

Policy on Discontinuation of Water Services for Nonpayment

RESOLUTION NO. 2019-070

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIO VISTA ADOPTING THE CITY'S POLICY REGARDING WATER SHUTOFF PROCEDURES TO BE IN CONFORMANCE WITH THE CALIFORNIA WATER SHUTOFF PROTECTION ACT

WHEREAS, the Governor signed Senate Bill 998, codified as the Water Shutoff Protection Act, Health and Safety Code Sections 116900, et seq., into law on September 28, 2018.

WHEREAS, the Water Shutoff Protection Act requires the City of Rio Vista to establish a policy in conformance with the Act.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF RIO VISTA that the City Council hereby adopts this policy regarding water shutoff procedures in conformance with the California Water Shutoff Protection Act.

A. It is the policy of the City of Rio Vista to adopt the following deferred and reduced payment plans and alternative payment schedules in compliance with City of Rio Vista Municipal Code Section 13.04.078 and California Health and Safety Code Section 116906:

1. Deferred or reduced payment plans.

a. Deferred payment plan. The City may offer a deferred payment plan provided the customer commits to a payment plan designed to bring the account current in no fewer than two billing cycles. In no event shall the amortization period exceed twelve (12) months.

b. Reduced payment plan. Reduced payments are available for customers who demonstrate financial inability to pay. A customer demonstrates a financial inability to pay by showing he or she has a household income below 200 percent of the federal poverty line. A customer may demonstrate he or she is below 200 percent of the federal poverty line if any member of the household is a current recipient of CalWORKs, CalFresh, general assistance, Medi-Cal, Supplemental Social 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.

c. If a customer demonstrates a household income below 200 percent of the federal poverty line, the city may waive interest charges on delinquent bills once every 12 months.

2. Alternative payment schedule. The City may consider dividing a residential water service customer's charges into equal monthly payments, or other alternate

payments the City's finance director and/or designee consider necessary to avoid undue hardship to the customer based on the circumstances of the individual case.

B. It is the policy of the City of Rio Vista to provide an appeals process to allow a customer to contest a residential water service bill. A resident may appeal a bill for residential water service in conformance with the appeal process provided in City of Rio Vista Municipal Code Section 13.20.150.

C. A customer may contact the City of Rio Vista Public Works Director at 707-374-6451, ext. 1116, to discuss options to avert discontinuation of residential water service for nonpayment.

D. This policy will be available on the city's website.

E. Nothing in this policy or in Ordinance No. 009-2019 should be construed as inconsistent with the Water Shutoff Protection Act, codified in California Health & Safety Code Section 116900, et seq. If there is a question as to whether the city's code, policy or the Act applies, the provisions of the Act prevail.

F. If a customer is delinquent in payment, the following processes may be utilized:

1. If the City calls the customer, the City will offer to send the customer the City's written policy on discontinuation of residential service for nonpayment and offer to discuss the City's options to avert discontinuation of service, including those provided in this policy and in Health and Safety Code Section 116908(a)(1)(B).

2. If the City contacts the customer via written notice, that notice shall be sent to the customer. If the property address where service is provided is different than the customer's address, notice will also be sent to the property address addressed to "Occupant." The notice will include the customer's name and address, the delinquent amount, the date payment is due to avoid discontinuation of residential service, a description of how to apply for an extension to pay the delinquent amount, a description of how to petition for bill review and appeal, and a description of how to request other payment options as provided in the City's policy.

3. If the City is unable to contact a customer by telephone, and written notice is returned through the mail as undeliverable, the City will make a good faith effort to visit the residence and leave a notice of imminent discontinuation of residential service for nonpayment and the City's policy for discontinuation of residential service in a conspicuous place.

G. The City of Rio Vista will report the number of annual residential service discontinuations for nonpayment on its website and to the State Water Resources Control Board.

H. The City of Rio Vista will provide all written notices pursuant to this policy in English, the languages listed in California Civil Code Section 1632, and any other language spoken by ten (10) percent or more of its customers.

I. Notwithstanding this policy and the applicable municipal code sections, the City of Rio Vista may terminate service due to an unauthorized act by a customer.

PASSED AND ADOPTED THIS 3rd DAY OF DECEMBER 2019. I, JOSE JASSO, CITY CLERK OF THE CITY OF RIO VISTA, HEREBY CERTIFY the foregoing resolution was introduced and passed at a regular meeting of the Rio Vista City Council by the following roll call vote:

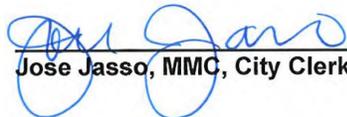
AYES: Council Members Dolk, Hampton, Roos, Vice Mayor Cohn and Mayor Kott

NOES: None

ABSENT: None

ABSTAIN: None

ATTEST:



Jose Jasso, MMC, City Clerk

