

**ORDINANCE NO. 18-03**

**AN ORDINANCE OF THE BOARD OF DIRECTORS OF  
RAINBOW MUNICIPAL WATER DISTRICT  
PROVIDING FOR CONDITIONAL RELIEF OF MONTHLY SERVICE FEES FOR ELIGIBLE  
VICTIMS OF THE LILAC FIRE OF DECEMBER 2017**

**WHEREAS**, On December 7, 2017 the Lilac Fire devastated certain portions of the District's service area; and

**WHEREAS**, hundreds of structures were lost including homes, outbuildings, and 76 homes in the Rancho Monserate Country Club mobile home park, and

**WHEREAS**, the residents of these homes will face a long process of recovery and reconstruction; and

**WHEREAS**, during this period of recovery many residents will have no use of their properties, including the water or sewer service; and

**WHEREAS**, under State law the Board of Directors is not required to waive monthly service fees under such conditions but as a response to public requests the Board has decided to take action; and

**WHEREAS**, any revenue losses associated with this program will be made up with alternative revenue sources such as property tax revenue, thereby avoiding any conflicts of this action with the requirements of Proposition 218 and Article XIII of the California Constitution.

**NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF DIRECTORS OF RAINBOW MUNICIPAL WATER DISTRICT AS FOLLOWS:**

1. The Board of Directors hereby directs the Staff of the District to implement a conditional monthly fee waiver program for eligible victims of the Lilac Fire. Application forms conforming to this Ordinance shall be developed by District staff within two weeks of the date of this Ordinance.
2. The fee waiver program is conditional based on the following:
  - a) The applicant for relief has a complete loss of use of the water service or wastewater service to the property. District staff will confirm the losses of any applicant.
  - b) The applicant will certify in writing that they do not have insurance coverage for these losses.
  - c) The applicant agrees to have their water service locked off during the duration of the relief period.
  - d) In the case of the Rancho Monserate mobile home park, both the individual homeowners and the Homeowner's Association must certify that there will be no insurance coverage for the monthly service charges.
  - e) Any applicant agrees that should insurance cover these charges at some later date that they will remit the charges to the District in the same amount as would have been charged normally.

3. This fee waiver program will be in effect immediately with eligible victims of the Lilac Fire to receive relief retroactively to December 7, 2017.
4. This fee waiver program will expire after the June 2018 billing period unless the applicant applies for an extension to be granted by the Board of Directors.

**PASSED AND ADOPTED** at a regular meeting of the Board of Directors of Rainbow Municipal Water District held on the 27<sup>th</sup> day of February 2018 by the following roll call vote, to wit:

AYES: Directors Brazier, Gasca, Hamilton, Mack, and Stewart  
NOES: None  
ABSENT: None  
ABSTAIN: None

  
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Helene Brazier, Board President

ATTEST:  
  
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Dawn Washburn, Board Secretary