



COALITION FOR ENVIRONMENT,
EQUITY, AND RESILIENCE

April 24, 2020

Delivered via email: mayor@houstontx.gov, marvin.odum@houstontx.gov

Mayor Sylvester Turner, City of Houston
Marvin Odum, Houston COVID-19 Relief and Recovery Czar

Dear Mayor Turner and Mr. Odum:

We write as members and partners of the [Coalition for Environment, Equity, and Resilience](#), a group of non-profit organizations and community-based advocates working collaboratively to promote equity and resilience in disaster recovery by emphasizing land, water, air, waste, housing, and transportation policies that reduce human exposure to pollution and strengthen environmental conservation. We thank you, Mayor Turner, for showing leadership and compassion by committing to not disconnect any Houston household's water through April 30. **We ask you to extend this moratorium through September 30 and protect Houstonians' access to water throughout the COVID-19 crisis by adopting the recommendations outlined below.**

Our city's moratorium on water shut-offs reflects that our health depends on something basic: each individual's ability to wash their hands and access safe, clean drinking water. Since this moratorium began, the crisis has become more serious in our region. The greater Houston area has identified more COVID-19 cases and reported more COVID-related deaths than any other city in Texas.¹ Harris County's recent breakdown of cases by zip code shows that the disease has spread across almost the entire city.²

But in certain Houston zip codes, people are more vulnerable to COVID-19, according to the UT School of Public Health's analysis of factors like age and preexisting health conditions.³ The

¹ Texas Department of Health & Human Services, COVID-19 Case Counts, <https://txdshs.maps.arcgis.com/apps/opsdashboard/index.html#/ed483ecd702b4298ab01e8b9cafc8b83>

² Samantha Ketterer, Harris County releases confirmed coronavirus cases by zip code, Houston Chronicle, April 11, 2020, <https://www.houstonchronicle.com/coronavirus/article/Harris-County-releases-confirmed-coronavirus-15194918.php>.

³ Stephanie Lamm, These areas of Harris County are at highest risk from coronavirus, Houston Chronicle, March 20, 2020, <https://www.houstonchronicle.com/news/houston-texas/houston/article/Virus-could-hit-Harris-unevenly-15147054.php>.

prognosis for residents of these largely black and brown neighborhoods becomes more dire when you consider the compounding effects and inequities of flooding and ozone pollution, together with factors such as no paid leave or the inability to work from home, explains Robert Bullard of Texas Southern University in a recent interview on COVID-19's health disparities in Texas Monthly.⁴ The Houston Chronicle's Editorial Board recently reinforced Bullard's warning.⁵ A recent report by the NAACP Legal Defense Fund suggests **these same communities may also be most vulnerable to water disconnections.**⁶

Mark Rubio, a 58-year old resident of Southeast Houston, and County Team Leader with the Texas Organizing Project, has been diagnosed with a chronic inflammatory lung disease, high blood pressure, and an enlarged liver – all conditions making him at highest risk for serious illness from the novel coronavirus. His health condition has left him unable to work consistently. Too young to qualify for assistance through Houston's W.A.T.E.R. fund, he has not been able to pay his water bill since September 2019. He is in the process of obtaining SSI benefits, but does not expect to receive approval until at least May, if at all. Meanwhile, Mr. Rubio is continuing the slow, years-long process of repairing his home, which suffered major mold damage after Hurricane Harvey.⁷ This month, even after the moratorium was announced, Mr. Rubio received notice that his water will be shut off on April 22. While he was able to find a private organization to help him, this assistance offers only a temporary reprieve. While the COVID-19 crisis continues, he is unlikely to be able to pay his water bills and will face the prospect of a shut-off again soon. For Mr. Rubio, losing access to water during this time would be devastating.

More now than ever, continued access to water is absolutely critical to slowing the spread of COVID-19 in our region. We commend the decision to halt water disconnections through the end of this month. To support residents like Mr. Rubio during this crisis and make sure Houston's communities do not continue to feel the impacts of the COVID-19 crisis long after it is over, we urge you to take additional steps to protect the public's health.

