

1 RESOLUTION NO. 2020-1

2 A RESOLUTION OF THE BOARD OF PUBLIC UTILITIES OF THE CITY OF  
3 RIVERSIDE, CALIFORNIA (1) ADOPTING REVISED WATER RULE 7 AND  
4 APPENDIX A: WATER FEES AND CHARGES SCHEDULE FOR LOW  
5 INCOME RESIDENTIAL CUSTOMERS; (2) MAKING FINDINGS OF FACT;  
6 (3) RECOMMENDING CITY COUNCIL APPROVAL THEREOF

7 WHEREAS, the City of Riverside's ("City") Department of Public Utilities ("RPU") has  
8 submitted for action by the Board of Public Utilities ("Board") and the City Council, the  
9 proposed adoption and approval of revised Water Rule 7 and Appendix A: Water Fees and  
10 Charges Schedule for low income residential customers as further explained herein; and

11 WHEREAS, Senate Bill 998 was adopted September 28, 2018 and applies to public  
12 water systems that supply water to more than 200 service connections and prohibits residential  
13 water service from being disconnected under special circumstances. Publicly owned water  
14 utilities such as Riverside Public Utilities (RPU) are required to comply with the requirements of  
15 SB 998 by February 1, 2020. The bill provides residential water service customers that have  
16 been identified and verified as low-income (200% below the Federal Poverty Level) with a 60-  
17 day waiting period during delinquency before receiving a 48-hour disconnection notice and  
18 qualifies them for an amortized payment plan, as well as a reduced same day reconnection fee of  
19 \$50; and

20 WHEREAS, on September 27, 2011, the City Council approved Water Rule 7, titled  
21 "Discontinuance and Restoration of Water Service." Water Rule 7 provides rules for  
22 discontinuance of water service for reasons including customer request, unsafe equipment,  
23 situations in which the water service was activated without application of service, dangers to the  
24 health of the customer, inability to pay utility bill, fraud, service at more than one location, when  
25 the utility's business is closed, when there is a landlord-tenant relationship and a master metered  
26 residential unit; and

27 WHEREAS, the RPU water rules also set the amount to restore service and of the re-  
28 establishment of service deposit; and

WHEREAS, on June 21, 2011, the City Council approved Appendix A: Water Fees and

1 Charges Schedule, which sets the fees and charges incurred because of termination of water  
2 service with all Water Rules; and

3 WHEREAS, the current Water Rule 7 does not differentiate rules, fees, or reconnection  
4 charges based on a customer's income. Neither the Water Rule 7 nor Appendix A specify rules  
5 for the discontinuance and restoration of water service or have different service reconnection  
6 charges for low-income customers; and

7 WHEREAS, the proposed changes to Water Rule 7 and Appendix A: Water Fees and  
8 Charges Schedule reflect the requirements of the new legislation passed under Senate Bill 998.  
9 These changes include provisions for the delay in disconnection and the documentation  
10 requirements for any residential customer who demonstrates a household income below 200% of  
11 the Federal poverty level. The income requirement is aligned with Riverside Public Utilities'  
12 SHARE utility assistance program; and

13 WHEREAS, further, the proposed changes also include revisions to the rules for when a  
14 low-income customer enters into an amortized payment arrangement, if the customer fails to  
15 comply with the amortized agreement and the notification of service termination; and

16 WHEREAS, the proposed changes to Appendix A: Water Fees and Charges Schedule  
17 include the reduced \$50 charge for same day service reconnection charge for low-income  
18 customers.

