

Heber Public Utility District Report to the Board of Directors

MEETING DATE: February 17, 2022

FROM: Laura Fischer, General Manager

SUBJECT: Information Only Regarding Implementation of Resolution Number 2020-03 Amending the Heber Public Utility District Policy Manual to meet SB 998, known as the Water Shutoff Protection Act, requirements.

INFORMATION ONLY:

BACKGROUND:

SB 998, signed into law September 2018 as the Water Shutoff Protection Act, California Health and Safety Code Sections 116900 et seq., provides additional procedural protections for delinquent residential water customers before the discontinuation of water service.

Under SB 998, water utilities are required to adopt and post written policy regarding residential service termination for nonpayment. Among other things, SB 998 mandates that water utilities may not discontinue residential water service due to delinquent payment until a payment by a customer has been delinquent for at least 60 days. A policy must include: 1) options for averting discontinuance of water service for non-payment including provisions for alternative payment arrangements; 2) timeline of notifications for shut-off due to non-payment; 3) a formal bill appeals process; and 4) translation of the policy and notices into five languages (Spanish, Chinese, Tagalong, Vietnamese, and Korean) as well as any language that is spoken by 10% or more of the population.

Due to the COVID-19 pandemic, the implementation of SB 998 Governor Newsome postponed water shutoffs were not implemented by the start date of April 1, 2020. Since the HPUD Board authorized the reinstatement of water shutoff due to non-payment, we must implement Resolution 2020-03.

The primary changes for the District include additional notices prior to shutoff. I have attached the 2022 calendar with new and additional notification dates. The table below identifies all notification dates. You can see that there are many more notices that must be mailed to our customers.

MONTH	Bills Mailed Date	Late Fees Applied	15 calendar day notice to Master Meters	10 calendar day notice to Tenants with individual meter	7 business day notice to all customers - mailed with specific information	5 business day notice to all customers - must be delivered door knob	Shut Off Day
JANUARY	1/4/2022	1/25/2022	3/4/2022	3/11/2022	3/16/2022	3/18/2022	3/25/2022
FEBRUARY	2/4/2022	2/25/2022	4/5/2022	4/12/2022	4/14/2022	4/19/2022	4/26/2022
MARCH	3/4/2022	3/25/2022	5/9/2022	5/13/2022	5/18/2022	5/20/2022	5/27/2022
APRIL	4/4/2022	4/25/2022	6/3/2022	6/10/2022	6/15/2022	6/17/2022	6/24/2022
MAY	5/4/2022	6/25/2022	7/7/2022	7/12/2022	7/15/2022	7/19/2022	7/25/2022
JUNE	6/3/2022	6/27/2022	8/5/2022	8/11/2022	8/12/2022	8/16/2022	8/23/2022
JULY	7/5/2022	7/26/2022	9/7/2022	9/12/2022	9/15/2022	9/19/2022	9/26/2022
AUGUST	8/4/2022	8/25/2022	10/6/2022	10/11/2022	10/14/2022	10/18/2022	10/25/2022
SEPTEMBER	9/2/2022	9/26/2022	11/10/2022	11/14/2022	11/15/2022	11/17/2022	11/28/2022
OCTOBER	10/4/2022	10/25/2022	12/8/2022	12/13/2022	12/14/2022	12/16/2022	12/23/2022
NOVEMBER	11/4/2022	11/28/2022	1/12/2023	1/17/2023	1/18/2023	1/20/2023	1/27/2023
DECEMBER	12/5/2022	12/27/2022	2/10/2023	2/15/2023	2/16/2023	2/20/2023	2/27/2023

Changes to our policy are outlined below:

Adoption and Posting of Written Policy	
Current Policy	SB 998 Policy Requirements
Written policy for discontinuation of service nor non-payment available on the back of utility bill and available on website.	Written policy on discontinuation of service for nonpayment available on the website.
Policy is available in English	Policy must be available in English, Spanish, Chinese, Tagalog, Vietnamese, Korean and any other language spoken by 10% of the population in our service area.
Policy has Customer Payment Arrangements section 3037 with "Reasonable payment schedule following receipt of delinquency "shut-off" notice."	Policy must contain: Plan for deferred or reduced payments. Alternative payment schedules. Formal mechanism to contest and appeal the bill.
New or Expanded Procedural Protections	
Current Policy	SB 998 Policy Requirements
Water cannot be turned off until account is a minimum of 37 days past due.	Water cannot be turned off until account is 60 days past due.
Notices are in English and Spanish	Notices must be in English, Spanish, Chinese, Tagalog, Korean and Vietnamese.
Notices. Utility Service Policy Number 3510 Section X States: Required written notices will either be mailed to the address	Notices sent to mailing address and service address.

<p>specified by the Customer for receipt of notices or delivered or mailed to the service address, or in the case of master-metered residential accounts, mailed to the property owner as identified on the latest equalized tax roll at the address listed for mailing of the tax bill.</p>	
<p>Notice Includes: Customer's name Amount of delinquency Shut Off Date Notice of reconnection charge</p>	<p>Notice Includes: Customer's Name Amount of delinquency A description on how to petition bill A description of procedure for a deferred, reduced or alternative payment schedule.</p>
<p>If unable to make contact with account holder (returned mail) No policy addressing this concern, however staff contacts the telephone number on file.</p>	<p>If unable to make contact with account holder (returned mail) Must make good faith effort to visit residence and leave: Notice of imminent discontinuation of service. Copy of District's Discontinuation policy.</p>
<p>Special Medical or Financial Circumstances</p>	
<p><i>Current Policy</i></p>	<p><i>SB 998 Policy Requirements</i></p>
<p>Policy Manual Policy Number 3037 Customer Payment Arrangements states: GM may approve special arrangements to be made for payment of the fees when an extreme hardship exists. Monthly payment not to exceed 6 payments.</p> <p>Although SB 998 includes certain provisions for low income customers, Staff recommends treating all customers similarly to reduce administrative burden.</p>	<p>Water cannot be discontinued if a customer is willing to enter into a payment arrangement and: Submits certification from primary care provider that discontinuation of water is life threatening. Provides evidence that they are financially unable to pay with the normal billing cycle. Proof includes: CalWorks, CalFresh, General Assistance, Medi-Cal, SSI or CARE (200% of poverty level). The District may choose to automatically qualify all requests for payment arrangements without certification.</p>
<p>District may discontinue service if customer does not comply with payment arrangements: 48 hour notification is delivered to service address.</p>	<p>District may discontinue service if: Customer does not comply with payment arrangements for 60 days or more. Customer does not pay current bill for 60 days or more.</p>

	<p>District must mail an intent to disconnect at least 7 business days prior to shut off.</p> <p>District must post a final notice of intent to disconnect in a prominent location at the property 5 business days prior to shutoff.</p> <p>District does not have to continuously offer arrangements if customer has not complied historically.</p>
Miscellaneous Information	
<i>Current Policy</i>	<i>SB998 Policy Requirements</i>
<p>Appeals – If a customer appeals the bill, water service is not discontinued while appeal is pending.</p>	<p>Appeals – If a customer appeals the bill, water cannot be discontinued while appeal is pending.</p>
<p>Restoring Service Information on how to reconnect services are included with door hanger at time of turn off and on the back of the water bill. Reconnection charges are \$60 on delinquency shut offs</p>	<p>Restoring Service Information on how to reconnect services included with all written notices and policies. \$50 Reconnection Fee maximum \$150 After Hours Turn On maximum</p>
<p>Annual Reporting Requirements NONE</p>	<p>Annual Reporting Must report number of delinquent turn offs to State Water Resources Control Board (SRCB) and on District’s web site.</p>

