

RESOLUTION NO. 23-04

**RESOLUTION OF THE BOARD OF DIRECTORS
OF THE RAINBOW MUNICIPAL WATER DISTRICT
FIXING THE TIME AND PLACE OF HEARING
AND MEETING ON PROPOSED WATER AVAILABILITY CHARGES
FOR IMPROVEMENT DISTRICT NO. 1**

WHEREAS, Sections 54954.6 of the Government Code provides for public hearings prior to adoption of new or increased taxes or assessments; and

WHEREAS, Section 71630 of the Water Code authorizes the Board of Rainbow Municipal Water District to establish in each fiscal year water standby assessments or water availability charges in any portion of the District to which water is made available by the District, whether water is actually used or not; and

WHEREAS, Section 71631.5 of the Water Code provides that the standby assessment of availability charge for an improvement district shall not exceed \$30 per acre per year for each acre of land on which the charge is levied or \$30 per year for a parcel less than one acre; and

WHEREAS, Section 71632 of the Water Code provides that the ordinance fixing a standby assessment or availability charge may be adopted by the Board only after adoption of a resolution setting forth the particular schedule or schedules of charges or assessments proposed to be established by the ordinance and after hearing on said resolution; and

WHEREAS, information and matters have been presented to, and considered by, the Board of Directors regarding the existence, location and financial requirements of the system making water available to lands within Improvement District No. 1; and

WHEREAS, it is deemed necessary and desirable by the Board of Directors that water availability charges be levied on lands within Improvement District No. 1, and that said water availability charges shall be uniform through said areas;

NOW, THEREFORE, IT IS HEREBY RESOLVED, DETERMINED AND ORDERED, by the Board of Directors of the Rainbow Municipal Water District as follows:

1. That the schedule of water availability charges proposed to be established for all areas within Improvement District No. 1 for the fiscal year 2023-2024 shall be as follows:

For each separately assessed parcel of land of one acre or more in size: \$10.54 for each acre and for each fractional part of an acre.

For each separately assessed parcel of land less than one acre in size: \$10.54.

2. That the Charges shall be fixed in said amounts for parcels of land as shown on the last equalized assessment roll of the County of San Diego, State of California. Said charges shall be collected in the same form and manner as county taxes are collected for the fiscal year 2023-2024. Said charges shall be a lien upon the property and shall be of the same force and effect as other liens for taxes and their collection, may be enforced by the same means as provided for the enforcement of liens for state and county taxes.

3. That a public hearing before the Board of Directors of Rainbow Municipal Water District shall be held at 1:00 p.m. on Tuesday, June 27, 2023 at the office of the District, 3707 Old Highway 395, Fallbrook California, 92028 for the purpose of considering the adoption of an Ordinance which will fix and establish said water availability charges.
4. That the Secretary shall cause a notice of the time and place of the hearing to be given by publishing a notice in a newspaper of general circulation, printed, and published within the county, once a week for two successive weeks. Such publication shall occur once a week or oftener, with at least five days intervening between the respective publication dates not counting such publication dates. The period of notice commences upon the first day of publication and terminates at the end of the fourteenth day, including therein the first day.
5. That the Secretary has caused written notice of the hearing to be mailed, as required by law, to each person to whom a parcel of real property described in the proposed charge is assessed on the last equalized assessment roll. Such notice shall be mailed to the address shown on the last equalized assessment roll or such other address known to the Secretary.
6. That at the time stated in the notice, the Board of Directors shall hear and consider all objections or protests, if any, to this Resolution and may continue the hearing from time to time. Upon the conclusion of the hearing, the Board of Directors may adopt, revise, change, reduce, or modify an assessment or charge, or overrule any or all objections.

PASSED AND ADOPTED at a meeting of the Board of Directors of the Rainbow Municipal Water District held on the 28th day of February 2023 by the following vote, to wit:

AYES:	Directors Gasca, Hamilton, Mack, Moss, and Townsend-Smith
NOES:	None
ABSENT:	None
ABSTAIN:	None



 Hayden Hamilton, Board President

ATTEST:



 Dawn M. Washburn, Board Secretary

This Resolution supersedes Resolution No. 22-05 passed and adopted on February 22, 2022.