

# AGENDA ITEM 5



## STAFF REPORT

TYPE MEETING:	Regular Board	MEETING DATE:	May 6, 2015
		PROJECT:	DIV. NO. All
SUBMITTED BY:	Rita Bell, Finance Manager		
APPROVED BY:	<input checked="" type="checkbox"/> Joseph R. Beachem, Chief Financial Officer <input checked="" type="checkbox"/> German Alvarez, Assistant General Manager <input checked="" type="checkbox"/> Mark Watton, General Manager		
SUBJECT:	Resolutions as Required by the Water Code and Government Code, to Confirm the Exclusion of Parcels from Water Improvement Districts (ID) 1,2,3,5,7,9,10 and 20 and Annexations into ID 22; and Sewer IDs 4 and 14 and Annexations into ID 18		

### **GENERAL MANAGER'S RECOMMENDATION:**

That the Board approve the attached Resolution Nos. 4268, 4269, 4270, 4271, 4272, 4273, 4274, 4275, 4276 and 4277, which are necessary to complete the process for the exclusion of parcels within Water Improvement Districts (IDs) 1,2,3,5,7,9,10 and 20 and Sewer IDs 4 and 14. Concurrent with said action, that the Board also approve the attached Resolutions Nos. 4278, 4279, 4280, 4281, 4282, 4283, 4284, 4285, 4286 and 4287, which are necessary to complete the process for the annexation of the excluded parcels in Water IDs 1,2,3,5,7,9,10 and 20 into ID 22; and Sewer IDs 4 and 14 into ID 18.

### **PURPOSE:**

That the Board authorize and confirm the exclusion of parcels within Water Improvement Districts (IDs) 1,2,3,5,7,9,10 and 20 and Sewer IDs 4 and 14 and the annexation of those parcels into Water ID 22 and Sewer ID 18, respectively.

### **ANALYSIS:**

On March 4, 2015 the Board took action on the first of two steps to complete this consolidation, declaring its intention to exclude and subsequently annex certain parcels and initiating the process to do so. The Board then directed staff to move forward with the

consolidation process. Staff has published and posted the resolutions as required by statute, from April 20, 2015 through May 7, 2015. Therefore, the Board has the ability to confirm the exclusions and annexations at this Board meeting, provided there are not written protests filed by the holders of title of one-half of the value of the territory proposed to be annexed. The exclusions and the annexations will then become effective on July 1, 2015.

The availability fees are identical between Water IDs 1,2,3,5,7,9,10,20 and 22; except for 62 parcels within ID 1; and 6 parcels within ID 5; and identical between Sewer IDs 4, 14 and 18. Therefore, staff has determined there is no longer a reason to separate these parcels. This will streamline the accounting and tracking of these parcels within the District's various information systems.

Because the proposed consolidation technically imposes a "new" charge on customers, to be in compliance with the Proposition 218 requirements, notices were sent to all customers within these IDs to inform them of their option to protest the consolidation of IDs. The required public hearing will take place at the May 6, 2015 Board meeting.

Staff has completed the required publication and posting per Government Code section 6066 and Water Code sections 72084, 72707, and 72703. Having complied with such requirements, this second set of resolutions is being presented to confirm the exclusions and annexations. A subsequent action will request that Water IDs 1, 2,3,5,7,9,10 and 20, and Sewer IDs 4 and 14 be dissolved effective July 1, 2015.

**FISCAL IMPACT:**             Joe Beachem, Chief Financial Officer

It is estimated that there will be savings to the District of 118 staff hours estimated at a cost of \$17,057. Additionally, the increase in the availability fees collected in IDs 1 and 5 would be approximately \$5,888 should none of the parcels qualify for the newly allowed exemptions.

**STRATEGIC GOAL:**

Through well-established financial policies and wise management of funds, the District will continue to guarantee fiscal responsibility to its ratepayers and the community at large.

**LEGAL IMPACT:**

None.