Respectfully Submitted,

Laura Fischer, General Manager

Attachment: Resolution Number 2020-03
Calendar of Notifications

RESOLUTION NO. 2020-03

A RESOLUTION OF THE HEBER PUBLIC UTILITY DISTRICT AMENDING POLICY MANUAL TO ENSURE COMPLIANCE WITH SB 988

WHEREAS in September 2018, Senate Bill 998 was enacted and added the Water Shutoff Protection Act as California Health and Safety Code sections 116900 et seq. The Water Shutoff Protection Act establishes additional safeguards related to the termination of residential water service for non-payment to the procedural requirements already established in existing laws; and

WHEREAS, the Water Shutoff Protection Act requires that the Heber Public Utility District adopt a written policy regarding the termination of residential water service due to non-payment; and

WHEREAS, the District desires to adopt a policy that complies with the requirements of the Water Shutoff Protection Act and the requirements of existing laws, and also includes the District's procedures and practices in connection with the collection of delinquent accounts, including notifications, and the termination of water service; and

NOW, THEREFORE, BE IT RESOLVED by the Board of Directors of Heber Public Utility District:

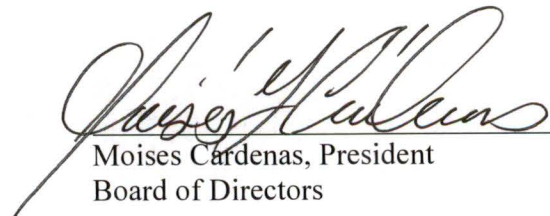
- 1) The Amendment to the Utility Service Policy, as documented in Exhibit A, attached hereto and incorporated herein as though fully set forth, is hereby approved.
- 2) The District's Policy Manual Number 3037, Customer Payment Arrangements, as documented in Exhibit B, attached hereto and incorporated herein as though fully set forth, is hereby approved.
- 3) The District's Other Charges and Fee Schedule for specific services, as documented in Exhibit C, attached hereto and incorporated herein as though fully set forth, is hereby approved.

PASSED AND ADOPTED THIS 19th day of March, 2020, by the following vote:

AYES:

NOES:

ABSENT:


Moises Cardenas, President
Board of Directors

ATTEST:

Raquel R. Carrillo

Raquel R. Carrillo, Clerk of the Board

APPROVE AS TO FORM:

Steven M. Walker, General Counsel

STATE OF CALIFORNIA)
COUNTY OF IMPERIAL)
HEBER PUBLIC UTILITY)
DISTRICT)

I, RAQUEL R. CARRILLO, Clerk of the Board of the Heber Public Utility District, County of Imperial, State of California, DO HEREBY CERTIFY that the foregoing resolution was dully passed, approved and adopted by the Board of Directors of the Heber Public Utility District at its regularly scheduled meeting held on the 19th day of March, 2020.

