



REGULAR BOARD MEETING AGENDA
BOARD OF DIRECTORS MEETING
MALAGA COUNTY WATER DISTRICT
3580 SOUTH FRANK STREET
FRESNO, CALIFORNIA 93725
Tuesday, June 26, 2018 at 6:00PM

In compliance with the Americans with Disabilities Act, if you need special assistance to participate in a District Board Meeting, please contact the District Office at 559-485-7353 at least 48 hours prior to the meeting, to ensure that reasonable arrangements can be made to provide accessibility to the meeting.

- ❖ Please submit all written correspondence for the Board of Directors by 12:00 pm the Friday prior to the meeting. Please deliver or mail to the District Clerk.
- ❖ Public comments are limited to three (3) minutes or less per individual per item, with a fifteen (15) minute maximum per group per item and will be heard during the communication portion of the agenda.

1. Call to Order:

2. Roll Call: President Charles Garabedian, Jr.; Vice President Salvador Cerrillo; Director Irma Castaneda; Director Frank Cerrillo, Jr.; Director Carlos Tovar, Jr.

3. Certification: Certification was made that the Board Meeting Agenda was posted 72 hours in advance of the meeting.

4. Consent Agenda. The items listed below in the Consent Agenda are routine in nature and are usually approved by a single vote. Prior to any action by the Board of Directors, any Board member may remove an item from the consent agenda for further discussion. Items removed from the Consent Agenda may be heard immediately following approval of the Consent Agenda or set aside for discussion and action after Regular Business.

a. Minutes of the Special Board Meeting of June 13, 2018.

Recommended action: To approve the Consent Agenda as presented or amended.

Motion by: _____; **Second by:** _____

5. Old Business:

a. **MCWD General Plan.** For discussion.

6. New Business:

a. **WWTF Head Shaft Quote.** The installation of a new head shaft is requested. One of the two has stopped working and it is essential to have two functioning head shafts as the other serves for backup purposes. A quote from Viking Chains has been submitted for \$11,126.19 + tax.

Recommended Action: To approve quote from Viking Chains for \$11,126.19 + tax.

Motion by: _____; **Second by:** _____.

- b. **Outreach Letter in Opposition of SB 998.** ACWA's State legislative Committee recently voted to adopt an oppose position on SB 998 which would change existing water service shut-off policy. There is no current in-state data to indicate that this issue is a large problem in California.

For Discussion.

7. Recreation Reports: None for this meeting.

8. Engineer Reports:

- a. District Engineer Report.

- b. CDBG Engineer Report:

- i. **CDBG No.16451.** Fresno County has approved the lowest bid from Lighthouse Electric. CDBG Engineer will begin preparing staff report.

9. General Manager's Report:

- a. Cushman electric vehicles arrived June 19.
- b. Alley Clean-Up crew started working on June 19.

10. President's Report:

11. Vice President's Report:

12. Director's Reports:

13. Legal Counsel Report:

14. Communications:

- a. **Written Communications:**

- b. **Public Comment:**

15. Closed Session:

16. Adjournment:

Motion by: _____, **Second by:** _____

Certification of Posting

I, Norma Melendez, District Clerk of the Malaga County Water District, do hereby certify that the foregoing agenda for the Regular Meeting of the Board of Directors of June 26, 2018 was posted for public view on the front window of the MCWD office at 3580 S. Frank Street, Fresno Ca 93725, at 5:00P.M. On 06/22/2018.

Norma Melendez

Norma Melendez, District Clerk



**SPECIAL BOARD MEETING MINUTES
BOARD OF DIRECTORS MEETING
MALAGA COUNTY WATER DISTRICT
3580 SOUTH FRANK STREET
FRESNO, CALIFORNIA 93725
Wednesday, June 13, 2018 at 6:00PM**

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1. Call to Order: 6:00PM

- 2. Roll Call:** President Charles Garabedian, Jr.; Vice President Salvador Cerrillo; Director Irma Castaneda; Director Frank Cerrillo, Jr.; Director Carlos Tovar, Jr.

All Present.

Also Present: Laurie Cortez, Neal Costanzo, Romana Campos and Norma Melendez.

- 3. Certification:** Certification was made that the Board Meeting Agenda was posted 72 hours in advance of the meeting.

