



**Adopted by the Board of Directors on January 21, 2020**

**Solano Irrigation District (SID) Urban Water Supplier Water Shutoff Protection Act Policy**

Adopted for implementation on February 1, 2020.

When applying this policy, if there are issues with timing to comply with this policy, SID will always benefit the customer and allow for additional days. SID remains committed to assisting customers in making water bill payments and not disconnecting water service.

Nothing in this policy should be construed as inconsistent with the Water Shutoff Protection Act, codified in California Health and Safety Code Section 116900, et seq.

This policy does not apply to the termination of a service connection by SID due to an unauthorized action of a customer.

Annually, SID must report to the State Water Resources Control Board the number of annual discontinuations of residential service for inability to pay and post this information on SID's website. Unless, the State Water Resources Control Board imposes a different reporting schedule, each January staff will prepare a report to the SID Board of Directors on the number of discontinuations of residential service for inability to pay and after Board approval will post this information on the SID website.

This policy is in compliance with the following, which are attached to this policy:

- SB-998 Discontinuation of residential water service: urban community water systems
- California Government Code Sections 60370 – 60375.5, Chapter 9.6. District Utility Services
- California Health and Safety Code Sections 116900 – 116926, Part 12, Chapter 6. Discontinuation of Residential Water Service (the Health and Safety Code)

**Definitions:**

- 1) Residential Service: means water service to a residential connection that includes single-family residences, multifamily residences, mobile homes, including, but not limited to mobile homes in mobile home parks or farmworker housing.
- 2) Urban and Community Water System: public water system that supplies water to more than 200 service connections. As of December 26, 2019, including those SID water customers who receive untreated water, and treat it themselves for residential use, SID has approximately 590 residential customers. SID is an urban community water system.

SID will prepare water bills on or near the first of each month. Water bills are due upon receipt and delinquent as of the last day of the month the bill was printed.

No water service disconnections will be made on Thursday or Friday. If water service disconnection is required, every attempt will be made to do this no later than 10:30 AM, so as to allow the customer time to contact SID and establish payment terms during normal business hours.

**TITLE: Senate Bill No. 998, Water Shutoff Protection Act – SID Policy**

This policy will be provided in the following languages and will be available on the website [sidwater.org](http://sidwater.org) as well as printed out and available at SID’s office at 810 Vaca Valley Parkway, Suite 201:

- English,
- Spanish,
- Chinese,
- Tagalog,
- Vietnamese,
- Korean,
- and any other language spoken by at least 10% of the population within SID boundaries, of which currently there are none.

SID shall not discontinue residential service for nonpayment until a payment by a customer has been delinquent for at least 60 days.

Water can be discontinued on the 61<sup>st</sup> day, only if SID at least 15 (fifteen) days before the discontinuation of water service for nonpayment contacted the customer named on the water account, by telephone or by written notice. **Example:** If it is desirable to discontinue water service on the 61<sup>st</sup> day after a water account is delinquent, the notice by either telephone or writing must be made at least 15 days prior to the 61<sup>st</sup> day of delinquency. A bill is due on May 31. Discontinuation of water for nonpayment cannot happen prior to July 31, and can only happen on July 31, if SID has contacted an adult by phone or sent a written notice of pending water shut-off, and both the call and the written notice must be in full compliance with the policy, is made or postmarked no later than July 17, or 15 days before the turn-off.

When SID contacts the water customer named on the account by telephone, SID shall offer to provide in writing to the customer the Solano Irrigation Urban Water Supply Water Shutoff Protection Act Policy, and offer to discuss options to avert discontinuation of residential service for nonpayment. Options to avert discontinuation of residential service for nonpayment are detailed below.

When SID contacts the customer named on the account by written notice, the written notice of payment delinquency and impending discontinuation shall be mailed to the customer of the residence to which the residential service is provided. If the customer’s address is not the address of the property to which residential service is provided, the notice also shall be sent to the address of the property to which residential service is provided, addressed to “Occupant.”.