Attachments:

- A) Committee Action
- B) Water ID Consolidation Map
- C) Sewer ID Consolidation Map
- D) Resolution No. 4268
  - Exhibit A - Legal Description ID 1
- E) Resolution No. 4269
  - Exhibit A - Legal Description ID 2
- F) Resolution No. 4270
  - Exhibit A - Legal Description ID 3
- G) Resolution No. 4271
  - Exhibit A - Legal Description ID 5
- H) Resolution No. 4272
  - Exhibit A - Legal Description ID 7
- I) Resolution No. 4273
  - Exhibit A - Legal Description ID 9
- J) Resolution No. 4274
  - Exhibit A - Legal Description ID 10
- K) Resolution No. 4275
  - Exhibit A - Legal Description ID 20
- L) Resolution No. 4276
  - Exhibit A - Legal Description ID 4
- M) Resolution No. 4277
  - Exhibit A - Legal Description ID 14
- N) Resolution No. 4278
  - Exhibit A - Legal Description ID 1
- O) Resolution No. 4279
  - Exhibit A - Legal Description ID 2
- P) Resolution No. 4280
  - Exhibit A - Legal Description ID 3
- Q) Resolution No. 4281
  - Exhibit A - Legal Description ID 5
- R) Resolution No. 4282
  - Exhibit A - Legal Description ID 7
- S) Resolution No. 4283
  - Exhibit A - Legal Description ID 9
- T) Resolution No. 4284
  - Exhibit A - Legal Description ID 10
- U) Resolution No. 4285
  - Exhibit A - Legal Description ID 20
- V) Resolution No. 4286
  - Exhibit A - Legal Description ID 4
- W) Resolution No. 4287
  - Exhibit A - Legal Description ID 14



## ATTACHMENT A

<b>SUBJECT/PROJECT:</b>	Resolutions as Required by the Water Code and Government Code, to Confirm the Exclusion of Parcels from Water Improvement Districts (ID) 1,2,3,5,7,9,10 and 20 and Annexations into ID 22; and Sewer IDs 4 and 14 and Annexations into ID 18
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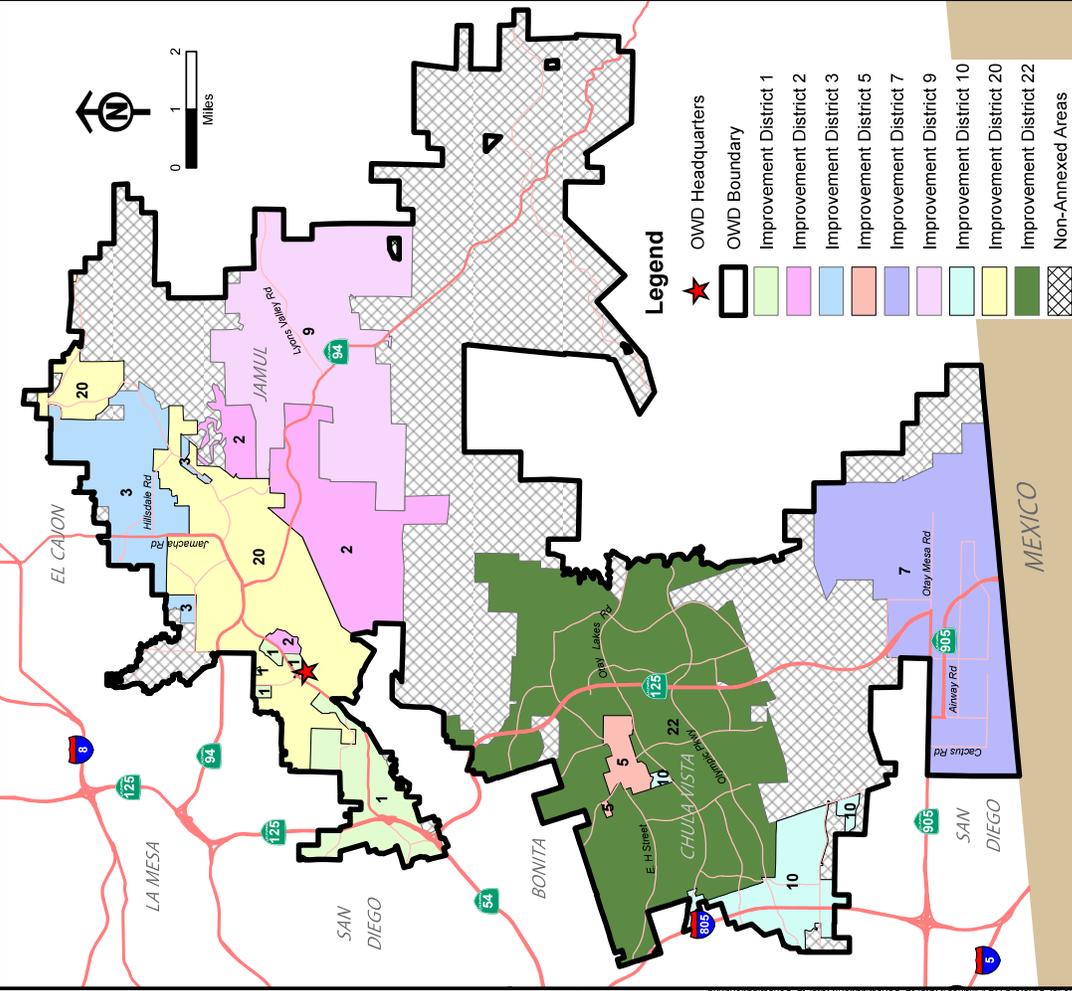
### COMMITTEE ACTION:

