

**RESOLUTION NO. 1074-19**

**RESOLUTION OF THE MOJAVE WATER AGENCY  
BOARD OF DIRECTORS ADOPTING THE UTILITY BILLING POLICY**

The Board of Directors of the Mojave Water Agency hereby finds and declares as follows:

**WHEREAS**, the Mojave Water Agency is a public agency organized and operated pursuant to Water Code Appendix 97, and is required to award contracts according to Water Code Section 91-13(4) and the Public Contract Code; and


**WHEREAS**, there is a need to promote uniformity in the processing of invoices, delinquent accounts, late fees and liens within the Mojave Water Agency; and

**WHEREAS**, this policy establishes policy and procedures for the uniformity in the processing of processing of invoices, delinquent accounts, late fees and liens within the Mojave Water Agency; and

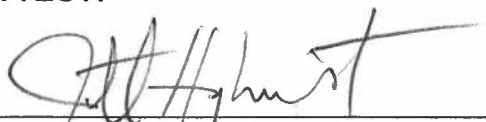
**NOW, THEREFORE, BE IT RESOLVED** that the Board of Directors of the Mojave Water Agency hereby adopts the attached Utility Billing Policy to establish policy and procedures for the uniformity in the processing of processing of invoices, delinquent accounts, late fees and liens within the Mojave Water Agency.

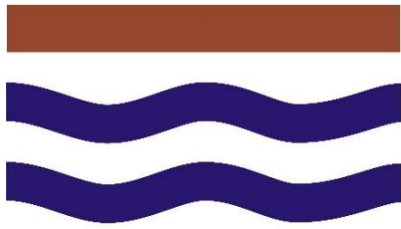
**ADOPTED** this 24<sup>th</sup> day of October 2019.

**SIGNED:**

  
\_\_\_\_\_  
Carl Coleman, President

**ATTEST:**

  
\_\_\_\_\_  
Jeanette Hayhurst, Secretary



**Mojave  
Water  
Agency**

**W** MOJAVE BASIN AREA **R**  
**WATERMASTER**

# UTILITY BILLING POLICY & PROCEDURES

Adopted 10/24/2019

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## 1.0 INTRODUCTION

The purpose of this policy is to provide consistent utility billing customer rules and guidelines for Mojave Water Agency (“the Agency”) and Mojave Basin Area Watermaster (“Watermaster”), a component unit of the Agency. The Agency and Watermaster shall maintain account records for each customer that includes customer’s legal name, billing address, service address, account number, current charges and account history including consumption, past due charges, penalties and fees. Based on unique circumstances, the Agency staff may authorize exceptions to this policy.

## 2.0 RATE ORDINANCE, POLICY OR RESOLUTION

The Mojave Water Agency is organized and operated pursuant to the Mojave Water Agency Law, California Water Code Appendix 97. All charges shall be calculated in accordance with the specific rate ordinance, policy or resolution as adopted by the Mojave Water Agency Board of Directors.

The Agency shall only serve customers within its boundaries, however the Board of Directors may authorize the sale of surplus water to other entities through exchange and transfer agreements, and under special conditions and rates as set.

## 3.0 BILLING CYCLE – MOJAVE WATER AGENCY

Finance shall provide each utility customer a monthly bill which shall include the billing period, payment due date, meter readings (if applicable), consumption amount and total charges plus any fees, penalties or previous balance. Water usage will be billed in units of whole acre feet, based on actual meter readings.

### 3.1 METER READING

Meters are read at regular intervals by Agency staff. Bills will be issued on a monthly basis to the mailing address for the customer of record. One month’s service for a billing period does not necessarily correlate to the calendar month. The Agency reserves the right to read meters and present bills for longer or shorter periods.

### 3.2 BILLING PERIOD

Monthly billings shall be mailed within thirty (30) calendar days following the dates of service. The date the bill is created shall be known as the billing date. The bill shall be due and payable in full within thirty (30) days after the billing date. The due date will be noted on each bill. If the due date falls on an Agency observed holiday, Saturday or Sunday the due date shall be on the first business day following the holiday or weekend.

### 3.3 DELINQUENT ACCOUNTS

If a regular monthly bill is not paid in full on or before the due date, a late fee equal to 10% on the current billed amount plus 0.5% on any outstanding balance from the prior month shall be added to the customer’s account. The eleventh (11<sup>th</sup>) day following the due date shall be known as the delinquent date. In the event of a billing error, late fees will be removed from the account as determined by Agency staff. Management has the discretion to waive a late fee one-time per customer on a case-by-case basis.

#### 4.0 BILLING CYCLE – MOJAVE BASIN AREA WATERMASTER

Finance shall provide each utility customer an annual water consumption bill which shall include billing period, payment due date, verified consumption amount and total charges plus any fees, penalties and/or previous balance. Finance will coordinate with Watermaster to determine which customers are to be billed. Water usage will be billed in units of whole acre feet for Administrative, Biological and Replacement Assessments. Makeup Assessments will be billed in fractional acre feet.