The written notice includes, but is not limited to, all of the following information in a clear and legible format:

- 1) The customer’s name and address.
- 2) The amount of the delinquency.
- 3) The date by which payment or arrangement for payment is required in order to avoid discontinuation of residential service.
- 4) A description of the process to apply for an extension of time to pay the delinquent charges.
- 5) A description of the procedure to petition for bill review and appeal.
- 6) A description of the procedure by which the customer may request a deferred, reduced, or alternative payment schedule, including an amortization of the delinquent residential service charges.

**TITLE: Senate Bill No. 998, Water Shutoff Protection Act – SID Policy**

**Appendix 1** of this policy contains the format of the written notice.

If SID is unable to make contact with the customer or an adult occupying the residence by telephone, and the written notice is returned through the mail as undeliverable, SID shall make a good faith effort to visit the residence and leave, or make other arrangements for placement in a conspicuous place of, a notice of imminent discontinuation of residential service for nonpayment and SID's policy for discontinuation of residential service for nonpayment.

*SID will place this policy, in all required languages, in an SID business sized envelope and tape it to the garage of the water service address, or if there is no garage, then it will be taped to the front door.*

The following are situations in which SID shall NOT discontinue residential water service for nonpayment:

- 1) If an adult at the residence appeals the water bill to SID or any other administrative or legal body to which such an appeal may be lawfully taken, SID shall not discontinue residential service while the appeal is pending.
- 2) Customers with a demonstrated medical need, that meet the three conditions directly below (listed as a, b and c):
  - a) The customer, or a tenant of the customer, submits to SID the certification of a primary care provider, as that term is defined in subparagraph (A) of paragraph (1) of subdivision (b) of Section 14088 of the Welfare and Institutions Code, (copy attached) that discontinuation of residential service will be life threatening to, or pose a serious threat to the health and safety of, a resident of the premises where residential service is provided; AND
  - b) The customer demonstrates that he or she is financially unable to pay for residential service within SID's normal billing cycle. The customer shall be deemed financially unable to pay for residential service within SID's normal billing cycle if any member of the customer's household is a current recipient of CalWORKs, CalFresh, general assistance, Medi-Cal, Supplemental Security Income/State Supplementary Payment Program, or California Special Supplemental Nutrition Program for Women, Infants, and Children, or the customer declares that the household's annual income is less than 200 percent of the federal poverty level; AND
  - c) The customer is willing to enter into an amortization agreement, alternative payment schedule, or a plan for temporarily deferred or reduced payment, consistent with this written policy. (See Options Available to SID Customers to Avert Discontinuation or Residential Service for Nonpayment in this policy.)

The following are situations in which SID may choose to NOT discontinue residential water service for nonpayment:

- 1) The customer demonstrates that he or she is financially unable to pay for residential service within SID's normal billing cycle. The customer shall be deemed financially unable to pay for residential service within SID's normal billing cycle if any member of the customer's household is a current recipient of CalWORKs, CalFresh, general assistance, Medi-Cal, Supplemental Security Income/State Supplementary Payment Program, or California Special Supplemental Nutrition Program for Women, Infants, and Children, or the customer declares that the household's annual income is less than 200 percent of the federal poverty level, and is willing to enter into an amortization agreement, alternative payment schedule, or a plan for temporarily

**TITLE: Senate Bill No. 998, Water Shutoff Protection Act – SID Policy**

deferred or reduced payment, consistent with this written policy. (See Options Available to SID Customers to Avert Discontinuation or Residential Service for Nonpayment in this policy.)

- 2) Any delinquent SID customer, not falling into any category previously disclosed, who is willing to enter into an amortization or alternative payment schedule, consistent with this policy.

Options Available to SID Customers to Avert Discontinuation of Residential Service for Nonpayment

- 1) Pay the delinquent water bill in total.
- 2) Amortize the unpaid balance over a fixed number of months, to establish a fixed monthly payment.
- 3) Participate in an alternative payment schedule, which may include temporarily deferred payments.
- 4) Reduced payment, if a customer meets the three requirements for averting discontinuation of residential water for medical reasons, or demonstrates that the household income is below 200 percent of the federal poverty line, and SID is able to identify a funding source, other than payments by water customers.