19 WHEREAS, a public hearing, notice of which was duly published in The Press-  
20 Enterprise on December 29, 2019 and January 5, 2020, in compliance with Government Code  
21 Sections 66018 and 6062a, was held on January 13, 2019 at 6:30 p.m. before the Board of Public  
22 Utilities to consider the revisions noted herein; and

23 WHEREAS, the Board is charged by Section 1202(e) of the City Charter to establish and  
24 adopt the rates, rules, fees and charges for the Electric and Water Utilities, subject to the  
25 approval of the City Council; and

1 WHEREAS, the Board intends to establish and adopt the revised Water Rule 7 and Appendix A:  
2 Water Fees and Charges Schedule, all in accordance with staff recommendations; and

3 NOW, THEREFORE, BE IT RESOLVED, based upon the foregoing facts, the staff  
4 report, and other evidence submitted by staff to the Board, by the Board of Public Utilities of the  
5 City of Riverside, California, as follows:

6 Section 1: The foregoing recitals are true and correct and are adopted and  
7 incorporated herein by reference as findings of fact of this Board.

8 Section 2: On the basis of the RPU staff analyses, data and reports, the foregoing  
9 recitals and the other evidence submitted by staff to the Board, the Board hereby finds and  
10 determines that the proposed revisions to Water Rule 7 and Appendix A: Water Fees and  
11 Charges Schedule are exempt from the provisions of the California Environmental Quality Act  
12 (Pub. Res. Code Section 21000 et seq.) under Public Resources Code section 21080(b) (8), as the  
13 proposed revisions to the existing rules are for the purpose of (A) meeting operating expenses,  
14 including employee wage rates and fringe benefits, (B) purchasing or leasing supplies,  
15 equipment, or materials, (C) meeting financial reserve needs and requirements, (D) obtaining  
16 funds for capital projects necessary to maintain service within existing service areas, and/or (E)  
17 obtaining funds necessary to maintain those intracity transfers as are authorized by City Charter.

18 Section 3: The proposed revisions to Water Rule 7 and Appendix A: Water Fees and  
19 Charges Schedule are exempt from the voter approval requirements of Proposition 26, as adopted  
20 by voters on November 2, 2010, because the rates are imposed for a specific government service  
21 provided directly to the ratepayer that is not provided to those not charged and which does not  
22 exceed the reasonable costs to the local government of providing the service.

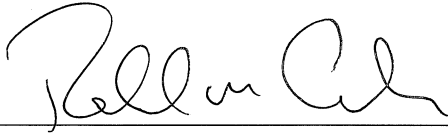
23 Section 4: The proposed revisions to Water Rule 7 and Appendix A: Water Fees and  
24 Charges Schedule, attached hereto as Exhibit A and incorporated herein by reference, are hereby  
25 adopted and established under and pursuant to Section 1202(e) of the Charter of the City of  
26 Riverside, California, are recommended for approval by the City Council of the City of  
27 Riverside, California, and shall become effective upon February 1, 2020 and with approval by  
28 the City Council of the City of Riverside, California.

1 ADOPTED by the Board of Public Utilities of the City of Riverside, signed by its  
2 Chairman and attested by its Secretary this day of January 2020.

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5 Jo-Lynne Russo-Pereyra  
6 Chair of the Board of Public Utilities,  
7 City of Riverside, California

8 Attest:

9 

10 Todd M. Corbin  
11 Secretary of the Board of Public Utilities  
12 City of Riverside, California

13 I, Todd Corbin, Secretary of the Board of Public Utilities of the City of Riverside,  
14 California, hereby certify that the foregoing Resolution was duly and regularly introduced and  
15 adopted by the Board of Public Utilities of said City at its meeting held on the 13th day of  
16 January 2020, to wit:

17 Ayes: Russo-Pereyra, Austin, Crohn , Hernandez, Miramontes, Oceguela,  
18 Sanchez-Monville, Walcker

19 Noes: None

20 Absent: None

21 Abstain: None

22 IN WITNESS WHEREOF, I have hereunto set my hand this day of January 2020.

23 

24 Todd M. Corbin  
25 Secretary to the Board of Public Utilities  
26 City of Riverside, California

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28 19-1325 sw 12/26/2019  
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EXHIBIT A

Water Rule 7 and Appendix A: Water Fees and Charges Schedule  
Effective February 1, 2020

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