

1 RESOLUTION NO.

2 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF  
3 RIVERSIDE, CALIFORNIA, AUTHORIZING PARTICIPATION IN THE  
4 CALIFORNIA ARREARAGE PAYMENT PROGRAM AND THE  
CALIFORNIA WATER AND WASTEWATER ARREARAGE PAYMENT  
PROGRAM

5 WHEREAS, on March 4, 2020, Governor Newsom proclaimed a state of emergency due to  
6 the COVID-19 pandemic and then issued Executive Order N-28-20 directing the California Public  
7 Utilities Commission to monitor customer service protection measures implemented by utilities,  
8 Executive Order N-33-20 to require individuals to stay at home except as needed to maintain  
9 continuity of critical operations, and Executive Order N-60-20 that created a risk-based approach to  
10 reopening the economy, among other executive actions; and

11 WHEREAS, the stay at home order and risk-based reopening framework order were  
12 rescinded on June 11, 2021 by Executive Order N-07-21 and many provisions of other Executive  
13 Orders were phased out by Executive Order N-08-21; and

14 WHEREAS, the City of Riverside owns and operates a water and electric utility, providing  
15 water and electric services to more than 106,000 metered electric customers and over 64,000  
16 metered water customers (serving a population of more than 300,000) in and around the City of  
17 Riverside. The City of Riverside also provides wastewater services in and around the City of  
18 Riverside; and

19 WHEREAS, on March 17, 2020, the City Council of the City of Riverside suspended  
20 discontinuance of water, electric, sewer and refuse utility service for non-payment and have not  
21 lifted this suspension; and

22 WHEREAS, on May 7, 2020, the City of Riverside created the COVID-19 Emergency  
23 Recovery Assistance Program (ERAP), which is designed to help RPU electric customers who have  
24 lost their jobs, been furloughed or are facing a reduction of their income due to reduced work hours  
25 due to the Stay at Home orders put in place to fight the pandemic. The initial program was designed  
26 to provide a \$250 credit for 20,000 residential customers -- about 20% of the City's residential  
27 customers -- at a cost \$5 million. The City of Riverside increased that amount of assistance to \$400  
28

1 and to date, have provided \$1,986,543 in assistance to 4,966 customers; and

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

5 The California Arrearage Payment Program (CAPP)

6 WHEREAS, in response to the economic conditions caused by the COVID-19 pandemic,  
7 Item 4700-162-8506 of Section 2.00 of the State Budget Act of 2021, as established by Assembly  
8 Bill No. 128 (Chapter 21, Statutes of 2021) and as amended by Senate Bill No. 129 (Chapter 69,  
9 Statutes of 2021), provided \$993,500,000 to the State Department of Community Services and  
10 Development (DCSD) to administer the California Arrearage Payment Program (CAPP) to reduce  
11 delinquent electricity and a natural gas utility balances for customers experiencing financial  
12 hardships related to the economic impacts of the COVID-19 pandemic; and

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

15 WHEREAS, Assembly Bill No. 135 (Chapter 85, Statutes of 2021), formally established the  
16 CAPP within DCSD, enumerating the program's requirements for utility participation and setting  
17 aside \$298,953,250 of the funds provided in Item 4700-162-8506 of the State Budget Act of 2021  
18 for financial assistance to customers of local publicly owned electric utilities; and

19 WHEREAS, a local publicly owned electric utility is considered a utility applicant under  
20 CAPP and may apply to DCSD for CAPP funds for eligible customer accounts for past due bills  
21 during the COVID-19 pandemic bill relief period; and

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

27 WHEREAS, to receive CAPP funding on behalf of eligible customers, a utility applicant  
28 must complete both a utility survey and application including submitting all necessary data and

1  
2 information to support the utility applicant's request for CAPP funding; and

3 WHEREAS, DCSD is required to disburse funds as expeditiously as possible to utility  
4 applicants, but no later than January 31, 2022; and

5 WHEREAS, within 60 days of receiving CAPP funds, a utility applicant must issue CAPP  
6 Assistance benefits to customers as bill credits to help address the eligible past due balance and must  
7 include a statement that the credits are a result of California's CAPP funding. An eligible utility  
8 customer need not apply for the program; and

