

**RESOLUTION 9170**

**RESOLUTION OF THE BOARD OF DIRECTORS OF  
THE METROPOLITAN WATER DISTRICT OF SOUTHERN CALIFORNIA  
CONSENTING TO CALLEGUAS MUNICIPAL WATER DISTRICT'S  
ANNEXATION NO. 98  
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 Calleguas Municipal Water District (Calleguas), a municipal water district, situated in the county of Ventura, state of California, pursuant to Resolution No. 1808, 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 Ventura referred to as Annexation No. 98, more particularly described in an application to the Ventura County Local Agency Formation Commission (LAFCO), 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, 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), city of Oxnard, acting as Lead Agency, and a subagency to Calleguas Municipal Water District, certified the East Village Phase III Annexation Project (Project) Final Environmental Impact Report (Final EIR), adopted the Findings of Fact (Findings), Statement of Overriding Considerations (SOC), and Mitigation Monitoring and Reporting Program (MMRP) and approved the Project on May 7, 2013, for the development of the proposed annexation parcel, and Metropolitan, as Responsible Agency under CEQA, is required to certify that it has reviewed and considered the information contained in the Final EIR and MMRP, and adopt the Lead Agency's findings and SOC prior to approval of the formal terms and conditions for Annexation No. 98; 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 Final EIR, findings, SOC, and MMRP and adopted the Lead Agency's Findings and SOC prior to approval of the final terms and conditions for Annexation No. 98; and subject to the following terms and conditions, does hereby grant the application of the governing body of Calleguas Municipal Water District for consent to annex Annexation No. 98, 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 Calleguas for consent of Annexation No. 98 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, 2016.

**Section 2.** Prior to filing a request for a Certificate of Completion of the annexation proceedings with LAFCO, Calleguas shall submit a certified copy of LAFCO's resolution approving the annexation to the member agency, and shall pay to Metropolitan in cash approximately \$487,059.66, if the annexation is completed by December 31, 2014. 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 will be 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.

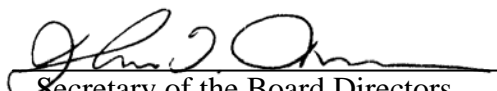
b. Calleguas shall not be entitled to demand that Metropolitan deliver water to Calleguas for use, directly or indirectly, within said area, except for domestic or municipal use therein.

c. The delivery of all water by Metropolitan, regardless of the nature and time of use of such water shall be subject to 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 Calleguas 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 March 11, 2014.

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