4. Old Business:

- a. **Sheriff Report.** Community Service Officer, Elaine Montoya, will give the 2nd quarter crime report of the community of Malaga.

Community Service Officer reported on a few crime reports that occurred in the 2nd quarter of this year. Vandalism and shots fired were the most prominent. She also reported that the Sheriff's Activity League will commence July 9, 2018 at the Arriaga Community Center. There are over 30 applicants at this time.

5. New Business:

- a. **Resolution 06-13-2018; 2018 Election.** A Resolution to approve an election in November for three positions on the MCWD Board of Directors whose terms expire in December.

Recommended action. To adopt resolution 06-12-2018 as presented or amended.

Motion by Vice President Cerrillo; Second by Director Tovar, Jr. and by a 5-0 vote to approve Resolution 06-13-2018 as presented.

- b. **Resolution 06-13-2018A.** Authorizing issuance of notice of availability for sale of the Districts surplus property on Maple/Malaga.

Recommended Action: To approve resolution 06-12-2018A as presented or amended.

Motion by Vice President Cerrillo; Second by Director Tovar, Jr. and by a 5-0 vote to approve Resolution 06-13-2018A as presented.

- c. **Resolution 06-13-2018B; COI Amendment.** An amendment to the MCWD Conflict of Interest Code filed with Fresno County.

Recommended Action: To approve amendment to the MCWD Conflict of Interest Code filed with Fresno County.

Motion by Vice President Cerrillo; Second by Director Tovar, Jr. and by a 5-0 vote to approve Resolution 06-13-201B as presented.

- d. **Consideration to develop a General Plan for MCWD.** In the response to comments on the draft Fresno County General Plan, the District suggested that MCWD be designated a county special planning area. In consideration of future requirements for recycled water and groundwater sustainability for industrial development in the Malaga/Golden State Corridor, special plans for community development may be appropriate. The 2014 SGMA also provides for management areas to that may require special considerations.

For discussion and potential action.

Legal Counsel will draft a letter for the board's issuance to present in the next regular board meeting of June 26, 2018.

- 6. **Recreation Reports:** To be submitted at the meeting.
RCD, Romana Campos, and the staff at the park are currently preparing for the Park Campout. Various donations were made by local businesses. Other programs that are coming to the park are swimming lessons and water aerobics. Romana has also submitted the State Farm Neighborhood Grant application which would give recreation the opportunity to earn a \$25,000 or a portion of that amount to improve the flooring at the gym. Other park beautification changes have been made. Concrete was laid near the picnic shelter, along with the installation of a concrete lantern.

7. Engineer Reports:

- a. District Engineer Report. **None for this meeting.**
- b. CDBG Engineer Report:
 - i. **Application for CDBG 2019-2020 has been received.**

8. General Manager's Report:

- a. Cushman electric vehicles scheduled to arrive 15 June.
- b. WWTF pond gates. Waterman and Grizzly Construction have both failed to respond to a request for proposals to correct the pond gate installation.
- c. Update on Malaga park bathrooms.

9. President's Report:

None for this meeting.

10. Vice President's Report:

None for this meeting.

11. Director's Reports:

None for this meeting.

**12. Legal Counsel Report:
For closed session.**

13. Consent Agenda. The items listed below in the Consent Agenda are routine in nature and are usually approved by a single vote. Prior to any action by the Board of Directors, any Board member may remove an item from the consent agenda for further discussion. Items removed from the Consent Agenda may be heard immediately following approval of the Consent Agenda or set aside for discussion and action after Regular Business.

- a. Minutes of the Regular Board Meeting of May 21, 2018 and Special Board Meeting: Budget Workshop FY 2018-2019 of June 5, 2018.
Change Minutes of May 21, 2018 to reflect Monday instead of Tuesday as the correct day of the week.
- b. Financial Statements and Account Payable reports.

Recommended action: To approve the Consent Agenda as presented or amended.

Motion by Vice President Cerrillo; Second by Director Cerrillo, Jr. and by a 5-0 vote to approve Consent Agenda as amended.

