

DATE SUBMITTED 8/13/2021
 SUBMITTED BY ASD
 DATE ACTION REQUIRED 8/18/2021

COUNCIL ACTION (X)
 PUBLIC HEARING REQUIRED ()
 RESOLUTION (X)
 ORDINANCE 1ST READING ()
 ORDINANCE 2ND READING ()
 CITY CLERK'S INITIALS ASB

**IMPERIAL CITY COUNCIL
 AGENDA ITEM**

SUBJECT: DISCUSSION/ACTION: RESOLUTION OF THE CITY COUNCIL RELATING TO BILLING FOR WATER, SEWER, SOLID WASTE AND STATE AB 939 1. APPROVAL OF RESOLUTION NO. 2021-52 ADOPTING PROCEDURES AND FEES RELATING TO UTILITY BILLING DUE DATES, DELINQUENCY CHARGES, AND DISCONTINUANCE OF SERVICE FOR NON-PAYMENT.	
DEPARTMENT INVOLVED: Administrative Services Department	
BACKGROUND/SUMMARY: The attached resolution is intended to supersede prior Resolution No. 2016-21 on the subjects of billing procedures and fees assessed for Water, Sewer, Solid Waste, and State AB 939. Please review the attached resolution for more information.	
FISCAL IMPACT: N/A	ADMIN SERV INITIALS <u>ASD</u>
STAFF RECOMMENDATION: It is staff's recommendation for the City Council to Adopt Resolution No. 2021-52 to replace Resolution No. 2016-21 relating to utility billing procedures and fees for the City of Imperial.	DEPT. INITIALS _____
MANAGER'S RECOMMENDATION: City Manager agrees with Staff's recommendation.	CITY MANAGER'S INITIALS <u>DAM</u>
MOTION:	
SECONDED: AYES: NAYES: ABSENT:	APPROVED () REJECTED () DISAPPROVED () DEFERRED () REFERRED TO:

RESOLUTION NO. 2021- 52

RESOLUTION OF THE CITY COUNCIL OF
THE CITY OF IMPERIAL RELATING TO BILLING
FOR WATER, SEWER, SOLID WASTE AND STATE AB 939

WHEREAS, section 23-5 of the Imperial City Code authorizes the City Council to adopt a resolution relating to matters such as due dates, delinquency charges, and discontinuance of service for non-payment; and

WHEREAS, it is the intent of this resolution to supersede prior Resolution No. 2016-21 on these subjects to the extent inconsistent with the terms set forth herein.

NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS:

1. *Billing Date and Due Date*: All charges for City of Imperial (“City”) services (water, sewer, solid waste, state AB939) will be billed on or near the 1st working day of each month for the previous month’s services (“Billing Date”) and are due on the 15th day of each month (“Due Date”). The customer is responsible for the bill even if the customer does not receive the bill.
2. *Delinquent Date and Penalty*: The bill becomes delinquent if not paid by close of business on the last working day of the month following the Due Date specified on the bill (“Delinquent Date”). If a bill becomes delinquent, the following penalties will be assessed: 1) a basic penalty of ten percent (10%) of each month’s charges for the first month delinquent; and 2) a penalty of one-half of one percent (0.5%) per month for nonpayment of the charges and basic penalty.
3. *Discontinuance of Service*: Water service may be discontinued in accordance with the City’s Residential Water Disconnection Policy adopted March 3, 2020, and as may be amended.
4. *Re-Connection Fee*: Restoration of water service after disconnection for non-payment as set forth in Section 3 shall require full payment of any and all existing charges and penalties, plus one of the following service fees:
 - a. A re-connection fee of \$45.00; or
 - b. An after-hours re-connection fee of \$120.00
5. *All New Accounts*: All applications for water service require a Social Security Number, Federal Identification Number, Valid Driver’s License, or Department of Motor Vehicle Identification Card. Owners must provide proof of ownership.

Realtors must provide proof of listing. Tenants must provide a signed rental/lease agreement or a signed Application for Service Authorization Form.

6. *Owner / Property Manager / Realtor / Tenant Account:* An owner may authorize an account to be established in the name of the property manager / realtor / tenant. The owner shall guarantee payment of all bills. All previous charges on account must be paid in full before water is turned on in the new property manager's / realtor's / tenant's name.
7. *Account Deposit:* A deposit of \$200.00 is required. Account balance must be paid in full prior to closing of account. Deposit will be applied to the closing bill. If customer is moving to a new location in Imperial, the remaining balance from deposit will be credited to new location account. Otherwise, if customer is moving out of Imperial, a refund will be mailed to address provided. In the case the deposit on account does not cover the final closed account balance, remaining charges will be transferred to new location account.
8. *Utility Billing Landlord Services Continuation Agreement:* Where an owner authorizes an account to be in the name of another party, the owner shall sign an application for water services as required by this resolution. At the time such account is established, or thereafter upon approval by the City, the owner may sign a continuation agreement. Such agreement will provide for the continuation of service upon termination of same by the authorized third party. Among other things, the agreement will provide that the services will continue in the name of the owner for a period of time not to exceed thirty (30) days, unless extended with the express written consent of the City. In this circumstance the owner will not be required to post the deposit normally required of new accounts.
9. *Returned Checks:* A fee of \$25.00 will be charged for the first returned check and \$35.00 for each additional check returned from the bank for any reason for which the bank refused payment. The check is to be replaced in cash or by money order within five (5) days of receiving notice. If the City receives three (3) returned checks within a twelve (12) month period, the City will no longer accept personal/business checks for any City service from that same party for the next twelve (12) month period.
10. *Closed Account:* An account without payment activity for two (2) consecutive months is subject to termination without further notice. The account holder and/or authorized signer is responsible for any and all charges accrued.
11. *Collections:* At the discretion of the City, any balance remaining on a closed account after thirty (30) days will be forwarded to a collection agency or may be submitted to the County for a lien on the property without further notice.

12. Acceptance of Loose Coins and Rolled Coins for Payment of Utility Bill: The City will not accept more than Five Dollars (\$5.00) in unrolled coins as payment. If over Five Dollars (\$5.00), coins must be rolled in coin sleeves. Any payment made in coin to the City will also need to have the customer's name and account number on each roll before the rolls can be accepted.
13. Online Payments Made through City Portal: Customer payments made after 4:00 pm will be posted the following working day.
14. Drop Box Payments: Payments dropped off after 4:00 pm in Payment Drop Boxes outside of City Hall will be posted the following working day.

PASSED AND ADOPTED at a regular meeting of the City Council held on the ____ day of _____, 2021.

Karin Eugenio, Mayor

ATTEST:

City Clerk