



TRIUNFO SANITATION DISTRICT

A PUBLIC AGENCY

NOTICE OF MEETING FINANCE COMMITTEE

Steven Iceland
Michael Paule

Monday, October 10, 2011
4:00 p.m.

Oak Park Library Conference Room
899 N. Kanan Road
Oak Park, CA

AGENDA

1. Call to Order
2. Public Comment
3. Policies and Procedures Oak Park Water Service
4. Adjourn

In compliance with the Americans with Disabilities Act, if you need special accommodation/assistance to participate in a District event, please call the CA Relay Service TDD line at 1-800-735-2929 or the Clerk of the Board at 805-658-4642. Notification prior to the meeting will enable the District to make reasonable arrangements to ensure accessibility to participate.



TRIUNFO SANITATION DISTRICT

A PUBLIC AGENCY

October 6, 2011

Finance Committee
Triunfo Sanitation District
Ventura County, California

TRIUNFO SANITATION DISTRICT ORDINANCE NUMBERS: TSD-37 and TSD-42 PRESCRIBING POLICIES AND PROCEDURES FO OAK PARK WATER SERVICE OWNED AND OPERATED BY TRIUNFO SANITATION DISTRICT

Attached are Ordinance Nos. TSD-37 and TSD-42 that pertains to the Oak Park Water Service Policies and Procedures. Ordinance Number TSD-37 was adopted by the Triunfo Sanitation District (TSD) Board on July 1, 1996 and was amended in part by Ordinance Number TSD-42 effective October 1, 1997.

Staff would like to discuss with the Finance Committee the following items:

1. Possibility of incorporating both ordinances into one ordinance. This would be more efficient for reviewing purposes.
2. Review and modify information that is no longer valid (i.e., Ordinance No. TSD-37, Section 1. Definitions - Board of Directors).
3. Possibility of requiring a deposit for new customers moving in. This may decrease the time and effort in processing the customer's final amount owing.
4. Direct staff on how to handle customers who are asking for reduction in their high monthly bill when it is caused by a water leak.
5. Direct staff on how to handle good customers who are asking for fees to be waived such as: late fee, door hanger fee, etc. Good customers are those who have not been late on their payments for the last twelve consecutive months.

If you have any questions, you may reach me by e-mail at VickieDragan@vrzd.com or by telephone at 805-658-4646.

Vickie Dragan

VICKIE DRAGAN - DIRECTOR OF FINANCE

Attachments

Item 3-1

TRIUNFO SANITATION DISTRICT

ORDINANCE NO. TSD-37
PRESCRIBING POLICIES AND PROCEDURES FOR
OAK PARK WATER SERVICE
OWNED AND OPERATED BY TRIUNFO SANITATION DISTRICT

WHEREAS, the Triunfo Sanitation District is duly organized and established under the laws of the State of California; and as such is empowered to impose fees and charges relative to the District's provision of services to its service area; and

WHEREAS, the District, via the Oak Park Water Service, provides retail water services to its customers and charges these customers appropriate service fees designed to cover purchase of potable water from Calleguas Municipal Water District, as well as operating and maintenance expenses associated with the provision of the services; and

WHEREAS, this information was available for public inspection and review ten (10) days prior to a public hearing and notice of the public hearing was given in compliance with Government Code Section 6062a; and

WHEREAS, a public hearing, noticed pursuant to and in compliance with Government Code Sections 66018 and 6062a was held at a scheduled meeting of the Board of Directors; and

WHEREAS, after considering the financial information, hearing a staff presentation, considering the testimony received at the public hearing and discussion of the issues, the Board of Directors concludes the reasonableness of the policies and procedures contained herein.

NOW, THEREFORE, the Triunfo Sanitation District (TSD) Board of Directors ordains as follows:

SECTION 1. DEFINITIONS

Applicant: The person, association, corporation or governmental agency applying for water service.

Board of Directors: The Board of Directors of the Triunfo Sanitation District, comprised of one member of the Ventura County Board of Supervisors, one member of the Thousand Oaks City Council, one member of the Ventura Regional Sanitation District Board of Directors, and two directly-elected individuals residing within the District.

Utility: Oak Park Water Service, operated by Triunfo Sanitation District, a public agency.

Customer: Any person, association, corporation or governmental agency supplied or entitled to be supplied with water service for compensation by the utility.

