

Exhibit 1

**PUBLIC WORKS AGENCY, WATER AND SANITATION DEPARTMENT
VENTURA COUNTY WATERWORKS DISTRICTS NOS. 1, 17, 19 AND 38
POLICY GOVERNING DISCONTINUATION OF RESIDENTIAL WATER SERVICE FOR
NONPAYMENT**

It is the policy of Ventura County Waterworks Districts Nos. 1 (Moorpark), 17 (Bell Canyon), 19 (Somis) and 38 (Lake Sherwood) to provide our customers the right to safe, accessible, and affordable water. The purpose of this Policy Governing Discontinuation of Residential Water Service for Nonpayment is to set forth clear procedures and safeguards governing delinquent accounts, bill disputes, water service discontinuations (shutoffs) due to nonpayment and re-establishment of water service.

Submitted by:  _____ 01/14/2020
Sandy Harrison Date
Staff Services Specialist II

Policy Approved:  _____ 1/14/2020
Joseph C. Pope Date
Water and Sanitation Department Director

POLICY GOVERNING DISCONTINUATION OF RESIDENTIAL WATER SERVICE FOR NONPAYMENT

This policy can be found online at:
https://www.vcpublicworks.org/wsd/conservation_legislation/
and a copy of this policy will be provided to customers upon request.

This policy is also available upon request in the following languages:
Spanish, Chinese, Tagalog, Vietnamese and Korean.

For information regarding your Ventura County Waterworks Districts Nos. 1 (Moorpark), 17 (Bell Canyon), 19 (Somis), and 38 (Lake Sherwood) utility account or payment options, or for questions regarding this policy, please contact:

Ventura County Public Works Agency, Water and Sanitation Department
(805) 378-3000
6767 Spring Road, Moorpark CA 93021

Excluding holidays, staff is available:
Monday through Friday from 8:00 a.m. to 5:00 p.m. PST

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- 1. Application of Policy.** This Policy Governing Discontinuation of Residential Water Service for Nonpayment ("Policy") shall apply to Ventura County Waterworks Districts Nos. 1 (Moorpark), 17 (Bell Canyon), 19 (Somis), and 38 (Lake Sherwood) (collectively, "Districts"; individually, "District") and govern accounts for residential water service. It shall not apply to accounts for non-residential water service. For purposes of this Policy, "residential water service," "residential service" and "water service" all mean water service to a residential connection that includes single-family residences, multifamily residences, mobilehomes, including, but not limited to, mobilehomes in mobilehome parks, or farmworker housing.
 - 2. Billing Procedures and Questions.** The Districts bill for residential water service approximately once a month. All bills for water service are due and payable upon receipt and shall be considered delinquent if not paid within 22 days from the date printed on the front of the bill (the "bill date"). For questions about a bill, or to discuss options for averting discontinuation of water service for nonpayment under the terms of this Policy, please call the Ventura County Public Works Agency, Water and Sanitation Department Customer Service number at (805) 378-3000 Monday through Friday 8:00 a.m. to 5:00 p.m.
 - 3. Delinquent Accounts; Late Fee.** All bills for water service are due and payable upon receipt and shall be considered delinquent if not paid in full within 22 days from the bill date. Any underpayment of a water bill shall be deemed as delinquent. If a bill remains

unpaid more than 27 days from the bill date (5 days after due date), the District may impose a late fee, or late charge, in the amount set forth on its Miscellaneous Fee Schedule. Upon receipt of a returned check, i.e., a “bounced” check, or other returned payment, a District will consider the account delinquent and a non-sufficient funds/bounced check fee will apply, as well as any applicable late fee. The District shall make a reasonable, good faith effort to notify the customer by telephone or mail of the returned payment.

4. **Payment Extension.** Any customer who is unable to pay for water service within the District’s normal billing cycle may request a payment extension prior to the bill due date. An extension of up to 14 days shall be granted upon request *once per calendar year*. If full payment is not made on or before the extension date, a late fee shall be charged to the account, and all other provisions of this Policy concerning a delinquent account shall apply.
5. **Right to Contest or Request Review of Water Bill; Appeals.** A District customer has the right to contest or request review of a bill that the customer believes is incorrect or not the responsibility of the customer. If a customer wishes to formally contest a bill, and/or request a bill review, the customer must submit a notice of contest or request for review in writing to the Ventura County Public Works Agency, Water and Sanitation Department, by email at wscs@ventura.org or by U.S. mail at Customer Service, Ventura County Public Works Agency, Water and Sanitation Department, 6767 Spring Road, Moorpark, CA 93021, no later than the bill due date (22 days after the bill date). (After the bill due date, a District customer may petition the District to review a bill that the customer believes is incorrect or not the responsibility of the customer, explaining why the customer did not request review prior to the bill due date. Such petition shall be granted or denied in the sole discretion of the District.) District staff shall respond in writing within a reasonable time (generally three weeks) to a written request for a bill review and/or notice of contest.

