



CITY COUNCIL ACTION FORM

Department	Presented by	Date
Finance	Drew Nelson - City Administrator	March 15, 2021

ITEM Resolution 2021-06: Continuing the Temporary Suspension of Water and Wastewater Late Fees, Delinquent Charges and Termination Shut-Off Fees and Termination of Service due to Non-Payment

BACKGROUND Last April, after the pandemic's impact on City residents' financial well-being became imminent, City Council decided to temporarily suspend the imposition of water and wastewater late fees, delinquent charges and termination shut-off fees, as well as the termination of water services due to non-payment. City Council concluded that this was in the best interest of everyone's health, safety and welfare, due to the necessity of water and wastewater services. Because it a year has passed since this Resolution was adopted, and because a new Fee Schedule has been enacted in 2021, the City Attorney and City staff recommend that City Council re-address this policy decision.

FISCAL NOTE This will continue to have a financial impact on a small portion of the City's revenue, due to not collecting any of these water and wastewater fees, delinquent charges and termination shut-off fees.

STAFF RECOMMENDATION

Staff recommends approval of this Resolution, which would expire six months after the end of the City's Local State of Emergency.

SUGGESTED MOTION



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A City Councilmember should make a motion to approve Resolution 2021-06, followed by a second and a roll call vote.

RESOLUTION NO. 06
(Series 2021)

**A RESOLUTION OF THE CITY COUNCIL FOR THE CITY OF SALIDA, COLORADO
CONTINUING THE TEMPORARY SUSPENSION OF WATER AND WASTEWATER
LATE FEES, DELINQUENT CHARGES AND TERMINATION SHUT-OFF FEES AND
TERMINATION OF SERVICE DUE TO NON-PAYMENT**

WHEREAS, the City of Salida, Colorado (“City”) is a statutory city, duly organized and existing under the laws of the state of Colorado; and

WHEREAS, pursuant to C.R.S. § 31-15-401, the City by and through its City Council (“Council”), possesses the authority to adopt laws and ordinances within its police power in furtherance of the public health, safety and welfare; and

WHEREAS, on March 10, 2020, the Governor of the State of Colorado declared a disaster emergency to be in effect due to the COVID–19 virus and declared pandemic; and

WHEREAS, pursuant to Salida Municipal Code (“Code”) Section 2-17-10, the City proclaimed a local state of emergency on March 13, 2020; and

WHEREAS, on April 7, 2020, due to significant evidence that the COVID-19 virus pandemic was causing a grave impact on the local, state and national economy, as well as the financial well-being of the City’s residents, property owners and businesses, the City Council adopted Resolution 2020-14, which temporarily suspended the imposition of late fees, delinquent charges and termination shut-off fees, as well as the termination of water service, due to the non-payment of water and wastewater charges; and

WHEREAS, the City Council continues to believe it is in the best interest of the health, safety and welfare of its citizens and the City as a whole to temporarily suspend the imposition of any late fees, delinquent charges and termination shut-off fees, as well as to temporarily suspend the termination of water service, due to non-payment of water charges and wastewater charges.

**NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY
OF SALIDA, COLORADO THAT:**

1. The Salida City Council incorporates the foregoing recitals as its conclusions, facts, determinations and findings.
2. The City of Salida hereby continues its temporary suspension of water and wastewater late fees, delinquent charges, and termination shut-off fees enumerated in the City of Salida 2021 Fee Schedule.
3. The City of Salida hereby continues its temporary suspension of the termination of water service due to non-payment of water charges and wastewater charges. This Resolution shall continue to not apply to shut-offs and repairs by the City necessary due to leaks, breaks, damage or malfunction in the service line, pursuant to Salida Municipal Code

section 13-2-130.

4. This Resolution shall remain in effect for six (6) months after the City of Salida's Local State of Emergency has elapsed. Upon expiration of this Resolution, the affected portions of the City of Salida Fee Schedule shall become fully effective, and the City shall recommence the enforcement of any and all applicable and affected ordinances and regulations.

RESOLVED, APPROVED, AND ADOPTED this 16th day of March, 2021.

CITY OF SALIDA

By: _____
P.T. Wood, Mayor

[SEAL]

ATTEST: _____
City Clerk/Deputy City Clerk