- Elderly Customer:** Any residential customer who is age 62 or over. Proof of age must be supported by certificate of birth, driver's license, passport or other reliable document.
- Handicapped Customer:** Any residential customer whose health or physical condition may qualify him for special consideration. Proof of handicap must be by certification from a licensed physician, public health nurse or social worker.
- Premises:** The integral property or area, including improvements thereon, to which water service is, or is to be, provided.
- Metered Service:** Service for which the charges are computed on the basis of measured quantities of water.
- Flat Rate Service:** Service for which the charges are based upon the quantity of water provided for construction and fire fighting purposes.
- Residential Service:** Provision of water for household purposes, including water used on the premises for irrigation of lawns, gardens and shrubbery; washing vehicles; and other similar and customary purposes pertaining to single or multiple family dwellings.
- Nonresidential Service:** Provision of water for use in connection with business, industrial, irrigation, or other nonresidential purposes.
- Date of Presentation:** The date upon which a bill or notice is mailed or delivered by the utility to the customer.
- Service Pipe:** The connection between the utility's mains and the service connection, including all of the pipe, fittings and valves necessary to make the connection.
- Service Connection:** The point of connection of the customer's piping with the utility's meter or service pipe.

SECTION 2. DESCRIPTION OF SERVICE

A. Quantities

The utility will endeavor to supply water dependably and safely in adequate quantities to meet customers' reasonable needs and requirements.

B. Pressures

The utility will endeavor to maintain normal operating pressures of not less than 40 pounds per square inch nor more than 125 pounds per square inch at the service connection, except that during periods of hourly maximum demand the pressure at the time of peak seasonal loads may not be less than 30 pounds per square inch, and that during periods of hourly minimum demand the

pressure may not be more than 150 pounds per square inch. Variations in pressure under normal operation will not exceed 50 percent of the average operating pressure.

C. Quality

Whenever furnished for human consumption or for domestic uses, the utility will endeavor to provide water that is wholesome, potable, in no way harmful or dangerous to health and, insofar as practicable, free from objectionable odors, taste, color, and turbidity.

SECTION 3. APPLICATION FOR SERVICE

A. Application for Service

1. Content

Each applicant for service may be required to sign, on a form provided by the utility, an application which will set forth:

- a. Date of application.
- b. Service address.
- c. Date applicant will be ready for service.
- d. Name of applicant.
- e. Address to which bills are to be mailed or delivered.
- f. Purpose for which service is to be used.
- g. Whether applicant is owner, tenant of or agent for the premises.
- h. Such other information as the utility may reasonably require.

2. Purpose

The purpose of the application is merely to create a written request for service. It does not bind the applicant to take service for a period of time longer than that upon which the flat rate charge, minimum charge, or readiness to serve charge of the applicable rate schedule is based; neither does it bind the utility to serve, except under reasonable conditions. The utility may charge an application fee, pursuant to the most recent Ordinance adopted by the Triunfo Sanitation District Board of Directors to cover the administrative cost of opening the account.

B. Individual Liability for Joint Service

Two or more parties who join in one application for service shall be jointly and severally liable for payment of bills and shall be billed by means of single periodic bills.

C. Change in Customer's Equipment or Operations

A customer making any material change in the size, character or extent of the equipment or operations for which the utility's service is utilized shall immediately give the utility written notice of the extent and nature of the change.

SECTION 4. SPECIAL INFORMATION REQUIRED ON FORMS

*Amended by
Ord TSD-42*

A. Bill for Service

On each bill for service will be printed substantially the following language:

"All charges are due and payable when presented. Prompt payment at the Oak Park Water Service office located at 646 Lindero Canyon Road is required. There is no other authorized paying station. Payments may be made by mail; however, it is the customer's responsibility to see that his/her payment reaches the Oak Park Water Service office on time. Charges will become delinquent if payment is not received within 19 days from the date of presentation. Service will be discontinued if charges remain unpaid 36 days after presentation of the original statement.

"Questions regarding charges should be addressed to Oak Park Water Service staff at the Lindero Canyon Road office (818-889-3920). If a satisfactory explanation is not received and charges are still questioned, the customer should address a letter, accompanied by a check or money order in the amount of the disputed bill, to the Oak Park Water Service Finance Director at 1001 Partridge Drive, Suite 150, Ventura, CA 93003-5562. The Finance Director will review the situation and notify the customer within ten business days of any adjustment action."

The Finance Director will not, however, accept a deposit when the dispute appears to be over matters that do not directly relate to the accuracy of the bill. Such matters include the quality of the utility's service, general level of rates, pending rate adjustments, and sources of fuel or power. These issues should be addressed to the Board of Directors directly.

