

1 **RESOLUTION NO. 2020-09**

2 **A JOINT RESOLUTION OF THE CITY OF SUISUN CITY AND THE SOLANO**
3 **IRRIGATION DISTRICT AMENDING JOINT RESOLUTION NO. 87-2,**
4 **ESTABLISHING WATER DIVISION REGULATIONS**

5 **WHEREAS**, the City of Suisun and Solano Irrigation District have entered into a Joint
6 Exercise Powers Agreement dated the 17th day of May, 1976, to provide water pursuant to said
7 Agreement; and,

8 **WHEREAS**, on or around February and March 1987, the Solano Irrigation District and
9 the City of Suisun City adopted Resolution No. 87-2, establishing water division regulations
10 which include outdated rates; and

11 **WHEREAS**, the water division regulations are further required to be updated to comply
12 with Senate Bill 998, which desire to provide regulations for certain phases of the operation of
13 the Joint Service Area, and,

14 **WHEREAS**, both Suisun City Council and the Solano Irrigation District Board of
15 Directors have reviewed the proposed Regulations.

16 **NOW, THEREFORE**, be it resolved by the City Council of the City of Suisun City
17 and the Board of Directors of the Solano Irrigation District that the following changes are made
18 to Resolution No. 87-2:

19 **SECTION 1. DEPOSITS**

- 20 (a) A \$30 (thirty dollars) initial water deposit shall be charged for every customer. The
21 deposit shall be paid at the time of application for water service.
- 22 (b) Customers who have failed to pay any outstanding charges for previous water services
23 as required by this Resolution shall be required to pay an initial \$60 (sixty dollars)
24 deposit per account to reestablish credit with the water system.
- 25 (c) Water deposits shall be returned to the customer through application against charges at
26 discontinuance of service or after two years if the customer has not been delinquent in
27 the two-year period.

28 **SECTION 2. BILLING**

- (a) Billing Periods. Bills for all water service will be rendered every two months. Meters
shall be read at approximately equal intervals for the preparation of periodic billing.
Special readings shall be taken for opening or closing bills.
- (b) Back Billing. If a customer is found to be using water for which no bills have been
issued, the water system shall install a meter, if none exists, and/or render a bill from
the last customer's termination date and reading. The water system may adjust this time
period upon proof of initial utility usage.
- (c) Opening and Closing Bills. If the total period of service is less than the billing period
it shall be billed on the basis of 15 (fifteen) day increments and on actual water
consumption. Current rates shall apply.
- (d) Payment. Bills are due and payable on the billing date. Payment shall be made with
good funds at the City Administrative Offices, or at a place designated by the City

1 Manager. The water system accepts no responsibility for non-receipt of bills, except in
2 circumstances that are not under its direct control. Payment is considered remitted only
when actually received by the water system.

3 (e) Delinquent Accounts. All bills become delinquent thirty (30) days after the Billing Date
4 printed on the bill. If delinquent charges and any applicable late charges are not paid
5 within 60 (sixty) days after the account becomes delinquent, the water system may
6 assess an additional collection fee for handling and processing. The City of Suisun City
and the Solano Irrigation District may also waive charges on delinquent bills once every
7 12 (twelve) months for customers who demonstrate a household income level below
200% (two hundred percent) of the federal poverty line.

8 (f) Late Charge. As provided in Section 2(e), all bills become delinquent thirty (30) days
9 after the Billing Date printed on the bill. All bills becoming delinquent will be assessed
a 10% (ten percent) late charge. The City of Suisun City and the Solano Irrigation
10 District may also waive charges on delinquent bills once every 12 (twelve) months for
customers who demonstrate a household income level below 200% (two hundred
percent) of the federal poverty line.

11 (g) Waiver of Delinquent Notices and Charges to the State of California. The State of
12 California, because of a sound financial base and variations in budget approval and
warrant payment procedures, will not be sent delinquent notices or assessed a late charge
13 for delinquent payment of existing accounts.

14 (h) Deferred Plan Arrangements. Any customer who is unable to pay for water service
15 within the normal payment period may request a deferred payment plan designed to
bring the account current in no fewer than two billing cycles. In no event shall the
16 amortization period exceed twelve (12) months.

