

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

Resolution No. 11-239

A Resolution of the Board of Supervisors of the Monterey)
County Water Resources Agency levying water)
delivery charges in Zone 2B for Fiscal Year 2011-2012)
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 2011-2012.

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 2011-2012. The delivery charge was reduced to for reduced electrical costs resulting from decreased supplemental well pumping.

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 2011-2012.

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 upon motion of Supervisor Calcagno, seconded by Supervisor Salinas, and carried this 14th day of June, 2011 by the following vote, to wit:

AYES: Supervisors Armenta, Calcagno, Salinas, and Parker

NOES: None

ABSENT: Supervisor Potter

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 14, 2011.

Dated: June 29, 2011

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

By Denise Hancock
Deputy

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

Resolution No. 11- 209

A Resolution of the Board of Supervisors of the Monterey)
County Water Resources Agency for levying water)
Service's charges in Zone 2B for Fiscal Year 2011-2012)
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 2011-2012.

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 2011-2012 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.

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AYES: Supervisors Armenta, Calcagno, Salinas, and Parker

NOES: None

ABSENT: Supervisor Potter

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 14, 2011.

Dated: June 17, 2011

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

By 
Deputy

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

Resolution No. 11-208

A Resolution of the Board of Supervisors of the Monterey)
County Water Resources Agency levying assessments in)
Zones 2Y, 2Z, and 2B for the Fiscal Year 2011-2012 to pay)
costs associated with the Castroville Seawater Intrusion)
Project and the Salinas Valley Reclamation Project,)
pursuant to Ordinance Nos. 3635 and 3636.....)

WHEREAS, On October 6, 1992, the Board of Supervisors enacted Ordinance No. 3635, entitled "AN ORDINANCE OF THE MONTEREY COUNTY WATER RESOURCES AGENCY CONFIRMING APPROVAL OF THE CASTROVILLE IRRIGATION SYSTEM (A SEPARATE PROJECT WITHIN THE SALINAS VALLEY SEAWATER INTRUSION PROGRAM) FOR THE BENEFIT OF ZONES 2A AND 2B, ESTABLISHING ZONE 2B AS A BENEFIT ZONE FOR THE PROJECT, AND APPROVING ASSESSMENTS TO BE LEVIED IN ZONES 2Y, 2Z, AND 2B FOR SUCH PROJECT", and Ordinance No. 3636, entitled "AN ORDINANCE OF THE MONTEREY COUNTY WATER RESOURCES AGENCY CONFIRMING APPROVAL OF THE WASTEWATER RECLAMATION SYSTEM (A SEPARATE PROJECT WITHIN THE SALINAS VALLEY SEAWATER INTRUSION PROGRAM) FOR THE BENEFIT OF ZONES 2Y, 2Z, AND 2B, AND APPROVING ASSESSMENTS TO BE LEVIED IN ZONES 2Y AND 2Z, AND 2B FOR SUCH PROJECT"; and,

WHEREAS, In said ordinances, the Board authorized and directed the levy of assessments in Zones 2Y, 2Z, and 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 assessments be levied in Zones 2Y, 2Z, and 2B in Fiscal Year 2011-2012,

NOW, THEREFORE, BE IT RESOLVED that,

Section 1. Levy of Assessments in Zones 2Y, 2Z, and 2B. Pursuant to MCWRA Ordinance Nos. 3635 and 3636, assessments for the Fiscal Year July 1, 2011, through June 30, 2012, are hereby levied on all property in the categories described below located in Zones 2Y, 2Z, and 2B of the Monterey County Water Resources Agency, at the charge per acre set forth for the land use categories specified, as follows:

<u>Land Use</u>	<u>Charge Per Acre</u>		
	<u>Zone 2Y</u>	<u>Zone 2Z</u>	
	<u>Ord 3635</u>	<u>Ord 3636</u>	<u>Total</u>
	\$3.04	\$9.26	\$12.30

<u>Land Use</u>	<u>Charge Per Acre</u>		
Irrigated agricultural land, north valley			
Irrigated agricultural land, south valley	\$1.32	\$4.13	\$5.45
Residential (1-4 units)	\$3.04	\$9.26	\$12.30
Apartments (over 4 units), commercial, and institutional land	\$26.59	\$80.61	\$107.20
Industrial land	\$26.59	\$80.61	\$107.20
Dry farm, grazing, and vacant land	\$0.32	\$1.00	\$1.32
River channels and lands subject to frequent flooding	\$0.00	\$0.00	\$0.00

Parcels less than 1 acre in size in each of the above categories will be charged at the rate for one acre in that category.

