

RESOLUTION NO 1233

RESOLUTION OF THE BOARD OF PUBLIC UTILITIES ADOPTING UPDATED WATER BILLING POLICY UB-2 BILLING ADJUSTMENTS IN PLACE OF UTILITY BILLING POLICY UB-1

WHEREAS, the Board of Public Utilities adopted Resolution No.1012 on November 3, 2011 establishing Policy UB-1 Billing Adjustments (UB-1) for property-side leak adjustments and sewer cap re-evaluations; and

WHEREAS, UB-1 provides direction on procedures for leak adjustment calculation based on a four-tier Single Family Residential (SFR) water rate structure; and

WHEREAS, in 2015 the Santa Rosa City Council adopted a new water rate structure consisting of a two-tier SFR rate structure; and

WHEREAS, UB-1 provides that leak adjustments can be determined at the discretion of the Water Director; and

WHEREAS on December 31, 2015 the Water Director issued a memo providing a variance to determine SFR leak adjustments based on the new two-tier SFR rate structure (Leak Adjustment Memo) until such time as UB-1 is updated by the Board of Public Utilities; and

WHEREAS, Water Billing has been providing the SFR adjustments based on the Leak Adjustment Memo; and

WHEREAS, UB-1 requires an update to provide procedures for adjustments for sewer rate category re-assignments and specialty meter billings, as well as reflect the leak adjustment calculation based on the current water structure; and

WHEREAS, Water Billing Policy UB-2 – Billing Adjustments (UB-2) will supersede UB-1 and shall document leak adjustment calculations based on the two-tier SFR water rate structure and include additional adjustments not in the current policy to provide clarity to customers and staff.

NOW, THEREFORE, BE IT RESOLVED that the Board of Public Utilities hereby adopts the Water Billing Policy – UB-2 Billing Adjustments in the form attached hereto effective this date to replace in full Utility Billing Policy – UB-1.

NOW, THEREFORE, BE IT FURTHER RESOLVED that the Board of Public Utilities directs the Water Director to add language to the Variance Section of the UB-2 Billing Adjustments Policy to address natural disasters.

DULY AND REGULARLY ADOPTED by the City of Santa Rosa Board of Public Utilities
this 20th day of August 2020.

AYES: (5) GALVIN, ARNONE, MULLAN, WATTS, AND WRIGHT

NOES: (0)

ABSENT: (2) BADENFORT AND GRABILL

ABSTAIN: (0)

APPROVED: *Daniel J Galvin III*
Daniel J Galvin III (Oct 7, 2020 08:57 PDT)

Daniel J. Galvin III, Chair

ATTEST: *Gina Perez*
Gina Perez (Oct 7, 2020 15:59 PDT)

Gina Perez
Recording Secretary

APPROVED AS TO FORM:

Molly Maclean
Molly Maclean (Oct 7, 2020 10:34 PDT)

City Attorney

Attachment: Water Billing Policy UB-2 – Billing Adjustments

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1. PURPOSE

To provide City of Santa Rosa's written policy on providing billing adjustments for property-side leaks, unexplained water use, theft of water, sewer cap re-evaluations, sewer rate category reassignment, dedicated irrigation account landscape measurement inaccuracies, process meter billing and miscellaneous receivable invoices.

2. REFERENCES/DEFINITIONS:

The following sections set forth the areas of possible billing rate adjustments addressed in this Administrative Policy.

2.1 Property-Side Leaks

- 2.1.1 A property-side leak is any loss of water due to deterioration of pipes or fittings or broken or malfunctioning equipment where said loss emanates from any point past the coupling on the customer's side of the water or recycled water meter, serving the customer's property.
- 2.1.2 Customers are responsible for the service and fittings attached to the Water Utility System beginning at the coupling on the customer's side of the meter. Any leaks in the line which are the responsibility of the customer must be repaired by the customer solely at his/her expense.
- 2.1.3 No adjustment or credit will be applied to the water bill for property-side leaks, damage, deterioration or other factors beyond the control of the City, except as defined under Sections 3.2 – “Property-Side Leaks” and Section 4 – “Adjustment Methodology”.
- 2.1.4 The customer's service line, including the fittings on the customer's side of the meter, is to be maintained in a state of repair sufficient to allow the removal and replacement of the meter for maintenance. No adjustment will be given for leaks which develop as a result of changing or maintaining the water or recycled water meter, unless it can be shown that the City was negligent in performing the meter change or maintenance.
- 2.1.5 The customer is responsible for monitoring higher than expected usage as reflected on the customer's bill. Customers must investigate higher than expected usage to determine if the usage was caused by a property-side leak. A customer who has observed or has actual knowledge of a property-side leak and has not taken action to correct the issue is in violation of the City's Water Waste Regulations as defined in City Code Chapter 14-21 and is required to

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promptly repair the leak.

