

**RESOLUTION OF THE BOARD OF COMMISSIONERS OF DEKALB COUNTY SUPPORTING POLICY
CHANGES TO PROTECT SENIORS, DISABLED INDIVIDUALS, AND LOW-INCOME RESIDENTS
AGAINST UPCOMING WATER RATE INCREASES**

Whereas, the DeKalb County Board of Commissioners acknowledges its responsibility for raising sufficient revenues to support the water and sewer utility through adoption of rates, pursuant to Section 9 of the DeKalb County Organizational Act; and,

Whereas, amendments to the Water and Sewer Rate Structure offers the financial capacity to address aging infrastructure and years of deferred maintenance, which have led to increased operational costs and the need for significant investment in repairs and upgrades; and,

Whereas, the aging water infrastructure poses risks to water quality and reliability, necessitating immediate attention to ensure the safety and health of the community; and,

Whereas, the Board recognizes that while rate increases are critical for long-term sustainability and reliability of water services, they can disproportionately impact vulnerable populations, including seniors, individuals with disabilities, and low-income families; and,

Whereas, the Board of Commissioners believes that access to clean and affordable water is a fundamental human right essential for the health and well-being of all residents; and,

Whereas, many seniors and disabled individuals often live on fixed incomes, making it challenging to absorb additional costs associated with essential services like water; and,

Whereas, low-income residents may already face financial hardships that could be exacerbated by increased utility costs, potentially leading to detrimental effects on their health and quality of life; and,

Whereas, efficient consumption of precious water resources and the equitable allocation of costs to users for the water and sewer components of the system is best achieved through the rate structure applied to an accurate reflection of actual use through DeKalb's metering system; and,

Whereas, the DeKalb County Board of Commissioners is committed to fostering an inclusive community where all residents have access to essential services, including clean and affordable water, without financial hardship, thereby promoting water equity for all; and,

Whereas, it is essential to align water rate increases with policy priorities that mitigate their impact on the most vulnerable populations; and,

Whereas, the rate structure also offers the capacity to address important policy goals, including but not limited to:

- Ensuring rates are affordable to ratepayers,
- Providing utility services affordable to qualified low-income residents who cannot afford prevailing rates,
- Ensuring that component rates for both water and sewer are set to avoid cross subsidy from one utility to another,
- Ensuring that consumers pay only for the services they use; and,

Whereas, effective policy solutions implemented in other cities, such as Baltimore, Philadelphia, Chicago, and Austin, provide a framework for addressing water affordability and access; and,

Whereas, implementing policies that address water affordability will financially benefit DeKalb County. Studies show that affordable utility bills lead to higher and more consistent payment rates, enabling easier revenue collection and decreasing expenses related to shutoff and late payment notices; and,

Whereas, under DeKalb County's Organizational Act, it is essential that the Board of Commissioners' policy priorities be enacted through the rate structure rather than administrative policies, grant programs, or other actions beyond the authority of the Board of Commissioners.

Now, Therefore, Be It Resolved, that the DeKalb County Board of Commissioners directs the presentation of a Water and Sewer Rate Structure for consideration that achieves the following policy priorities:

1. **Establishing Shutoff Protections:** The County should prohibit water shutoffs for individuals or households making 50% AMI or below with children aged 0-18 years old, individuals or households making 50% AMI or below over the age of 65, and individuals with disabilities that can be documented. The customer must provide age verifiable documentation that there is someone 65 years old or older or has children under 18 years old in residence at the address being billed. The County should also prohibit water shutoffs for any customer who receives Supplemental Security Income (SSI) or Social Security Disability (SSD) and therefore has a fixed income. The customer must provide verifiable information that they receive SSI or SSD. The shutoff moratorium for the listed groups shall be implemented from January 2025 (or the start of the new rate structure) until December 2034.
2. **Creating an Income-Based Water Affordability Plan:** The County shall adopt an income-based water rate structure. Those with incomes at 50% or below AMI will have their bill capped based on a percentage of their income. This program should be funded by revenue generated by water and sewer services. The plan should aim to ensure a stable and affordable bill for income-qualified households through a tiered, income-based billing structure. There are income-based water rate structures in Baltimore and Philadelphia that the County can model their program after.

3. **Developing an Office of Water-Customer Advocacy:** The County shall begin the process of establishing an independent DeKalb Customer Advocates Office (the Office) to serve as a neutral intermediary for residents facing billing disputes, provide assistance, and ensure fair treatment. The County shall have the Office staffed and operating by January 2026. The Office shall be independent of DeKalb Department of Watershed Management (DWM) but work in close coordination with DWM to resolve customer complaints. Customers (both homeowners and tenants) may seek assistance from the Office either orally or in writing within 90 days of a disputed action related to service or billing. Customer Advocates may grant equitable relief to customers in the form of the change of an amount due on a bill or the reversal of a DWM decision. Customer Advocates will be required to issue a written report, including a notice of the right to appeal or mediation. This office would also advocate for improvements to communication and access to social services for water affordability.

4. **Re-establishing a 7-year payment plan option, Re-opening Mediation Process, and furthering Debt Relief:** While the County begins the process of setting up the Customer Advocates Office the County should re-establish a 7-year payment plan option for residents for past due water and sewer debt. This will allow customers more affordable payment options for past water and sewer debt. The County should also re-open the mediation process for customers so that more customers who have billing disputes are allowed to participate in the mediation process. If a customer has a water bill over 200% of their average bill, the customer should automatically start the process of mediation. Dekalb County should also institute a debt relief program for those who demonstrate they can manage the reduced rate bills for one year. After making payments in full for a year, the resident should be eligible for full debt relief from the Department of Watershed Management.

5. **Ensuring water service is not cut off to any customer in dispute:** Commit to (a) not shutting off water service to any customer who is currently in the dispute process or who is placed in the forthcoming WCAO process, (b) developing a process to place customers who are not in the dispute process currently, do not currently qualify for the dispute process, but believe that they should be in the dispute process into the forthcoming WCAO process, and (c) develop a process to place customers who have completed the current dispute process but are still unsatisfied with the result into the forthcoming WCAO process;

Be It Further Resolved, that the Board of Commissioners directs the following administrative undertakings:

Conducting an Impact Assessment: Prior to any rate increase, conduct a thorough assessment to evaluate the potential impact on vulnerable populations and seek public input to inform decisions.

Promoting Community Education: Increase outreach efforts to educate residents about water conservation and available assistance programs to help them manage their water usage and costs; and,

Be It Further Resolved that the DeKalb County Board of Commissioners commits to advocating for the implementation of these policies to ensure that all residents, particularly the most vulnerable, have access to affordable water services while addressing the pressing need for infrastructure improvements.

Resolved this _____ day of _____ 2024.

ADOPTED by the DeKalb County Board of Commissioners, this ____ day of _____ 2024

Mereda Davis Johnson

Presiding Officer

Board of Commissioners

DeKalb County, Georgia

APPROVED by the Chief Executive Officer, this _____ day of _____, 2024

Michael Thurmond

Chief Executive Officer

DeKalb County, Georgia

ATTEST:

APPROVED AS TO FORM:

BARBARA SANDERS

County Clerk

Board of Commissioners and

Chief Executive Officer

Viviane Ernstes

County Attorney

DeKalb County, Georgia