

# **ATTACHMENT 5**

Before the Board of Supervisors in and for the County of Monterey, State of California

- a. Authorize the additional expenditure of \$50,000 from the County's Capital Projects Fund 402 to Aromas Water District to finalize preparations for the creation of an assessment district and conduct of a Proposition 218 majority protest procedure for the connection of Oak Ridge Mutual Water Company and a portion of Via Del Sol Drive Area to the Aromas Water System;
- b. Transfer \$50,000 from County Capital Projects Fund 402, Unit 8174, Account 7521, Buildings and Improvements to Account 7201, Contributions to Other Agencies;
- c. Authorize the RMA Director to execute an amendment No. 1 to the Agreement with the Aromas Water District outlining the Agreement Terms for Funding of specified work and repayment via successful Proposition 218 Assessment District;
- d. Consider the Mitigated Negative Declaration approved by the Aromas Water District for this project in taking the actions set forth above, and find on the basis of the whole record that there is no substantial evidence that the project will have a significant effect on the environment with implementation of mitigation measures; and,
- e. Authorize, should Assessment District fail, the County funds provided to Aromas Water District will be deemed a County Contribution without repayment.

Upon motion of Supervisor Salinas, seconded by Supervisor Armenta, and carried by those members present, the Board hereby;

- a. Authorized the additional expenditure of \$50,000 from the County's Capital Projects Fund 402 to Aromas Water District to finalize preparations for the creation of an assessment district and conduct of a Proposition 218 majority protest procedure for the connection of Oak Ridge Mutual Water Company and portion of Via Del Sol Drive Area to the Aromas Water System;
- b. Transferred \$50,000 from County Capital Projects Fund 402, Unit 8174, Account 7521, Buildings and Improvements to Account 7201, Contributions to Other Agencies;
- c. Authorized the RMA Director to execute an amendment No. 1 to Agreement with the Aromas Water District outlining the Agreement Terms for Funding of specified work and repayment via successful Proposition 218 Assessment District;

- d. Considered the Mitigated Negative Declaration approved by the Aromas Water District for this project in taking the actions set forth above, and finds on the basis of the whole record that there is no substantial evidence that the project will have a significant effect on the environment with implementation of mitigation measures; and,
- e. Authorized, should Assessment District fail, the County funds provided to Aromas Water District will be deemed a County Contribution without repayment.

PASSED AND ADOPTED on this 27<sup>th</sup> day of March 2012, by the following vote, to-wit:

AYES: Supervisors Armenta, Calcagno, Salinas, Parker, and 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 76 for the meeting on March 27, 2012.

Dated: March 29, 2012

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

By *Denise Hancock*  
Deputy