

**OFFICE OF THE CITY COUNCIL**COSA - CITY CLERK
2024 AUG 07 PM02:51

TO: Debbie Racca-Sittre, City Clerk

FROM: Councilmember Jalen McKee-Rodriguez, District 2
Councilmember Marina Alderete Gavito, District 7

COPIES: Erik Walsh, City Manager; Andy Segovia, City Attorney; Joe Frank Picazo, Interim Assistant to the City Manager; Emily McGinn, Assistant to the City Council

SUBJECT: Preventive Measures to Eliminate Water Disconnections for Apartment Residents In Good Standing

DATE: Wednesday, August 7, 2024

Issue for Proposed Consideration

After coordinating this Council Consideration Request (CCR) with the City Manager, I respectfully request your support for the inclusion of the following item on the agenda of the earliest available meeting of the Governance Committee, and subsequently on the agenda of the earliest available A-Session:

Requesting consideration of: Preventive Measures to Eliminate Water Disconnections for Apartment Residents In Good Standing

Brief Background

Recently, San Antonio residents – including our constituents – residing in several apartment complexes have experienced water service disconnections or the threat of such disconnections, through no fault of their own. These disconnections occurred because their landlord or property management company failed to make timely payments to the San Antonio Water System (SAWS). While many residents living at or below poverty level must weigh the consequences of paying one bill before another, they ultimately decide to prioritize their all-inclusive rent because they recognize the risk of losing their housing and water service. However, landlords have placed these same residents in harm's way by not paying the bill and thus stopping their access to water service, showing they did not value the safety and wellbeing of their residents. When landlords neglect their duty of care, the consequences of that decision should fall upon them, not their tenants.



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This proposal aims to identify methods for SAWS to recover the outstanding payments without affecting tenants, instead concentrating on holding irresponsible, delinquent landlords or property management firms accountable.

Request

In partnership with the City, SAWS – a municipal owned utility of San Antonio – should re-evaluate and eliminate current processes of debt collection from landlords and apartment complexes that threaten the health and safety of tenants. This includes the development of ordinances and practices that place the final burden on delinquent landlords and property owners.

This request calls for amending of the Proactive Apartment Inspections Program to impose penalties on landlords who neglect utility payments.

In addition, we believe SAWS policies and procedures for communication to the property owner and/or management company should be accurate, timely, and also follow a consistent process.

The following steps should be implemented to enhance support for tenants vulnerable to widespread water disconnections in apartment complexes:


- Enhance the Proactive Apartment Inspections Program, commonly known as the “Bad Actor Apartment List,” to include landlords or property management firms consistently late in paying SAWS bills. Those who fail to settle their bills will face the program’s fines of \$100 per unit. This approach directs accountability toward delinquent landlords or property management companies with the intention of safeguarding tenants from undue consequences.
- Augment the Proactive Apartment Inspections Program to mandate that landlords or property management companies promptly notify their tenants in writing when the complex enters a SAWS payment plan due to overdue payments. Failure to comply will incur penalties.

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- Update the Proactive Apartment Inspections Program to mandate that delinquent apartment complexes are required to be managed by a reputable management company that is not presently nor recently registered on the Proactive Apartment Inspections Program.
- COSA's website will publicly display the names and addresses of apartment complexes that are specifically delinquent in their SAWS payments.
- As a municipally-owned utility, SAWS will share customer data regarding apartments subject to disconnections and report directly to COSA's legal and financial departments to allow our departments to respond and coordinate as needed.
- COSA should also review and recommend changes to SAWS policies and procedures for notification of property owners, payment arrangements and/or fees that are implemented consistently and documented appropriately before a shutoff is scheduled.

While this request aims to address processes and procedures of SAWS, any actions taken as a result of this Council Consideration Request should prevent similar patterns of concern at any utility company.

Submitted for Council consideration by:


Councilmember Marina Alderete Gavito

Submitted for Council consideration by:


Councilmember Jalen McKee-Rodriguez

2024-0022



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Supporting Councilmembers' Signatures (exactly 3)

District

1. Marc K. Whyte
2. [Signature]
3. [Signature]

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