B. Discontinuance of Service Notice

Every notice of discontinuance of service for nonpayment of bills shall include all of the following information:

1. The name, address, and account number of the customer whose account is delinquent.
2. The amount of the delinquency.
3. The date by which payment or arrangement for payment is required in order to avoid discontinuance.
4. The procedure by which the customer may initiate a complaint or request an investigation concerning service or charges.
5. The telephone number of the utility representative who can provide additional information or approve arrangements for payment.

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SECTION 5. NOTICES

A. Notice to Customers

1. In Writing

Notice to a customer will normally be in writing and, depending on the type of notice, will either be delivered or mailed to the customer's last known address.

2. Exception

In emergencies or when circumstances warrant, the utility, where feasible, will endeavor to promptly notify the customer affected and may make such notification orally, either in person or by telephone.

3. Discontinuance of Service

- Deleted by Ord. TSD-42*
- a. The utility shall post in a conspicuous location at the premises, a notice of discontinuance of service at least 48 hours prior to discontinuation.
 - b. ~~For elderly or handicapped residential customers, the utility shall provide at least 48 hours' notice by telephone or in person. For these customers, if personal contact cannot be made, a notice of discontinuance of service shall be posted in a conspicuous location at the service address at least 48 hours prior to discontinuance.~~
 - c. Whenever the utility furnishes residential service through a master meter or whenever individually metered residential service is furnished in a multiunit residential structure or mobilehome park, where the owner or manager is listed by the utility as the customer of record, the utility shall make every good faith effort to inform the residents, by means of a notice, that service will be discontinued within ten days as outlined in Section 8. The notice shall further inform the residents that they have the right to become utility customers, to whom the service will be then billed, without being required to pay any amount which may be due on the delinquent account.
 - d. The discontinuance and restoration of service procedure is outlined in Section 8.

B. Notice from Customers

1. A customer may give notices in person, by telephone or by letter to the utility at the Water Service office, or to an authorized representative of the utility.
2. Customers who are elderly or handicapped must have presented evidence to the utility establishing their status if they wish to qualify for consideration under the rules and regulations contained herein.
3. Elderly or handicapped customers who desire third-party notification must so inform the utility with certification of status and with a letter from the third party accepting the responsibility.

SECTION 6. PROVISION AND PAYMENT OF BILLS

A. Provision of Bills

Bills for service will be provided to each customer on a monthly basis unless otherwise provided in the current Ordinance governing the rate schedule.

1. Metered Service

- a. Meters will be read at regular intervals for the preparation of periodic bills and as required for the preparation of opening bills, closing bills, and special bills.
- b. It may not always be practicable to read meters at intervals which will result in billing periods of an equal number of days.
 - 1) Should a monthly billing period contain less than 27 days or more than 33 days a pro rata correction in the amount of the bill will be made.
 - 2) For billing periods other than monthly, adjustments will be made proportionate to that for a monthly billing period.
- c. Bills for metered service will show at least the reading of the meter at the end of the period for which the bill is rendered, the meter constant, if any, the number and kinds of units, and the date of the current meter reading.
- d. Each meter on a customer's premises will be considered separately and the readings of two or more meters will not be combined except where combination of meter readings is specifically provided for in the applicable rate schedule, or where the utility's operating convenience or necessity may require the use of more than one meter or a battery of meters. In the latter case, the monthly minimum or readiness-to-serve charge will be prorated from the monthly minimum or readiness-to-serve charge of the applicable rate schedule upon the basis of a meter size equivalent in diameter to the combined discharge areas of such meters.

2. Flat Rate Service

For billing periods other than monthly, the charge for flat rate service will be computed by multiplying the monthly charge by the number of months, or portion thereof, in the billing period.

3. Proration of Bills

The charges applicable to opening periods, closing bills and bills rendered for periods corresponding to less than 27 days or more than 33 days for monthly billing periods will be computed as follows:

a. **Metered Service**

The amount of the minimum charge (and the quantity allowed therefore) or the readiness-to-serve charge and the quantity in each of several quantity rate blocks will be prorated on the basis of the ratio of the number of days in the period to the number of days in an average billing period. The measured quantity of usage will be applied to such prorated amounts and quantities.

b. **Flat Rate Service**

The billing period charge will be prorated on the basis of the ratio of the number of days in the period to the number of days in an average billing period.

c. **Average Billing Period**

The number of days in an average billing period is defined as 365 days divided by the number of billing periods in one year (30.4 days for a monthly billing period).