To qualify for an alternative payment schedule, the customer must:

- 17 1. Submit a primary care provider certification, as defined in Welfare and Institutions
18 Code section 14088(A) (1)(b), such as that discontinuation of service would be life
19 threatening to, or pose a serious threat to the health and safety of, a resident of the
premises where the service is provided.
- 20 2. The customer must demonstrate financial inability to pay by showing the customer
21 has a household income below two hundred percent (200%) of the federal poverty
22 line. A customer may demonstrate he or she is below the two hundred percent
23 (200%) of the federal poverty line if any member of the household is a current
24 recipient of CalWORKs, CalFresh, general assistance, Medi-Cal, Supplemental
Social Security Income/State Supplementary Payment Program, or California
25 Special Supplemental Nutrition Program for Women, Infants, and Children, or the
customer declares that the household's annual income is less than two hundred
percent (200%) of the federal poverty level.

26 Payment schedules that extend into the next billing period are considered a deferred
27 plan, which must be in writing and signed by the customer. A deferred plan will
amortize the unpaid balance over a period defined by the customer, not to exceed 12
28 months from the original date of the bill. The amortized payment will be combined with,
and subject to the due date of, the customer's regular bill. The customer must comply
with the terms of the amortization plan and remain current as charges accrue in each
subsequent billing period. The customer may not request further amortization of any

1 subsequent unpaid charges while paying delinquent charges pursuant to an amortization
2 plan. Failure to comply with the terms of an amortization plan will result in the issuance
3 of a written disconnection notice. The disconnection notice will be in the form of door
4 hanger delivered to the premises no less than 5 business days in advance of
5 discontinuance of service.

6 (i) Collection Procedures – Delinquent Accounts. A delinquent notice shall be sent by first
7 class mail within 30 (thirty) days after the account becomes delinquent. The delinquent
8 notice shall state the final date and time that full delinquent payment will be accepted
9 prior to assessment of collection fees and termination of water service. At least 15
10 (fifteen) days prior to the final date, a shut-off notice shall be sent by first class mail,
11 restating the final date and time.

12 (j) Disconnection of Water Service for Non-Payment. A water service is subject to
13 discontinuance after 60 (sixty) days of nonpayment. The City will disconnect water
14 service by turning off, and in some cases locking off, the meter. The customer will be
15 charged a fee in the billing system regardless of whether the meter has been physically
16 turned off.

17 (k) Demand for Charges. If this required payment is not received by the date and time as
18 provided in Section 2(e) or Section 2(i), as applicable, the water system may demand
19 all charges including a disconnection fee of twenty one dollars and thirty cents (\$21.30),
20 same day reconnection fee of thirty five dollars (\$35), and an additional deposit of thirty
21 dollars (\$30) for every shut-off up to a maximum of one hundred and eighty dollars
22 (\$180). The fees are subject to an annual increase. The water system may also shut-off
23 water service to enforce payment as provided in Section 2(e) or Section 2(i), as
24 applicable. The City of Suisun City and the Solano Irrigation District will also consider
25 the hardship exception provided in Section 2(h).

26 (l) Shut-off Procedures. On the Shut-off date, a representative of the water system shall
27 turn off the meter, seal the meter and hang a notice on the door. The notice will inform
28 the consumer that water service is discontinued and what is required to have water
service restored.

(m) Dishonored Payments. Negotiable instruments received but subsequently dishonored
are not considered payment with good funds. Such payments will result in the water
system demanding full payment of all charges plus a \$29 (twenty nine dollar)
redemption fee for bad checks and \$35 (thirty five dollars) for online payment fees,
subject to an annual increase. The water system shall inform the customer by either a
notice hung on the door at the service location or sent by first class mail. The notice will
inform the customer what is required and by what date payment is to be made to avoid
the assessment of additional collection charges in termination of water service. Water
service will be disconnected if the amount of the returned check and the returned check
charge are not paid on or before the date specified in the notice of termination. All
amounts paid to redeem a returned check and to pay the returned check charge must be
in cash, credit card or certified funds.

(n) Delinquent One Service Location. If a customer receives service at more than one
service location and the bill for any one of the customer's accounts becomes delinquent,
service at all other locations shall be subject to the provisions under Section 2(e).

(o) Water Turn Ons. In the case of water turn ons, all requests must be appropriately filed
with the Finance Department by 2:00 p.m. of the normal business day to obtain a turn

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on that same day. If it is essential that turn on be made that day, but the 2:00 p.m. deadline was not met, the customer can request a call out to accomplish the turn on. The charge for disconnection and reconnection of water services will be calculated based on Solano Irrigation District staff's time to reconnect divided by their hourly cost. The charge to be in addition to all other charges and deposits. Customers who demonstrate a household income below 200% (two hundred percent) of the federal poverty line may be subject to a maximum reconnection during normal operation hours of \$50 (fifty dollars), a maximum after-hours reconnection of \$150 (one hundred fifty dollars), or the actual cost of reconnection if less. Reconnection fees will be subject to an annual adjustment for changes in the Consumer Price Index beginning on January 1, 2021. The City of Suisun City and the Solano Irrigation District may also waive charges on delinquent bills once every 12 (twelve) months for customers who demonstrate a household income level below 200% (two hundred percent) of the federal poverty line.

