

**CITY OF SAN BUENAVENTURA
VENTURA WATER RULES AND REGULATIONS**

RULE 2018-003

**BILLING POLICY IN RESPONSE TO THE
THOMAS FIRE DISASTER**

WHEREAS, Under authority contained in California Government Code Sections 8610 and 8634 and San Buenaventura Municipal Code Section 2.370.050, the City of San Buenaventura, on December 4, 2017, declared the existence of a local emergency due to the Thomas Fire disaster; and,

WHEREAS, Under Division 22 – Public Utilities of the San Buenaventura Municipal Code, I am empowered to prescribe rules and regulations of general application relating to, among other things, the conditions of service, the application for service, and administration and interpretation of rates; and,

WHEREAS, Under conditions of the disaster, many Ventura Water customers experienced irregularly high water usage during the applicable billing period of the disaster; and,

WHEREAS, in Rule 2018-001, I established an initial billing policy as a result of the disaster, in order for those impacted by the disaster to be billed equitably, while ensuring that all usage is captured for data reporting purposes; and,

WHEREAS, on January 30, 2018, the City Council held a special meeting with the formal agenda item “Consideration of Policy Options for Billing Adjustments for Water Use related to the Thomas Fire,” and adopted the following motion:

- a. Based on applications submitted on the Ventura Water form, lower the adjustment threshold for the November 2017 – January 2018 billing cycle only, to the average over the previous two years for customers in Ventura Water Billing Zones 4, 5, 6 & 7 and also within the mandatory evacuation area for the Thomas Fire. Those customers will be provided with a credit on future bills for any costs above and beyond their 2-year average.

- b. This water bill adjustment will not count towards the one-time billing adjustment allowed for customers every five years.
- c. Direct staff to come back to Council with funding options including general funds and federal and state reimbursement opportunities.
- d. Include to the Ventura Water application form a statement “There is a possibility that these costs may be covered by the homeowners’ insurance policy due to the Thomas Fire.”
- e. Direct staff to come back to Council with waiving the \$52 “New Service Initiation Fee” for when homes have been rebuilt, considering compliance with Proposition 218.
- f. Direct staff to report back to Council on the number of forms/claims received, approved for this adjustment and progress.

WHEREAS, pursuant to the adopted City Council motion, I established Rule 2018-002, which provided an additional billing policy as a result of the disaster, in order for those impacted by the disaster to be billed equitably, while ensuring that all usage is captured for data reporting purposes; and,

WHEREAS, Under conditions of the disaster, some Ventura Water customers’ pool water was used to fight the fire, and later refilling of the pool caused irregularly high water usage during the applicable billing period; and,

WHEREAS, I am establishing the following billing policy as a result of the disaster, in order for those impacted by the disaster to be billed equitably, while ensuring that all usage is captured for data reporting purposes.

THEREFORE, I, Kevin Brown, as Ventura Water General Manager, hereby establish the following policy, due to the conditions of the disaster:

Section 1: Customers are eligible for a billing adjustment if they can attest or provide evidence that their pool water was used for fighting the fire, they refilled the pool after the applicable billing period for Rule 2018-002, and the refilling caused the customer’s bill to exceed the premises’ billing average for the previous twelve billing cycles (i.e., the premises’ two-year billing average). Customers who received a billing adjustment under Rule 2018-002 can receive an additional billing adjustment under this rule if they are eligible. Customers are

ineligible if they cannot attest or provide evidence that their pool water was used for fighting the fire. Customers who think they are eligible shall request an application for a billing adjustment to Ventura Water and Ventura Water shall provide the form.

Section 2: For applicants who meet the criteria for an adjustment, their account shall be issued a one-time billing adjustment credit on a future bill, which shall be calculated as any costs the account was billed for the applicable billing cycle when the customer's pool was refilled, beyond the premises' billing average for the previous twelve billing cycles (i.e., the premises' two-year billing average).

Section 3: Ventura Water staff shall make a record of all credits issued pursuant to this billing adjustment policy.

Section 4: Any credits issued pursuant to this billing adjustment policy shall not apply to the premises' eligibility for a billing adjustment every five years pursuant to Administrative Policy and Procedure 30.2.

13 Dec 2018
Date


Kevin Brown
Ventura Water General Manager