

RESOLUTION 2008 - 36

**A RESOLUTION OF THE BOARD OF DIRECTORS
OF THE CALAVERAS COUNTY WATER DISTRICT
AMENDING THE DISTRICT RULES AND REGULATIONS
GOVERNING THE FURNISHING OF WATER AND/OR WASTEWATER
SERVICES - ARTICLE III, SECTIONS 21D, E AND F**

WHEREAS, the Board of Directors of the CALAVERAS COUNTY WATER DISTRICT adopted the Rules and Regulations Governing the Furnishing of Water and/or Wastewater Service to Consumers on December 7, 1954; and

WHEREAS, the Board added Section 21D - Suspension of Services, and Section 21E - Termination of Services, to Article III by Resolution No. 99-56 on October 13, 1999; and

WHEREAS, the Board of Directors held a "Suspension of Service Due to Foreclosure" Workshop on April 23, 2008, and was presented with data and analysis regarding the rate of foreclosures, the District's collection rates for delinquent accounts, and the lost revenue/cost to the District of abating service for customers in foreclosure;

WHEREAS, the Board of Directors determined that the lost revenue and costs to the District are minimal, and overshadowed by the collection cost and decreased return once an account has become delinquent;

WHEREAS, based on the data and analysis, and after carefully weighing the relevant factors, the Board of Directors determined that it is in the best interest of the District's ratepayers to offer a one-time abatement option for customers for whom foreclosure is pending; and

WHEREAS, the Board of Directors directed staff to submit amendments to Article III, it is desired to replace Sections 21D and 21E with the proposed Suspension, Termination and Foreclosure Abatement policies; attached hereto and made a part hereof.

NOW, THEREFORE BE IT RESOLVED, that the Board of Directors does hereby rescind in its entirety Sections 21D and 21E of Article III of the Rules and Regulations Governing the Furnishing of Water and/or Wastewater Service to Consumers, adopted by Resolution No. 99-56 on October 13, 1999, and any subsequent resolutions or amendments thereto.

BE IT FURTHER RESOLVED, that Sections 21D, 21E and 21F of Article III of the Rules and Regulations Governing the Furnishing of Water and/or Wastewater Service to Consumers, attached hereto and made a part hereof, is hereby approved by the Board of Directors and shall become effective immediately.

BE IT FURTHER RESOLVED, that the Board of Directors authorizes the General Manager to enter into and execute customer Foreclosure Abatement agreements.

BE IT FURTHER RESOLVED, that the remainder of the Rules and Regulations Governing the Furnishing of Water and/or Wastewater Service to Consumers adopted December 7, 1954, and thereafter amended shall remain in full force and effect.

PASSED AND ADOPTED this 21st day of May 2008, by the following vote:

AYES: Directors Rich, Underhill, McCartney, Rich, and Dean

NOES: None

ABSTAIN: None


ABSENT: None

CALAVERAS COUNTY WATER DISTRICT



Robert T. Dean
Board President

ATTEST:



Mona Walker
Clerk to the Board