By *Raquel R. Carrillo*

Raquel R. Carrillo, Clerk of the Board



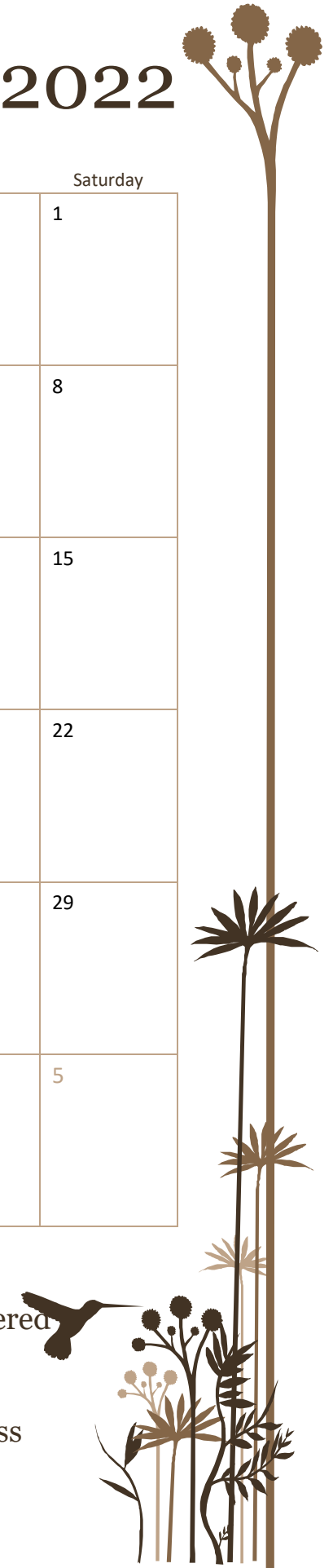
January

2022

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
26	27	28	29	30	31	1
2	3	4 Jan. Bill Mailed	5	6	7	8
9	10	11	12	13	14	15
16	17 Holiday - MLK	18	19	20	21	22
23	24	25 Jan. Late Fees Apply	26	27	28	29
30	31	1	2	3	4	5

Notes:

- Late Fees** – 21 days after mailed no earlier than 25th
- 15 Calendar Day Notice** to Master Meter Customers Delivered
- 10 Calendar Day Notice** to Renters Mailed
- 7 Business Day Notice** to All – Mailed and Delivered
- 5 Business Day Notice** to All – Delivered to Service Address
- Shut OFF** – With Door Hanger



February

2022

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
30	31	1	2	3	4 Feb. Bill Mailed	5
6	7	8	9	10	11	12
13	14	15	16	17	18	19
20	21 Holiday President's Day	22	23	24	25 Feb. Late Fees Apply	26
27	28	1	2	3	4	5
7	8	9	10	11	12	13

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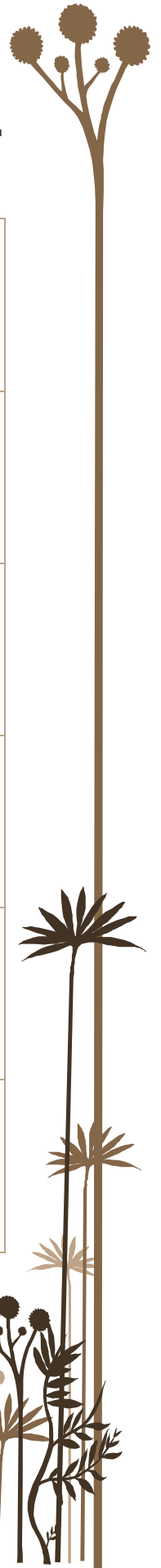
March

2022

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
27	28	1	2	3	4 March Bill Mailed Jan. 15 Day Notice	5
6	7	8	9	10	11 Jan. 10 Day Notice	12
13	14	15	16 Jan. 7 Day Notice	17	18 Jan. 5 Day Notice	19
20	21	22	23	24	25 March Late Fees Apply Jan. Shut OFF	26
27	28	29	30	31 Holiday Cesar Chavez Day	1	2
3	4	5	6	7	8	9

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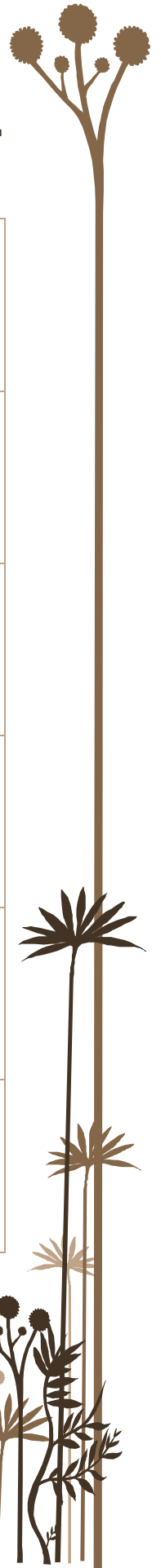
April