⁴ Amal Ahmed, The "Father of Environmental Justice" on Why He Isn't Surprised by COVID-19 Health Disparities, Texas Monthly, April 17, 2020, <https://www.texasmonthly.com/news/father-environmental-justice-coronavirus/>.

⁵ The Editorial Board explained existing inequities heighten risks to black Americans, who: they "live in densely populated communities without easy access to grocery stores, green spaces or equitable health care. They make up about one-fourth of public transit users and are more likely to be part of the 'essential workforce' as bus drivers, cashiers and other jobs that heighten risk." Editorial Board, Editorial: How to close deadly COVID-19 racial gap and save black lives, Houston Chronicle, April 21, 2020, <https://www.houstonchronicle.com/opinion/editorials/article/Editorial-How-to-close-deadly-COVID-19-racial-15214398.php>.

⁶ NAACP Legal Defense & Educational Fund, Inc.'s Water/Color: A Study of Race and the Water Affordability Crisis in America's Cities, p.4, https://www.naacpldf.org/wp-content/uploads/Water_Report_FULL_5_31_19_FINAL_OPT.pdf. For more information about the disproportionate impacts of water shut-offs nationwide, we also recommend the Food & Water Watch's America's Secret Water Crisis: National Shutoff Survey Reveals Water Affordability Emergency Affecting Millions, https://www.foodandwaterwatch.org/sites/default/files/rpt_1810_watershutoffs-web2.pdf.

⁷ Mr. Rubio's Harvey recovery story was captured by CEER member Texas Housers in a short video, available on its facebook page: <https://www.facebook.com/txlihis/videos/640368336708594/>.

The following recommendations are designed to address water vulnerability now and in the coming months. **We ask that you implement these recommendations immediately.** As the City evaluates how to make water affordable and accessible during this crisis, and beyond, we welcome the opportunity to serve as the City's thought partners and draw on our internal expertise and nationwide partnerships.

1. Extend the local moratorium on water disconnections until at least September 30.

Over the last several weeks, we have learned more about the spread of COVID-19. We now know that safety measures like frequent hand-washing and staying home are needed beyond the end of April. Temporary protections like the moratorium therefore must be extended to adequately protect the public's health and well-being. We urge you to extend the moratorium through September 30.

Other governmental bodies across the State of Texas have issued similar moratoriums on utility shut-offs. The Public Utility Commission of Texas has banned private electric and water utilities from cutting off water for residential customers who have filed for unemployment through September 26.⁸ The City of Austin has extended its moratorium on water shut-offs through the end of September.⁹ The City of Dallas and the San Antonio Water System have suspended shut-offs indefinitely while the COVID-19 crisis is underway.¹⁰

To adequately protect Houstonians during this crisis, Houston should commit to a moratorium on shut-offs through the end of September. To avoid confusing notices being sent to any ratepayers (like Mr. Rubio), the City should instruct Houston Water, and any contractors working with Houston Water, not to send out automated disconnection notices during this time. This will ensure Houstonians have continued access to water through our notoriously hot summers, as well as the peak of hurricane season.

2. Waive reconnection fees and help people turn water back on immediately.

The moratorium on water shut-offs does not help local residents whose water had already been turned off. We strongly recommend that the City turn these residents' water back on as soon as possible and waive reconnection fees.

⁸ Public Utility Commission of Texas, News Release: Public Utility Commission of Texas Acts to Mitigate COVID-19 Impact (Mar. 26, 2020),

<https://www.puc.texas.gov/agency/resources/pubs/news/2020/PUCTX-MR-PR-COVID19-OM-FIN.pdf>.

⁹ City of Austin, Utility Updates Related to COVID-19: City of Austin Utility Bill Relief,

<https://austinenergy.com/ae/about/news/covid-19-updates>.