SID may choose which of the payment options the customer undertakes and may set the parameters of that payment option. Ordinarily, the repayment option offered should result in repayment of any remaining outstanding balance within 12 months, though sooner can be considered. SID may grant a longer repayment period if it finds the longer period is necessary to avoid undue hardship to the customer based on the circumstances of the individual case.

If the delinquent balance is \$2,000 or below, the Finance Director may establish the amortization schedule, temporarily defer payments, or establish an alternative payment schedule.

If the delinquent balance is \$2,001 or greater, the agreed upon amortization schedule, temporarily deferred payments, or alternative payment schedule will be recommended by the Finance Director and must be approved by the General Manager.

If a customer meets the three requirements for averting discontinuation of residential water for medical reasons, or demonstrates that the household income is below 200 percent of the federal poverty line, and SID is able to identify a funding source, other than payments by water customers, the Finance Director may present a plan for reduced payment to the General Manager for approval. All reductions in past due balances must be approved by the General Manager.

With General Manager approval, SID may offer terms of repayment that are more generous than provided in the California discontinuation of residential water service, known as Senate Bill No. 998.

Once a payment option has been agreed upon, if the customer fails to comply with the amortization agreement, alternative payment schedule, or a deferral or reduction in payment plan (payment plans) for delinquent charges for 60 days or more, or while undertaking one of the payment plans the customer does not pay his or her current residential service charges for 60 days or more, with a 5 day notice SID can discontinue water service. The final notice of intent to disconnect service should be posted in a prominent and conspicuous location at the property, in all of the previously discussed required languages. SID will provide a letter indicating the eminent turn off of water due to non-adherence to previously agreed upon payment arrangements, with the scheduled date of disconnection. The scheduled date of disconnection will be listed in the letter. *The SID envelope with the letter will be either taped on the garage of the residence or on the front door. SID will schedule disconnections no later than a Wednesday, to avoid situations that may cause issues with weekend staffing.*

**TITLE: Senate Bill No. 998, Water Shutoff Protection Act – SID Policy**

The final notice of intent to disconnect water service will also include information on how to restore residential service. To restore water service, the customer will be instructed to contact the Finance Director, and establish a payment arrangement and a reconnection fee of \$30 will be assessed if the reconnection is during normal SID business hours (defined below), and \$128 for after-hours or weekend reconnection. The current SID \$30 reconnection fee is sufficient, in that the few water accounts that may be disconnected during the year are always scheduled for no later than Wednesday (to avoid any reconnections that may fall to the weekend) and in the mid-morning to avoid after hours reconnection. Staff always works with any customer who experiences a disconnection to re-establish water service as quickly as possible. The after-hours reconnection fee is \$128, as computed on Appendix 3, will be updated annually for any wage or fringe benefit increases to compute SID's actual after-hours cost. Normal SID business hours are 8:00 AM to 5:00 PM, as listed on the SID website, and the \$128 after-hours reconnection fee will commence when staff has to leave the SID property or any work site, as of 5:00 PM to commence with the reconnection.

Section 116914 of the Health and Safety Code discusses maximum to reconnection fees, for certain customer classes. At this time, SID will be collecting a rate below amounts in section 116914. Appendix 3 supports that SID's reconnection rate of \$30 is below the actual costs of reconnection during business hours and \$128 after normal business hours. Section 11914 of the Health and Safety Code sets a reconnection of service fee for reconnection during normal operating hours at fifty dollars (\$50), but not to exceed the actual cost of reconnection if it is less. Reconnection fees shall be subject to an annual adjustment for changes in the Consumer Price Index beginning January 1, 2021. For the reconnection of residential service during nonoperational hours, an urban and community water system shall set a reconnection of service fee at one hundred fifty dollars (\$150), but not to exceed the actual cost of reconnection if it is less. Reconnection fees shall be subject to an annual adjustment for changes in the Consumer Price Index beginning January 1, 2021.

