

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

MCWRA ZONES 2Y, 2Z & 2B

Resolution No. _____

A Resolution of the Board of Supervisors of the Monterey County)
Water Resources Agency (MCWRA) to:)

- a. Adopt a resolution approving the FY 2024-25 cost-of living)
adjustment (COLA) increase of 2.4% to assessments of Zones 2B,)
2Y and 2Z for the Castroville Seawater Intrusion Project (CSIP))
and the Salinas Valley Reclamation Project (SVRP), to the water)
delivery charge for the CSIP and SVRP and to the water service)
charge of Zone 2B for the Salinas River Diversion Facility (SRDF);)
and)
b. Approve and adopt the FY 2024-25 Zone 2B water delivery)
fee of \$45.24 per acre-foot of water delivered.)

WHEREAS, on October 6, 1992, the Board of Supervisors of the Monterey County Water Resources Agency (“Board”) enacted Ordinance Nos. 3635 and 3636, which require the adoption of annual resolutions by the Board to continue the assessments, the water delivery fee, and the water service charge for the projects now known as the CSIP, the SVRP and the SRDF;

WHEREAS, in said Ordinances, the Board authorized and directed the levy of assessments, the water service charge assessments, and the water delivery fee within Zones 2Y, 2Z, and 2B to pay for the CSIP, SVRP and SRDF;

WHEREAS, Ordinance Nos. 3635 and 3636, and Resolution 10-188 stipulate the assessment rates be increased annually as a cost-of-living adjustment (COLA) by the annual change of Consumer Price Index (CPI) of the San Francisco Bay Area measured February-February of the next year;

WHEREAS, the Fiscal Year 2024-25 assessments, water service charge assessment, and the water delivery fee will increase by the San Francisco, Oakland, San Jose Urban Consumer Price Index (“CPI”)/COLA of 2.4%;

WHEREAS, the Fiscal Year 2024-25 water delivery fee will be \$45.24 per acre-foot of water delivered to pay for increased operations and maintenance including increased utility and chemical costs of the CSIP and SVRP operations;

WHEREAS, any and all adjustments to the water delivery fee reflect no more than the actual and reasonable cost of the service or benefit received by the payor and burdened on MCWRA. Any discount applicable to these surcharges have a de minimus impact on the MCWRA budget and implementation of that discount does not result in increased fees or costs for other patrons; and

WHEREAS, by definition, the water delivery fee not a ‘tax’ and is exempt from voter approval pursuant to Article XIII C section 1(e)(1)-(3) and (5) of the California Constitution (Prop. 26; charges imposed for specific benefit conferred/privilege/service or product, reasonable regulatory costs provided or granted to the payor, and/or fines and/or penalties).

NOW, THEREFORE, BE IT RESOLVED that:

Section 1. Increase of Assessments in Zones 2Y and 2Z. Pursuant to Monterey County Water Resources Agency (“MCWRA”) Ordinance Nos. 3635 and 3636, assessments for the fiscal year July 1, 2024 through June 30, 2025 are hereby increased on all property in the categories described below and located in Zones 2Y and 2Z of the Monterey County Water Resources Agency.

ZONE 2Y BENEFIT ASSESSMENTS				
Fiscal Year	2023-2024		2024-2025	
Factor	Parcel Count	Charge Per Acre	Parcel Count	Charge Per Acre
A	51,397	\$ 4.00	52,195	\$ 4.09
B	4,629	\$ 34.99	4,632	\$ 35.83
C	4,379	\$ 0.42	3,668	\$ 0.43
D	266	\$ -	265	\$ -
H	1,113	\$ 1.73	1,110	\$ 1.78
Total:	61,366		61,870	
A = Irrigated Agricultural (North Valley), Residential (1-4 units) B = Industrial, Apartments (over 4 units), Commercial, Institutional C = Dry Farm, Grazing, Vacant D = River Channels and Lands Subject to Frequent Flooding H = Irrigated Agricultural (South Valley)				