¹⁰ City of Dallas, Public Announcement: DWU suspends water disconnects until further notice, affirms water safety, <http://www.dallascitynews.net/dwu-suspends-water-disconnects-notice>; San Antonio Water System, News: SAWS Supporting Assistance to Ensure Clean Hands for Health,

<https://www.saws.org/saws-supporting-assistance-to-ensure-clean-hands-for-health/>.

While the current number of people without water is unknown, Houston Public Media reported in 2012 that as many as 22,000 Houston residents were vulnerable to having their water shut off.¹¹ Having thousands of people without water during this crisis is unconscionable. Unless the City restores service to these residents, all Houstonians will face greater vulnerability to COVID-19. As Houstonians are being instructed to stay at home and wash their hands frequently, they must be guaranteed the essential services to keep them and their families safe. We urge the City of Houston to proactively and safely restore service to all residents currently experiencing a shut-off and waive any reconnection fees.

It is critical that restorations be conducted as soon as possible and in a manner that fully protects public health. We ask the City of Houston to complete restorations as soon as possible, and by no later than May 8, two weeks from today. While residents await reconnection of their water services, we urge the City to deliver water to their homes. To remove financial barriers to reconnecting water, the City should waive reconnection fees.¹²

Last, water that has stagnated in plumbing can expose residents to dangerous levels of lead and pathogens. To ensure reconnection occurs safely, the City should provide information in multiple languages to residents about properly flushing pipes after service is restored, like those disseminated by local media following February's massive water main break.¹³

3. Delay rate hikes, do not charge late fees, suspend collection activities for overdue bills, and guarantee extended repayment plans for past due bills.

To avoid penalizing Houstonians who already are feeling a financial burden during this crisis, we ask you to suspend all rate hikes, charge no late fees, and postpone all collection activities for overdue bills through at least September 30. We also ask that at the end of this crisis, you place any accounts that are past due on extended repayment plans to maximize the opportunity for all Houstonians to have access to safe, clean water over the long-term.

¹¹ Carrie Feibel, City Speeding Up Water Shut-Off for Delinquent Property Owners, Houston Public Media (May 3, 2012),

<https://www.houstonpublicmedia.org/articles/news/2012/05/03/35053/city-speeding-up-water-shut-off-for-delinquent-property-owners/>.

¹² Officials in Detroit, Michigan, and the State of Ohio recently took similar approaches. City of Detroit, Coronavirus COVID-19 Water Restart Plan,

<https://detroitmi.gov/departments/customer-care/water-and-sewerage-department/coronavirus-covid-19-water-restart-plan>; State of Ohio, House Bill 197

<https://www.legislature.ohio.gov/legislation/legislation-summary?id=GA133-HB-197> (Section 8(A)(2), p. 325 of PDF) (waiving all fees for reconnection to public water system).

¹³ E.g., ABC13 News, Don't just drink your water once advisory is lifted, here's what to do, <https://abc13.com/boil-water-order-advisory-tips-houston-flood/5973203/>. Freshwater Future, an organization working in the Great Lakes region, prepared [these detailed instructions](#), which could also be helpful as the City prepares or updates its own resources.

4. Make water more affordable for low-income residents.

The economic toll of this pandemic on local residents is immense. Across our local economy, residents have lost wages and jobs. Many families will struggle to pay for essential services, including access to running water. Even before this crisis, water was becoming increasingly unaffordable for low-income households across the nation.¹⁴ In Houston, for a family of four using 400 gallons per day, water rates increased by 68% from 2010 to 2018.¹⁵

It is very likely that many Houston residents unable to pay their water bills during the COVID-19 crisis will be unable to pay off their bill once the crisis is over. **We urge the City of Houston to forgive all water bills for residents at or below 100% of AMI who are unable to pay their bills during this crisis.** To maximize participation among eligible residents, the City should use a process that allows flexibility and is not overly onerous.

To offset the costs of forgiving water bills, the Mayor should take all steps possible to support current federal efforts to allocate funds toward water bill forgiveness and water infrastructure improvements. (See number 5 below.)