If a customer is not satisfied with the District’s response to his or her request for bill review or notice of contest, the customer shall then have 10 days after the date of the District’s response in which to appeal the District’s response to the District Director. All such appeals must be made in writing addressed to the Director, Ventura County Public Works Agency, Water and Sanitation Department, 6767 Spring Road, Moorpark, CA 93021. The Director or his or her designee shall respond in writing within a reasonable time (generally three weeks) to all such appeals.

The District shall not discontinue water service for nonpayment while a request for bill review, a notice of contest or an appeal is pending.

6. **Discontinuation of Water Service for Nonpayment.** Once an account has been delinquent for 60 days or more, the District may discontinue residential water service,

i.e., shut off water service for nonpayment, in compliance with this Policy and other applicable law.

Written Notice to Customer. No less than 10 days before the District discontinues water service for nonpayment, the District will send written notice to the customer named on the account of the planned discontinuation of water service, i.e., water shutoff. If the customer's address is not the address of the property to which residential service is provided, the notice also shall be sent to the address of the property to which residential service is provided, addressed to "Occupant." The notice shall contain all of the following information:

- (a) the name and address of the customer;
- (b) the amount of delinquency;
- (c) the date by which payment or payment arrangements must be made to avoid discontinuation of water service;
- (d) a description of the procedure for contesting, or requesting review of, a bill, including appeals; and
- (e) a description of the procedure by which the customer may request an alternative payment schedule (including, for example, an extension of time to pay the bill or a deferred payment schedule that amortizes the amount due over a longer period of time).

Alternative Telephone Notice to Customer. In addition to, or in lieu of, providing the written notice described above, no less than 10 days before the District discontinues water service for nonpayment, the District may contact the customer named on the account by telephone. If the District contacts the customer by telephone, it shall offer to provide in writing to the customer a copy of this Policy. It shall also offer to discuss options to avert discontinuation of residential service for nonpayment, including alternative payment schedules (such as an extension of time to pay the delinquent charges or a deferred or reduced payment schedule, including an amortization of the unpaid balance) and the procedure for requesting review of or contesting a bill.

Cannot Establish Contact. If the District is unable to make contact with the customer or an adult occupying the residence by telephone, and the written notice is returned through the mail as undeliverable, the District shall make a good faith effort to visit the residence and leave, or make other arrangements for placement in a conspicuous place of, a notice of imminent discontinuation of residential service for nonpayment and a copy of this Policy.

If an adult at the residence contests the water bill to the District pursuant to this Policy or to any other administrative or legal body to which a contest may be lawfully taken, the District shall not discontinue residential service for nonpayment while such contest is pending.

7. **Discontinuation of Water Service for Nonpayment – Landlord-Tenant or Similar Situation.** If the District furnishes individually metered residential service to residential occupants of a detached single-family dwelling, multi-unit residential structure, mobilehome park, or permanent residential structure in a labor camp (as defined in Health and Safety Code section 17008), and the owner, manager or operator of the dwelling, structure, or park is the District’s customer of record, the District shall make every good faith effort to inform the residential occupants, by means of written notice at least 10 days prior to discontinuing water service, that the account linked to their water service is delinquent and that water service will be discontinued or terminated. This written notice shall further inform the residential occupants that they have the right to become customers of the District, to whom the water service will then be billed, without being required to pay any amount which is due on the delinquent account.

The District is not required to make water service available to the residential occupants unless each residential occupant agrees to the District’s terms and conditions of water service and meets the requirements of the District’s Rules and Regulations and tariffs. However, if one or more of the residential occupants are willing and able to assume the responsibility for the subsequent charges to the account to the satisfaction of the District, or if there is a physical means legally available to the District of selectively discontinuing or terminating water service to those residential occupants who have not met the requirements of the District’s Rules and Regulations and tariffs, the District shall make water service available to those residential occupants who have met its requirements.

Detached Single-Family Dwelling. In the case of a detached single-family dwelling, the District may do any of the following: (a) give notice of discontinuation or termination of water service at least seven days prior to the proposed discontinuation or termination; or (b) in order to waive a delinquent amount, require an occupant who becomes a customer to verify that the delinquent account customer of record is or was the landlord, manager or agent of the dwelling. Verification may include a lease or rental agreement, rent receipts, a government document indicating that the occupant is renting the property, or information disclosed pursuant to Civil Code section 1962.