2.2 Unexplained Excessive Use or Water Theft shall mean:

- 2.2.1 An increase in water use 50% or higher from the same time in the previous years' billing period, due to unknown circumstances; or
- 2.2.2 Theft of water by a person or persons not residing on the property.

2.3 Sewer Cap Re-evaluations

- 2.3.1 Sewer Cap re-evaluations will only be processed for customers that had excess water usage due to a property-side leak, unexplained use or theft that occurred during the most current sewer cap setting period. The sewer cap re-evaluation for excess water usage resulting in a sewer cap adjustment will only be done one time within a thirty-six month period. The thirty-six month period begins the first month of the billing period following the last billing period for which the sewer cap adjustment was given.

2.4 Sewer Rate Category Re-assignment

- 2.4.1 Sewer rate category re-assignments will be processed for non-residential customers who may need to be placed in a new rate category due to changes in process, operation, or discharge loading for six (6) or more consecutive months.

2.5 Adjustments for Inaccurate Landscape Measurements

- 2.5.1 Landscape area measurements are printed on every utility bill for Dedicated Irrigation customers, as described in City Code Chapter 14-08.010 and are used to calculate water use charges. Irrigation as applicable to this policy is potable or recycled water applied to landscaped areas. Pursuant to this code section, it is the responsibility of the customer to alert the Water Use Efficiency division of Santa Rosa Water to any landscape changes requiring new measurements.

2.6 Adjustments for Specialty Meter Billing

- 2.6.1 Specialty meter adjustments may be requested under the following conditions, which are not intended to be exclusive:

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- a. Inadequate calibration or measurements
- b. Meter failure
- c. Improper meter sizing or installation
- d. Inadequate treatment

- 2.6.2 Customer is responsible for the service and maintenance of any non-City owned specialty meter including recorder and primary device.
- 2.6.3 All City specialty meters are serviced and maintained by the City, however it is the responsibility of the customer to ensure that their process discharge does not negatively impact the meter.
- 2.6.4 Customer is responsible for monitoring significant changes in usage as reflected on the customer’s bill.
- 2.6.5 Customer must investigate significant changes in usage causing meter inaccuracies.
- 2.6.6 Specialty meter installation is required for any billing adjustment under this section.

2.7 Santa Rosa Water Billing through Revenue Division

- 2.7.1 Any invoices requested by Santa Rosa Water for billing through the Revenue Division of the Finance Department.

3. CRITERIA

3.1 Santa Rosa Water Billing through Revenue Division

- 3.1.1 The Accuracy of billing requests through the Revenue Division of the Finance Department are the responsibility of the division of Santa Rosa Water Department requesting the billing.
- 3.1.2 Adjustments to billing due to billing errors and non-representative data collection within the Santa Rosa Water division may be approved by the division.
- 3.1.3 No adjustments or credits will be granted for customers submitting insufficient or incorrect data.

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3.1.4 The City shall not extend the due date of a water, recycled water or wastewater bill as a result of the customer submitting a request for an adjustment. Payment in full is due each month by the billing due date.

3.2 Property Side Leaks

3.2.1 The Revenue Operations Supervisor, or another person delegated the responsibility for adjusting water billings, may adjust the water or recycled water usage portion (excluding service charge) and any resulting sewer usage portion (excluding service charge), on a customer's bill when all of the following requirements are met:

- a. Customer shall notify City, in writing, of water or recycled water loss and repair of a property-side leak within sixty (60) days from the bill due date for the period in which the water loss occurred.
- b. If the leak occurred in the irrigation system, the customer is required to turn off the irrigation system as soon as they become aware of the leak. Failure to do so may result in denial of an adjustment.
- c. The written request shall be accompanied by either a plumber's invoice for services rendered, a receipt for parts with a description and date of repair or a letter from the customer certifying:
 - 1. The name, address, and telephone number of the person discovering the leak.
 - 2. The date the leak was discovered.
 - 3. The nature and location of the leak.
 - 4. The date the leak was repaired.
 - 5. The name, address, and telephone number of the person repairing the leak.
 - 6. A description of the repair work performed.
- d. The customer shall not have received a property-side leak billing adjustment in the past thirty-six months. The thirty-six month period begins the first month of the billing period following the last billing period for which a property-side leak billing adjustment was received.

