

**TOWN OF PRESCOTT VALLEY
REQUEST FOR COUNCIL ACTION
Date: November 4, 2010**

SUBJECT: Update to Prescott Valley Utility Regulations

SUBMITTING DEPARTMENT: Management Services

PREPARED BY: Colleen Auer, Deputy Town Attorney
William E. Kauppi, Management Services Director

AGENDA LOCATION: Comments/Communications , Consent , Work/Study ,
New Business , Public Hearing , Second Reading

ATTACHMENTS:

- a) Resolution No. 1724 Amendments to Current Utility Regulations
- b) Utility Regulation Amendments,
- c) Resolution No. 1725 Adopting New Customer Accounts Regulations,
- d) Customer Accounts Regulations,
- e) Resolution No. 1726 Adopting New Improvement District Assessment Regulations,
- f) Improvement District Assessment Regulations.

SUMMARY BACKGROUND: At the Town Council Work-Study meeting on March 18, 2010, staff introduced proposed updates to current Prescott Valley Utility Regulations. Council generally agreed with the recommendation to separate the Regulations into two documents – one for customer billing and collections and one for operations and maintenance. Accordingly, staff moved ahead with the project. In the process, legal staff suggested also separating the Improvement District Administration (Assessment) regulations. At a second Work-Study meeting on October 21, 2010, staff presented a draft version of the new Customer Accounts Regulations for Council consideration. The draft reorganized and simplified verbiage, and modified the enforcement process based on past experience. This included (i) further clarifying parties responsible for rates, fees, charges and penalties incurred on a utility account, (ii) eliminating all references to the Prescott Valley Water District (dissolved on March 13, 2008), (iii) revising collection timeframes to account for transition of accounts from active to inactive status, (iv) addressing delinquencies from bankruptcies and foreclosures, (v) clarifying rates, fees and charges assessed based on types of accounts, and (vi) providing for electronic transfer of account information. Council instructed staff to move forward with the new Customer Accounts Regulations, knowing that a few additional housekeeping revisions would be made before final approval.

As promised at the October 21, 2010 Work-Study, staff is now bringing forward for Council consideration the new Regulations in three (3) separate documents. One is the new Customer Accounts Regulations, one is the new Improvement District Assessment Regulations, and one is the current set of Utility Regulations as amended and renumbered.

OPTIONS ANALYSIS: The Council may vote to:

- 1.) Approve one, two or all of the resolutions,
 - 2.) Not approve the resolutions, **OR**
 - 3.) Direct staff to pursue other options.
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ACTION OPTION:

(A) Motion to authorize the Mayor (or, in his absence, the Vice Mayor) to sign Resolution No. 1724 amending the Prescott Valley Utility Regulations to eliminate references to the Prescott Valley Water District, remove provisions governing administration of customer accounts and improvement district administration, and renumber remaining provisions, **OR** Motion not to approve Resolution No. 1726. **VOTE.**

(B) Motion to authorize the Mayor (or, in his absence, the Vice Mayor) to sign Resolution No. 1725 adopting new Customer Accounts Regulations, **OR** Motion not to approve Resolution No. 1724. **VOTE.**

(C) Motion to authorize the Mayor (or, in his absence, the Vice Mayor) to sign Resolution No. 1726 adopting new Improvement District Administration Regulations, **OR** Motion not to approve Resolution No. 1725. **VOTE.**

RECOMMENDATION: Staff recommends authorizing signature of these Resolutions.

FISCAL ANALYSIS: Splitting the current Prescott Valley Utility Regulations into these three separate documents is expected to make the regulations more user friendly and reduce administrative costs. In addition, new provisions in the Customer Accounts Regulations will allow for more efficient and effective collection of delinquent account balances, hopefully resulting in an overall positive financial impact.

REVIEWED BY:

Mgmt Svs Director _____ Town Clerk _____

Town Attorney _____

Town Manager _____

COUNCIL ACTION:

Approved Denied Tabled/Deferred Assigned to _____