14. Communications:

- a. Written Communications: **none.**
- b. Public Comment: **none.**

15. Closed Session: 7:40PM

- a. Conference with Legal Counsel Pending Litigation (Gov. Code Sec. 54956.9.) Malaga County Water District v. Central Valley Regional Water Quality Control Board Case No. 16 CECG03036.
No reportable action.

16. Adjournment:

Motion by Vice President Cerrillo, Second by Director Cerrillo, Jr. and by a 5-0 vote to adjourn the meeting at 8:03 PM.

**VIKING CHAINS - ENVIRO DIVISION
A DIVISION OF CONNEXUS INDUSTRIES INC.**

Langley CAD HQ
27474 Gloucester Way
Langley, BC V4W 4A1
Tel: 604-882 1602
Fax: 604-882 1603
Toll-free: 1-800-324-1244

Quebec Branch
1892 1^e Ere rue
St. Romuald, QC G6W 5M6
Tel: 418-834 5116
Fax: 418-834 5901
Toll-free: 1-888-650-6090

Atlanta Branch
3411 Novis Pointe
Acworth, GA 30101-6639
Tel: 678-797 0777
Fax: 678 797 5554
Toll-free: 1-877-941-1500

Portland USA HQ
4270 NW Yeon Avenue
Portland, OR 97210
Tel: 503 222 9992
Fax: 503 222 0073

RE: Malaga Head Shaft Quote

Date : June 5, 2018
Pages : 1

To : Simon Morris
Company : JBI - Water & Wastewater Equipment
Fax Number : 1 916 933 5573

From : Scott Davies
Email: sdavies@cnxsind.com

Viking Chains - Enviro Division is pleased to submit the following quotation for your consideration:

1 each -- 2 15/16" diameter x 160.25" Long C1045 Head Shaft c/w (3) Keyways and Keys

2 each -- Cast Iron Peak Cap Wall Bearing Assemblies, Split, 2 15/16" bore, UHMW Insert, see attached drawing # VCES-0041

1 each -- UHMW Set Collar, Split, 2 15/16" bore, 316SS Hardware

1 each -- VC78-40T Dished Offset Sprocket, 33.25" PD, Split, 75D Urethane Body c/w Repro UHMW Segmental Sprocket Rim, 2 15/16" bore, KW & 2SS, ??? Offset, 316SS Hardware

2 each -- VCSS700-23T Molded Head Shaft Sprocket, 22.21" PD, Split, Chain Saver Rim, Nylon 6, 2 15/16" bore, KW & 2SS, 316SS Hardware

20' -- VC78SS Viking 403SS Drive Chain
Note: Chain length to be confirmed at time of order

1 set -- 316SS Anchor Bolts and Hy200-A Adhesive for the above wall bearings

Note: Drawings to be approved at time of order

Total Price \$11,126.19USD + Taxes

Delivery: Approx 10-12 weeks, after drawing approval

Terms: Net 30 Days

FOB: Connexus Industries - Acworth, GA

- This quotation is subject to revision if not accepted within 30 days.

- Viking Chains Terms and Conditions of Sale are attached to this quote. If you did not receive them please call us for a copy.

Thanks for giving us the opportunity to quote, if you have any questions or comments please don't hesitate to contact me.

Best Regards,

Scott Davies

visit our website at: www.vikingchainsenvirodivision.com

email: sdavies@cnxsind.com

item 6.a.





MALAGA COUNTY WATER DISTRICT

3580 SOUTH FRANK STREET - FRESNO, CALIFORNIA 93725
PHONE: 559-485-7353 - FAX: 559-485-7319

BOARD OF DIRECTORS

CHARLES E. GARABEDIAN JR. SALVADOR CERRILLO IRMA CASTANEDA FRANK CERRILLO JR. CARLOS TOVAR JR.
PRESIDENT VICE-PRESIDENT DIRECTOR DIRECTOR DIRECTOR

JAMES D. ANDERSON- GENERAL MANAGER

June 26, 2018

The Honorable Joaquin Arambula

Hugh Burns State Building
2550 Mariposa Mall
Suite 5031
Fresno, CA 93721

Re: Opposition to SB 998 (Dodd): Water Shut-Offs

Dear Assembly Member Arambula,

I am writing to express Malaga County Water District's opposition to SB 998 by Sen. Bill Dodd (D-Napa), which would completely change the practice of public water agencies who currently undertake multiple protocols to ensure that water service is discontinued for non-payment only when a customer fails to follow-through with safeguards that are built into the operations and management of water systems. Our water agencies deliver safe, reliable, high-quality and affordable water to customers in a dependable and responsible manner.