B. Payment of Bills

Bills for service are due and payable upon presentation, and payment may be made at the Oak Park Water Service office or to any representative of the utility authorized to make collections. Payment of closing bills must be made at the time of presentation.

SECTION 7. DISPUTED BILLS

A. Correctness of Bill

Any customer who has initiated a complaint to the utility or requested an investigation by the utility within five days of receiving a contested bill shall be given an opportunity for review of such complaint or investigation by the Oak Park Water Service Finance Director. The review shall include consideration of whether or not the customer should be permitted to amortize the unpaid balance of his/her account over a reasonable period of time.

B. Notice of Deposit to Avoid Discontinuance

If an explanation satisfactory to the customer is not made by the utility and the bill is not paid within 19 days after its presentation or at the time the explanation is made, whichever is longer, the utility will notify the customer in writing substantially as follows:

"To avoid discontinuance of service, in lieu of paying the bill in question, the residential customer within 15 days and the non-residential customer within 7 days of the date of this notice, must deposit with the Water Service Finance Director, 1001 Partridge Drive, Suite 150, Ventura, CA 93003-5562, the amount of the bill claimed by the utility to be due."

C. Oak Park Water Service Finance Director Appeal

When a customer and the utility fail to agree on a bill for service:

1. To avoid discontinuance of service, in lieu of paying the disputed bill, the customer may deposit with the Oak Park Water Service Finance Director at 1001 Partridge Drive, Suite 150, Ventura, CA 93003-5562, the amount claimed by the utility to be due.
2. Checks or other forms of remittance for such deposit should be made payable to Oak Park Water Service and should be accompanied with the bill in question and a statement setting forth the basis for the dispute of the amount of the bill.
3. Upon receipt of the deposit, the Finance Director will review the basis of the billed amount, and will advise both parties of its findings and disburse the deposit in accordance therewith.
4. Service will not be discontinued for nonpayment of the disputed bill when deposit has been made with the Finance Director pending the outcome of the Finance Director's review.
5. Failure of the customer to make such deposit prior to the expiration of the discontinuance of service notice as given in Section 7.B. will warrant discontinuance of service.
6. If before completion of the Finance Director's review, additional bills become due which the customer wishes to dispute, he/she shall also deposit with the Finance Director the additional amounts claimed by the utility to be due and failure to do so will warrant discontinuance of his/her service in accordance with Section 8.

SECTION 8. DISCONTINUANCE AND RESTORATION OF SERVICE

A. Customer's Request for Discontinuance of Service

1. A customer may have service discontinued by giving not less than two days' advance notice thereof to the utility. Charges for service may be required to be paid until the requested date of discontinuance or such later date as will provide not less than the required two days' advance notice.
2. When such notice is not given, the customer will be required to pay for service until two days after the utility has knowledge the customer has vacated the premises or otherwise had discontinued water service.

B. Discontinuance of Service by Utility

1. For Nonpayment of Bills

- a. Monthly bills will be considered past due if not paid within 19 days.
- b. An unpaid balance shall appear on the subsequent regular monthly bill as a "Previous Balance". The bill shall clearly state "An unpaid previous balance is now delinquent."

*Amended
by ord
TSD-4/2*

~~Please pay by MM/DD/YY to avoid shut off." This date shall be no earlier than the sixth (6) day and no later than the twelfth (12) day of the current month.~~

- c. Any customer, residential as well as nonresidential, who has initiated a billing complaint or requested an investigation within five days of receiving a disputed bill or who has, before discontinuance of service, made a request for extension of the payment period of a bill asserted to be beyond the means of the customer to pay in full within the normal period for payment, shall not have residential water service discontinued for nonpayment during the pendency of an investigation by the utility of such customer complaint or request and shall be given an opportunity for review of the complaint, investigation, or request by the Oak Park Water Service Finance Director. The review shall include consideration of whether or not a residential customer shall be permitted to make installment payments of the unpaid balance of the delinquent account over a reasonable period of time, not to exceed 12 months. Such service shall not be discontinued for nonpayment for any customer complying with an installment payment agreement entered into with the utility, provided the customer also keeps current his/her account for water service as charges accrue in each subsequent billing period. If a residential customer fails to comply with an installment payment agreement, the utility will give a 10-day discontinuance of service notice before discontinuing such service, but such notice shall not entitle the customer to further investigation by the utility.
- d. Service to a residential water customer will not be discontinued for nonpayment when the customer has previously established to the satisfaction of the utility that:
- 1) The customer is elderly (age 62 or over) or handicapped, or upon certification of a licensed physician or surgeon that to discontinue water will be life threatening to the customer; and
 - 2) The customer is willing to arrange installment payments satisfactory to the utility, over a period not to exceed 12 months, including arrangements for prompt payment of subsequent bills.

