

**BEFORE THE BOARD OF DIRECTORS
OF THE
HOME GARDEN COMMUNITY SERVICES DISTRICT**

IN THE MATTER OF:
Adoption of Policy Pertaining to
Discontinuation of Residential Water
Service.

RESOLUTION 2025- 03

WHEREAS, the Home Garden Community Services District ("**District**") is a California community services district formed and existing under the authority of Government Code sections 61000 et seq., possessing all powers, both necessary and implied, to carry out its responsibilities, including the power to act by ordinance, resolution, or motion in matters pertaining to its governance and the construction, management, and use of its facilities;

WHEREAS, the California legislature enacted Senate Bill 998 ("**SB-998**") as the "**Water Shutoff Protection Act**" within the California Health and Safety Code;

WHEREAS, among numerous other requirements, SB-998 requires public agencies who provide retail water service to residential customers to enact by April 1, 2020 a written policy, with specified features, governing the termination/disconnection of residential water service as a result of non-payment delinquency;

WHEREAS, the California legislature also previously enacted separate regulations pertaining to termination of residential water service within the California Government Code, in addition to SB-998, adding another layer of complexity to the difficult task of adopting and implementing a comprehensive policy and procedure for disconnection of residential water service due to non-payment delinquency; and

WHEREAS, after consideration of all information and issues presented by staff and the public, the Board of Directors ("**Board**") of the Home Garden Community Services District ("**HGCSD**" or "**District**") now desires to enact a written policy governing termination/disconnection of water service of residential customers as a result of non-payment delinquency.

UPON MOTION OF BOARD MEMBER Sheila Cox-Lindsey , SECONDED BY BOARD MEMBER Harold Reed , THE FOLLOWING WAS PASSED, APPROVED, AND ADOPTED BY THE BOARD OF DIRECTORS AT AN OFFICIAL MEETING HELD July 17, 2025 , BY THE FOLLOWING VOTE:

AYES: Cox-Lindsey, Washington, Reed, and Dunn
NOES: 0
ABSTAIN: 0
ABSENT: Olea

ATTEST: Lydia Ritchie
Lydia Ritchie, District General
Manager and Board Secretary

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NOW THEREFORE, BE IT RESOLVED THAT THE BOARD OF DIRECTORS:

1. Found the foregoing recitals to be true and correct;
2. Adopted the entirety of **ATTACHMENT 1** to this resolution, which is hereby incorporated into this resolution by this reference, as the policy of the “**District**” pertaining to the discontinuation of residential water service;
3. Authorized and ordered staff to take all necessary and convenient steps to transition to and implement the newly adopted policy, which shall become effective on July 17, 2025 and thereupon supersede all prior policy provisions as to the same subject matter;
4. Authorized the preparation and submission to the Board, for enactment, of an ordinance necessary to update, repeal, amend and/or otherwise reconcile those portions of each existing “**District**” ordinance(s) which do not fully conform with the policy adopted by this resolution;
5. Authorized staff to proceed with a fee study to be brought to the Board for approval in connection with the review, updating and/or setting of all relevant fees, interest rates, charges, and penalties as are applicable under the policy now adopted by this resolution; and
6. The District's General Manager is authorized and ordered to cause the approved water shutoff policy and forms to be translated into each and all of those languages which are required by State law; and
7. Ordered that all existing fees, charges, and penalties associated with delinquent accounts and residential water service disconnections shall continue and remain in effect under the new policy until such time as the Board sets and approves new ones by future resolution.