

AN ORDINANCE 2013-04-11-0259

**APPROVING AN AMENDMENT TO THE SAN ANTONIO
WATER SYSTEM'S (SAWS) AFFORDABILITY DISCOUNT
PROGRAM (ADP) GUIDELINES.**

* * * * *

WHEREAS, the City and San Antonio Water System (SAWS) entered into an Inter-jurisdictional Agreement for the period of January 1, 2012, to December 31, 2016 to provide utility assistance to low income rate payers; and

WHEREAS, through this agreement the Department of Human Services (DHS) and SAWS collaborate on utility affordability programs for low-income SAWS ratepayers, including Project AGUA and the Affordability Discount Program (ADP); and

WHEREAS, established in 2000, the ADP provides low income ratepayers with a sliding scale discount on their monthly water meter charge ranging from \$5.17 to \$12.97 based on household size, income, and the services provided; and

WHEREAS, once DHS certifies ratepayers as eligible for the program, they continue to receive the monthly discount for up to 24 months; and

WHEREAS, the City is in the second year of the five-year agreement with SAWS to provide utility assistance to low-income families in our community; **NOW THEREFORE:**

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SAN ANTONIO:

SECTION 1. The City Manager, or her designee, or the Director of the Department of Human Services (DHS), or her designee, is hereby authorized to execute an amendment to the Inter-jurisdictional Agreement, modifying the San Antonio Water System's (SAWS) Affordability Discount Program (ADP) Guidelines. A copy of the amendment is attached hereto and incorporated herein for all purposes as **Attachment I**.

SECTION 2. The financial allocations in this Ordinance are subject to approval by the Director of Finance, City of San Antonio. The Director of Finance may, subject to concurrence by the City Manager or the City Manager's designee, correct allocations to specific SAP Fund Numbers, SAP Project Definitions, SAP WBS Elements, SAP Internal Orders, SAP Fund Centers, SAP Cost Centers, SAP Functional Areas, SAP Funds Reservation Document Numbers, and SAP GL Accounts as necessary to carry out the purpose of this Ordinance.

SS/vv
04/11/13
Item #15

SECTION 3. This ordinance is effective immediately upon the receipt of eight affirmative votes; otherwise, it is effective ten days after passage.

PASSED AND APPROVED this 11th day of April, 2013.



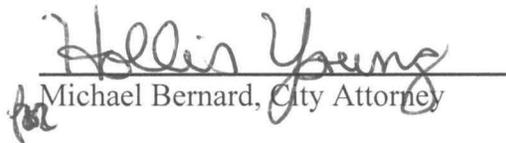
M A Y O R
Julián Castro

ATTEST:

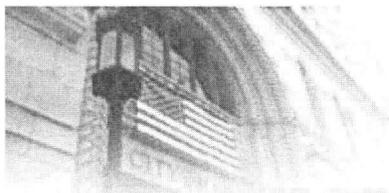


Leticia M. Vacek, City Clerk

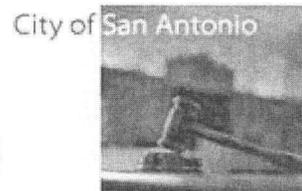
APPROVED AS TO FORM:



Michael Bernard, City Attorney



Request for
**COUNCIL
ACTION**



Agenda Voting Results - 15

Name:	6, 8, 9, 10, 11, 14A, 14B, 14C, 15, 16, 17, 18, 19, 20						
Date:	04/11/2013						
Time:	10:55:28 AM						
Vote Type:	Motion to Approve						
Description:	An Ordinance approving an amendment to the San Antonio Water System's Affordability Discount Program Guidelines. [Gloria Hurtado, Assistant City Manager; Melody Woosley, Interim Director, Human Services]						
Result:	Passed						
Voter	Group	Not Present	Yea	Nay	Abstain	Motion	Second
Julián Castro	Mayor		x				
Diego Bernal	District 1		x				
Ivy R. Taylor	District 2		x				
Leticia Ozuna	District 3		x				
Rey Saldaña	District 4		x			x	
David Medina Jr.	District 5		x				
Ray Lopez	District 6		x				x
Cris Medina	District 7		x				
W. Reed Williams	District 8		x				
Elisa Chan	District 9		x				
Carlton Soules	District 10		x				

