

## **RESOLUTION NO. WA-2020-04**

### **A RESOLUTION OF THE BOARD OF DIRECTORS OF THE COACHELLA WATER AUTHORITY, CALIFORNIA, DECLARING A TEMPORARY SUSPENSION OF SERVICE TURNOFFS DURING THE COVID-19 STATE OF EMERGENCY**

**WHEREAS**, the Coachella Water Authority (“Authority”) adopted Ordinance 1057, Section 3. Chapter 13.03- Water Service System establishing requirements for the provision of water service including billing, payment, interest, late penalties, and shut off processing; and

**WHEREAS**, in recent weeks, federal, state, county and local governments have declared states of emergency to increase efforts to protect the public from the novel coronavirus (“COVID-19”). In addition, a number of school districts have announced closures which may be in effect for a number of weeks; and

**WHEREAS**, many customers face issues such as their children’s schools, or their workplaces, closing in an effort to stop the virus from spreading. These affected customers may not have access to paid time off from their employers or are contract workers who only get paid when they work and they cannot work remotely. Even a few lost days of wages due to the effects of COVID-19 could mean not being able to buy food, pay rent, or pay utilities; and

**WHEREAS**, Government Code Section 8634 provides that during a local emergency the governing body of a political subdivision, such as the Authority, may promulgate orders and regulations necessary to provide for the protection of life and property. Such orders and regulations, and amendments and rescissions thereof, must be in writing and must be given publicity and notice; and

**WHEREAS**, to help mitigate the negative impacts on those who may suffer a loss of wages due to efforts to slow the spread of COVID-19, the Board desires to take action to direct the Executive Director, or his/her designees, to refrain from taking action which would result in the termination of service to residential customers, due to nonpayment.

### **NOW, THEREFORE, BE IT RESOLVED,**

**Section 1.** Incorporation of Recitals. The recitals in this Resolution are true and correct and this Authority so finds, determines and represents. Said recitals are incorporated herein and made a part of this Resolution.

**Section 2.** Temporary Suspension. The Board hereby authorizes, and otherwise directs, the Executive Director refrain from taking any action, which would result in the termination of service to any residential retail customer due to nonpayment (“Temporary Suspension”). As a result, the Executive Director shall take any and all action he/she deems necessary, in his/her reasonable discretion, to suspend the imposition of late penalties and interest and to or otherwise refrain from enforcing applicable provisions of Ordinance 1057 in regard to termination of service due to non-payment now. The terms and conditions of the Temporary Suspension shall be

established and implemented as determined in the Executive Director's reasonable discretion and in accordance with this Resolution.

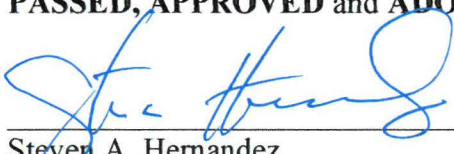
**Section 3. Eligible Customers.** The Temporary Suspension shall only apply to residential retail customers of the Authority. In addition, the Temporary Suspension shall only apply to service termination due to non-payment. The Executive Director will continue to have the authority to proceed with service termination for any other reason including, but not limited to, the theft of water or interference with Authority facilities.

**Section 4. Suspension Period.** The Temporary Suspension shall commence on the effective date of this Resolution and shall expire on June 1, 2020 ("Suspension Period"). The Suspension Period may be extended, or otherwise revised, by the Executive Director from time to time, as determined in the Executive Director's reasonable discretion.

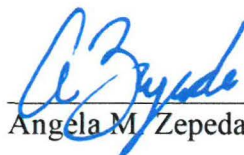
**Section 5. Report to the Board.** The Executive Director shall provide updates to the Board at least as frequently as each Board meeting following the effective date of this Resolution. Said updates shall include information regarding: (a) establishment and implementation of the Temporary Suspension; (b) extensions or revisions to the Suspension Period; (c) the number of qualified customers; and (d) and any other information regarding how this Resolution is being implemented.

**Section 6.** If any section, subsection, clause or phrase in this Resolution is for any reason held invalid, the validity of the remainder of this Resolution shall not be affected thereby. The Board hereby declares that it would have passed this Resolution and each section, subsection, sentence, clause, or phrase thereof, irrespective of the fact that one or more sections, subsections, sentences, clauses or phrases or the application thereof be held invalid.

**PASSED, APPROVED and ADOPTED** this 25<sup>th</sup> day of March 2020.

  
\_\_\_\_\_  
Steven A. Hernandez  
President

**ATTEST:**

  
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Angela M. Zepeda, Secretary

**APPROVED AS TO FORM:**

A handwritten signature in blue ink, consisting of three overlapping loops, positioned above a horizontal line.

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Carlos Campos, Attorney

STATE OF CALIFORNIA            )  
COUNTY OF RIVERSIDE        ) ss.  
CITY OF COACHELLA            )

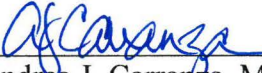
**I HEREBY CERTIFY** that the foregoing Resolution No. WA-2020-04 was duly adopted by the Board of Directors of the Coachella Water Authority at a regular meeting thereof, held on the 25<sup>th</sup> day of March 2020, by the following vote of the Board:

AYES:            Authority Member Bautista, Authority Member Beaman Jacinto, Vice President Martinez and President Hernandez.

NOES:           None.

ABSENT:        Authority Member Gonzalez.

ABSTAIN:       None.

  
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Andrea J. Carranza, MMC  
Deputy City Clerk