

RESOLUTION NO. 2020-17

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HUNTINGTON BEACH
ESTABLISHING CITY POLICY ON TERMINATION
OF RESIDENTIAL AND BUSINESS WATER SERVICE IN RESPONSE TO COVID-19

WHEREAS, Chapter 14.12 of the Huntington Beach Municipal Code (“HBMC”) establishes the authority for setting and collecting rates and charges for residential and business (commercial or industrial) water service; and

HBMC Section 14.12.120 provides that all Municipal Services Bills for water services are due upon presentation, and are delinquent thirty (30) days following presentation of the Bill or after the due date on the Statement, whichever is earlier. Further, HBMC Section 14.120.10(A) provides that the City charge all delinquent accounts a late fee as set by City Council Resolution. Section 14.12.120(B) adds that delinquent municipal service accounts shall be shut off until all outstanding Municipal Service Bills, fees, utility taxes and penalties have been paid; and

The City of Huntington Beach (City) provides water service to over 45,000 single family residential customers, 4,600 multi-family residential customers, and 2,600 business customers in pursuant to Chapter 14.12 of the Huntington Beach Municipal Code.

COVID-19 pandemic has cause tremendous negative impacts to the global and local economies. In response, on March 16, 2020 the Governor issued Executive Order N-28-20 that in part, authorizes local governments to suspend water shutoffs for customers with unpaid utility bills until May 31, 2020, or longer if the Order is extended. The Order does not relieve the customer’s obligation to pay the utility bill or restrict the City from recovering the amount due.

The temporary suspension of water shutoffs to residential and business customers in response to COVID-19 until May 31, 2020, will protect the health, safety and welfare of the citizens of Huntington Beach.

NOW, THEREFORE, the City Council of the City of Huntington Beach does hereby resolve as follows:

SECTION 1. The City Council of the City of Huntington Beach adopts the following policy regarding the termination of residential and business water service:

In order to comply with the Governor’s Order N-28-20, the City will temporarily suspend water shutoffs, penalties and/or late fees associated with non-payment until May 31, 2020, to residential and business customers for failure to pay water bills because of demonstrated hardships caused by the COVID-19 pandemic. Water customers wishing to prevent their water shutoff shall comply with the provisions of Resolution 2019-88 with regard to demonstrating hardship. City Council delegates authority to the City Manager to extend this policy if the

COVID-19 pandemic or its effects go past May 31, 2020. In no event will this policy extend beyond August 31, 2020 without approval of City Council. City Council further delegates to the City Manager the authority to provide a program to for the repayment of past due water bills for residential or business customers who are unable to pay their utility bill during the duration of this Resolution. The repayment plan will not exceed two years.

SECTION 2. If any action, subsection, sentence, clause or phrase of this Resolution shall be held invalid or unconstitutional by a court of competent jurisdiction, such invalidity shall not affect the validity of the remaining portions of this Resolution, the, or other attachments thereto or fees levied by this Resolution.

SECTION 3. This Resolution shall take effect immediately and apply retroactively to March 16, 2020.

PASSED AND ADOPTED by the City Council of the City of Huntington Beach at a regular meeting thereof held on the _____ day of _____, 2020.

Mayor


REVIEWED AND APPROVED:

City Manager

INITIATED AND APPROVED:

Chief Financial Officer

APPROVED AS TO FORM:



City Attorney