

## RESOLUTION NO. 6304(20)

### **A Resolution of the City Council of the City of Lompoc, County of Santa Barbara, State of California, Policy on the Procedure for the Discontinuation of Residential Water Service for Delinquent Accounts or Other Circumstances**

**WHEREAS**, On September 28, 2018, Governor Brown signed Senate Bill 998 (SB 998), entitled "Discontinuation of Residential Water Service: Urban and Community Water Systems,"

**WHEREAS**, The new requirements will become effective on February 1, 2020, for water systems regulated by the Public Utilities Commission (PUC), or those supplying water to more than 3,000 customers annually.

**WHEREAS**, SB 998 requires urban water suppliers to have a written policy on the discontinuation of residential water service (shutoff) and provide that policy in English, the languages listed in Section 1632 of the Civil Code (Spanish, Chinese, Tagalog, Vietnamese, and Korean), and any other language that is spoken by at least 10% of the people residing in the service area; and

**WHEREAS**, SB 998 prohibits discontinuation of water service until a bill has been delinquent for 60 days and provides for a process to work through hardship situations; and

**WHEREAS**, SB 998 prohibits shutoff for nonpayment if all of the following conditions are met: (1) the customer, or tenant, submits a certification of a primary care provider that discontinuation of residential service will be life threatening or pose a serious threat to the health and safety of a resident, (2) the customer demonstrates that he or she is financially unable to pay within the normal billing cycle, and (3) the customer is willing to enter into an amortization agreement, alternative payment schedule, or plan for deferred or reduced payment for all delinquent charges; and

**WHEREAS**, SB 998 requires the water supplier to provide information on how to restore residential service and petition for a waiver of reconnection fees; and

**WHEREAS**, SB 998 requires the water supplier to waive reconnection fees and offer a reduction or waiver of interest on delinquent bills once every 12 months for a residential customer who shows an income below 200% of the federal poverty line; caps reconnection fees at \$50 or less if the reconnection is during normal water system operational hours; caps reconnection fees at \$150 or less if the reconnection is during non-operational hours, with the applicable reconnection fee not to exceed the actual cost of reconnection; and

**WHEREAS**, SB 998 requires the water supplier to make every good faith effort to inform a tenant by written notice when the owner's account is in arrears and service is going to be terminated, and requires continued service if the tenant assumes responsibility to the satisfaction of the water supplier; and

**WHEREAS**, SB 998 authorizes the California State Water Resources Control Board to enforce the requirements and the Attorney General to bring an action for temporary or permanent injunction; and

**WHEREAS**, SB 998 has other requirements relating to notices, website information, and reporting requirements; and

**WHEREAS**, it is in the public interest and the right of all Californians to have safe, accessible and affordable water as declared in Section 106.3 of the California Water Code.

**NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF LOMPOC, CALIFORNIA, DOES HEREBY RESOLVE AS FOLLOWS:**

**SECTION 1.** The Policy attached hereto as Exhibit A entitled “Policy on the Procedure for the Discontinuance of Residential Water Service for Delinquent Accounts or Other Circumstances” is hereby adopted.

**SECTION 2. Effective Date.** This Resolution is effective on the day of its adoption.

The foregoing Resolution was proposed by Council Member \_\_\_\_\_, seconded by Council Member \_\_\_\_\_, and was duly passed and adopted by the Council of the City of Lompoc at its regular meeting on February 4, 2020, by the following vote:

- AYES: Council Member(s):
- NOES: Council Member(s):
- ABSENT: Council Member(s):

\_\_\_\_\_  
Jenelle Osborne, Mayor  
City of Lompoc

ATTEST:

\_\_\_\_\_  
Stacey Haddon, City Clerk  
City of Lompoc

Attachment: Exhibit A: Policy on the Procedure for the Discontinuance of Residential Water Service for Delinquent Accounts or Other Circumstances