This new one-size-fits-all statewide program would be created instead that would among other things prevent service shut-offs for at least 60 days for delinquent customers, create a cap on reconnection fees that may or may not cover the actual cost of these physical reconnections and trigger Prop. 218 concerns for public water agencies, and expand authority to both the State Water Resources Control Board and the Attorney General to enforce provisions of the bill.

Water districts are overseen by their locally-elected boards of directors. They make decisions in their geographic service territories based on what works locally. Water agencies are in the business of delivering water – they don't disconnect delinquent customers without prior substantial engagement. This bill is unnecessary and appears to be a solution in search of a problem that does not currently exist in California.

For these reasons, Malaga County Water District respectfully urges you to vote "NO" on SB 998.

Sincerely,

Charles E. Garabedian, Jr.
President

Salvador Cerrillo
Vice President

Frank Cerrillo, Jr.
Director

Irma Castaneda
Director

Carlos Tovar, Jr.
Director

cc: The Honorable Bill Dodd

Wendy Ridderbusch, ACWA Director of State Legislative Relations

AMENDED IN ASSEMBLY JUNE 14, 2018

AMENDED IN SENATE MAY 7, 2018

AMENDED IN SENATE APRIL 30, 2018

AMENDED IN SENATE APRIL 23, 2018

AMENDED IN SENATE APRIL 9, 2018

AMENDED IN SENATE MARCH 22, 2018

SENATE BILL

No. 998

Introduced by Senator Dodd

February 5, 2018

An act to add Chapter 6 (commencing with Section 116900) to Part 12 of Division 104 of the Health and Safety Code, relating to water.

LEGISLATIVE COUNSEL'S DIGEST

SB 998, as amended, Dodd. Discontinuation of residential water service: urban and community water systems.

Existing law, the California Safe Drinking Water Act, requires the State Water Resources Control Board to administer provisions relating to the regulation of drinking water to protect public health. Existing law declares it to be the established policy of the state that every human being has the right to safe, clean, affordable, and accessible water adequate for human consumption, cooking, and sanitary purposes.

Under existing law, the Public Utilities Commission has regulatory authority over public utilities, including water corporations. Existing law requires certain notice to be given before a water corporation, public utility district, municipal utility district, or a municipally owned or

operated public utility furnishing water may terminate residential service for nonpayment of a delinquent account, as prescribed.

This bill would require an urban and community water system, defined as a public water system that supplies water to more than 200 service connections, to have a written policy on discontinuation of water service to certain types of residences for nonpayment available in prescribed languages. The bill would require the policy to include certain components, be available on the system's Internet Web site, and be provided to customers in writing, upon request. The bill would provide for enforcement of these provisions, including making a violation of these provisions punishable by a civil penalty issued by the board in an amount not to exceed \$1,000 for each day in which the violation ~~occurs~~. *occurs, and would require the enforcement moneys collected by the board to be deposited in the Safe Drinking Water Account.* The bill would prohibit an urban and community water system from discontinuing residential service for nonpayment until a payment by a customer has been delinquent for at least 60 days. The bill would require an urban and community water system to contact the customer named on the account and provide the customer with the urban and community water system's policy on discontinuation of residential service for nonpayment no less than 7 business days before discontinuation of residential service, as prescribed.

This bill would prohibit residential service from being discontinued under specified circumstances. The bill would require an urban and community water system that discontinues residential service to provide the customer with information on how to restore service and petition for a waiver of reconnection fees. The bill would require an urban and community water system to waive reconnection fees and offer a reduction or waiver of interest charges on delinquent bills for a residential customer who demonstrates, as prescribed, to the urban and community water system household income below 200% of the federal poverty line and would limit the amount of a reconnection of service fee imposed on any other residential customer. The bill would require an urban and community water system that furnishes individually metered residential service to residential occupants of a detached single-family dwelling, a multiunit structure, mobilehome park, or permanent residential structure in a labor camp, and that the owner, manager, or operator of the dwelling, structure, or park is the customer of record, to make every good faith effort to inform the residential occupants by written notice that service will be terminated and that the

