAS, there have been economic impacts as a result of the COVID-19 pandemic and associated public health measures, including leaving many Californians unable to pay their water and wastewater bills due to lack of reliable and consistent employment; and

WHEREAS, community water systems continue to be negatively affected by the impacts and requirements as a result of the state's drought conditions, making assistance critically important. WHEREAS, in response to the economic conditions caused by the COVID-19 pandemic, Section 19.55 (17) of the State Budget Act of 2021, as established by Assembly Bill No. 128 (Chapter 21, Statutes of 2021) and as amended by Senate Bill No. 129 (Chapter 69, Statutes of 2021), provided nearly \$1 billion to the State Water Resources Control Board ("Board") to administer the California Water and Wastewater Arrearage Payment Program (CWWAPP) to reduce delinquent water and wastewater balances for customers experiencing financial hardships related to the economic impacts of the COVID-19 pandemic; and

WHEREAS, funding for CWWAPP is payable from the State's share of the federal Coronavirus Fiscal Recovery Fund of 2021; and

WHEREAS, Assembly Bill 148 (Chapter 115, Statutes of 2021), formally established the CWWAPP within the Board, enumerating the program's requirements for water and wastewater system participation; and

WHEREAS, eligible customers are all residential and commercial customers, past due bills mean any customer bills that are 60 days or more past due and includes both active and inactive accounts, as well as customer accounts that have payment plans or payment arrangements, and the COVID-19 pandemic bill relief period means the period starting March 4, 2020 and ending June 15, 2021; and

WHEREAS, to receive CWWAPP funding on behalf of eligible customers a community water system must complete both a survey and application including submitting all necessary data and information to support the water system's request for CWWAPP funding; and

WHEREAS, if there are insufficient funds, the Board must allocate funds on a proportional basis; and

WHEREAS, if there are sufficient funds to reimburse the total amount of reported arrearages and revenue shortfalls of community water systems, the state board shall establish a program for funding wastewater treatment provider arrearages and shortfalls in accordance with the remaining funds; and

WHEREAS, the Board must begin disbursing funds no later than November 1, 2021 and complete distribution of funds by January 31, 2022; the wastewater service program must start following substantial completion of the water service program and in no instance later than February 1, 2022; and

WHEREAS, within 60 days of receiving funds community water system must allocate payments as bill credits to customers to help address past-due bills incurred during the COVID-19 pandemic bill relief period and notify customers of the amounts credited to their accounts; and

WHEREAS, a community water system receiving assistance under CWWAPP may expend up to 3 percent, or up to one million dollars (\$1,000,000), whichever amount is less, of that assistance for costs incurred in applying for the assistance or complying with use and reporting conditions of the assistance; and

WHEREAS, Assembly Bill 148 created customer protections that require a community water system to offer a payment plan to affected customers and refrain from discontinuing service until (1) September 30, 2021 or (2) for a customer that has been offered an opportunity to participate in a payment plan, the date the customer misses the enrollment deadline for, or defaults on, the payment plan, whichever is later; and

WHEREAS, the City of Roseville operates a community water system with eligible customers that have past due bills during the COVID-19 pandemic bill relief period.

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Roseville, that City of Roseville participation in CWWAPP is hereby approved and that the City Manager or his designee is authorized to execute program-related documents on behalf of the City of Roseville.

BE IT FURTHER RESOLVED, that the City Council hereby authorizes the City of Roseville to accept and expend California Water and Wastewater Arrearages Payment Program funds in accordance with the CWWAPP guidelines.

PASSED AND ADOPTED by the Council of the City of Roseville this _____ day of _____ 2021, by the following vote on roll call:

AYES: COUNCIL MEMBERS:

NOES: COUNCIL MEMBERS:

ABSENT: COUNCIL MEMBERS:

ATTEST:

MAYOR

CITY CLERK