**AMENDMENT #1
TO INTER-JURISDICTIONAL AGREEMENT BETWEEN
THE CITY OF SAN ANTONIO AND THE SAN ANTONIO WATER SYSTEM
FOR THE
PROJECT AGUA AND THE AFFORDABILITY DISCOUNT PROGRAMS**

This amendment (hereinafter referred to as "Amendment") of the Inter-jurisdictional Agreement ("Agreement") is entered into by and between the City of San Antonio, a Texas Municipal Corporation, (hereinafter referred to as "CITY") acting by and through its designated representative, the Director of the Department of Human Services, pursuant to Ordinance No. _____ passed and approved on _____, and the San Antonio Water System (hereinafter referred to as "SAWS") acting by and through its President / Chief Executive Officer, or his duly authorized representative, together, the "Parties."

WHEREAS, the SAWS presently contracts with CITY to provide administrative support in relation to the Project AGUA and Affordability Discount Program (ADP) utility assistance programs pursuant to the Agreement authorized by Ordinance 2011-12-15-1066; and

WHEREAS, SAWS desires to amend its eligibility guidelines for the ADP Program; and

WHEREAS, due to the foregoing, it is necessary to amend the Agreement; NOW THEREFORE:

SAWS and CITY agree to amend the Agreement as follows:

1. The document attached hereto and incorporated herein as Exhibit I reflects agreed upon revisions to Attachment I, the Affordability Discount Program Guidelines. The revisions supersede prior conflicting or inconsistent agreements with regard to the referenced guidelines, and all references in the Agreement to the ADP Guidelines shall mean the guidelines as revised by this Amendment.
2. All other terms, conditions, covenants and provisions of the Agreement are hereby continued and shall remain in effect in their original form, except for the provisions modified by this Amendment.

Executed this the _____ day of _____, _____.

CITY OF SAN ANTONIO:

SAN ANTONIO WATER SYSTEM:

Melody Woosley, Interim Director
Department of Human Services

Greg Flores, III
Vice President / Public Affairs

Date: _____

Date: _____

APPROVED AS TO FORM:

Assistant City Attorney

**Exhibit I to Amendment #1 of the
INTER-JURISDICTIONAL AGREEMENT BETWEEN THE
CITY OF SAN ANTONIO AND THE SAN ANTONIO WATER SYSTEM
FOR THE
PROJECT AGUA AND THE AFFORDABILITY DISCOUNT PROGRAMS**

**Revised Attachment I - 2013 SAWS Affordability Discount Program
Guidelines**

I. INTRODUCTION

Affordability Discount Program: The Affordability Discount Program (ADP) was established in 2000 to provide a discount of the water meter charge to SAWS ratepayers whose household income is less than 125% of federal poverty guideline. The intent of the program at the time of establishment was to apply a 50% discount to eligible ratepayers' meter charge. The program was revised in March 2004 to provide a sliding scale discount. The amount of discount a customer receives is based upon the household size, household income and type of service provided.

SAWS determines the amount of assistance available for the program on an annual basis. **The Affordability Discount Program (ADP) is sometimes referred to herein as the "Program."**

II. RESPONSIBILITIES UNDER THIS PROGRAM

A. Joint:

- (1) SAWS and the City of San Antonio, through its Department of Human Services (DHS) shall administer the Program jointly, and cooperatively develop all plans, documents, and other materials required for development, implementation, and oversight over the Program.
- (2) **Outreach:** A concerted effort will be made to inform as many potential participants as possible about the Program. The parties will fully utilize local media outlets for public service announcements and electronic media options. The breadth of outreach via the media will be dependent on the annual scope of the applicable program. Where feasible, outreach activities will be conducted in both English and Spanish.
- (3) **Information Technology:** The parties will make every reasonable effort to identify and implement information technology solutions that support the outreach, intake, eligibility determination, certification, case management, monitoring, reporting, evaluation and communication activities necessary to implement the Program. The goal is to achieve automated data, processing,

and communications capabilities.

