

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

Resolution No: 10 – 188

A Resolution of the Board of Supervisors of the Monterey)
County Water Resources Agency for levying water Services)
charges in Zone 2B for Fiscal Year 2010-2011 to cover the)
operations and maintenance costs for the Salinas River)
Diversion Facility per Board approval of Engineers report and)
Proposition 218 protest hearing.)

WHEREAS, On January 29, 2008, the Board of Supervisors approved the enactment of a water service charge of \$66.23/AF for the operations and maintenance of the Salinas River Diversion Facility with the charge to be increased annually for inflation based on the Consumer Price Index for the first five years, and thereafter based on an evaluation by the Monterey County Water Resources Agency, and

WHEREAS, The first full year of operations will require the full \$66.23/AF,

WHEREAS, The financing needs of the Salinas River Diversion Facility now require that the water service charges be levied in Zone 2B in fiscal year 2010-11.

NOW, THEREFORE BE IT RESOLVED that:

Section 1. Levy of Water Service Charge in Zone 2B. Pursuant to Board of Supervisors Board Order, the Board of Supervisors of the Monterey County Water Resources Agency, hereby confirms a water service charge in Zone 2B and sets the amount at \$66.23 per acre-foot of water delivered through the Castroville Seawater Intrusion Project delivery system for fiscal year 2010-2011 based on a successful Proposition 218 vote in January of 2008.

Section 2. Collection of Water Service Charge in Zone 2B. Water service charges will be collected for Monterey County Water Resources Agency by the Monterey Regional Pollution Control Agency, which operates and maintains the Castroville Seawater Intrusion Project for the Agency.

Section 3. Permissible use of the revenues. The revenues from the water service charge shall be used exclusively to pay the costs of operations and maintenance of the Salinas River Diversion Facility.

Section 4. 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 5. 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 15th 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

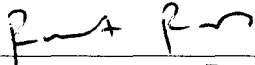
NOES: None

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