

AGENDA

CITIZENS UTILITY ADVISORY BOARD

Wednesday, May 1, 2013
6:00 p.m.

JOHNSON CREEK FACILITY CONFERENCE ROOM
6101 SE JOHNSON CREEK BLVD.

- | | | |
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| I. | CALL TO ORDER | CUAB Chair |
| II. | INTRODUCTIONS | CUAB Chair |
| III. | CONSENT AGENDA | CUAB Board |
| | A. Approve Minutes from April 3, 2013 | |
| IV. | PUBLIC COMMENT
Note: Public Comment for items not on the agenda.
<i>(Additional public comment is invited on agenda items as they are discussed)</i> | |
| V. | REPORTS | |
| | A. Update on Storm Master Plan: SDC info
(materials provided at meeting) | Brad Albert |
| | B. Update on Billing Policies, Council meeting | Beth Kelland |
| VI. | DISCUSSION | |
| | A. Discuss upcoming field trip | Gary Parkin |
| VII. | MATTERS FROM THE BOARD | CUAB Members |
| VIII. | OTHER | |
| IX. | INFORMATION SHARING | ALL |
| X. | FUTURE MEETING DATE/AGENDA ITEMS | ALL |
| | June meeting: field trip? | |
| XI. | ADJOURN | |

CUAB MEETING MINUTES
Wednesday, April 3, 2013
Johnson Creek Facility Conference Room
6101 SE Johnson Creek Blvd.

Members Present

Beth Kelland, Chair
Vincent Alvarez, Vice Chair
Greg Deane
Kevin Hasey

Staff Present

Casey Camors, outgoing Finance Director
Rina Byrne, incoming Finance Director

I. CALL TO ORDER

The meeting began at 6:15 p.m.

II. INTRODUCTIONS

III. CONSENT AGENDA

The meeting minutes of the March 6, 2013 meeting were approved.

Public Comment: None

IV. REPORTS

Casey brought information from the City Attorney's office review of the billing policy changes requested by the CUAB at their March 6th meeting. First core issue: the tenant-landlord relationship does not allow for placing responsibility on the landlord for utility payment when a tenant leaves without paying. Second core issue: utility bill payment is for use of the utility. Requiring payment during a period of non-use is an indication that the payment is a tax.

Casey will rewrite the policies and send them to the CUAB for review prior to implementation.

V. DISCUSSION

A. Meeting with City Council (4-16-13) – Gary reviewed the past year and the issues that the Board considered (mainly wastewater treatment agreement and wastewater rates). The work plan for the upcoming year was discussed.

VI. MATTERS FROM THE BOARD

None.

VII. INFORMATION SHARING

None.

VIII. FUTURE MEETING DATE/AGENDA ITEMS

Next meeting: May 1, 2013

City Council meeting: April 16, 2013 at 5:30pm (Kevin will not be able to make it)

IX. ADJOURN

The meeting ended at 8:30 p.m.

Beth Kelland, Chair

Gary Parkin, Scribe



FINANCE DEPARTMENT
10722 SE Main Street
Milwaukie, OR ZIP

Memorandum

Date: April 9, 2013
To: City employees involved in performance of leak adjustments
From: Finance Department
Subject: Policy Statement on Leak Adjustment Procedures

Purpose

The purpose of this memorandum is to clarify policy for city employees that provide water and sewer adjustments to customers and how they are determined.

Current Practice:

The City provides water and sewer adjustments to residential and commercial customers who have had a leak which has been repaired.

Water Adjustments:

Before an adjustment can be made the City must have proof that the leak has been fixed.

Proof includes:

- Receipt of parts/labor relating to fixing the leak
- Visual confirmation of leak being fixed by Public Works crew
- Post leak water usage that indicates the leak has been fixed

For residential and commercial customers the water adjustment provided is for up to half of the leaked amount compared to normal usage. Normal usage is determined by comparing consumption to historical and similar unaffected months of the year (e.g. If the leak occurs during the winter, usage from the prior winter can be used as a basis for the adjustment).

Leak adjustments are made for up to 6 months from the date the leak is first identified. For example, if the City identifies and confirms a leak on December 31st, a water adjustment may be provided for water usage back to July 1st of the same year. Adjustments will not be provided from the date the leak is identified to the date that the leak is fixed by the customer.

As a courtesy the City attempts to notify customers when it appears that there is abnormal usage at a property; however the customer is responsible for leak identification and correction.

Sewer Adjustments:

Residential customers who have a leak during the winter averaging months (Dec-Mar) may be eligible for a winter average adjustment.

The sewer average shall be adjusted based on the average from any non-leak months during the Dec-Mar period. If no representative months exist within the same year, historical comparable usage from the previous year may be used to establish the new average.

For commercial customers who are billed sewer charges directly based on usage, sewer adjustments are available if the customer has a leak and proof is provided that it is fixed – see above for what qualifies as proof. The sewer adjustment shall be equal to half of the amount determined to have leaked versus the customer’s normal usage. If the customer provides proof that the leak was outside and did not go through the sewer system, a sewer adjustment for the entire leak amount may be provided.