However, service may be discontinued to any customer who does not comply with an installment payment agreement or keep current his/her account for water service as charges accrue in each subsequent billing period.

- e. A customer's residential service may be discontinued for nonpayment of a bill for residential service previously rendered him/her at any location served by the utility. A nonresidential service may be discontinued for nonpayment of a bill for residential as well as nonresidential service previously rendered the customer at any location served by the utility.

The discontinuance of service notice as set forth in subdivision (b) will be given in both cases stated above before discontinuance of service takes place. Residential service will not, however, be discontinued for nonpayment of bills for separate nonresidential service.

f. Service will not be discontinued by reason of delinquency in payment for service on any Saturday, Sunday, legal holiday, or at any time during which the business offices of the utility are not open to the public.

Amended by Ord TSD-42

~~g. Where water service is provided to residential users through a master meter, the utility shall make every good faith effort to inform the actual users, by telephone, in person or by means of a notice when the account is in arrears that service will be discontinued in ten days. The 10-day discontinuance notice shall be posted in a conspicuous place of each residential unit. The notice shall further inform actual users that they have the right to become utility customers without being required to pay the amount due on the account. The utility shall not be obligated to make service available unless and until each and every actual user of the water service then residing on the premises shall agree to the terms and conditions of service and shall meet the requirements of the utility's rules and regulations provided, however, that if:~~

- ~~1) One or more actual users are willing and able to assume responsibility for the entire account to the satisfaction of the utility or~~
- ~~2) There is a physical means, legally available to the utility, of selectively discontinuing service to those actual users who have not met the requirements of the utility's rules and regulations,~~

~~the utility shall make service available to the actual users who have met those requirements.~~

h. A reasonable attempt must be made by the utility to personally contact an adult person on the residential customer's premises either by telephone, in person, or by mail delivery, at least 24 hours prior to discontinuance. For elderly or handicapped residential customers, the utility shall provide at least 48 hours' notice by telephone or in person. For these customers, if telephone or personal contact cannot be made, a notice of discontinuance of service shall be posted in a conspicuous location at the service address at least 48 hours prior to discontinuance.

i. Residential Customer's Remedies Upon Receipt of Discontinuance Notice

- Amended by Ord TSD-42*
- ~~1) If upon receipt of a 10-day discontinuance notice, a residential customer is unable to pay, he/she must contact the utility before discontinuance of service to make payment arrangements to avoid discontinuance of service.~~
 - 2) If the residential customer alleges to the Oak Park Water Service Finance Director an inability to pay and that he/she is unable to make payment arrangement with the utility, he/she should write to the Oak Park Water Service Finance Director to make an informal complaint. This action must be taken within the 10-day discontinuance of service notice period.
 - 3) The Oak Park Water Service Finance Director's resolution of the matter will be reported to the utility and the residential customer within ten business days after receipt of the informal complaint. If the customer is not satisfied with such

resolution, he/she must file, within ten business days after the date of the Oak Park Water Service Finance Director's letter, a formal complaint with the Triunfo Sanitation District Board of Directors.

- 4) Failure of the residential or nonresidential customer to observe these time limits shall entitle the utility to insist upon payment or, upon failure to pay, to discontinue the customer's service.
- j. Designation of a Third-Party Representative (Elderly or Handicapped only)
- 1) Customer must inform utility if he/she desires that a third party receive discontinuance or other notices on his/her behalf.
 - 2) Utility must be advised of name, address and telephone number of third party with a letter from third party accepting this responsibility.
 - 3) Only customers who certify they are elderly or handicapped are entitled to third-party representation.

2. For Noncompliance with Rules

The utility may discontinue service to any customer for violation of these rules after it has given the customer at least five days' written notice of such intention, during which time the customer shall have the option to comply or appeal to the Oak Park Water Service Finance Director. Where safety of water supply is endangered, service may be discontinued immediately without notice.

3. For Waste of Water

- a. Where negligent or wasteful use of water exists on a customer's premises, the utility may discontinue the service if such practices are not remedied within five days after it has given the customer written notice to such effect.
- b. In order to protect itself against serious and unnecessary waste or misuse of water, the utility may meter any flat rate service and apply the regularly established meter rates where the customer continues to misuse or waste water beyond five days after the utility has given the customer written notice to remedy such practices.