ZONE 2Z BENEFIT ASSESSMENTS				
Fiscal Year	2023-2024		2024-2025	
Factor	Parcel Count	Charge Per Acre	Parcel Count	Charge Per Acre
A	51,396	\$ 12.18	52,194	\$ 12.47
B	4,627	\$ 106.09	4,630	\$ 108.64
C	4,381	\$ 1.31	3,670	\$ 1.34
D	266	\$ -	265	\$ -
H	1,113	\$ 5.45	1,110	\$ 5.58
Total:	61,783		61,869	
A = Irrigated Agricultural (North Valley), Residential (1-4 units) B = Industrial, Apartments (over 4 units), Commercial, Institutional C = Dry Farm, Grazing, Vacant D = River Channels and Lands Subject to Frequent Flooding H = Irrigated Agricultural (South Valley)				

Section 2. Increase of Assessments Zone 2B. Pursuant to MCWRA Ordinance Nos. 3635 and 3636, assessments and Resolution 00-172 Clarifying Implementation of Ordinances 3635, 3636, and 3789 for water delivery and service charges for Fiscal Year July 1, 2024 through June 30, 2025 are hereby increased on all property in the categories described below and located in Zone 2B of the Monterey County Water Resources Agency.

ZONE 2B BENEFIT ASSESSMENTS				
Fiscal Year	2023-2024		2024-2025	
Factor	Parcel Count	Charge Per Acre	Parcel Count	Charge Per Acre
A	195	\$ 347.11	195	\$ 355.44
B	0	\$ -	0	\$ -
C	0	\$ -	0	\$ -
D	0	\$ -	0	\$ -
H	0	\$ -	0	\$ -
Total:	195		195	
A = Net Irrigated Agricultural (vicinity of Castroville) B = Industrial, Apartments (over 4 units), Commercial, Institutional C = Dry Farm, Grazing, Vacant D = River Channels and Lands Subject to Frequent Flooding H = Irrigated Agricultural (South Valley)				

WATER DELIVERY & SERVICE CHARGES		
Fiscal Year	2023-2024	2024-2025
Water Delivery Charge	\$37.24	\$45.24
Water Service Charge	\$84.22	\$86.24
Total:	\$121.46	\$131.48

Section 3. North-south dividing line. The dividing line between north Salinas Valley and south Salinas Valley, for the purpose of determining assessments for irrigated agricultural uses, generally follows the centerlines of Gloria Road, U.S. Highway 101, and Gonzales River Road, between the eastern and western boundaries of Zone 2A, and is more particularly described in Resolution No. 92-364, adopted by the Board of Supervisors on July 21, 1992. A map of the dividing line is on file in the office of the Clerk to the Board of Supervisors.

Section 4. Exclusions. The assessments shall not apply to any property exempt by law from the payment of local assessments.

Section 5. Parcel list. On or before August 1, 2024, the General Manager of the Agency shall furnish in writing to the County Auditor a description of each parcel of land within Zones 2Y, 2Z, and 2B upon which an assessment is to be levied and collected under this resolution for the Fiscal Year 2024-25 together with the amount of the assessment fixed on each parcel of land.

Section 6. Collection of assessments. All County of Monterey officers charged with the duty of collecting taxes shall collect MCWRA assessments and fees with the regular tax payments to the County. The assessments shall be collected in the same form and manner as county taxes are collected and shall be paid to the MCWRA.

Section 7. Lien on property. The benefit assessments fixed herein shall be a lien on all property against which the assessments are imposed. Liens for the assessments 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.

Section 8. Use of proceeds. The assessments collected pursuant to this resolution shall be used exclusively to pay the costs of the Castroville Seawater Intrusion Project and the Salinas Valley Reclamation Project, including, but not limited to, the costs of planning, design, property acquisition, construction, operation and maintenance, and debt service.

Section 9. Certified copies. The Secretary of the MCWRA shall deliver certified copies of this resolution to the Board of Supervisors of Monterey County and to the Auditor of Monterey County.

Section 10. 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 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 _____, seconded by Supervisor _____, and carried this _____ day of _____, 2024, by the following vote, to wit:

AYES:

NOES:

ABSENT:

I, Valerie Ralph 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 ___ for the meeting on _____.

Dated:

Valerie Ralph, Clerk of the Board of Supervisors
County of Monterey, State of California

By _____
Deputy