2022

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
27	28	29	30	31	1	2
3	4 April Bill Mailed	5 Feb. 15 Day Notice	6	7	8	9
10	11	12 Feb. 10 Day Notice	13	14 Feb. 7 Day Notice	15 Holiday Good Friday	16
17	18	19 Feb. 5 Day Notice	20	21	22	23
24	25 April Late Fees Apply	26 Feb. Shut OFF	27	28	29	30
1	2	3	4	5	6	7

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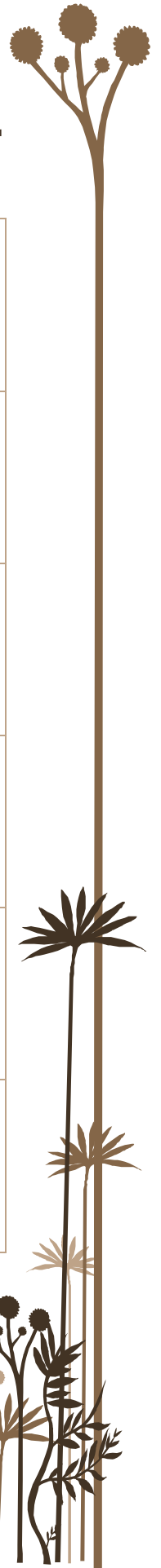
May

2022

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
1	2	3	4 May Bill Mailed	5	6	7
8	9 March 15 Day Notice	10	11	12	13 March 10 Day Notice	14
15	16	17	18 March 7 Day Notice	19	20 March 5 Day Notice	21
22	23	24	25 May Late Fees Apply	26	27 March Shut OFF	28
29	30 Holiday Memorial Day	31	1	2	3	4
5	6	7	8	9	10	11

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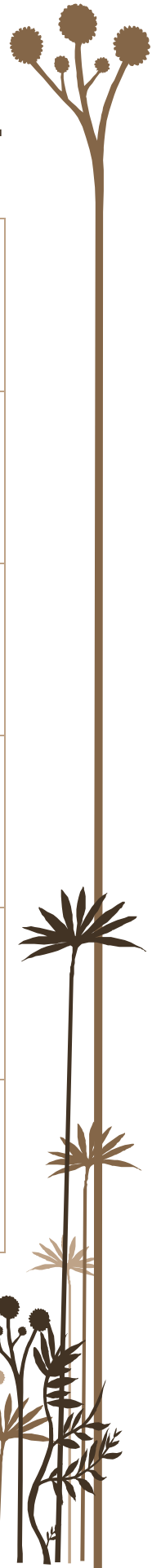
June

2022

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
29	30	31	1	2	3 June Bill Mailed April 15 Day Notice	4
5	6	7	8	9	10 April 10 Day Notice	11
12	13	14	15 April 7 Day Notice	16	17 April 5 Day Notice	18
19	20 Holiday Juneteenth	21	22	23	24 April Shut OFF	25
26	27 June Late Fees Apply	28	29	30	1	2
3	4	5	6	7	8	9

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July

2022

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
26	27	28	29	30	1	2
3	4 HOLIDAY July 4th	5 July Bill Mailed	6	7 May 15 Day Notice	8	9
10	11	12 May 10 Day Notice	13	14	15 May 7 Day Notice	16
17	18	19 May 5 Day Notice	20	21	22	23
24	25 May Shut OFF	26 July Late Fees Apply	27	28	29	30
31	1	2	3	4	5	6

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August

2022

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
31	1	2	3	4 August Bill Mailed	5 June 15 Day Notice	6
7	8	9	10	11 June 10 Day Notice	12 June 7 Day Notice	13
14	15	16 June 5 Day Notice	17	18	19	20
21	22	23 June Shut OFF	24	25 August Late Fees Apply	26	27
28	29	30	31	1	2	3
4	5	6	7	8	9	10