9 WHEREAS, if CAPP funding is not sufficient to meet all need, utility applicants must  
10 prioritize the issuance of CAPP assistance first to active residential customers who are past due and  
11 who, absent the CAPP assistance, might be subject to service disconnection, consistent with current  
12 law, due to nonpayment of balances incurred during the COVID-19 pandemic bill relief period;  
13 second to active residential customers with delinquent balances incurred during the COVID-19  
14 pandemic bill relief period; third to inactive residential accounts with delinquent balances incurred  
15 during the COVID-19 pandemic bill relief period; and fourth to commercial customers with  
16 delinquent balances incurred during the COVID-19 pandemic bill relief period; and

17 WHEREAS, Assembly Bill No. 135 created customer protections to require a utility  
18 applicant to notify customers of the option to enter into an extended payment plan with late fees and  
19 penalties waived for any remaining balanced after CAPP funds are credited to the customer's  
20 account, to refrain from discontinuing service while CAPP applications are pending, for 90 days  
21 after the CAPP benefit is applied to a customer account, and while a customer remains current on a  
22 repayment plan, and to waive associated late fees and accrued interest for customers awarded CAPP  
23 benefits; and

24 The California Water and Wastewater Arrearage Payment Program

25 WHEREAS, on July 22, 2021, Governor Newsom signed Assembly Bill No. 148, which  
26 created the California Water and Wastewater Arrearage Payment Program (CWWAPP) to  
27 administer funding for water/wastewater utility customer arrearages; and  
28

1 WHEREAS, the State Water Resources Control Board (SWRCB) is administering this  
2 program, working with community water systems, and if funding is available, wastewater treatment  
3 providers. RPU is required to apply for CWWAPP assistance on behalf of customers who incurred a  
4 past due balance of 60 days or more on their water or sewer bill during the COVID-19 pandemic  
5 relief period. This program covers residential and commercial water system customers with arrears  
6 starting March 4, 2020, and ending June 15, 2021, with \$985 million available in the program.  
7 Additional information can be found at  
8 [https://www.waterboards.ca.gov/arrearage\\_payment\\_program/](https://www.waterboards.ca.gov/arrearage_payment_program/); and

9 WHEREAS, the City of Riverside owns and operates an electric and water utility and also  
10 provides wastewater service, with eligible customers that have past due bills during the COVID-19  
11 pandemic bill relief period; and

12 WHEREAS, the above-referenced state agencies are in the process of determining program  
13 and reporting requirements for customers with past due utility balances for both the California Water  
14 and Wastewater Arrearage Payment Program and the California Water and Wastewater Arrearage  
15 Payment Program. As these requirements are refined, RPU will continue to adjust the reporting to  
16 ensure compliance with the programs and to provide the greatest benefit to customers.

17 NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Riverside,  
18 California, as follows:

19 Section 1: That the City of Riverside's publicly owned electric utility's participation in the  
20 California Arrearage Payment Program is hereby approved and that the City Manager or his  
21 designee is authorized to execute program participation on behalf of the City of Riverside.

22 Section 2: That the City of Riverside's publicly owned water and wastewater utility's  
23 participation in the California Water and Wastewater Arrearage Payment Program is hereby  
24 approved and that the City Manager or his designee is authorized to execute program participation  
25 on behalf of the City of Riverside.

26 Section 3: That the City Manager or his or her designee is authorized to take all necessary  
27 actions to execute program participation, including the execution of all necessary documents on  
28 behalf of the City of Riverside and the acceptance and disbursement of any funds allocated to the

1 City and/or its customers, for both the California Arrearage Payment Program and the California  
2 Water and Wastewater Arrearage Payment Program.

3  
4 ADOPTED by the City Council this \_\_\_\_\_ day of \_\_\_\_\_, 2021.

5  
6 \_\_\_\_\_  
7 PATRICIA LOCK DAWSON  
8 Mayor of the City of Riverside

9 Attest:

10 \_\_\_\_\_  
11 DONESIA GAUSE  
12 City Clerk of the City of Riverside

13 I, Donesia Gause, City Clerk of the City of Riverside, California, hereby certify that the  
14 foregoing resolution was duly and regularly adopted at a meeting of the City Council of said City at  
15 its meeting held on the \_\_\_\_\_ day of \_\_\_\_\_, 2021, by the following vote, to wit:

16 Ayes:

17 Noes:

18 Absent:

19 Abstain:

20 IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of the  
21 City of Riverside, California, this \_\_\_\_\_ day of \_\_\_\_\_, 2021.

22  
23 \_\_\_\_\_  
24 DONESIA GAUSE  
25 City Clerk of the City of Riverside

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27 09/01/21 sw 21-0814.1  
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