

## **MILLBRAE RESIDENTIAL WATER SERVICE TERMINATION POLICY**

### **I. Background**

This policy is adopted to satisfy the City of Millbrae's obligations under California Government Code Section 60370 *et seq.*, California Public Utilities Code Section 10001 *et seq.* and Health and Safety Code Section 116900 *et seq.*, which govern the termination of certain utility service. Health and Safety Code Section 116900 *et seq.*, the Water Shutoff Protection Act enacted by SB 998, requires urban water suppliers and urban and community water systems, such as the City of Millbrae, to adopt a written policy regarding the discontinuation of residential service due to non-payment.

This policy will be available and posted on the City of Millbrae's website in English, Spanish, Chinese, Tagalog, Vietnamese, Korean and any other language that is spoken by at least 10% of the residents in the service area.

### **II. Payment for Residential Water Service**

Every person receiving water service from the City of Millbrae is required to pay for such service within 30 days of mailing of the statement or billing, at which point it will be considered delinquent. Except as prohibited by statute, the City of Millbrae will have the right to discontinue water service for the failure to make complete and timely payment. The City of Millbrae will not discontinue residential service for nonpayment until the subject account has been delinquent for at least 60 calendar days.

### **III. Contesting a Charge**

If a customer believes he or she was overcharged for residential water service or charged for residential water service not rendered, the customer may contest the amount due by notifying the City of Millbrae in writing within five (5) calendar days after receiving the statement or billing at 621 Magnolia Avenue, Millbrae, CA 94030. The City will evaluate the information provided by the customer and investigate the matter. The Finance Director or Public Works Director shall make a decision based upon all the information and shall have the authority to adjust the amount due in a fair and equitable manner, if appropriate.

If the customer disagrees with the decision, the customer may, within 5 calendar days from the Finance Director or Public Works Director's decision, appeal the decision, in writing, to the City Manager. The City Manager will review the record and make a determination within 15 working days. The decision of the City Manager will be final. The City of Millbrae will not discontinue residential service while an appeal is pending.

### **IV. Notice of Residential Service Termination**

The City of Millbrae will provide customers and/or actual users with notice of a delinquent payment and the impending service termination, as required by law.

### **V. Averting Residential Service Termination**

Customers and/or actual users of the water service may contact a representative at (650) 259-2350, to discuss options for averting termination of residential service for nonpayment.

Within thirteen (13) calendar days of receiving a notice of termination or any time prior to receiving such notice, a customer may request that the City of Millbrae approve an alternative payment option to avert termination, including a deferred or reduced payment plan, an alternative payment schedule, or an agreement to amortize the delinquent amounts. At the time of such request, the customer will provide the City of Millbrae with documentation evidencing that the bill is beyond the means of the customer to pay in full during the normal period for payment.

Generally, the City of Millbrae may grant any such request in its sole discretion, but it will grant such a request, and will not terminate residential water service, if all of the following conditions are met:

1. The customer, or a tenant of the customer, submits to the City of Millbrae, a certification of a primary care provider (as defined in Welfare and Institutions Code section 14088(b)(1)(A)) that discontinuation of residential service will be life threatening to, or pose a serious threat to the health and safety of, a resident of the premises where residential service is provided; AND
2. The customer demonstrates that he or she is financially unable to pay for residential water service within the City of Millbrae's normal billing cycle by satisfying one of the following:
  - a. A member of the customer's household is a current recipient of CalWORKs, CalFresh, general assistance, Medi-Cal Supplemental Security Income/State Supplementary Payment Program, or California Special Supplemental Nutrition Program for Women, Infants, and Children, *or*
  - b. The customer declares that his or her annual household income is less than 200 percent of the federal poverty level; AND
3. The customer is willing to enter into an amortization agreement, alternative payment schedule, or a plan for deferred or reduced payment, consistent with this Policy.

Upon such a showing or in its sole discretion, as applicable, the City of Millbrae will offer the customer one or more of the following options:

1. Amortization of the remaining balance.
2. An alternative payment schedule.
3. A partial or full reduction of the unpaid balance.
4. Temporary deferral of payment.

The City of Millbrae may choose which payment option the customer undertakes and may set the parameters of that payment option, in the City of Millbrae's sole discretion. Any selected repayment option should result in full repayment of the outstanding balance within 12 months, but the City of Millbrae may grant a longer term if it would be necessary to avoid undue hardship based on the customer's particular circumstances.