residential occupants have the right to become customers, as specified. The bill would require an urban and community water system to report the number of annual discontinuations of residential service for inability to pay on its Internet Web site and to the board, and the bill would require the board to post on its Internet Web site the information reported. The bill would require an urban water supplier, as defined, or an urban and community water system regulated by the commission, to comply with the bill’s provisions on and after February 1, 2020, and any other urban and community water system to comply with the bill’s provisions on and after April 1, 2020. The bill would provide that the provisions of the bill are in addition to the provisions in existing law duplicative of the bill and that where the provisions are inconsistent, the provisions described in the bill apply.

Vote: majority. Appropriation: no. Fiscal committee: yes.

State-mandated local program: no.

The people of the State of California do enact as follows:

- 1 SECTION 1. The Legislature finds and declares as follows:
- 2 (a) All Californians have the right to safe, accessible, and
- 3 affordable water as declared by Section 106.3 of the Water Code.
- 4 (b) It is the intent of the Legislature to minimize the number of
- 5 Californians who lose access to water service due to inability to
- 6 pay.
- 7 (c) Water service discontinuations threaten human health and
- 8 well-being, and have disproportionate impact on infants, children,
- 9 the elderly, low-income families, communities of color, people
- 10 for whom English is a second language, physically disabled
- 11 persons, and persons with life-threatening medical conditions.
- 12 (d) When there is a delinquent bill, all Californians, regardless
- 13 of whether they pay a water bill directly, should be treated fairly,
- 14 and fair treatment includes the ability to contest a bill, seek
- 15 alternative payment schedules, and demonstrate medical need and
- 16 severe economic hardship.
- 17 (e) The loss of water service causes tremendous hardship and
- 18 undue stress, including increased health risks to vulnerable
- 19 populations.
- 20 (f) It is the intent of the Legislature that this act provide
- 21 additional procedural protections and expand upon the procedural
- 22 safeguards contained in the Public Utilities Code and Government

1 Code as of January 1, 2018, relating to utility service
 2 disconnections.

3 SEC. 2. Chapter 6 (commencing with Section 116900) is added
 4 to Part 12 of Division 104 of the Health and Safety Code, to read:

5
 6 CHAPTER 6. DISCONTINUATION OF RESIDENTIAL WATER
 7 SERVICE
 8

9 116900. For the purposes of this chapter, the following
 10 definitions apply:

11 (a) “Board” means the State Water Resources Control Board.

12 (b) “Public water system” has the same meaning as defined in
 13 Section 116275.

14 (c) “Residential service” means water service to a residential
 15 connection that includes *individually metered* single-family
 16 residences, *individually metered and master-metered* multifamily
 17 residences, *master-metered* mobilehome parks, *individually*
 18 *metered mobilehomes in mobilehome parks*, or farmworker
 19 housing.

20 (d) “Urban and community water system” means a public water
 21 system that supplies water to more than 200 service connections.

22 (e) “Urban water supplier” has the same meaning as defined in
 23 Section 10617 of the Water Code.

24 116902. (a) An urban water supplier not regulated by the
 25 Public Utilities Commission shall comply with this chapter on and
 26 after February 1, 2020. ~~The urban water supplier shall adopt rules~~
 27 ~~to comply with this chapter.~~

28 (b) An urban and community water system regulated by the
 29 Public Utilities Commission shall comply with this chapter on and
 30 after February 1, 2020. The urban and community water system
 31 regulated by the Public Utilities Commission shall file advice
 32 letters with the commission to conform with this chapter.

33 (c) An urban and community water system not described in
 34 subdivision (a) or (b) shall comply with this chapter on and after
 35 April 1, 2020. ~~The urban and community water system shall adopt~~
 36 ~~rules to comply with this chapter.~~

37 116904. (a) An urban and community water system shall have
 38 a written policy on discontinuation of residential service for
 39 nonpayment available in English, the languages listed in Section
 40 1632 of the Civil Code, and any other language spoken by at least

1 10 percent of the people residing in its service area. The policy
2 shall include all of the following:

- 3 (1) A plan for deferred or reduced payments.
- 4 (2) Alternative payment schedules.
- 5 (3) A formal mechanism for a customer to contest or appeal a
6 bill.
- 7 (4) A telephone number for a customer to contact to discuss
8 options for averting discontinuation of residential service for
9 nonpayment.