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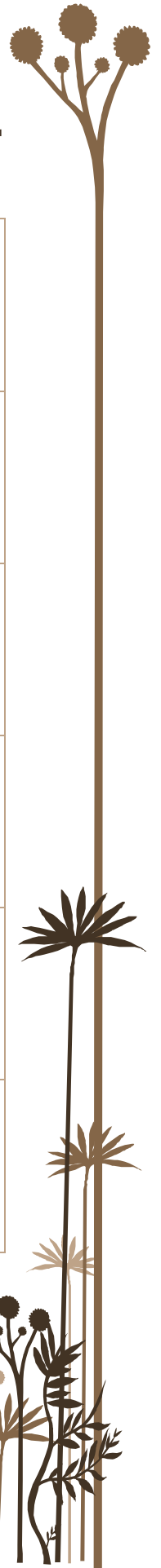
September

2022

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
28	29	30	31	1	2 September Bill Mailed	3
4	5 Holiday Labor Day	6	7 July 15 Day Notice	8	9	10
11	12 July 10 Day Notice	13	14	15 July 7 Day Notice	16	17
18	19 July 5 Day Notice	20	21	22	23	24
25	26 September Late Fees Apply July Shut OFF	27	28	29	30	1
2	3	4	5	6	7	8

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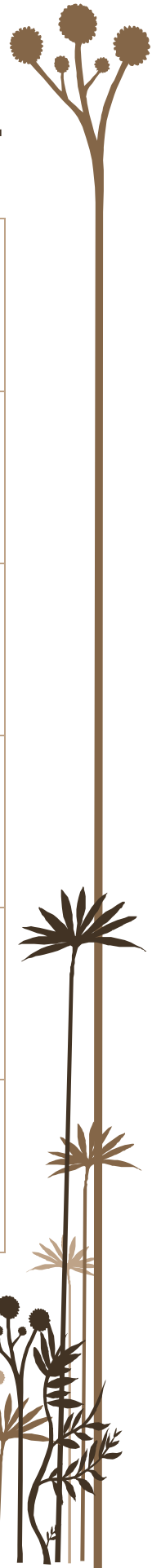
October

2022

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
25	26	27	28	29	30	1
2	3	4 October Bill Mailed	5	6 August 15 Day Notice	7	8
9	10	11 August 10 Day Notice	12	13	14 August 7 Day Notice	15
16	17	18 August 5 Day Notice	19	20	21	22
23	24	25 October Late Fees Apply August Shut OFF	26	27	28	29
30	31	1	2	3	4	5

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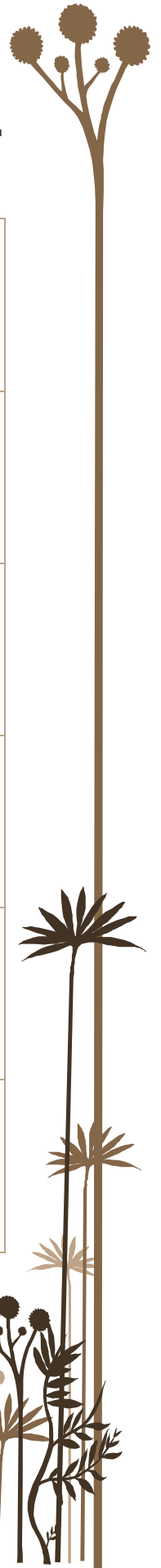
November

2022

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
30	31	1	2	3	4 November Bill Mailed	5
6	7	8	9	10 September 15 Day Notice	11 Holiday Veteran's Day	12
13	14 September 10 Day Notice	15 September 7 Day Notice	16	17 September 5 Day Notice	18	19
20	21	22	23	24 Thanksgiving	25 Holiday	26
27	28 November Late Fees Apply September Shut Off	29	30	1	2	3
4	5	6	7	8	9	10

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December

2022

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
28	29	30	31	1	2	3
4	5 December Bill Mailed	6	7	8 October 15 Day Notice	9	10
11	12	13 October 10 Day Notice	14 October 7 Day Notice	15	16 October 5 Day Notice	17
16	19	20	21	22	23 October Shut OFF	24
25	26 Holiday Christmas	27 December Late Fees Apply	28	29	30	31
1	2	3	4	5	6	7

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