3.2.2 There must be no evidence that excessive use of water or recycled water was due to the customer, his/her agents, or tenant's willful or neglectful acts.

3.2.3 If the excess usage is due to a property-side leak, the City must receive

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adequate documentation that the problem that resulted in a request for a billing adjustment has been properly repaired or resolved.

3.3 Unexplained Excessive Use or Water Theft

3.3.1 The Revenue Operations Supervisor, or another person delegated the responsibility for adjusting water billings, may adjust the water or recycled water usage portion (excluding service charge) and any resulting sewer usage portion (excluding service charge), on a customer's bill when all of the following requirements are met:

- a. Customer shall notify City, in writing, of water or recycled water loss due to unknown circumstances or theft within sixty (60) days from the bill due date for the period in which the loss occurred.
- b. The written request shall include:
 - 1. The name, address, and telephone number of the person discovering the unexplained excessive use or water theft.
 - 2. The billing period of the increased usage.
 - 3. The circumstances of the issue, unexplained excessive water use or theft.
- c. The customer shall not have received a billing adjustment for unexplained excessive use or water theft in the past sixty months. The sixty-month period begins the first month of the billing period following the last billing period for which a billing adjustment was received.

3.3.2 There must be no evidence that excessive use of water or recycled water was due to the customer, his/her agents, or tenant's willful or neglectful acts.

3.3.3 The City must receive adequate documentation that the excess usage that resulted in a request for a billing adjustment is no longer occurring. For water theft, customer must demonstrate that it has taken all feasible efforts to lock off access to supply.

3.4 Sewer Cap Re-evaluation

3.4.1 The Revenue Operations Supervisor, or another person delegated the responsibility for adjusting water billings, may adjust the sewer cap on a customer's bill when all of the following requirements are met:

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- a. Customer shall notify City, in writing, of water or recycled water loss due to property-side leak, unknown circumstances or theft within sixty (60) days from the bill due date for the period in which the water loss occurred.
- b. The written request shall include:
 - 1. The name, address, and telephone number of the person discovering the property side leak, unexplained excessive use or water theft.
 - 2. The billing period of the increased usage.
 - 3. A description of the property-side leak, unexplained excessive water use or theft.
- c. If the sewer cap re-evaluation is due to a property-side leak, the written request shall include a description of the actions taken to fix the property-side leak and must be accompanied by verification of correction of property-side leak.

3.5 Sewer Rate Category Re-assignment

- 3.5.1 Customers may request an evaluation for a sewer rate category re-assignment. Requests must be submitted in writing to the Director of Santa Rosa Water.
 - a. The written request shall include:
 - 1. The name, address, and telephone number of the person requesting a billing adjustment.
 - 2. Description of customer’s process change which would qualify them for a different rate category.
 - 3. Applicable wastewater discharge laboratory analyses (e.g. Biochemical Oxygen Demand, Total Suspended Solids, or Total Kjeldahl Nitrogen).
 - 4. Requests for more detailed information may be needed if the first submission does not adequately demonstrate a need for a sewer rate category re-assignment.
- 3.5.2 The Environmental Services Division may initiate a sewer rate category re-assignment by submitting a written request to the Director of Santa Rosa Water. The written request shall include justification for the sewer rate category re-assignment.
- 3.5.3 If a sewer rate category re-assignment is granted, no billing adjustment will be

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provided for any past invoices prior to the customer's request for a re-evaluation. The billing adjustment period will be as determined by the Environmental Services Division.

- 3.5.4 Following approval of any sewer rate category re-assignment by the Director of Santa Rosa Water, the Environmental Services Division must submit a request to process a sewer rate category re-assignment to the Revenue Division. Each request for rate category re-assignment must be accompanied by supporting documentation that has been verified by the Environmental Services Division.

3.6 Adjustments for Inaccurate Landscape Measurements

- 3.6.1 If a Dedicated Irrigation customer determines that the landscape area measurements are inaccurate, the customer may request verification, by the Water Use Efficiency division of Santa Rosa Water, of the landscape measurements as defined in City Code Chapter 14-08.010.

Area measurement must be verified by the Water Use Efficiency Team, or designee. If a landscape area measurement verification leads to a landscape area measurement adjustment, the Revenue Operations Supervisor, or another person delegated the responsibility for adjusting water billings, will recalculate the billing period water budget for the two most recent billing periods and determine the applicable billing adjustment. The two most recent billing periods are the two previous billing periods prior to the customer request for verification of the landscape measurements. A billing adjustment can be made due to a significant change in irrigated landscape area.