##### 4.1 METER READ REPORTING FOR ADMINISTRATIVE AND BIOLOGICAL ASSESSMENTS

Customers are required to report water production for each well on a quarterly or annual basis as determined by Watermaster. An annual verification of water production will be conducted by Watermaster staff.

##### 4.2 BILLING PERIOD

Bills shall be mailed within the time period mentioned below. The date the bill is created shall be known as the billing date. The bill shall be due and payable in full within thirty (30) days after the billing date. The due date will be noted on each bill. If the due date falls on an Agency observed holiday, Saturday or Sunday the due date shall be on the first business day following the holiday or weekend.

###### 4.2.1 ADMINISTRATIVE AND BIOLOGICAL ASSESSMENTS

The billing period for the Administrative and Biological Assessments will be for the entire water year most recently ended. The water year begins October 1<sup>st</sup> and ends September 30<sup>th</sup> every year. Bills will be created and mailed upon completion of annual verification which is estimated to be by the end of January of each year.

###### 4.2.2 REPLACEMENT AND MAKEUP ASSESSMENTS

The billing period for the Replacement and Makeup Assessments will be for the entire water year most recently ended. The water year begins October 1<sup>st</sup> and ends September 30<sup>th</sup> every year. Bills will be created and mailed by June 1, with a due date of July 1.

##### 4.3 DELINQUENT ACCOUNTS

Pursuant to the Judgement, “If a regular annual bill is not paid in full on or before the due date, the account shall bear interest at the current San Bernardino County property tax delinquency rate. Said interest rate shall be applicable to any said delinquent assessment from the due date thereof until paid. Any assessment payable pursuant to the Judgement shall be deemed delinquent: 1) if paid in person, if not paid within five (5) days of the date due; 2) if paid by electronic funds transfer, if not paid within three (3) banking days of the date due; or 3) if paid by any other means, if not paid within ten (10) days of the date due. Any assessment shall also be deemed delinquent in the event that any attempted payment is by funds that are not good and sufficient.”

For consistency, if a Watermaster bill is not paid in full within 10 days following the due date, a late fee equal to 10% on the current billed amount plus 0.5% of the outstanding balance from the prior month will be added to the customer's account each month until paid in full. The eleventh (11<sup>th</sup>) day following the due date shall be known as the delinquent date. In the event of a billing error, late fees may be removed from the account as determined by Agency staff. Management has the discretion to waive a late fee one-time per customer on a case-by-case basis.

#### 4.4 LIENS

A lien will be placed upon customer parcels if the amount past due is more than twenty five dollars (\$25), including any late fees or penalties. The customer will be notified prior to the lien process starting and given the opportunity to bring the account current before a lien is placed with the San Bernardino County Auditor-Controller's office. The lien shall remain on a parcel until all charges for that lien are paid in full. A customer can pay a delinquent balance after a lien has been placed with the County; however, a release of lien fee will also be collected at the time of payment that is equal to the current year County fee.

#### 5.0 METHODS OF PAYMENT

Bills are due and payable upon receipt. Payment may be made at the Agency's main office, through U.S. mail or by automatic payment methods. The Agency will accept cash, check, money order, bank cashier's check or direct pay through the customer's financial institution. The customer is responsible to ensure that the Agency receives payment in a timely manner.

Returned payments due to insufficient funds fee is twelve dollars (\$12).

#### 6.0 STAFF PROCEDURES FOR DEPOSITS

The Administrative Assistant/front desk clerk will be responsible for making all deposits with the Agency or Watermaster's financial institution either by remote deposit or in-branch deposit. Remote deposits will be made on a daily basis, with the exception of low dollar amount checks that can be held until the next day's deposit. Any single check greater than one hundred dollars (\$100.00) will be remote deposited on the same day it is received. Checks will not go longer than seventy-two (72) hours without being deposited. All cash deposits, without regard to amount, will be taken to the bank for deposit on the same day cash is received. An Agency receipt must be filled out and a copy provided to the customer for all cash deposits. A copy of the bank deposit receipt must be provided to the individual posting the deposit into the financial software.

Finance will load the deposits into the Agency's financial software for posting to the customer account.

#### 7.0 CUSTOMER ACCOUNT INFORMATION

The names, addresses and records of the Agency's or Watermaster's customers are not available to the public, except to the extent required by law. No mailing list compiled from the financial software of the Agency or Watermaster will be made available to the public by any of the Agency's or Watermaster's officers or employees. Disclosure of specific account information is made in accordance with customer consent or in the absence of customer consent, disclosure may occur pursuant to a court order, or if the disclosure is otherwise in accordance with federal or state law.

It is the responsibility of the customer to provide the Agency or Watermaster with accurate, up-to-date contact information.