B. The City of San Antonio, through DHS shall be responsible for:

- (1) Conducting ratepayer intakes, accepting and processing applications. Applications will be taken by DHS staff at DHS offices. These offices are dispersed throughout the city and will afford citizens the opportunity to submit applications at a site convenient to their residence.
- (2) Determining ratepayer eligibility based upon applicable Program guidelines
- (3) Conducting outreach utilizing the social service delivery network, DHS subcontractors, nutrition sites, literacy centers, etc.
- (4) Providing SAWS with a certification listing of program eligible ratepayers that will, at a minimum, contain the following information (if available) for each eligible ratepayer to assist SAWS in crediting / discounting client accounts:
 - a. Name, address, and SAWS account number
 - b. Amount (ADP discount) pledged
 - c. Household size
 - d. Household income
 - e. Date applicant certified eligible
 - f. Other information in accordance with existing SAWS-DHS agreements
- (5) Providing a list of clients and data files indicating potential ADP clients monthly
- (6) Maintaining case folders, files and records
- (7) Developing and managing ratepayer eligibility program databases
- (8) Performing program analysis (ratepayer eligibility perspective)
- (9) Coordinating all ADP Program operations with SAWS

C. SAWS shall be responsible for:

- (1) All program funding related to ratepayer credits / discounts
- (2) Coordination and implementation of outreach operations for the Program consistent with the intent of the applicable program goals and as outlined in agreements between the City and SAWS. SAWS will include bill inserts and print and distribute program brochures, informing ratepayers of the available assistance.
- (3) Processing ADP Program certification lists and associated credits / discounts as applicable
- (4) Providing DHS with a monthly data summary of all ratepayers who have received ADP discounts in the past 30 days
- (5) Coordinating all ADP Program operations with DHS
- (6) Developing quarterly and annual program fiscal summaries

III. ELIGIBILITY FOR ASSISTANCE UNDER PROGRAM

In order to qualify for assistance, applicants must meet the following eligibility criteria:

- A. SAWS Ratepayer:** Applicants for the program must have a SAWS statement in their name or in their spouse's name. If an applicant household's bill is not in their name, the applicant must initiate a name change on the SAWS account prior to assistance being rendered. Failure to do so will result in the denial or rescission of utility assistance.
- B. Income:** Eligibility will be based on a ratepayer's family size and gross income as a percentage of the then current Federal Poverty Level (FPL) guidelines established by the U.S. Department of Health and Human Services (HHS). For eligibility purposes, DHS will follow guidelines from the Texas Department of Housing and Community Affairs to calculate a household's income. Applicants must have a total household income at or below 125% of the FPL in place at the time of the application. For a point of reference, as of February 2013, 125% of the FPL has been established as follows:

FAMILY SIZE*	ANNUAL INCOME*
1	\$14,363
2	\$19,388
3	\$24,413
4	\$29,438
5	\$34,463
6	\$39,488
7	\$44,513
8	\$49,538

* For family units with more than eight (8) members, add \$5,025.00 for each additional family member to the guidelines.

The **Gross Income Eligibility Table** as of February 2013 is attached hereto as **Appendix A** and incorporated herein by reference as if fully set forth. The most recent guidelines established by HHS will be utilized in determining FPL at the time of the application. Eligible applicants' gross income may be adjusted by providing proof of medical expenses such as prescription medications, dietary supplements, and doctor visits. These expenses must have occurred within 30 days of the request for assistance. Household income may be adjusted downward per existing DHS policies to take into consideration recurring medical prescription costs for seniors. The total amount of these qualifying medical expenses can then be deducted from the applicant's monthly gross income. The resulting adjusted gross income will be used to determine eligibility based on the current gross income guidelines as cited above.