5. Support nationwide efforts to secure more federal funds for water utilities.

Members of Congress currently are negotiating potential stimulus packages that would allocate billions of dollars to utilities for lost revenue.¹⁶ Supporting this measure would allow the City of Houston to forgive unpaid water bills without financial recourse.

To understand what assistance is needed for water and other utilities, members of Congress have requested more information about shut-offs and residents' inability to pay their water bills. At its earliest convenience, the City of Houston should compile this information and share it with local members of Congress and also express support for this funding.

¹⁴ NAACP Legal Defense and Educational Fund, Inc., Water/Color: A Study of Race and the Water Affordability Crisis in America's Cities, https://www.naacpldf.org/wp-content/uploads/Water_Report_FULL_5_31_19_FINAL_OPT.pdf; Food & Water Watch, America's Secret Water Crisis: National Shutoff Survey Reveals Water Affordability Emergency Affecting Millions, https://www.foodandwaterwatch.org/sites/default/files/rpt_1810_watershutoffs-web2.pdf.

¹⁵ Circle of Blue, Price of Water 2018: Utilities Revise Household Water Rate Formulas, <https://www.circleofblue.org/2018/water-management/pricing/price-of-water-2018/> (interactive tables at the bottom of this report may be sorted to display Houston's data from 2010-2018). According to the EPA, the average family of four uses more than 300 gallons of water per day. EPA, WaterSense, How We Use Water, <https://www.epa.gov/watersense/how-we-use-water>.

¹⁶ Brian Dabbs, Capitol Hill spars over water utility shut-offs during coronavirus outbreak, National Journal, Apr. 22, 2020, <https://www.nationaljournal.com/s/706266?unlock=H1POD3P1751QVQZ8>.

6. Investigate need for, and commit to resolving, other gaps in water access.

The recommendations above will resolve many immediate obstacles to water access and affordability during this crisis. But for some Houston residents to have access to water, the solution may not be as simple as restoring water service. We urge the City of Houston to evaluate whether any other communities within city limits, such as the City's homeless populations and other socially isolated groups, may need other forms of assistance during this crisis and take necessary steps to secure these communities' access to safe, clean water.

7. Publish information about local water shut-offs on the Houston Water website.

To make sure residents are aware of the moratorium and the City's other efforts to guarantee water to all Houston residents, the City of Houston should immediately publish the following information on its Houston Water website, in press releases, and on its social media pages:

- An explanation for the moratorium and need for financial assistance for residents
- Start and end date of moratorium
- How to apply for financial assistance
- How to turn water back on without paying reconnection fees
- How to flush water once reconnected

To allow communities to understand the benefits provided by the City of Houston, the City should also publish this information on a monthly basis through the end of the crisis:

- Number of households with water turned off before the start of the moratorium
- Number of residents whose water has been turned back on
- Number of residents who applied for financial assistance
- Number of residents who qualified for financial assistance
- Sources of funding for financial assistance

Thank you again for your early action in imposing a moratorium on water shut-offs. By extending the moratorium and taking additional steps to secure residents' access to water during the pandemic, you will protect the public's health and make sure Houston's communities do not continue to feel the impacts of the COVID-19 crisis long after it is over.

If you would like to discuss any of these recommendations, you may contact Iris Gonzalez, CEER's Coalition Director, at 414-915-5196 or iris@ceerhouston.org.

Sincerely,

The Coalition for Environment, Equity, and Resilience
Air Alliance Houston
Bayou City Waterkeeper
Coalition of Community Organizations
Environment Texas
Harvey Forgotten Survivors Caucus
Earthea Nance, PhD, PE, CFM, HBCU Climate Change Consortium
Healthy Gulf
H.O.M.E. Coalition
Katy Prairie Conservancy
LINK Houston
Mi Familia Vota
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Public Citizen
SEIU Texas
Sierra Club, Houston Regional Group
Sierra Club, Lone Star Chapter
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Texas Health & Environment Alliance
Texas Housers
Texas Organizing Project
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