4. For Unsafe Apparatus or Where Service is Detrimental or Damaging to the Utility or Its Customers

If an unsafe or hazardous condition is found to exist on the customer's premises, or the use of water thereon by apparatus, appliances, equipment or otherwise is found to be detrimental or damaging to the utility or its customers, the service may be shut off without notice. The utility will notify the customer immediately of the reasons for the discontinuance and the corrective action to be taken by the customer before service can be restored.

5. For Fraudulent Use of Service

When the utility has discovered that a customer has obtained service by fraudulent means, or has diverted the water service for unauthorized use, the service to that customer may be discontinued without notice. The utility will not restore service to such customer until that customer has complied with all filed rules and reasonable requirements of the utility and the utility has been reimbursed for the full amount of the service rendered and the actual cost to the utility incurred by reason of the fraudulent use.

C. Restoration of Service

1. Premise Visit/Reconnection Charges

Where service has been discontinued for violation of these rules or for nonpayment of bills, the utility may charge premise visit and/or reconnection fees pursuant to the most recent Ordinance adopted by the Triunfo Sanitation District Board of Directors for the reconnection of service. The utility shall require payment of the outstanding balance, the current balance, and the all other charges due on the account prior to the restoration of water service.

2. To Be Made During Regular Working Hours

The utility will endeavor to make reconnection during regular working hours on the day of the request, if conditions permit; otherwise, reconnection will be made on the regular working day following the day the request is made.

3. To Be Made at Other Than Regular Working Hours

When a customer has requested that the reconnection be made at other than regular business hours, the utility will reasonably endeavor to so make the reconnection if practicable under the circumstances.

4. Wrongful Discontinuance

A service wrongfully discontinued by the utility shall be restored within 24 hours without charge to the customer for the restoration.

D. Refusal to Serve

1. Conditions For Refusal

The utility may refuse to serve an applicant for service under the following conditions:

- a. If the applicant fails to comply with any of the rules and regulations as passed by the Triunfo Sanitation District Board of Directors.
- b. If the intended use of the service is of such a nature that it will be detrimental or injurious to existing customers or to District facilities.

- c. If, in the judgment of the utility, the applicant's installation for utilizing the service is unsafe or hazardous, or of such nature that satisfactory service cannot be rendered.
- d. Where service has been discontinued for fraudulent use, the utility will not serve an applicant until it has determined that all conditions of fraudulent use or practice have been corrected.

2. Notification to Customers

When an applicant is refused service under the provisions of this rule, the utility will notify the applicant promptly of the reason for the service refusal and of the right of applicant to appeal the utility's decision to the Oak Park Water Service Finance Director.

SECTION 9. INFORMATION AVAILABLE TO PUBLIC

A. General Information

The utility will maintain, open for public inspection at its office, pertinent information regarding the service rendered, including the following:

1. Characteristics of Water

A description in writing of the kind of water to be furnished, whether filtered or unfiltered, and whether treated or untreated, and the extent thereof.

2. Rates and Rules

A copy of the regulation schedules consisting of rates, general rules of the utility, service area maps and forms of contracts and applications applicable to the territory served from that office.

3. Reading Meters

Information about method of reading meters

4. Bill Analysis

A statement of the most recent past readings of the meter or meters serving a customer's own premises for a period of two years.

B. Rates and Optional Rates

The utility will explain to every applicant for service each rate schedule which is applicable, and of the applicant's right to elect therefrom the option under which service is desired.

C. New or Revised Rates

Should new or revised rates be established, the utility will give written notice to all customers affected.

D. Change of Rate Schedule by Customer

1. Should a customer elect to take service under a different applicable rate schedule, the change will become effective immediately after the regular meter reading next following the date of such request for metered service and at the beginning of the regular billing period next following such request for flat rate service. The utility may refuse to permit such a change unless service has been taken under the current rate schedule for at least 12 months, except such change will be permitted when an applicable new or revised rate schedule is first put into effect or the customer's operations have so changed as to justify immediate transfer to a different schedule.
2. When service is furnished on an annual or seasonal basis, a change in schedule may be made only at the end of a regular billing period.

SECTION 10. CONTINUITY OF SERVICE

A. Emergency Interruptions

1. The utility shall make all reasonable efforts to prevent interruptions to service and, when such interruptions occur, shall endeavor to re-establish service with the shortest possible delay consistent with the safety of its customers and the general public.
2. Where an emergency interruption of service affects the service to any public fire protection device, the utility will promptly endeavor to notify the Fire Chief or other public official responsible for fire protection of such interruption and of subsequent restoration of normal service.