The Finance, Administration and Communications Committee recommend that the Board adopt the attached Resolution Nos. 4268, 4269, 4270, 4271, 4272, 4273, 4274, 4275, 4276 and 4277, which are necessary to complete the process for the exclusion of parcels within Improvement Districts (IDs) 1,2,3,5,7,9,10 and 20; and Sewer IDs 4 and 14. Concurrent with said action, that the Board also approve the attached Resolutions Nos. 4278, 4279, 4280, 4281, 4282, 4283, 4284, 4285, 4286 and 4287, which are necessary to complete the process for the annexation of the excluded parcels in water IDs 1,2,3,5,7,9,10 and 20 into ID 22; and Sewer IDs 4 and 14 into ID 18.

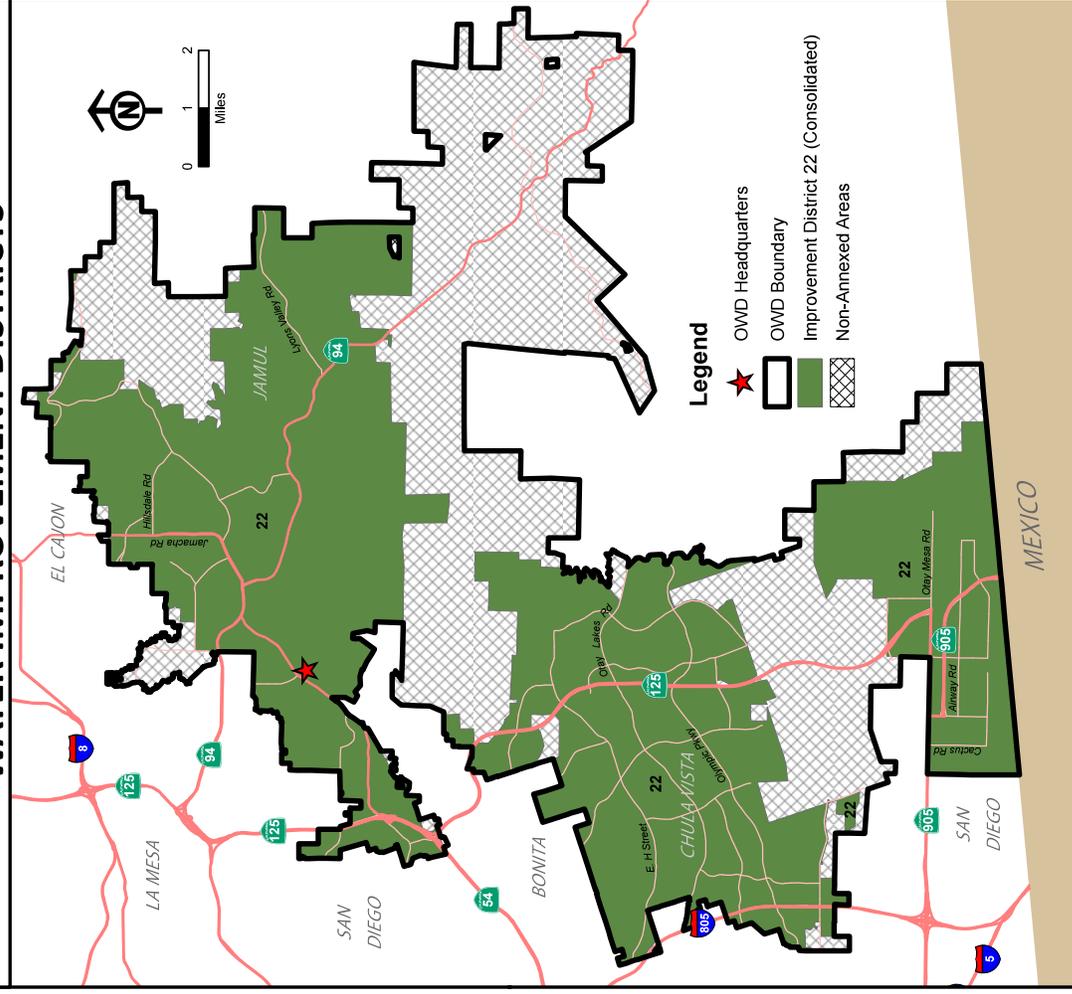
### NOTE:

The "Committee Action" is written in anticipation of the Committee moving the item forward for board approval. This report will be sent to the Board as a committee approved item, or modified to reflect any discussion or changes as directed from the committee prior to presentation to the full board.

### EXISTING WATER IMPROVEMENT DISTRICTS

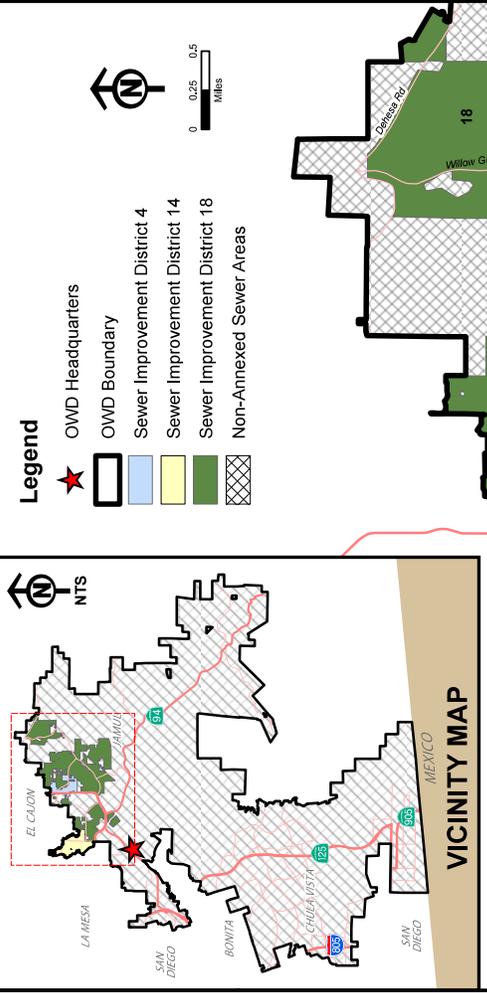


### PROPOSED CONSOLIDATION OF WATER IMPROVEMENT DISTRICTS

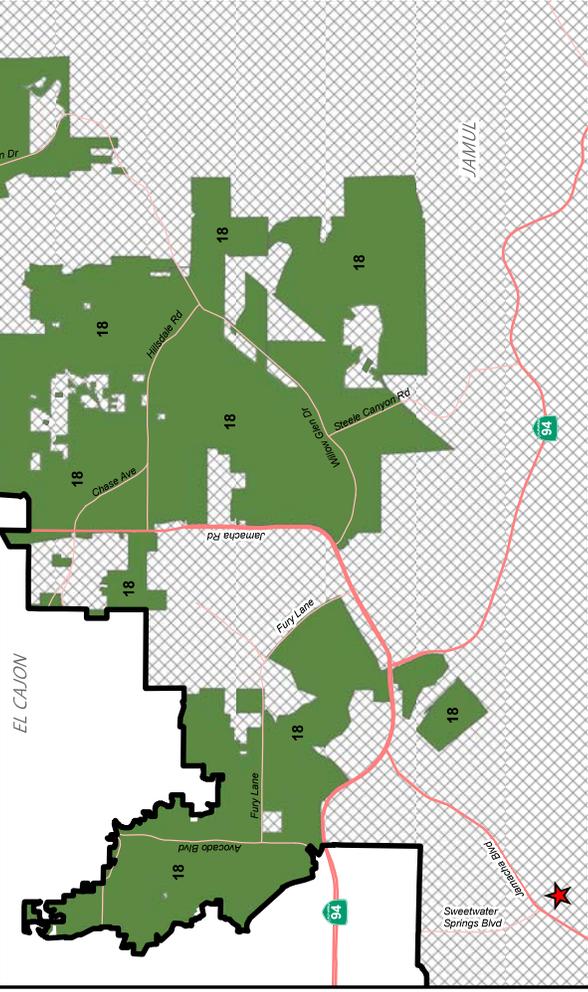
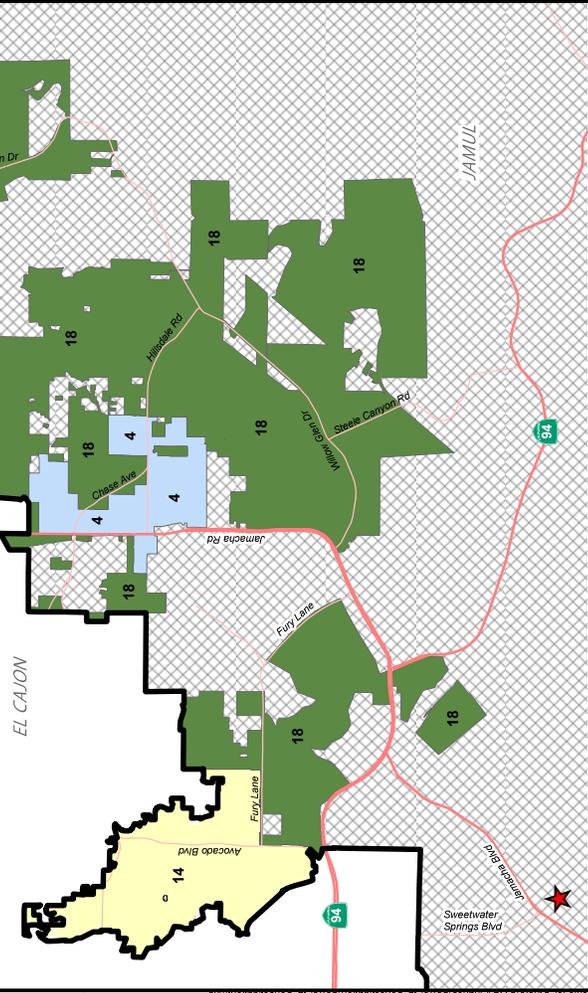
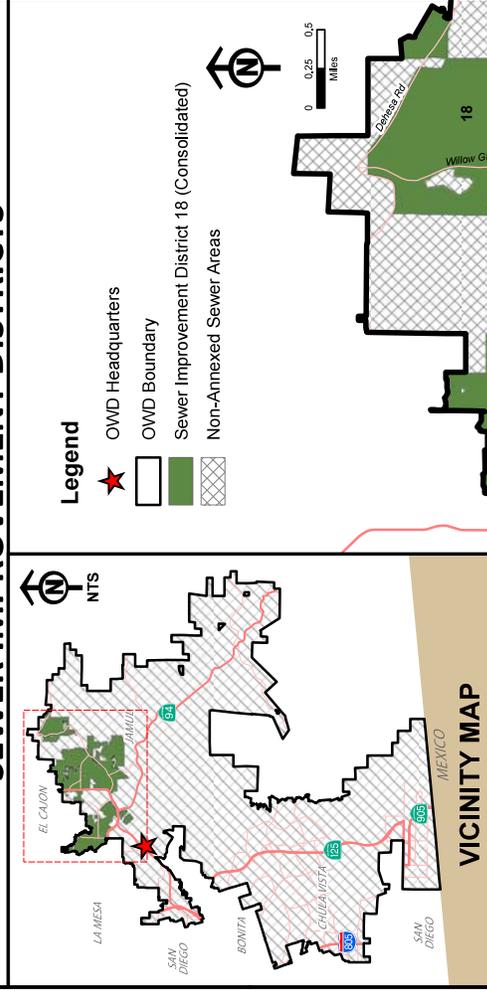