10 (b) The policy shall be available on the urban and community
11 water system's Internet Web site, if an Internet Web site exists. If
12 an Internet Web site does not exist, the urban and community water
13 system shall provide the policy to customers in writing, upon
14 request.

15 (c) (1) The board may enforce the requirements of this section
16 pursuant to Sections 116577, 116650, and 116655. The provisions
17 of Section 116585 and Article 10 (commencing with Section
18 116700) of Chapter 4 apply to enforcement undertaken for a
19 violation of this section.

20 (2) All moneys collected pursuant to this subdivision shall be
21 deposited in the ~~General Fund~~ *Safe Drinking Water Account*
22 *established pursuant to Section 116590.*

23 116906. (a) (1) (A) An urban and community water system
24 shall not discontinue residential service for nonpayment until a
25 payment by a customer has been delinquent for at least 60 days.
26 No less than seven business days before discontinuation of
27 residential service for nonpayment, an urban and community water
28 system shall contact the customer named on the account by
29 telephone ~~and~~ *or* written notice.

30 (B) When the urban and community water system contacts the
31 customer named on the account by telephone pursuant to
32 subparagraph (A), it shall offer to provide in writing to the
33 customer the urban and community water system's policy on
34 discontinuation of residential service for nonpayment. An urban
35 and community water system shall offer to discuss options to avert
36 discontinuation of residential service for nonpayment, including,
37 but not limited to, alternative payment schedules, deferred
38 payments, minimum payments, procedures for requesting
39 amortization of the unpaid balance, and petition for bill review
40 and appeal.

1 (C) When the urban and community water system contacts the
 2 customer named on the account by written notice pursuant to
 3 subparagraph (A), the written notice of payment delinquency and
 4 impending discontinuation shall be mailed to the ~~owner~~ *customer*
 5 of the residence to which the residential service is provided. If the
 6 ~~owner's customer's~~ address is not the address of the property to
 7 which residential service is provided, the notice also shall be sent
 8 to the address of the property to which residential service is
 9 provided, addressed to "Occupant." The notice shall include, but
 10 is not limited to, all of the following information in a clear and
 11 legible format:

- 12 (i) The ~~owner's customer's~~ name and address.
- 13 (ii) The amount of the delinquency.
- 14 (iii) The date by which payment or arrangement for payment is
 15 required in order to avoid discontinuation of residential service.
- 16 (iv) A description of the process to apply for an extension of
 17 time to pay the delinquent ~~charges if the charges are beyond the~~
 18 ~~means of the owner to pay in full.~~ *charges.*
- 19 (v) A description of the procedure to petition for bill review and
 20 appeal.
- 21 (vi) A description of the procedure by which the customer may
 22 request *a deferred, reduced, or alternative payment schedule,*
 23 *including an amortization of the delinquent residential service*
 24 ~~charges.~~ *charges, consistent with the written policies provided*
 25 *pursuant to subdivision (a) of Section 116904.*

26 (2) If the urban and community water system is unable to make
 27 contact with the customer or an adult occupying the residence by
 28 telephone, and written notice is returned through the mail as
 29 undeliverable, the urban and community water system shall make
 30 a good faith effort to visit the residence and leave, *or make other*
 31 *arrangements for placement* in a conspicuous ~~place,~~ *place of,* a
 32 notice of imminent discontinuation of residential service for
 33 nonpayment and the urban and community water system's policy
 34 for discontinuation of residential service for nonpayment.

35 (b) If an adult at the residence appeals the water bill to the urban
 36 and community water system or any other administrative or legal
 37 body to which such an appeal may be lawfully taken, the urban
 38 and community water system shall not discontinue residential
 39 service while the appeal is pending.