If a customer feels that they have been unfairly treated by application of this policy, they may contact the Finance Director, the General Manager or the Board of Directors. The Finance Director and the General Manager can be reached at 707-448-6847. The Board of Directors can be contacted by calling the Board Secretary/General Manager's Assistant at 707-448-6847.

Currently SID does not have any residential customers who meet the criteria discussed below, but if SID ever has such a customer the following will apply.

This section applies if there is a landlord-tenant relationship between the residential occupants and the owner, manager, or operator of the dwelling.

If SID furnishes individually metered residential service to residential occupants of a detached single-family dwelling, a multiunit residential structure, mobile home park, or permanent residential structure in a labor camp as defined in Section 17008, and the owner, manager, or operator of the dwelling, structure, or park is the customer of record, the urban and community water system shall make every good faith effort to inform the residential occupants, by means of written notice, when the account is in arrears that service will be terminated at least 10 days prior to the termination. The written notice shall further inform the residential occupants that they have the right to become customers, to whom the service will then be billed, without being required to pay any amount which may be due on the delinquent account.

SID is not required to make service available to the residential occupants unless each residential occupant agrees to the terms and conditions of service and meets the requirements of law and SID's

**TITLE: Senate Bill No. 998, Water Shutoff Protection Act – SID Policy**

rules and tariffs. However, if one or more of the residential occupants are willing and able to assume responsibility for the subsequent charges to the account to the satisfaction of SID, or if there is a physical means legally available to SID of selectively terminating service to those residential occupants who have not met the requirements of SID's rules and tariffs, and SID shall make service available to those residential occupants who have met those requirements.

If prior service for a period of time is a condition for establishing credit with SID, residence and proof of prompt payment of rent or other credit obligation acceptable to SID for that period of time is a satisfactory equivalent.

Any residential occupant who becomes a customer of SID pursuant to this section whose periodic payments, such as rental payments, include charges for residential water service, where those charges are not separately stated, may deduct from the periodic payment each payment period all reasonable charges paid to SID for those services during the preceding payment period.

In the case of a detached single-family dwelling, SID may do any of the following:

- 1) Give notice of termination at least seven days prior to the proposed termination.
- 2) In order for the amount due on the delinquent account to be waived, require an occupant who becomes a customer to verify that the delinquent account customer of record is or was the landlord, manager, or agent of the dwelling. Verification may include, but is not limited to, a lease or rental agreement, rent receipts, a government document indicating that the occupant is renting the property, or information disclosed pursuant to Section 1962 of the Civil Code.

**Attachments:**

- 1) SB-998 Discontinuation of residential water service: urban community water systems
- 2) California Government Code Sections 60370 – 60375.5, Chapter 9.6. District Utility Services
- 3) California Health and Safety Code Sections 116900 – 116926, Part 12, Chapter 6. Discontinuation of Residential Water Service (the Health and Safety Code)

**TITLE: Senate Bill No. 998, Water Shutoff Protection Act – SID Policy**

**Appendix 1** to Solano Irrigation District (SID) Urban Water Supplier Water Shutoff Protection Act Policy. Changes to this letter can be implemented without further Board approval

**Written notice, pursuant to section 116908 (a) (1) (A) of the California Health and Safety Code**

This letter will be put on SID letterhead and mailed to the customer. This letter is to be send on a date that allows it to be reasonably delivered to the customer on or near the 15<sup>th</sup> day before a possible discontinuation of water service.

Date

Customer Name

Customer Address

Regarding: water account [insert account number]

Dear [insert name of customer]

We are writing to inform you that your water account is currently delinquent in the amount of [insert the dollar amount of the water bill that is delinquent] along with associated late fees in the amount of [insert the late fees] for a total past due amount of [insert the total dollar amount].