## OTAY WATER DISTRICT CONSOLIDATION OF WATER IMPROVEMENT DISTRICTS

# EXISTING SEWER IMPROVEMENT DISTRICTS



# PROPOSED CONSOLIDATION OF SEWER IMPROVEMENT DISTRICTS



# OTAY WATER DISTRICT CONSOLIDATION OF SEWER IMPROVEMENT DISTRICTS

RESOLUTION NO. 4268

RESOLUTION OF THE BOARD OF DIRECTORS  
OF OTAY WATER DISTRICT  
TO EXCLUDE PARCELS FROM  
IMPROVEMENT DISTRICT 1

WHEREAS, on January 27, 1958 by Resolution No. 32, the Otay Water District Board of Directors (“Board”) formed Improvement District (“ID”) ID 1 for the purpose of incurring necessary bonded indebtedness for the acquisition, construction and completion of water improvements and works; and

WHEREAS, on June 5, 1972 by Resolution No. 968, the Board formed ID 22 for the purpose of incurring necessary bonded indebtedness for the acquisition, construction, and completion of water improvements and works; and

WHEREAS, the availability fees are identical between IDs 1 and 22 for parcels less than one acre; however, there are 62 parcels larger than one acre in ID 1 for which the water availability fees will increase to make the fees consistent with all other parcels within IDs in the Otay Water District boundaries; and

WHEREAS, staff has determined that there is no longer a reason to separate these parcels; and

WHEREAS, on March 4, 2015 by Resolution No. 4257, the Board initiated proceedings to consolidate ID 1 into ID 22 to streamline the accounting and tracking of these parcels by declaring, by its own motion, its intention to exclude parcels in ID 1 pursuant to Water Code Sections 72080, *et seq.*, with an eye towards annexing the excluded parcels into ID 22, including ordering a public hearing on said exclusion and directing staff to provide statutorily-required notice for the hearing; and

WHEREAS, in compliance with Proposition 218, the Otay Water District held the required public hearing on the new fees for the parcels excluded from ID 1 and annexed

into ID 22 at its May 6, 2015 Board meeting, where the Board determined that there were nine protests regarding this action and approved the new fees; and

WHEREAS, on May 6, 2015 at 3:30 p.m., a hearing was held by the Board on the questions of the proposed exclusion and the effect of such exclusion upon the Otay Water District, ID 1 and the territory to be excluded, where at such time and place, any persons interested, including all persons owning property in the Otay Water District or in ID 1, were heard and allowed to appear and present any matters material to the questions set forth in the resolution of intention to exclude.

NOW, THEREFORE, BE IT RESOLVED as follows:

1. That the Board of Directors, following a public hearing on the matter, does hereby determine that it is desirable to exclude parcels within ID 1, as identified in Exhibit A, to this resolution.

2. That the exclusion of parcels within ID 1, with an eye towards annexing them to ID 22, is desirable to streamline the accounting and tracking of these parcels, given that the availability fees are identical between IDs 1 and 22.

3. That a map showing the exterior boundaries of the proposed territory to be excluded, is on file with the Secretary of the District and is available for inspection by any person or persons interested. Said map shall govern for all details as to the extent of the then existing improvement district.

4. The exclusion of parcels within ID 1 will become effective on July 1, 2015.

PASSED, APPROVED AND ADOPTED by the Board of Directors of the Otay Water District at a regular meeting held this 6<sup>th</sup> day of May, 2015.