3.7 Adjustments for Specialty Meter Billing

- 3.7.1 Customers/citizens may request an adjustment to Santa Rosa Water billing due to specialty meter inaccuracies. Requests must be submitted in writing to the Director of Santa Rosa Water

a. The written request shall include:

1. The name, address, and telephone number of the person requesting a billing adjustment.
2. The billing period covered by the adjustment request.
3. Reason for the meter inaccuracy, including any steps taken to remedy the problem.
4. Detailed supporting documentation explaining the inaccuracy and need for adjustment. Requests for more detailed information

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may be needed if the first submission does not adequately demonstrate a need for a rate re-assignment.

- 3.7.2 No adjustment or credits will be given for tampering or failure to maintain a specialty meter which results in meter reading inaccuracies.
- 3.7.3 Following approval of the Director of Santa Rosa Water, the Environmental Services Division shall request an adjustment be processed by the Revenue Division.
- 3.7.4 In the case of surcharge billing where domestic water not subject to surcharge billing is discharged through the effluent meter, the total volume of the domestic flow not subject to surcharge billing will be subtracted from the surcharge bill. If this adjustment would result in a payment overage, the Environmental Services Division will determine whether to apply a credit on the next billing or process a refund check and will advise the Revenue Division of this determination.

3.8 Santa Rosa Water Billing through Revenue Division

- 3.8.1 Customers/citizens may request an adjustment to any miscellaneous receivable invoice issued by the Revenue Division that has Santa Rosa Water charges. Any requests must be submitted in writing to the division which initiated the billing request.

a. The written request shall include:

- 1. The name, address, and telephone number of the person requesting a billing adjustment.
- 2. The billing period covered by the adjustment request.
- 3. Supporting documentation with a complete explanation of same. Requests for more detailed information may be needed if the first submission does not adequately demonstrate a need for an adjustment.

- 3.8.2 Request to process an adjustment must be made to the Revenue Division by the division which initiated the billing request after approval by the Director of Santa Rosa Water.

- 3.9 The City shall not extend the due date of any bills or invoice as a result of the customer submitting a request for an adjustment. Payment in full is due each month by the billing

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due date.

3.10 The billing adjustment shall be limited to the two most recent consecutive billing periods and shall be limited to one adjustment every thirty-six months. The thirty-six month period begins the first month of the billing period following the last billing period for which the billing adjustment was given.

4.1 ADJUSTMENT METHODOLOGY

4.1.1 Threshold Water Loss for Requesting an Adjustment.

For any Single Family Residential Accounts and Dedicated Irrigation Accounts, a customer's water or recycled water usage as a result of a property-side leak must exceed Tier 1 and be at least 50% higher than usage compared to the same time in the previous years' billing period in order to qualify for an adjustment.

If the Revenue Operations Supervisor grants a property-side leak billing adjustment, the amount of excess usage due to the property-side leak will be billed at the City's wholesale rate for water or recycled water. If the excess usage is due to an inside leak, no sewer usage adjustment will be given.

If the excess usage is due to an outside leak, a sewer usage adjustment may be considered. The sewer usage adjustment (based on the excess usage compared to same period previous year) shall be limited to two billing periods and to one adjustment every thirty-six months.

For any Multi-Unit Residential and Commercial, Institutional and Industrial (CII) Accounts, a customer's water or recycled water usage as a result of a property-side leak must be at least 50% higher than usage compared to the same time in the previous years' billing period in order to qualify for an adjustment.

If the Revenue Operations Supervisor grants a property-side leak billing adjustment, the amount of excess usage due to the property-side leak will be billed at the City's wholesale rate for water or recycled water.

If the excess usage is due to an inside leak, no sewer usage adjustment will be given. If the excess usage is due to an outside leak, a sewer usage adjustment may be considered. The sewer usage adjustment (based on the excess usage compared to same period previous year) shall be limited to two billing periods and to one adjustment every thirty-six months.

