



AGENCY: City Council
MEETING DATE: February 10, 2020
DEPARTMENT: Finance
PRESENTED BY: V. Damiani
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AGENDA ITEM SUMMARY

TITLE:

Receive Report and Consider Introducing by Title Only and Waiving the First Reading of Ordinance No. 958-2020 Repealing and Replacing Chapter 14.04 (Water Department and Regulations) of Title 14 (Water and Sewers) of the Fort Bragg Municipal Code to Remove Water Department Shut-Off Requirements in Preparation for Implementation of Senate Bill 998

ISSUE:

Intended to minimize the number of Californians who lose access to water service due to their inability to pay, Senate Bill 998 ("SB 998") provides additional procedural protections before residential water service can be discontinued. These protections apply to water service provided by an "urban and community water system," a "public water system," and an "urban water supplier" as those terms are defined. Among other things, SB 998 requires specified water providers to have a written policy on discontinuation of services, prohibits discontinuance until accounts are at least 60 days delinquent, requires 7 business days' notice before discontinuance, and prohibits discontinuance when doing so would pose a serious threat to the health and safety of a resident if the customer demonstrates an inability to pay and is willing to make payments via alternative methods.

The City is required to comply with SB 998 by April 1, 2020. The changes required to bring the City into compliance are as follows:

1. Adopt a comprehensive shutoff policy by resolution.
2. Adopt an ordinance to remove all shutoff language currently found in the City's municipal code. (Various sections of Chapter 14.04).
3. Update the City's fee schedule to comply with shutoff fee limitations.
4. Post the new shutoff policy to the City's website (translated into multiple languages).
5. Create multiple new forms including new door hangers and updating our phone notification script.
6. Annually report the number of shutoffs on the City's website to the State Water Resources Control Board.

ANALYSIS:

Some aspects of the City's Water Department shutoff policy currently are enacted in various sections of chapter 14.04 of title 14 of the City's municipal code. Staff recommends that Chapter 14.04 of the municipal code be repealed and replaced as outlined in the attached draft (to be reviewed). Staff recommends that the shutoff policy instead be adopted by resolution.

RECOMMENDED ACTION:

The attached revisions to the City's municipal code have been reviewed by the Finance and Administration Committee and are recommended by the Committee for adoption. Staff recommends that Council introduce by title only and waive the first reading of Ordinance No. 958-2020.

ALTERNATIVE ACTION(S):

Provide direction to staff for further revisions of the municipal code.

FISCAL IMPACT:

None.

GREENHOUSE GAS EMISSIONS IMPACT:

There is no direct greenhouse gas emissions impact with the proposed changes to the City's municipal code.

IMPLEMENTATION/TIMEFRAMES:

If approved, Ordinance No. 958-2020 will become effective April 1, 2020.

ATTACHMENTS:

1. Ordinance No. 958-2020

NOTIFICATION:

N/A.