Resolution No. 01-175

A RESOLUTION OF THE BOARD OF
SUPERVISORS OF THE MONTEREY
COUNTY WATER RESOURCES AGENCY
LEVYING ASSESSMENTS IN ZONES 2Y,
2Z, AND 2B FOR THE YEAR 2001-2002
TO PAY COSTS ASSOCIATED WITH THE
CASTROVILLE SEAWATER INTRUSION
PROJECT AND THE SALINAS VALLEY
RECLAMATION PROJECT, PURSUANT TO
ORDINANCE NO. 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 ZONE 2Y, 2Z, AND 2B, AND APPROVING ASSESSMENTS TO BE LEVIED IN ZONE 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 2001-2002,

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, 2001, through June 30, 2002 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:
### Section 2. Levy of Assessments Zone 2B
Pursuant to MCWRA Ordinance Nos. 3635 and 3636, assessments for the fiscal year July 1, 2001, through June 30, 2002, 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:

<table>
<thead>
<tr>
<th>Land Use</th>
<th>Ord 3635</th>
<th>Ord 3636</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>Irrigated agricultural land, north valley</td>
<td>$2.53</td>
<td>$7.70</td>
<td>$10.23</td>
</tr>
<tr>
<td>Irrigated agricultural land, south valley</td>
<td>$1.11</td>
<td>$3.42</td>
<td>$4.53</td>
</tr>
<tr>
<td>Residential (1-4 units)</td>
<td>$2.53</td>
<td>$7.70</td>
<td>$10.23</td>
</tr>
<tr>
<td>Apartments (over 4 units), commercial, and institutional land</td>
<td>$22.09</td>
<td>$66.96</td>
<td>$89.05</td>
</tr>
<tr>
<td>Industrial land</td>
<td>$22.09</td>
<td>$66.96</td>
<td>$89.05</td>
</tr>
<tr>
<td>Dry farm, grazing, and vacant land</td>
<td>$0.27</td>
<td>$0.83</td>
<td>$1.10</td>
</tr>
<tr>
<td>River channels and lands subject to frequent flooding</td>
<td>$0.00</td>
<td>$0.00</td>
<td>$0.00</td>
</tr>
</tbody>
</table>

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 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, 2001, 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 2001-2002 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.

PASSED AND ADOPTED upon motion of Supervisor Pannycook, seconded by Supervisor Potter, and carried this 1st day of May, 2001, by the following vote, to wit:

AYES: Supervisors Armenta, Pannycook, Johnsen and Potter

NOES:

ABSTAIN:

ABSENT:

I, SALLY R. REED, 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 at page of Minute Book 70, on__May 1, 2001.

Date: 5/1/01

By Carolyn Hernandez, Clerk of the Board of Supervisors, County of Monterey, State of California