1 116908. (a) An urban and community water system shall not
2 discontinue residential service for nonpayment if all of the
3 following conditions are met:

4 (1) The customer, or a tenant of the customer, submits to the
5 urban and community water system the certification of a ~~licensed~~
6 ~~medical professional~~ *primary care provider, as that term is defined*
7 *in subparagraph (A) of paragraph (1) of subdivision (b) of Section*
8 *14088 of the Welfare and Institutions Code, that discontinuation*
9 *of residential service will be life threatening to, or pose a serious*
10 *threat to the health and safety of, a resident of the premises where*
11 *residential service is provided.*

12 (2) The customer demonstrates that he or she is financially
13 unable to pay for residential service within the *urban and*
14 *community water system's normal ~~payment period~~ billing cycle.*
15 The customer shall be deemed financially unable to pay for
16 residential service within the *urban and community water system's*
17 *normal ~~payment period~~ billing cycle* if any member of the
18 customer's household is a current recipient of CalWORKs,
19 CalFresh, general assistance, Medi-Cal, Supplemental Security
20 Income/State Supplementary Payment Program, or California
21 Special Supplemental Nutrition Program for Women, Infants, and
22 Children, or the customer declares that the household's annual
23 income is less than 200 percent of the federal poverty level.

24 (3) The customer is willing to enter into an amortization
25 agreement, alternative payment schedule, or a plan for deferred or
26 reduced ~~payment~~ *payment, consistent with the written policies*
27 *provided pursuant to subdivision (a) of Section 116904, with*
28 *respect to all delinquent charges.*

29 (b) (1) If the conditions listed in subdivision (a) are met, the
30 urban and community water system shall offer the customer one
31 or more of the following options:

- 32 (A) Amortization of the unpaid balance.
- 33 (B) Participation in an alternative payment schedule.
- 34 (C) A partial or full reduction of the unpaid balance financed
35 without additional charges to other ratepayers.
- 36 (D) Temporary deferral of payment.

37 (2) The urban and community water system may choose which
38 of the payment options described in paragraph (1) the customer
39 undertakes and may set the parameters of that payment option.
40 Ordinarily, the repayment option offered should result in repayment

1 of any remaining outstanding balance within 12 months. An urban
2 and community water system may grant a longer repayment period
3 if it finds the longer period is necessary to avoid undue hardship
4 to the customer based on the circumstances of the individual case.

5 (3) Residential service may be discontinued no sooner than 5
6 business days after the urban and community water system posts
7 a final notice of intent to disconnect service in a prominent and
8 conspicuous location at the property under either of the following
9 circumstances:

10 (A) The customer fails to comply with an amortization
11 agreement, an alternative payment schedule, or a deferral or
12 reduction in payment plan for delinquent charges for 60 days or
13 more.

14 (B) While undertaking an amortization agreement, an alternative
15 payment schedule, or a deferral or reduction in payment plan for
16 delinquent charges, the customer does not pay his or her current
17 residential service charges for 60 days or more.

18 116910. An urban and community water system that
19 discontinues residential service for nonpayment shall provide the
20 customer with information on how to restore residential service
21 and petition for a waiver of reconnection fees pursuant to Section
22 116912.

23 116912. (a) For a residential customer who demonstrates to
24 an urban and community water system household income below
25 200 percent of the federal poverty line, the urban and community
26 water system shall waive reconnection fees and offer a reduction
27 or waiver of interest charges on delinquent bills once every 12
28 months. An urban and community water system may waive
29 reconnection fees and offer a reduction or waiver of interest charges
30 on delinquent bills more than once every 12 months. An urban and
31 community water system shall deem a residential customer to have
32 a household income below 200 percent of the federal poverty line
33 if any member of the household is a current recipient of
34 CalWORKs, CalFresh, general assistance, Medi-Cal, Supplemental
35 Security Income/State Supplementary Payment Program, or
36 California Special Supplemental Nutrition Program for Women,
37 Infants, and Children, or the customer declares that the household's
38 annual income is less than 200 percent of the federal poverty level.