B. Scheduled Interruptions

1. Whenever the utility finds it necessary to schedule an interruption to its service, it shall, where feasible, notify all customers to be affected by the interruption, stating the approximate time and anticipated duration of the interruption. Scheduled interruptions will be made at such hours as will provide least inconvenience to the customers consistent with reasonable utility operations.
2. Where public fire protection is provided by the mains affected by the interruptions, the utility will promptly endeavor to notify the Fire Chief or other officials responsible for fire protection, stating the approximate time and anticipated duration of the interruption. In addition, the Fire Chief or other official responsible for fire protection will be notified promptly upon restoration of services.

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C. Apportionment of Supply During Times of Shortage

During times of threatened or actual water shortage, the utility will apportion its available water supply among its customers as directed by the Triunfo Sanitation District Board of Directors. In the absence of Board direction, it will apportion the supply in the manner that appears most equitable under circumstances then prevailing, and with due regard to public health and safety.

SECTION 11. EFFECTIVE DATE

The Board of Directors hereby finds and determines that the public necessity is best served by the timely adoption of this Ordinance. The Ordinance shall take effect on July 1, 1996.

PASSED AND ADOPTED this 20th day of May 1996 by the following vote:

AYES: Directors Stark, Carpenter, Schield, Lazar
NOES: Directors none
ABSENT: Directors Director Callero

TRIUNFO SANITATION DISTRICT

Ronald Stark
RONALD STARK, Chairman
Board of Directors

ATTEST:

Fran Teixeira
FRAN TEIXEIRA, Clerk of the Board

TRIUNFO SANITATION DISTRICT

ORDINANCE NO. TSD-42
AMENDING ORDINANCE NO. TSD-37
PRESCRIBING POLICIES AND PROCEDURES FOR
OAK PARK WATER SERVICE
OWNED AND OPERATED BY TRIUNFO SANITATION DISTRICT

WHEREAS, the Triunfo Sanitation District is duly organized and established under the laws of the State of California, and as such is empowered to impose fees and charges relative to the District's provision of services to its service area; and

WHEREAS, the District, via the Oak Park Water Service, provides retail water services to its customers and charges these customers appropriate service fees designed to cover purchase of water from Calleguas Municipal Water District, as well as operating and maintenance expenses associated with the provision of the services; and

WHEREAS, the District prescribed Policies and Procedures for the Oak Park Water Service via Triunfo Sanitation District Ordinance No. TSD-37, effective July 1, 1996; and

WHEREAS, the changes herein are necessary to implement desired revisions in the way the Oak Park Water Service conducts its business; and

WHEREAS, this information was available for public inspection and review ten (10) days prior to a public hearing and notice of the public hearing was given in compliance with Government Code Section 6062a; and

WHEREAS, a public hearing, noticed pursuant to and in compliance with Government Code Sections 66018 and 6062a was held at a scheduled meeting of the Board of Directors; and

WHEREAS, after hearing a staff presentation, considering the testimony received at the public hearing and discussion of the issues, the Board of Directors concludes the reasonableness of the policies and procedures contained herein.

NOW, THEREFORE, the Triunfo Sanitation District (TSD) Board of Directors ordains Ordinance No. TSD-37 be amended as follows:

SECTION 4.A., Bill for Service, shall be amended to read:

"On each bill for service will be printed substantially the following language:

"All charges are due and payable when presented. Prompt payment at the Oak Park Water Service office located at 646 Lindero Canyon Road is required. There is no other authorized paying station. Payments may be made by mail; however, it is the customer's responsibility to see that his/her payment reaches the Oak Park Water Service office on time. Charges will become delinquent if payment is not received within 19 days of the mailing date. Any balance carried forward to the following (second) billing will incur a 10% late payment penalty. Service will be discontinued if payment is not received within 36 days after presentation of the original statement.

"If the outstanding balance is carried forward to a third billing, an additional 1.5% penalty will be incurred on all outstanding charges, including any unpaid late payment fees. Such penalty shall continue thereafter at 1.5% per month on the outstanding balance until the entire amount is paid.

"Questions regarding charges should be addressed to Oak Park Water Service staff at the Lindero Canyon Road office (818-889-3920). If a satisfactory explanation is not received and charges are still questioned, the customer should address a letter, accompanied by a check or money order in the amount of the disputed bill, to the Oak Park Water Service Finance Director at 1001 Partridge Drive, Suite 150, Ventura, CA 93003-5562. The Finance Director will review the situation and notify the customer within ten business days of any adjustment action."