We need to please either receive payment or be contacted by you no later than [insert a date that is at least two days before the date the water may be discontinued, the date of the shutoff must be at least 61 days from the date the bill became delinquent] in order to avoid discontinuation of residential water service.

If so needed, when you contact us we can discuss options such as extending the time to pay the delinquent charges, a process to petition for bill review and appeal, or a deferred, reduced, or alternative payment schedule, including an amortization of delinquent residential service charges. The procedure to apply for any of these options it to call me at 707-455-4008, or email me at [cmorin@sidwater.org](mailto:cmorin@sidwater.org).

If your water service is discontinued, to reconnect you will need to contact us at 707-455-4008, to establish payment arrangements and a \$30 water turn-on charge will be assessed.

Very truly yours,

Name of Finance Director

Finance Director

enclosure: Solano Irrigation District Urban Water Supplier Water Shutoff Protection Act Policy

**TITLE: Senate Bill No. 998, Water Shutoff Protection Act – SID Policy**

**Appendix 2** – First notice of delinquent account. This letter to be mailed within 10 days of a water bill becoming delinquent. Changes to this letter can be implemented without further Board approval.

Date

«Account\_»

«Customer\_Name»

«Customer\_Street\_Address»

«Customer\_CityStateZip»

**Subject: Delinquent Water Account**

Dear «Customer\_Name»,

This letter is to inform you that there is currently a past due amount on your account for \$«Entry\_Amount». Please make a payment to avoid a potential discontinuation of water service.

For additional information regarding payment options please see our website [insert a link to the policy], or contact me at 707-455-4008, or at cmorin@sidwater.org

If you have already paid this water bill, we thank you and please disregard this notice.

**Payment Options**

- Payments may be made in-person at the District Office, 810 Vaca Valley Parkway, Suite 201, Vacaville, CA. District hours are Monday through Friday between 8:00 am and 5:00 pm, excluding District holidays.
- Check payments may be dropped off at the after-hours bill drop-off box, located in the parking lot at 810 Vaca Valley Parkway. The box is a few feet from the parking lot entrance, is white in color and displays our logo on it.
- Check payments may be mailed to the District Office, 810 Vaca Valley Parkway, Suite 201, Vacaville, CA 95688
- Payments may be made online with a credit card or electronic check through a third-party payment resource. Please visit our website at [www.sidwater.org](http://www.sidwater.org) and click on “Pay Bills” for additional information.

If you have any questions or concerns, please contact customer service at 707-455-4005.

Thank you for your prompt attention to this matter.

Sincerely,

Name of Finance Director  
Finance Director  
Solano Irrigation District

**TITLE: Senate Bill No. 998, Water Shutoff Protection Act – SID Policy**

**Appendix 3 – Initial calculation of estimated reconnection cost:**

Any member of the M&I Operations Department can be assigned to discontinue or to reconnect water service;

	Hourly		Hourly
	Wage as 2020		Wage as 2020
	Straight Time		Overtime
Staff member Job Title:			
Supervisor	\$55.47		\$83.21
Lead Distribution Operator	\$53.09		\$79.64
Distribution System Operator	\$44.84		\$67.26
Distribution System Operator	\$40.66		\$60.99
Distribution System Technician	\$47.74		\$71.61
Distribtuion System Technician	\$42.65		\$63.98
Meter Reader	\$33.32		\$49.98
Total Hourly Wage	\$317.77		\$476.66
Average Hourly Wage	\$45.40 (a)		\$68.09
Average rate benefits are of			
wages from the 2020 Budget	52.69%		52.69%
Average benefits per hour	\$23.92 (b)		\$35.88
Hourly rate with fringe benefits	\$69.31 (a) + (b)		\$103.97
Hourly billing rate for standard			
pick-up truck	\$25.00		\$25.00
Estimate One Hour to Both Turn off the water			
and Turn it Back on			
Wages with benefits	\$69.31		\$103.97
Use pick-up truck for 1 hour	\$25.00		\$25.00
Total cost to disconnect and reconnect	\$94.31		\$128.97