



## ORDINANCE NO. 2010-03

### AN ORDINANCE OF THE BOARD OF DIRECTORS OF THE PAJARO VALLEY WATER MANAGEMENT AGENCY AMENDING THE EFFECTIVE DATE OF ORDINANCE NO. 2010-01 (DELIVERED WATER CHARGES) TO COINCIDE WITH ORDINANCE NO. 2010-02 (AUGMENTATION CHARGES)

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BE IT ORDAINED by the Board of Directors of the Pajaro Valley Water Management Agency as follows:

**Section 1. Purpose and Authority.** The purpose of this ordinance is to amend the effective date of Ordinance No 2010-01, adopted on June 16, 2010, and which, pursuant to Section 7 of said ordinance, specifies an effective date “on the first day of the month after the adoption of the ordinance”, to coincide with the effective date of Ordinance No. 2010-02, adopted on May 19, 2010, and which an effective date “on the first day of the month after the election results are declared by the Agency Board of Directors.” This ordinance is adopted pursuant to California Constitution Article XIII D, section 6, Pajaro Valley Water Management Agency Act sections 102, 501, 703, 704, 711 and 714, and other applicable law.

**Section 2. Findings.** The Board of Directors finds and determines as follows:

a. On June 16, 2010, the Agency Board of Directors adopted Ordinance No. 2010-01 “AN ORDINANCE OF THE PAJARO VALLEY WATER MANAGEMENT AGENCY ADJUSTING DELIVERED WATER CHARGES.” Section 7 of Ordinance No. 2010-01 specifies an effective date “on the first day of the month after adoption of the ordinance.”

b. On May 19, 2010, the Agency Board of Directors adopted Ordinance No. 2010-02 “AN ORDINANCE OF THE PAJARO VALLEY WATER MANAGEMENT AGENCY ADJUSTING GROUNDWATER AUGMENTATION CHARGES.” Section 8 of Ordinance No. 2010-02 specifies an effective date “on the first day of the month after the election results are declared by the Agency Board of Directors.”

c. The Agency Board of Directors hereby finds and determines that to ensure equitable and consistent application of groundwater and delivered water charges through the Agency, it is necessary to amend Ordinance No. 2010-01 so that its effective date coincides with the effective date of Ordinance No. 2010-02.

**Section 3. Amendment to Delivered Water Charge Ordinance.** The effective date of Ordinance No. 2010-01 shall correspond with the effective date of Ordinance No. 2010-02. All other provisions of Ordinance No. 2010-01 shall remain in full force and effect.

**Section 3. Severability.** The provisions of this ordinance are severable, and the invalidity, unenforceability or unconstitutionality of any section, portion or part of this ordinance shall not affect the validity of the remainder of the ordinance.

**Section 4. Effective Date.** This ordinance take effect immediately upon its adoption.

**Section 8. Posting/Publication.** Within 15 days after its passage, the Agency Secretary shall cause this ordinance, or a summary thereof, to be published at least once, with the names of those directors voting for and against the ordinance, in a newspaper of general circulation published and circulated in the Agency.

**PASSED AND ADOPTED** by the Board of Directors of the Pajaro Valley Water Management Agency on this 18<sup>th</sup> day of August, 2010, by the following vote:

**AYES: Imazio, Cavanaugh, Eiskamp, Dobler, Osmer, Koenig**  
**NOES: None**  
**ABSTAIN: None**  
**ABSENT: None**

By: Rosemarie A. Imazio  
Rosemarie Imazio, Chair

Attest:

Veronica Barboza  
Veronica Barboza, Secretary