"The Finance Director will review only issues that concern the accuracy of the questioned bill. Any other concerns should be addressed directly to the Board of Directors at 1001 Partridge Drive, Suite 150, Ventura, CA 93003-5562."

SECTION 4.B., Penalty/Discontinuance of Service Notice, shall be amended to read:

"Monthly bills (no balance carried forward) will be blue in color and have substantially the following message printed on the face of the bill:

"Due by MM/DD/YY. Subject to 10% late payment penalty if not received by MM/DD/YY."

"Accounts that have an outstanding balance will receive a red bill for the outstanding balance plus the current month's charges with substantially the following message printed on the face of the bill:

"ATTENTION! Outstanding balance and current charges must be received by MM/DD/YY to prevent service interruption. Contact the OPWS office at 818-889-3920 to arrange payment. NO FURTHER NOTICE WILL BE GIVEN."

SECTION 5.A.3., Discontinuance of Service. Paragraph "a" shall be deleted and paragraph "b" shall be amended to read:

"b. For known elderly or handicapped residential customers, the utility shall provide at least 48 hours' notice of discontinuance by telephone or in person. For these customers, if personal contact cannot be made, a notice of discontinuance of service shall be posted in a conspicuous location at the service address at least 48 hours prior to discontinuance."

SECTION 6.C., Late Payment Penalty, shall be added to read:

"Monthly bills for service will be considered past due if payment is not received within 19 days of the mailing date. A 10% late payment penalty will be applied to the balance due at the time of the next (second) billing. Should the balance not be received before the subsequent (third) regular billing, an additional 1.5% late payment penalty will be applied to all outstanding charges (including unpaid late payment penalties) and continue each month thereafter until the balance is paid in full.

SECTION 6.D., Special Payment Schedules, shall be added to read:

"Oak Park Water Service office staff may agree to special payment schedules to assist customers in avoiding discontinuance of service; however, late payment penalties will be assessed in accordance with this Ordinance, and may not be waived. Special payment agreements must be made in advance of service interruption and may extend for up to six months. In all cases, current charges must be paid in full each month along with the full amount of the special payment and any late payment penalties assessed. Such payments must be received within 19 days after each bill is mailed to avoid discontinuance of service."

SECTION 8.B.1.a., b., g. and i.1), Discontinuance of Service by Utility for Nonpayment of Bills, shall be amended to read:**" 1. For Nonpayment of Bills**

- "a. Monthly bills will be considered past due if payment is not received within 19 days of the mailing date.
- "b. An outstanding balance shall appear on the subsequent monthly bill as a "Previous Balance". The bill shall clearly state "Outstanding balance and current charges must be received by MM/DD/YY to prevent service interruption." This date shall be no earlier than the sixth (6) day and no later than the fifteenth (15) day of the current month.
- "g. Where water service is provided to residential users through a master meter, the utility shall make every good faith effort to inform the actual users by telephone, in person or by means of a mailed notice when the account is in arrears that service will be discontinued in ten days. The notice shall further inform actual users that they have the right to become utility customers without being required to pay the amount due on the account. The utility shall not be obligated to make service available unless and until each and every actual user of the water service then residing on the premises shall agree to the terms and conditions of service and shall meet the requirements of the utility's rules and regulations provided, however, that if:
 - " 1) one or more actual users are willing and able to assume responsibility for the entire account to the satisfaction of the utility, or
 - " 2) there is a physical means, legally available to the utility, of selectively discontinuing service to those actual users who have not met the requirements of the utility's rules and regulations,

"the utility shall make service available to the actual users who have met those requirements.
- "i. Residential Customer's Remedies Upon Receipt of Discontinuance Notice
 - " 1) If upon receipt of a discontinuance notice, a residential customer is unable to pay, he/she must contact the utility within the time stated to make payment arrangements to avoid discontinuance of service."

SECTION 11., Effective Date, shall be amended to read:

"The Board of Directors hereby finds and determines that the public necessity is best served by the timely adoption of this Ordinance, which shall take effect on October 1, 1997."

PASSED AND ADOPTED this 25th day of August 1997 by the following vote:

AYES: Directors Callero, Lazor, Stark, Shelley, Schillo

NOES: Directors none

ABSENT: Directors none

TRIUNFO SANITATION DISTRICT

ATTEST:

Fran Teixeira
FRAN TEIXEIRA, Clerk of the Board

Ronald Stark
RONALD STARK, Chairman
Board of Directors