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- 4.1.2 **All Accounts** – Unexplained Excessive Use or Water Theft; Customers may apply for one "unexplained" usage billing adjustment every 60 months. For all account types, "Unexplained Excessive Use or Water Theft" must result in at least 50% higher water use, from the same time in the previous years' billing period, to qualify for a billing adjustment. If the Revenue Operations Supervisor grants an unexplained excessive use or water theft billing adjustment, the amount of excess usage will be billed at the City's wholesale rate for water or recycled water.
- 4.1.3 **Sewer Cap Re-evaluations**; Any sewer cap re-evaluations will be performed using a method deemed appropriate by the Revenue Operations Supervisor given the circumstances of the account. Examples of methodology may be based on, but are not limited to, removing the affected billing period's use, using billing periods prior to and following the excess use, basing the sewer cap on the number of residents or the previous year's sewer cap if the number of residents is consistent with the same time in the prior year.
- 4.1.4 **Sewer Rate Category Re-assignment**; Any sewer rate category re-assignment evaluations will be performed using a method deemed appropriate by the Environmental Services Division given the circumstances of the account. Examples of methodology may be based on, but are not limited to,; sampling wastewater, review of high-strength loading, etc.
- 4.1.5 **Adjustments for Specialty Meter Billing**; Any specialty meter billing adjustments will be performed using a method deemed appropriate by the Environmental Services Division given the circumstances of the account. Examples of methodology may be based on, but are not limited to, using prior and following billing periods, averaging usage of the past six-months, using the same billing period of the prior year, etc.
- 4.1.6 **Inaccurate Landscape Measurements**; Once the new water budget is established the bills meeting the criteria of this policy will be recalculated based on the new water budget.
- 4.1.7 **Santa Rosa Water Billing through Revenue Division**; Except as otherwise provided herein, adjustment methodologies will be determined by the appropriate division within the Water Department and approved by the Director of Santa Rosa Water before requesting that the Revenue Division process the adjustment.

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5 VARIANCE PROCEDURES

5.1 Variances will be granted, on a case-by-case basis, at the discretion of the Director of Santa Rosa Water. The following conditions are among those that may be given consideration in the variance process:

- a) Granting a leak adjustment more often than once every thirty-six months for a property side leak
- b) Granting an ‘unexplained’ usage adjustment more often than once every sixty months.
- c) Granting a sewer cap re-evaluation for a circumstance other than a property-side leak, unexplained excessive water use, or theft.
- d) Granting a credit for more than two billing periods.
- e) Sewer cap re-evaluation for unexplained excess use or water theft.

5.2 Requests for billing adjustments because of unexpected emergency circumstances such as a natural disaster may be addressed as part of the City’s response to the local declared emergency.

6 PROVISIONS FOR APPEAL

6.1 Any customer may appeal the final decision of staff regarding property-side leak billing adjustments, sewer cap re-evaluations, sewer rate category re-assignments or landscape measurement billing adjustments to the Director of Santa Rosa Water, or a final decision of the Director of Santa Rosa Water to the Board of Public Utilities by submitting a written notice of appeal to the City within ten City working days of the date of the decision. A decision of the Board of Public Utilities may be appealed to the City Council.











BPU_AdjustmentPolicyResolution_082020_v2_a mended by board_final

Final Audit Report

2020-10-07

Created:	2020-10-07
By:	Gina Perez (gperez@srcity.org)
Status:	Signed
Transaction ID:	CBJCHBCAABAAOurAlvXnDqnbj7DBIhifcyVfJ9HucAix

"BPU_AdjustmentPolicyResolution_082020_v2_amended by board_final" History

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2020-10-07 - 3:39:10 PM GMT- IP address: 12.249.238.210
-  Document emailed to Daniel J Galvin III (dan@shapirogalvinlaw.com) for signature
2020-10-07 - 3:40:04 PM GMT
-  Email viewed by Daniel J Galvin III (dan@shapirogalvinlaw.com)
2020-10-07 - 3:57:23 PM GMT- IP address: 71.6.23.170
-  Document e-signed by Daniel J Galvin III (dan@shapirogalvinlaw.com)
Signature Date: 2020-10-07 - 3:57:58 PM GMT - Time Source: server- IP address: 71.6.23.170
-  Document emailed to Molly Maclean (MMaclean@srcity.org) for signature
2020-10-07 - 3:58:00 PM GMT
-  Email viewed by Molly Maclean (MMaclean@srcity.org)
2020-10-07 - 5:33:28 PM GMT- IP address: 12.249.238.210
-  Document e-signed by Molly Maclean (MMaclean@srcity.org)
Signature Date: 2020-10-07 - 5:34:23 PM GMT - Time Source: server- IP address: 12.249.238.210
-  Document emailed to Gina Perez (gperez@srcity.org) for signature
2020-10-07 - 5:34:25 PM GMT
-  Email viewed by Gina Perez (gperez@srcity.org)
2020-10-07 - 10:33:00 PM GMT- IP address: 12.249.238.210
-  Document e-signed by Gina Perez (gperez@srcity.org)
Signature Date: 2020-10-07 - 10:33:18 PM GMT - Time Source: server- IP address: 12.249.238.210

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2020-10-07 - 10:33:18 PM GMT