Sewer adjustments are made for up to 6 months from the date the leak is first identified. For example, if the City identifies and confirms a leak on December 31st, a sewer adjustment may be provided for sewer usage back to July 1st of the same year. Adjustments will not be provided from the date the leak is identified to the date that the leak is fixed by the customer.



FINANCE DEPARTMENT
10722 SE Main Street
Milwaukie, OR ZIP

Memorandum

Date: April 11, 2013

To: City employees involved in utility billing functions

From: Finance Department

Subject: Policy Statement on Utility Accounts for Long Term Vacant and Foreclosed Property Procedures

Purpose

The purpose of this memorandum is to clarify policy for city employees that are involved in the utility billing functions and how long-term vacant and foreclosed properties are to be handled between owners.

Procedure:

In some instances, properties may be vacant for long periods of time, either between owners, for construction purposes or during foreclosure processes. Property owners or residents who contact the City to give notice of such a situation will generally request that the City suspend utility billing and service during the period that the property is vacant. Upon such a request from a resident, the City will allow suspension of the property's utility billing with shut-off of the property water meter. Risk of damage to the home for both meter shut-off and leaving the meter on when vacant will be explained to the resident and is the sole responsibility of the resident.

In some situations the City will not be notified of vacancy until after the fact. Upon verification of zero water consumption and the provision of documentation of the vacancy, the City will remove the charges for the vacant period.

In instances where the water is requested to be turned on for short periods of time (under 48 hours), the City will allow the requestor to pay the shut-off/turn-on fee consistent with the current City Master Fee Schedule to have the water turned on for that period (not to exceed 48 hours). The City employee responsible for the utility billing function will monitor the consumption on inactive/suspended accounts. If excessive consumption is identified, the City will bill the requestor for such consumption (anything in excess of 2ccf) consistent with the City's fixed and variable water rate.

When a property is again inhabited, the City will reactivate the utility billing, active as of the date the resident inhabits the property, and turn-on the meter upon this notification. If consumption is identified on a suspended account, no notification from the resident has been received and it is determined by a City employee that utility services are being used, utility billing is to be reactivated as of the first date of the billing cycle in which consumption is shown, unless documentation is provided of the appropriate date of inhabitation.

If the vacancy occurs during the winter averaging months (November – February consumption), the City employee performing the utility billing function will adjust the account as necessary to ensure that appropriate sewer averages for the remainder of the year are accurate. If no such data exists a monthly average of six may be set on an account until a new sewer average is established. Two or more months of usage are required to establish a new sewer average, at which point the sewer average can be adjusted retroactively.



FINANCE DEPARTMENT
10722 SE Main Street
Milwaukie, OR ZIP

Memorandum

Date: April 2, 2013
To: City employees involved in utility billing functions
From: Finance Department
Subject: Policy Statement on Rental Property Billing Procedures

Purpose

The City provides utility service (water, sewer, storm, street maintenance) to residential and commercial customers within City limits. There are many rental properties with frequent move-in/move-outs. The purpose of this memorandum is to clarify policy for City employees that prepare and adjust utility bills for City customers, specifically on rental properties (tenant/landlord relationships).

City Requirements (Code):

Individuals and businesses that have utility accounts with the City of Milwaukie are responsible for all charges related to their account including water, sewer, stormwater, and street charges.

Procedure:

The City treats rental properties the same as non-rental properties. All utility accounts are the responsibility of the resident or customer using the service and are not the responsibility of the property owner in compliance with municipal code section 13.04.100 unless the property owner specifically requests such responsibility.

When a tenant moves into a rental property within City limits, the tenant will be assigned the utility account and be held responsible for payment. If payment is not received from the tenant, the City will perform procedures in compliance with the City Policy Statement on Water Shut-off Procedures. Notification of the City's intent to shut-off the property is only sent to the tenant unless an alternate arrangement has been made.

When a tenant moves out of a rental property, the date of property vacancy will be used as the last billing date for that customer. The City will issue a final utility bill to the tenant at the tenant's new address as defined by the tenant upon notification to the City. If payment is not received from the tenant, the City will perform procedures in compliance with the City Policy Statement on Utility Collections Procedures.

When a City employee is made aware of a rental property and a tenant/landlord relationship, reasonable means will be used to acquire contact information regarding the tenant, landlord and property. Identified landlords are to be contacted by the City employee to notify them of the City's billing procedures in relation to rental properties. Additionally, the City employee will notify the landlord of the availability of the Landlord Utility Service Agreement, allowing the landlord to take

responsibility for the property billings in between tenants or in the long-term. Benefits to entering into such a contract with the City will be explained as follows:

- Avoids shut-off for non-payment by tenants
- Avoids shut-off during vacant periods, ensuring the ability to use the utility to show the property and avoids undue risk from turning the water utility on and off
- Ensures ease of move in for new tenants and availability of water service

Completed service agreement will be kept on file by Utility Billing and notes in the account will reflect such agreement. The service agreement will be canceled if either:

- The property is sold
- A written request is made to the City canceling the agreement