

**RESOLUTION 9161**

**RESOLUTION OF THE BOARD OF DIRECTORS OF  
THE METROPOLITAN WATER DISTRICT OF SOUTHERN CALIFORNIA  
CONSENTING TO SAN DIEGO COUNTY WATER AUTHORITY'S  
MEADOWOOD ANNEXATION  
AND FIXING THE TERMS AND CONDITIONS OF SAID ANNEXATION TO  
THE METROPOLITAN WATER DISTRICT OF SOUTHERN CALIFORNIA**

A. WHEREAS, the Board of Directors of the San Diego County Water Authority (SDCWA), a municipal water district, situated in the county of San Diego, state of California, pursuant to Resolution No. 2013-15, 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 uninhabited territory situated in the county of San Diego referred to as Meadowood Annexation, more particularly described in an application to the San Diego County Local Agency Formation Commission (LAFCO), concurrently with the annexation thereof to SDCWA, 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, completion of said annexation shall be conditioned upon approval by LAFCO; and

C. WHEREAS, pursuant to the provisions of the California Environmental Quality Act (CEQA) county of San Diego, acting as the Lead Agency, certified an Environmental Impact Report (EIR) and Mitigation Monitoring and Reporting Program (MMRP) on January 11, 2012 for the proposed annexation process (also known as Meadowood Master Planned Community Project). Also pursuant to CEQA, Metropolitan, as Responsible Agency, is required to certify that it has reviewed and considered the information in the EIR and MMRP and adopt the Lead Agency's findings prior to approval of the formal terms and conditions for the Meadowood Specific Plan; 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; and

E. NOW, THEREFORE, BE IT RESOLVED, that the Board of Directors of Metropolitan, acting as Responsible Agency, has reviewed and considered the information in the EIR and MMRP and adopts the Lead Agency's findings prior to approval of the formal terms and conditions for the Meadowood Specific Plan; and subject to the following terms and conditions, does hereby grant the application of the governing body of county of San Diego for consent to annex the Meadowood Specific Plan to Metropolitan and does hereby fix the terms and conditions of such annexation:

F. BE IT FURTHER RESOLVED that the Board of Directors of Metropolitan, subject to the following terms and conditions, does hereby grant the application of the governing body of SDCWA for consent of Meadowood Annexation to Metropolitan and does hereby fix the terms and conditions of such annexation:

**Section 1.** The annexation of said area to SDCWA 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 SDCWA to effectuate the annexation shall be filed on or before December 31, 2015.

**Section 2.** Prior to filing a request for a Certificate of Completion of the annexation proceedings with LAFCO, SDCWA shall submit a certified copy of LAFCO's resolution approving the annexation to the member agency, and shall pay to Metropolitan in cash approximately \$1,172,420, if the annexation is completed by December 31, 2013. The annexation fee of \$5,000 for processing this annexation was received prior to approval. The annexation charge is calculated by the per-acre method based on the net acreage. If the annexation is completed during the 2014 calendar year, the annexation charge was calculated based on the then-current rate, in accordance with Metropolitan's Administrative Code Section 3300.

**Section 3.** 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. SDCWA shall not be entitled to demand that Metropolitan deliver water to SDCWA 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 the water service regulations, including rates promulgated from time to time by Metropolitan.

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.

G. BE IT FURTHER RESOLVED that the Board Executive Secretary is directed to transmit forthwith to the governing body of SDCWA a certified copy of this resolution.

I HEREBY CERTIFY that the foregoing is a full, true, and correct copy of a resolution adopted by the Board of Directors of The Metropolitan Water District of Southern California at its meeting held September 10, 2013.

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