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ORDINANCE NO.

AN ORDINANCE SUSPENDING UTILITY DISCONNECTIONS AND LATE FEES; AMENDING EXHIBIT A TO ORDINANCE NO. 20190910-002 TO REDUCE CERTAIN ELECTRIC AND WATER RATES AND INCREASE THE DISCOUNT PROVIDED BY THE UTILITY CUSTOMER ASSISTANCE PROGRAM; AMENDING THE FISCAL YEAR 2019-2020 BUDGETS OF AUSTIN WATER AND AUSTIN ENERGY TO APPROPRIATE UP TO \$10,000,000 (\$5,000,000 EACH) FOR THE UTILITIES' BILL PAYMENT ASSISTANCE PROGRAMS; SUSPENDING CERTAIN ECAD ORDINANCE COMPLIANCE DEADLINES; EXPANDING CUSTOMER ASSISTANCE PROGRAM ELIGIBILITY TO INCLUDE PERSONS EXPERIENCING FINANCIAL HARDSHIP DUE TO THE COVID-19 PANDEMIC; AND DECLARING AN EMERGENCY

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

PART 1. After public hearing duly noticed, the Council finds that the rates and other terms set forth in this ordinance are fair, just, and reasonable, and sufficient to provide adequate and efficient services.

PART 2. The Council adopts a moratorium on disconnections of city utility service for nonpayment, and accordingly suspends Subsections (B) and (C) of City Code Section 15-9-101 (*Basis for Termination of Service*) and City Code Sections 15-9-102 through 15-9-105, relating to termination of service, through September 30, 2020.

PART 3. The Council waives the assessment of late fees on delinquent city utility bills, and accordingly suspends City Code Section 15-9-138 (*Delinquency*) and subsection (C) of City Code Section 15-9-137 (*Payment Requirements and Late Payment Penalty*), through September 30, 2020. To the extent necessary, Council ratifies and authorizes the city utilities' prior administrative waiver of late fees on bills due since March 15, 2020.

PART 4. The Council finds that making \$10,000,000 in additional customer assistance funds available to city utility customers who are suffering financial hardship due to the COVID-19 pandemic is in the public interest and necessary to facilitate compliance with state and local emergency orders. Accordingly, eligibility for participation in the city utilities' customer assistance program is amended to include customers experiencing financial hardship due to the effects of the COVID-19 pandemic and related state and local emergency orders. The City Manager is

authorized to develop guidelines for verifying eligibility and enrolling customers claiming financial hardship due to the pandemic.

PART 5. The percentage discount provided by the Austin Energy customer assistance program for residential electric customers is increased from 10 to 15 percent of volumetric charges.

PART 6. Notwithstanding any provision of City Code Section 15-9-144 (*Deferred Payment Agreement*) or any policies or guidelines approved or adopted under that section, through September 30, 2020, the city utilities must upon request provide a residential customer a deferred payment plan for an outstanding utility balance.

PART 7. The energy charge for Austin Energy residential electric service (inside and outside city limits) is set at \$0.07814 / kWh for all usage above 1,000 kWh.

PART 8. The regulatory charges for Austin Energy electric service are set as follows, with the changes for all service classes other than residential to take effect May 1, 2020:

<u>Service Class</u>	<u>Regulatory Charge</u>
Residential	\$0.00851 / kWh
Secondary (<10 kW)	\$0.00851 / kWh
Secondary (≥10 <300 kW)	\$2.37 / kW
Secondary (≥300 kW)	\$2.37 / kW
All Primary	\$2.32 / kW
All Transmission	\$2.29 / kW

PART 9. The volume charges for Austin Water residential water service up to 11,000 gallons and for all Austin Water residential wastewater service are set as follows:

<u>Gallons of Water</u>	<u>\$ / 1,000 gal (non-CAP)</u>	<u>\$ / 1,000 gal (CAP)</u>
0-2,000	\$2.60	\$1.23
2,001-6,000	\$4.33	\$3.65
6,001-11,000	\$7.51	\$6.00
<u>Gallons of Wastewater</u>	<u>\$ / 1,000 (non-CAP)</u>	<u>\$ / 1,000 (CAP)</u>
0-2,000	\$4.37	\$3.11
2,001 or more	\$8.95	\$7.90

PART 10. Unless required for a rebate application, the deadline to submit an energy benchmark or audit under City Code Sections 6-7-21 (*Multi-Family Energy Audit*) or 6-7-31 (*Commercial Facility Rating*) is extended to October 1, 2020.

PART 11. This ordinance amends the electric, water, and wastewater rate schedules of Exhibit A to Ordinance No. 20190910-002 to the extent they conflict. Unless expressly modified by this ordinance, all other rates and fees set forth in Exhibit A to Ordinance No. 20190910-002 remain in effect.

PART 12. The Fiscal Year 2019-2020 Austin Water Community Benefit Charge Fund Budget (Ordinance No. 20190910-001) is amended to appropriate an additional amount not to exceed \$5,000,000 from the ending balance of the fund to be transferred to the Plus-One customer assistance program.

PART 13. The Fiscal Year 2019-2020 Austin Energy Operating Budget (Ordinance No. 20190910-001) is amended to appropriate an additional amount not to exceed \$5,000,000 in funding for the Plus-One customer assistance program, reducing the Austin Energy Community Benefit Charge balance by up to \$5,000,000.

PART 14. The Council finds that the COVID-19 pandemic constitutes an emergency. Because of this emergency, this ordinance takes effect immediately upon its passage for the immediate preservation of the health and safety of the public.

PASSED AND APPROVED

_____, 2020 § _____
 § _____
 § _____

Steve Adler
Mayor

APPROVED: _____ **ATTEST:** _____

Anne L. Morgan
City Attorney

Jannette S. Goodall
City Clerk