Section 2. Levy of Assessments Zone 2B. Pursuant to MCWRA Ordinance Nos. 3635 and 3636, assessments for the Fiscal Year July 1, 2011, through June 30, 2012, are hereby levied on all property in the categories described below located in Zone 2B of the Monterey County Water Resources Agency, at the charge per net irrigated acre per parcel set forth for the land use categories specified, as follows:

<u>Land Use</u>	<u>Charge Per Acre Zone 2B</u>		
	<u>Ord 3635</u>	<u>Ord 3636</u>	<u>Total</u>
Irrigated agricultural land per net irrigated acre	\$203.39	\$60.35	\$263.74

Section 3. North-South Dividing Line. The dividing line between north valley and south 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 assessment shall not apply to any property exempt by law from the payment of local assessments.

Section 5. Parcel List. On or before August 1, 2011, 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 2011-2012 together with the amount of the assessment fixed on each parcel of land.

Section 6. Collection of Assessments. All county officers charged with the duty of collecting taxes shall collect MCWRA assessments 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 assessment is 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 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.

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AYES: Supervisors Armenta, Calcagno, Salinas, and Parker

NOES: None

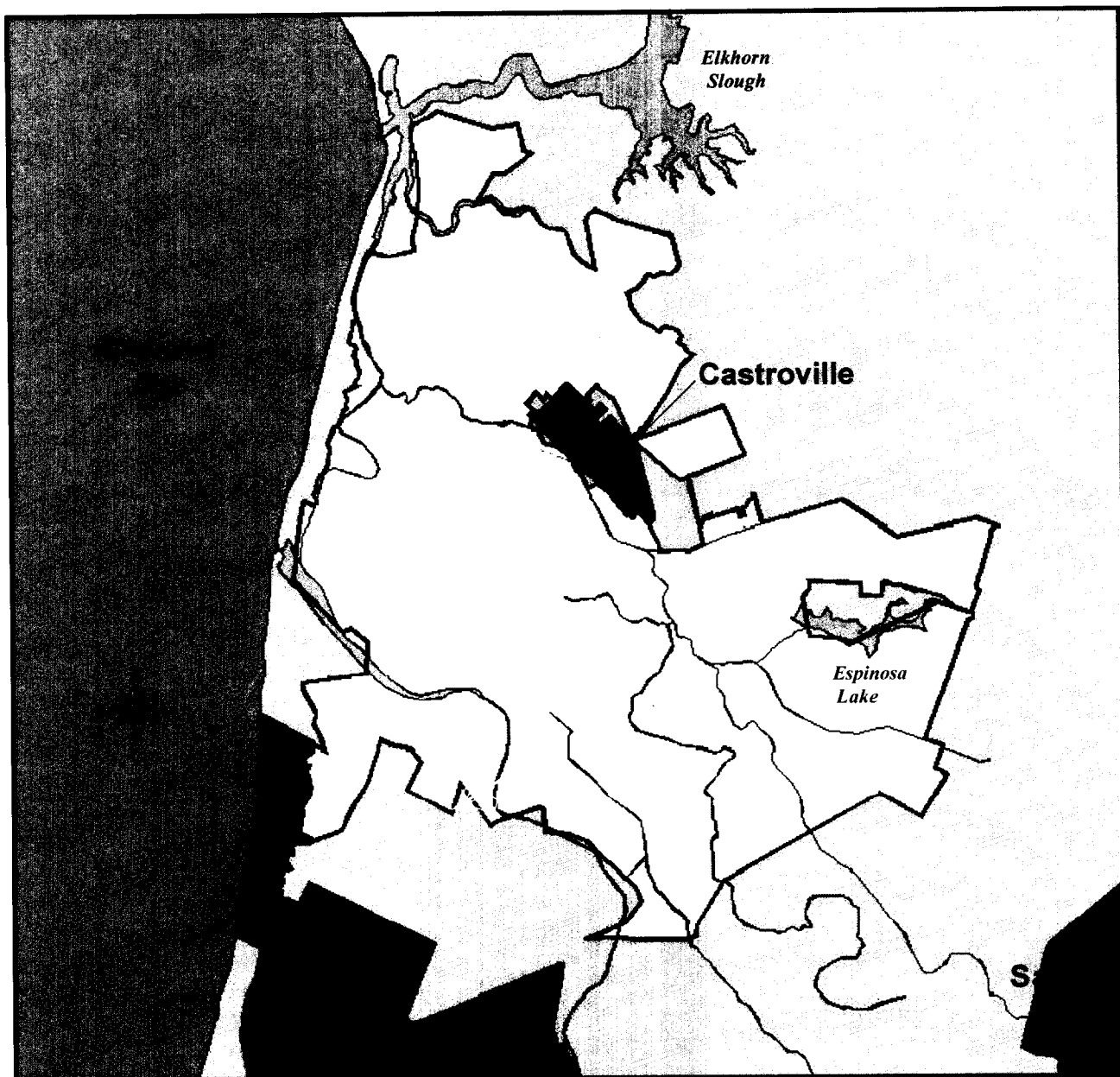
ABSENT: Supervisor Potter

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Dated: June 17, 2011

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

By Denise Hancock
Deputy



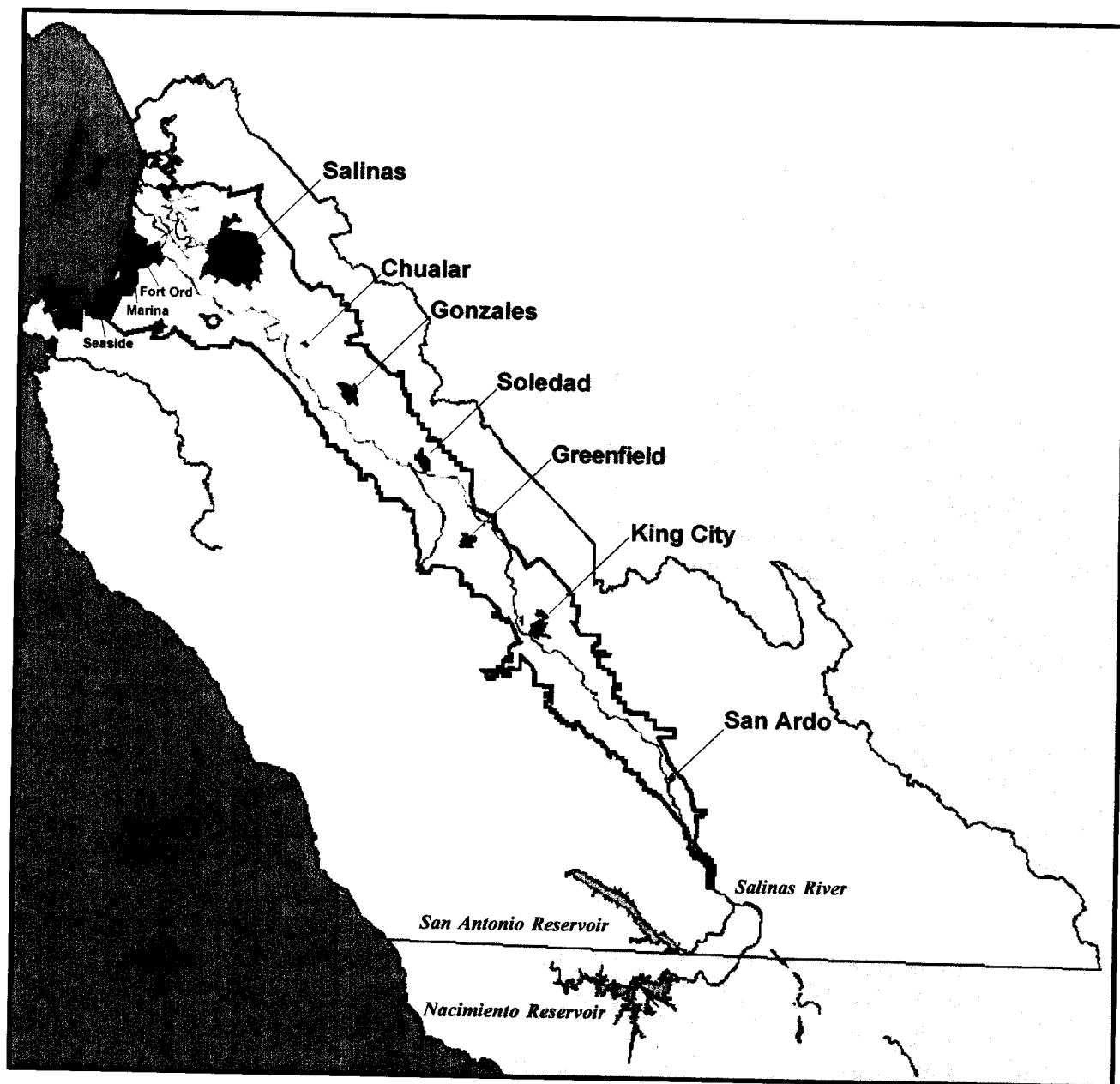
ZONE 2B

Monterey County Water Resources Agency

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(831)755-4860 / Fax: (831)424-7935

<http://www.mcwra.co.monterey.ca.us>



ZONES 2Y/2Z

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