

**MONTEREY COUNTY WATER RESOURCES AGENCY
BOARD OF SUPERVISORS**

Resolution No. 05-192

A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE MONTEREY COUNTY WATER RESOURCES AGENCY LEVYING OF WATER DELIVERY CHARGES IN ZONE 2B FOR FISCAL YEAR 2005-2006 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 2005-2006.

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 levies a water delivery charge in Zone 2B and sets the amount at \$17.14 per acre-foot of water delivered for fiscal year 2005-2006.

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 entity, which operates and maintains the Castroville Seawater Intrusion Project will be the responsible agency for collection of the water delivery charges.

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.

Resolution No. 05-192

Page 2

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, including but 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. 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 upon motion of Supervisor Calcagno, seconded by Supervisor Lindley, and carried this 21st day of June, 2005 by the following vote, to wit:

AYES: Supervisors Calcagno, Lindley, and Smith


NOES: None

ABSENT: Supervisors Armenta and Potter

I, Lew C. Bauman, 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 Minute Book 72, on June 21, 2005.

Dated: August 10, 2005

Lew C. Bauman, Clerk of the Board of Supervisors,
County of Monterey, State of California.

By 
Cynthia Juarez, Deputy