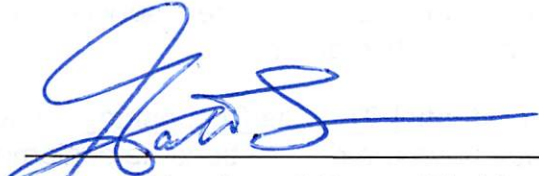


City Manager's Office
Administrative Order No: 070
Issued: 1/20/2020



Approved by: Garrett Evans, City Manager

SUBJECT: Discontinuance of Residential Water Service for Non-payment of a Delinquent Account

PURPOSE:

To establish a policy setting guidelines for residential water service interruption for non-payment of a delinquent account in adherence to the Water Shutoff Protection Act, Senate Bill No. 998, which was enacted in 2018 and becomes effective on February 1, 2020.

PROCEDURE:

1. Rendering and Payment of Bills:

Bills for water service will be rendered to each water account customer on a monthly basis. Bills are due and payable upon receipt and penalty shall be imposed if not paid within thirty (30) days from the date of the bill.

2. Delinquent Account:

If payment for a bill rendered is not made on or before the sixtieth (60th) day following the bill date, a written notice of possible discontinuance (Pink Notice) will be mailed to the residence/tenant and/or account holder/property owner. The notice will direct customers who are unable to pay their bill by the due date to contact the City Utility Billing Division at (925) 252-4940 during business hours to discuss options for averting discontinuation of water service for non-payment. The written notice will be available in the languages as listed in Section 1632 of the Civil Code (English, Spanish, Chinese, Tagalog, Vietnamese and Korean), and any other language spoken by at least 10 percent of the people residing in the Pittsburg service area. The Pink Notice will have a due date of at least seven (7) business days prior to the possible discontinuance of water service. At the same time, the City will also contact customers by telephone by leaving a voicemail message informing them of their delinquent account status and instructions to contact the City.

3. Conditions Preventing Discontinuation of Water Service:

- a) Extension of Payment of Bill – Customer of record may apply in person for an extension to pay their past due bill on or before the Pink Notice due date. Customer must execute a written agreement with the City to pay their past due bill within 30 days. Customers are allowed a payment arrangement once every 6 months from their last payment arrangement date. Failure to comply and non-payment will be treated as a violation of the payment agreement and will result in

discontinuance of water service in compliance with the provisions of this administrative order.

b) Residential Tenants/Occupants – if tenant/occupant is not the account holder, they have the right to become customers of the City without being required to pay the amount due on the delinquent account, as long as they are willing to assume responsibility for subsequent charges. The City shall make service available to residential occupants who meets the new customer application requirements.

c) Alternative Payment Arrangement

The City shall not discontinue residential water service if ALL of the following conditions are met.

- Health Conditions – The customer or tenant of the customer submits to the City certification of a “primary care provider”, as defined by Welfare and Institutions Code Section 14088(b)(1), that discontinuation of water service would be life threatening, or pose a serious threat to the health and safety of a person residing at the property;
- Financial Inability – The customer demonstrates that he or she is financially unable to pay for water service within the City’s normal billing cycle.

To qualify as being financially unable to pay, the customer or any member of the customer’s household, must be a current recipient of Cal/WORKS, CalFresh, general assistance, Medi-Cal, Supplementary 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 applicable in California.

<https://www.healthforcalifornia.com/covered-california/income-limits>

- Alternative Payment Schedule – The customer is willing to enter a plan for deferred or reduced payment or an alternative/amortized payment schedule. The City may choose the repayment option for the customer and set the parameters.

The burden of providing compliance with the conditions described is on the customer. The customer is encouraged to provide the necessary documentation demonstrating the health conditions, financial inability and willing to enter into a payment arrangement as far in advance of any proposed date for discontinuation of service as possible. The City will determine if customer meets all of the conditions upon receipt of documentation. Responses to City requests for additional information must be provided by the customer within two (2) business days. The City will notify customer in writing if they do not meet the conditions and shall inform them of impending discontinuation of water service within five (5) business days. The City shall make a good faith effort to contact the customer by telephone if written notice is returned through the mail as undeliverable.

4. Appeal/Disputed Bills:

Within five (5) days of receipt of the bill, the customer has a right to initiate an appeal or review of their charges. Such request must be made in writing and delivered to the payment center at City Hall. For so long as the customer's appeal and any resulting investigation is pending, the City will not discontinue water service. A customer shall be limited to two (2) unsuccessful appeals in any twelve (12) month period.

5. Discontinuation of Water Service:

Water shall be discontinued in the following circumstances

- Customer fails to make the full payment of total amount due or contact the City to discuss payment options on or before their Pink Notice due date.
- Customer fails to comply with existing written payment arrangement agreement for delinquent accounts over 60 days or more.
- Customer participating in the alternative payment arrangement fails to comply with existing written payment arrangement schedule or does not pay current bill for sixty (60) days or more. The City shall post a final notice of intent to disconnect water service no sooner than five (5) business days at the property.

6. Restoration of Water Service after Discontinuation:

When service has been discontinued due to non-payment, the City will provide information on how to restore service. The service will not be restored until all required delinquent account charges and fees to re-establish service has been paid. The City shall also require a security deposit if deemed appropriate to ensure revenue recovery.

7. Reconnection Fees:

Reconnection fees are charged based on the latest established adopted rates as published in the City's master fee schedule. Additional after-hours reconnection fee may be charged if payments are not received and reported to the payment center by 2:30 PM.

For customers who qualified for the alternative payment arrangement program, the reconnection fee shall be \$50 during normal operating hours (7:30 AM – 2:30 PM), and \$150 during non-operation hours (before 7:30 AM and after 2:30 PM), as authorized by state law and as may be amended from time to time. The amount of the fee will be adjusted annually by the Consumer Price Index beginning 2021. The fees will not exceed the actual cost of reconnection.

The City will waive interest charges on delinquent bills once every 12 months for households with incomes below 200 percent of the federal poverty line.

8. Annual Reporting Requirement:

The City will annually report on the City's internet web site and to the State Water Resources Control Board the number of residential service discontinuations for inability to pay.