

**RESOLUTION 8487**

RESOLUTION OF THE BOARD OF DIRECTORS OF  
THE METROPOLITAN WATER DISTRICT  
OF SOUTHERN CALIFORNIA CONSENTING TO  
THE ANNEXATION OF ANNEXATION NO. 32  
UPON CONCURRENT ANNEXATION  
TO CALLEGUAS MUNICIPAL WATER DISTRICT  
AND FIXING THE TERMS AND CONDITIONS OF SAID  
ANNEXATION TO THE METROPOLITAN WATER DISTRICT OF  
SOUTHERN CALIFORNIA

A. WHEREAS, the Board of Directors of Calleguas Municipal Water District (Calleguas), a municipal water district, situated in the County of Ventura, State of California, pursuant to Resolution No. 1011, adopted November 1, 1995, in accordance with the provisions of the Metropolitan Water District Act, has applied to the Board of Directors of The Metropolitan Water District of Southern California (Metropolitan) for consent to annex thereto certain inhabited territory situated in the County of Ventura, particularly described in an attachment to the Ventura Local Agency Formation Commission resolution adopted November 15, 1995, concurrently with the annexation thereof to Calleguas, such annexation to Metropolitan to be upon such terms and conditions as may be fixed by the Board of Directors of Metropolitan; and

B. WHEREAS, on November 15, 1995, the Ventura Local Agency Formation Commission approved the proposed annexation, by Resolution No. 95-8; and

C. WHEREAS, the proposed annexation is categorically exempt (Class 19) from the provisions of the California Environmental Quality Act because it consists of an area containing existing structures developed to the density allowed by the current zoning; and

D. WHEREAS, it appears to this Board of Directors that such application should be granted, subject to the terms and conditions hereinafter set forth.

NOW, THEREFORE, BE IT RESOLVED, that the Board of Directors of Metropolitan considered the information relative to this proposed annexation; and subject to the following terms and conditions, does hereby grant the application of the governing body of Calleguas for consent to annex Annexation No. 32 to Metropolitan and does hereby fix the terms and conditions of such annexation:

Section 1.

The annexation of said area to Calleguas shall be made concurrently with the annexation thereof to Metropolitan, and all necessary certificates, statements, maps, and other documents required to be filed by or on behalf of Calleguas to effectuate the annexation shall be filed on or before December 31, 1996.

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Section 2.

Prior to filing a request for a Certificate of Completion of the annexation proceedings with the Ventura Local Agency Formation Commission or concurrently therewith the following must be complied with:

(a) Calleguas shall pay to Metropolitan, in cash the sum of \$1,206,744.39;  
and

(b) Metropolitan shall receive from Port Hueneme Water Agency (Agency) full conveyance of the right to take and use 1,850 AFY of State Water Project Entitlement and the fixed State Water Project costs (as described below) for the Entitlement will continue to be paid annually by that Agency, pursuant to its contractual arrangements with other entities, and said conveyance and payment terms shall be contained in an agreement(s) acceptable to Metropolitan and approved by the State Department of Water Resources.

Fixed State Water Project Costs:

- (1) Capital Cost Component of Transportation Charge;
- (2) Minimum OMP&R Component of Transportation Charge;
- (3) Minimum OMP&R Component of Transportation Charge (off aqueduct power facilities);
- (4) Variable OMP&R Component of Transportation Charge;
- (5) Total Delta Water Charge (only capital portion used); and
- (6) Water System Revenue Bond Surcharge;

Section 3.

In consideration of the negotiated annexation fee, the annexing territory will not be eligible for participation in Metropolitan's local storage or resource programs, unless otherwise specifically approved in writing by Metropolitan, and specifically the currently planned groundwater desalination plant shall not be eligible for such programs.

Section 4.

A minimum of 1,850 AFY of Metropolitan water (fiscal year July 1 to June 30) must be purchased by Calleguas for use within the annexing territory. If the annexing territory fails to take and purchase said minimum amount, it shall pay for that amount as if it were taken, unless that failure was due to Metropolitan's request or inability to deliver that minimum amount.

Section 5.

(a) The Naval Construction Battalion Center and the Naval Air Weapons Station territories have not been assessed an annexation fee at this time. However, upon any part or all of any Navy property leaving Federal ownership, the then current annexation charge attributable to that property will be paid forthwith, and all aspects relating to

annexations contained in Metropolitan's Administrative Code at that time must be complied with and adhered to; and

(b) The Naval Construction Battalion Center and the Naval Air Weapons Station territories, so as long as Federally-owned, shall not be entitled to the delivery of more than 1,000 AFY each of Metropolitan water (fiscal year July 1 to June 30) during Federal ownership and thereafter until payment of the applicable annexation fees.

Section 6.

(a) Metropolitan shall be under no obligation to provide, construct, operate, or maintain feeder pipelines, structures, connections, and other facilities required for the delivery of water to said area from works owned or operated by Metropolitan;

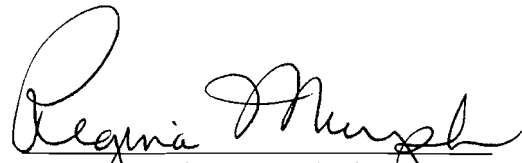
(b) Calleguas shall not be entitled to demand that Metropolitan deliver water to Calleguas for use, directly or indirectly, within said area, except for domestic or municipal use therein;

(c) The delivery of all water by Metropolitan, regardless of the nature and time of use of such water, shall be subject to regulations promulgated from time to time by Metropolitan; and

(d) Except upon the terms and conditions specifically approved by the Board of Directors of Metropolitan, water sold and delivered by Metropolitan shall not be used in any manner which intentionally or avoidably results in the direct or indirect benefit of areas outside Metropolitan, including use of such water outside Metropolitan or use thereof within Metropolitan in substitution for other water outside Metropolitan.

BE IT FURTHER RESOLVED that the Executive Secretary be, and she hereby is, directed to transmit forthwith to the governing body of Calleguas a certified copy of this resolution.

I HEREBY CERTIFY, that the foregoing resolution was adopted by the Board of Directors of The Metropolitan Water District of Southern California on December 12, 1995.

  
Secretary of the Board of Directors  
of The Metropolitan Water District  
of Southern California