C. **Consumption:** Eligibility for the program is also dependent upon the customer's monthly water consumption. To be eligible for the discount, the customer's monthly usage cannot exceed Block 4 usage, which is defined as 17,205 gallons but may be amended from time to time, in any one billing cycle. If the customer's water usage exceeds 17,205 gallons in a single billing cycle, the account will be excluded from participation in the discount program for one calendar year from the date the usage exceeds 17,205 gallons. SAWS may reinstate if the customer has a leak or other extenuating circumstances and can provide proper documentation. After one calendar year, the customer may also apply for program reinstatement if their monthly usage has dropped and remained below the 17,205 gallon limit.

V. ADP SPECIFIC PROGRAM GUIDELINES

The amount of discount a customer receives is based upon the household size, household income and type of service provided.

A. **Discount Assistance Range:** The 2013 monthly discounts range from **\$5.17** to **\$12.97**, and are applied based upon the income and service provided in accordance with the **2013 ADP Monthly Discount Rate Table** attached hereto and incorporated herein by reference as **Appendix B**. The parties may agree upon an updated Discount Assistance Range from time to time during the term of this Agreement.

B. **Special Provisions for Disaster Relief Victims:** Regardless of income, the following may also receive the discount:

- (1) Residential ratepayers directly affected by natural disasters and establishing new service;
- (2) Residential ratepayers housing victims displaced by natural disasters; and
- (3) Small non-profits and church organizations housing victims.

Appendices:

Appendix A – 2013 Gross Income Eligibility Table

Appendix B – 2013 ADP Monthly Discount Rate Table

Appendix A

2013 Gross Income Eligibility Table

2013 Federal Assistance Guidelines

Updated 02/2013

Family Size	Affordability Program Discounts					
	Income at or below 25% Poverty *	Income at or below 50% Poverty *	Income at or below 75% Poverty *	Income at or below 100% Poverty *	Income at or below 125% Poverty *	Income above 125% Poverty *
1	\$2,873	\$5,745	\$8,618	\$11,490	\$14,363	\$14,363
2	\$3,878	\$7,755	\$11,633	\$15,510	\$19,388	\$19,388
3	\$4,883	\$9,765	\$14,648	\$19,530	\$24,413	\$24,413
4	\$5,888	\$11,775	\$17,663	\$23,550	\$29,438	\$29,438
5	\$6,893	\$13,785	\$20,678	\$27,570	\$34,463	\$34,463
6	\$7,898	\$15,795	\$23,693	\$31,590	\$39,488	\$39,488
7	\$8,903	\$17,805	\$26,708	\$35,610	\$44,513	\$44,513
8	\$9,908	\$19,815	\$29,723	\$39,630	\$49,538	\$49,538
9	\$10,913	\$21,825	\$32,738	\$43,650	\$54,563	\$54,563
10	\$11,918	\$23,835	\$35,753	\$47,670	\$59,588	\$59,588
11	\$12,923	\$25,845	\$38,768	\$51,690	\$64,613	\$64,613
12	\$13,928	\$27,855	\$41,783	\$55,710	\$69,638	\$69,638
13	\$14,933	\$29,865	\$44,798	\$59,730	\$74,663	\$74,663
14	\$15,938	\$31,875	\$47,813	\$63,750	\$79,688	\$79,688
15	\$16,943	\$33,885	\$50,828	\$67,770	\$84,713	\$84,713

* Poverty level figures based on U.S. Dept. of Health & Human Services 2013 guidelines

Appendix B

2013 ADP Monthly Discount Rate Table

2013 Discount	Income at or below 50% Poverty *	Income at or below 75% Poverty *	Income at or below 100% Poverty *	Income at or below 125% Poverty *	Income above 125% Poverty *
Water and Sewer	\$12.97	\$9.07	\$6.49	\$5.17	None
Water only	\$6.68	\$4.67	\$3.61	\$3.50	None
Sewer only	\$6.29	\$4.40	\$3.61	\$3.50	None

* Poverty level figures based on U.S. Dept. of Health & Human Services 2013 guidelines