

**Before the Board of Supervisors of the Water Resources Agency  
in and for the County of Monterey, State of California**

**Resolution No: 10 – 187**

A Resolution of the Board of Supervisors of the Monterey )  
County Water Resources Agency levying water delivery )  
charges in Zone 2B for Fiscal Year 2010-2011 to pay costs )  
associated with the Castroville Seawater Intrusion Project )  
and the Salinas Valley Reclamation Project pursuant to )  
Ordinance 3789. )

**WHEREAS**, On November 8, 1994, the Board of Supervisors enacted Ordinance No. 3789, entitled “AN ORDINANCE OF THE MONTEREY COUNTY WATER RESOURCES AGENCY ESTABLISHING WATER DELIVERY CHARGES FOR MCWRA ZONE 2B, AND FOR PROVIDING FOR ANNUAL LEVY AND COLLECTION OF SAID CHARGES”; and,

**WHEREAS**, In said ordinance, the Board authorized and directed the levy of water delivery charges in Zone 2B to pay for the projects now known as the Castroville Seawater Intrusion Project and the Salinas Valley Reclamation Project; and,

**WHEREAS**, The financing needs of the two projects now require that the water delivery charges be levied in Zone 2B in fiscal year 2010-2011.

**NOW, THEREFORE BE IT RESOLVED that:**

Section 1. Levy of Water Delivery Charges in Zone 2B. Pursuant to MCWRA Ordinance No. 3789, the Board of Supervisors of the MCWRA hereby confirms a water delivery charge in Zone 2B and sets the amount at \$ 5.50 per acre-foot of water delivered for fiscal year 2010-2011.

Section 2. Collection of Water Delivery Charges in Zone 2B. Water delivery charges will be collected in accordance with the procedures outlined in Ordinance No. 3789. The Monterey Regional Pollution Control Agency, which operates and maintains the Castroville Seawater Intrusion Project, will collect the water delivery charges for fiscal year 2010-2011.

Section 3. Collection of charges as a lien on the property. Procedures outlined in Section 10 of Ordinance No. 3789 will be used for the collection of charges as a lien on the property.

Section 4. Permissible use of the revenues. The revenues from water delivery charges shall be used exclusively to pay any costs of the Castroville Seawater Intrusion Project and the Salinas Valley Reclamation Project, which projects supply irrigation water to MCWRA Zone 2B. These costs include but are not limited to the costs of planning, development, acquisition, construction, operation, and maintenance of the projects, and including capital costs and the retirement of indebtedness incurred in connection with the projects.

Section 5. Pursuant to Sections 12(h) and 23 of the Agency Act, the water service charge shall be a lien on the property to which the water is delivered. Liens for the charges shall be of the same force and effect as other liens for taxes, and their collection may be enforced by the same means for the enforcement of liens for state and county taxes.

Section 6. Severability. If any section, subsection, sentence, clause, or phrase of this resolution is for any reason held to be invalid, such decision shall not affect the validity of the remaining portions of this resolution. The Board of Supervisors hereby declares that it would have passed this resolution and each section, subsection, sentence, clause, and phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses, or phrases be declared invalid.

PASSED AND ADOPTED on this 15<sup>th</sup> day of June, 2010, upon motion of Supervisor Calcagno, seconded by Supervisor Armenta, by the following vote, to-wit:

AYES: Supervisors Armenta, Calcagno, Salinas, Parker, Potter  
NOES: None  
ABSENT: None

I, Gail T. Borkowski, Clerk of the Board of Supervisors of the County of Monterey, State of California, hereby certify that the foregoing is a true copy of an original order of said Board of Supervisors duly made and entered in the minutes thereof of Minute Book 75 for the meeting on June 15, 2010.

Dated: June 29, 2010

Gail T. Borkowski, Clerk of the Board of Supervisors  
County of Monterey, State of California

By   
Deputy