- (p) Unauthorized "Turn On". If service is discontinued for non-compliance of any Section of this Resolution and service is resumed without authorization, the meter shall be sealed by means determined by the water superintendent. A \$35 (thirty five dollars) charge will be assessed for restoring service. This charge to be in addition to all other charges and deposits.
- (q) Damage Equipment. If water distribution equipment is found to have been damaged during unauthorized resumption of service, the water superintendent shall assess a charge for damage. This charge shall be no less than 35 (thirty five dollars). This charge is to be in addition to all other charges and deposits and will include the cost of replacing any damaged equipment.

SECTION 3. NEW METERS

Charges for meters are to be added to the charges for service installation and are held as a separate charge for the convenience of subdividers and contractors where all pipe is installed by the owner. The water system shall collect the following charges for installation of a water meter and could be subject to annual increases:

<u>Meter Size</u>	<u>Charge</u>
3/4"	\$ 368.00
1"	\$ 407.00
1 1/2"	\$ 896.00
2"	\$1080.00

Larger sizes will be charged on a cost-plus basis. If a customer requests the water system to furnish meter boxes, they shall be charged on a cost-plus basis.

SECTION 4. MISCELLANEOUS AND INCIDENTAL SERVICE RATES

- When water is required for temporary and incidental purposes, the following will apply:
- (1) Single-family residential construction, prior to a meter being set, \$15.00 (one-time charge). Fee is subject to Master Fee Schedule adopted by City Council.
 - (2) Multiple-family residential, prior to a meter being set, \$15.00 for the first unit plus \$7.50 for each additional unit (one-time charge). Fee is subject to Master Fee Schedule adopted by City Council.

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- (3) All other construction, prior to a meter being set, \$15.00 with any additional charge negotiable between the water systems and the contractor). Fee is subject to Master Fee Schedule adopted by City Council.
- (4) When large quantities of water are required from a fire hydrant, a deposit of \$750.00 will be charged for a hydrant meter. Water usage will be billed based on current rates. When the hydrant meter is returned in the same condition that it was delivered, and all charges have been paid, the deposit for the hydrant meter will be returned.
- (5) Truck water from fire hydrants; will be billed based on current rates. If a City employee or City equipment is required to aid in the hook-up, an additional charge will be made for time and/or materials plus 10% overhead.

SECTION 5. APPEALS

Water customers who feel they have been unfairly treated by administrative application of these regulations may file successive appeals until the matter is resolved as follows:

- 1. Finance Director/Administrative Services Director
- 2. City Manager
- 3. Two-member committee composed of Council members, whose decision shall be appealable only to the Council.

SECTION 6. ORIGINAL RESOLUTION IN FORCE AND EFFECT

This resolution supplements and amends the original Resolution No. 87-2 only to the extent necessary to bring the resolution into compliance with the provisions of Senate Bill 998, the California Water Shutoff Protection Act, and except to the extent specifically amended by this resolution or other resolutions, the original Resolution No. 87-2 shall remain in full force and effect.

SECTION 7. EFFECTIVE IMMEDIATELY

This resolution shall become effective immediately upon its passage and adoption.

SECTION 8. SEVERABILITY AND VALIDITY

If any section, subsection, paragraph or sentence of this Resolution, or any party thereof, is for any reason found to be unconstitutional, invalid or beyond the authority of the City of Suisun City by a court of competent jurisdiction, such decision shall not affect the validity or effectiveness of the remaining portions of this Resolution.

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APPROVED AND ADOPTED THIS 14th Day of January, 2020, at Suisun City, California, by the following vote:

AYES: Council Members: Adams, Day, Williams, Mayor Wilson
NOES: Council Members: Segala
ABSENT: Council Members: None

ATTEST: CITY OF SUISUN CITY



Donna Pock, Deputy City Clerk



Lori D. Wilson, Mayor

APPROVED AND ADOPTED this _____, 2020 at Vacaville, California, by the following vote:

AYES:
NOES:
ABSENT:

ATTEST: SOLANO IRRIGATION DISTRICT

_____, President

_____, Secretary