39 (b) For a residential customer not described in subdivision (a),
40 an urban and community water system shall set a reconnection of

1 service fee for reconnection during normal operating hours at fifty
2 dollars ~~(\$50) or less, with (\$50), but not to exceed the actual cost~~
3 ~~of reconnection if it is less. Reconnection fees shall be subject to~~
4 an annual adjustment for changes in the Consumer Price Index
5 beginning January 1, 2021. For the reconnection of residential
6 service during nonoperational hours, an urban and community
7 water system shall set a reconnection of service fee at one hundred
8 fifty dollars ~~(\$150) or less, with (\$150), but not to exceed the actual~~
9 ~~cost of reconnection if it is less. Reconnection fees shall be subject~~
10 ~~to an annual adjustment for changes in the Consumer Price Index~~
11 ~~beginning January 1, 2021.~~

12 116913. (a) This section applies if there is a landlord-tenant
13 relationship between the residential occupants and the owner,
14 manager, or operator of the dwelling.

15 (b) If an urban and community water system furnishes
16 individually metered residential service to residential occupants
17 of a detached single-family dwelling, a multiunit residential
18 structure, mobilehome park, or permanent residential structure in
19 a labor camp as defined in Section 17008 of the Health and Safety
20 Code, and the owner, manager, or operator of the dwelling,
21 structure, or park is the customer of record, the urban and
22 community water system shall make every good faith effort to
23 inform the residential occupants, by means of written notice, when
24 the account is in arrears that service will be terminated at least 10
25 days prior to the termination. The written notice shall further
26 inform the residential occupants that they have the right to become
27 customers, to whom the service will then be billed, without being
28 required to pay any amount which may be due on the delinquent
29 account.

30 (c) The urban and community water system is not required to
31 make service available to the residential occupants unless each
32 residential occupant agrees to the terms and conditions of service
33 and meets the requirements of law and the urban and community
34 water system's rules and tariffs. However, if one or more of the
35 residential occupants are willing and able to assume responsibility
36 for the subsequent charges to the account to the satisfaction of the
37 urban and community water system, or if there is a physical means
38 legally available to the urban and community water system of
39 selectively terminating service to those residential occupants who
40 have not met the requirements of the urban and community water

1 system's rules and tariffs, the urban and community water system
2 shall make service available to those residential occupants who
3 have met those requirements.

4 (d) If prior service for a period of time is a condition for
5 establishing credit with the urban and community water system,
6 residence and proof of prompt payment of rent or other credit
7 obligation acceptable to the urban and community water system
8 for that period of time is a satisfactory equivalent.

9 (e) Any residential occupant who becomes a customer of the
10 urban and community water system pursuant to this section whose
11 periodic payments, such as rental payments, include charges for
12 residential water service, where those charges are not separately
13 stated, may deduct from the periodic payment each payment period
14 all reasonable charges paid to the urban and community water
15 system for those services during the preceding payment period.

16 (f) In the case of a detached single-family dwelling, the urban
17 and community water system may do any of the following:

18 (1) Give notice of termination at least seven days prior to the
19 proposed termination.

20 (2) In order for the amount due on the delinquent account to be
21 waived, require an occupant who becomes a customer to verify
22 that the delinquent account customer of record is or was the
23 landlord, manager, or agent of the dwelling. Verification may
24 include, but is not limited to, a lease or rental agreement, rent
25 receipts, a government document indicating that the occupant is
26 renting the property, or information disclosed pursuant to Section
27 1962 of the Civil Code.

28 116914. An urban and community water system shall report
29 the number of annual discontinuations of residential service for
30 inability to pay on the urban and community water system's
31 Internet Web site, if an Internet Web site exists, and to the board.
32 The board shall post on its Internet Web site the information
33 reported.

34 116916. The Attorney General, at the request of the board or
35 upon his or her own motion, may bring an action in state court to
36 restrain by temporary or permanent injunction the use of any
37 method, act, or practice declared in this chapter to be unlawful.

38 116917. All written notices required under this chapter shall
39 be provided in English, the languages listed in Section 1632 of the
40 Civil Code, and any other language spoken by 10 percent or more

1 of the customers in the urban and community water system's
2 service area.

3 116918. Where provisions of existing law are duplicative of
4 this chapter, compliance with one shall be deemed compliance
5 with the other. Where those provisions are inconsistent, the
6 provisions of this chapter shall apply. Nothing in this chapter shall
7 be construed to limit or restrict the procedural safeguards against
8 the disconnection of residential water service existing as of
9 December 31, 2018.

10 *116919. This chapter does not apply to the termination of a*
11 *service connection by an urban and community water system due*
12 *to an unauthorized action of a customer.*

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