8. **Exception to Discontinuation of Water Service for Nonpayment.** The District will not discontinue water service for nonpayment if all of the following conditions are met:
- (a) The customer, or a tenant of the customer, submits to the District a certification of a primary care provider (as that term is defined in Welfare and Institutions Code section 14088, subdivision (b)(1)(A)) that discontinuation of

residential water 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;

- (b) The customer demonstrates that he or she is financially unable to pay for residential water service within the District's normal billing cycle. The customer shall be deemed financially unable to pay for residential water service within the District's normal billing cycle if any 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 the customer declares that the household's annual income is less than 200 percent of the federal poverty level; and
- (c) The customer is willing to enter into an alternative payment schedule with respect to all delinquent charges. The District Director or his or her designee will select the most appropriate alternative payment schedule, taking into consideration the information and documentation provided by the customer.

The customer is responsible for demonstrating that all of the above-listed conditions have been met. Upon receipt of documentation from the customer, which must be provided to the District prior to the discontinuation date, the District will review the documentation within 10 days. The District will not discontinue water service during this review period. The District will then notify the customer whether or not the customer meets the conditions in subsections (a) through (c) above or may request additional information from the customer. If the customer meets all of the above conditions, the District will inform the customer of a proposed alternative payment schedule selected by the District and request that the customer sign an agreement to participate in the alternative payment schedule.

If these conditions are met, the District shall offer the customer an alternative payment schedule pursuant to section 9 of this Policy.

- 9. Alternative Payment Schedules.** If a customer is unable to pay a bill, the customer may request an extension or other alternative payment schedule (such as a deferred or reduced payment schedule, including an amortization of the delinquent residential service charges).

Alternative Payment Schedule. If approved by the District, a customer may pay the unpaid balance pursuant to an alternative payment schedule as determined by the District Director or his or her designee, in his or her discretion. Ordinarily, any alternative payment, or repayment, schedule should result in repayment of any outstanding balance within 12 months. During the period of the alternative payment schedule, the customer must remain current on all water service charges accruing during any subsequent billing

periods. The alternative payment schedule and amounts due will be set forth in writing and provided to the customer for the customer's required signature indicating the customer's agreement with and promise to adhere to the alternative payment schedule.

Failure to Comply with Alternative Payment Schedule or Pay Current Charges; Discontinuation of Water Service. The customer must comply with the agreed upon alternative payment schedule and remain current as charges accrue in each subsequent billing period. The customer may not request another alternative payment schedule for any subsequent unpaid charges while paying delinquent charges pursuant to a previously agreed upon alternative payment schedule.

If, at any time during the pendency of an alternative payment schedule, a customer either (a) fails to comply with the terms of the agreed upon payment schedule for sixty (60) days or more or (b) fails to pay his or her current residential service charges for 60 days or more, the District may discontinue water service to the customer's property, provided that the District posts a final notice of intent to disconnect residential water service in a prominent and conspicuous location at the property at least five business days before discontinuation of water service. The final notice will not entitle the customer to any further investigation or review by the District.

- 10. Restoring Residential Water Service.** Customers whose water service has been discontinued may contact the District by telephone at (805) 378-3000 or in person at 6767 Spring Road, Moorpark, California to restore water service. Restoration of water service shall be subject to payment of: (a) any past-due amounts, including applicable late fees, interest or penalties (except as set forth below); and (b) the District's reconnection fee, as set forth on its Schedule of Miscellaneous Fees or set by law, as described below. The District may also require a security deposit. Payment must be made by cash, credit card or cashier's check. Water service will not be restored prior to any payment by check or electronic method clearing all banks or financial institutions and funds being actually and irrevocably deposited with the District.

For a residential customer who demonstrates to the District household income below 200 percent of the federal poverty line, the District's reconnection fee shall be charged in an amount no greater than its actual cost of reconnection or \$50, whichever is less, for a reconnection during normal operating hours. For a reconnection made during nonoperational hours, the District's reconnection fee shall be charged in an amount no greater than its actual cost or \$150, whichever is less. These amounts shall be subject to an annual adjustment for changes in the Consumer Price Index beginning January 1, 2021.

In addition, for a residential customer who demonstrates to the District household income below 200 percent of the federal poverty line, the District shall waive interest charges on delinquent bills once every 12 months.

A customer shall be deemed to have a household income below 200 percent of the federal poverty line if any 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 the customer declares that the household's annual income is less than 200 percent of the federal poverty level.

- 11. Annual Reporting of Discontinuations of Water Service Due to Inability to Pay.** Each District shall report the number of annual discontinuations of residential water service for inability to pay on the web site of the Ventura County Public Works Agency, Water and Sanitation Department, and to the State Water Resources Control Board.