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President

ATTEST:

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Secretary

## **EXHIBIT A**

### **CONSOLIDATION OF OTAY WATER DISTRICT WATER IMPROVEMENT DISTRICT (ID) ID 1 INTO ID 22**

#### **LEGAL DESCRIPTION**

THE TERRITORY WITHIN THE EXISTING BOUNDARIES OF OTAY WATER DISTRICT WATER IMPROVEMENT DISTRICT 1 SHALL BE EXCLUDED FROM EXISTING ID 1 AND THE EXCLUDED PARCELS SHALL BE ANNEXED INTO EXISTING ID 22. THE CONSOLIDATION OF EXISTING ID 1 INTO EXISTING ID 22 SHALL BECOME EFFECTIVE JULY 1, 2015, FOLLOWING THE OTAY WATER DISTRICT BOARD OF DIRECTORS ADOPTING RESOLUTION NO. 4268 APPROVING THE EXCLUSION OF PARCELS WITHIN ID 1.

CONTAINING 2,177 ACRES OF LAND, MORE OR LESS.

## RESOLUTION NO. 4269

RESOLUTION OF THE BOARD OF DIRECTORS  
OF OTAY WATER DISTRICT  
TO EXCLUDE PARCELS FROM  
IMPROVEMENT DISTRICT 2

WHEREAS, on June 17, 1958 by Resolution No. 4, the Otay Water District Board of Directors ("Board") formed Improvement District ("ID") 2 for the purpose of incurring necessary bonded indebtedness for the acquisition, construction and completion of water improvements and works; and

WHEREAS, on June 5, 1972 by Resolution No. 968, the Board formed ID 22 for the purpose of incurring necessary bonded indebtedness for the acquisition, construction, and completion of water improvements and works; and

WHEREAS, the availability fees are identical between IDs 2 and 22; and

WHEREAS, staff has determined that there is no longer a reason to separate these parcels; and

WHEREAS, on March 4, 2015 by Resolution No. 4248, the Board initiated proceedings to consolidate ID 2 into ID 22 to streamline the accounting and tracking of these parcels by declaring, by its own motion, its intention to exclude parcels in ID 2 pursuant to Water Code Sections 72080, *et seq.*, with an eye towards annexing the excluded parcels into ID 22, including ordering a public hearing on said exclusion and directing staff to provide statutorily-required notice for the hearing; and

WHEREAS, in compliance with Proposition 218, the Otay Water District held the required public hearing on the new fees for the parcels excluded from ID 2 and annexed into ID 22 at its May 6, 2015 Board meeting, where the Board determined that there were no protests regarding this action and approved the new fees; and

WHEREAS, on May 6, 2015 at 3:30 p.m., a hearing was held by the Board on the questions of the proposed exclusion and the effect of such exclusion upon the Otay

Water District, ID 2 and the territory to be excluded, where at such time and place, any persons interested, including all persons owning property in the Otay Water District or in ID 2, were heard and allowed to appear and present any matters material to the questions set forth in the resolution of intention to exclude.

NOW, THEREFORE, BE IT RESOLVED as follows:

1. That the Board of Directors, following a public hearing on the matter, does hereby determine that it is desirable to exclude parcels within ID 2, as identified in Exhibit A to this resolution.

2. That the exclusion of parcels within ID 2, with an eye towards annexing them to ID 22, is desirable to streamline the accounting and tracking of these parcels, given that the availability fees are identical between IDs 2 and 22.

3. That a map showing the exterior boundaries of the proposed territory to be excluded, is on file with the Secretary of the District and is available for inspection by any person or persons interested. Said map shall govern for all details as to the extent of the then existing improvement district.

4. The exclusion of parcels within ID 2 will become effective on July 1, 2015.

PASSED, APPROVED AND ADOPTED by the Board of Directors of the Otay Water District at a regular meeting held this 6<sup>th</sup> day of May, 2015.

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President

ATTEST:

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Secretary

## **EXHIBIT A**

### **CONSOLIDATION OF OTAY WATER DISTRICT WATER IMPROVEMENT DISTRICT (ID) ID 2 INTO ID 22**

#### **LEGAL DESCRIPTION**

THE TERRITORY WITHIN THE EXISTING BOUNDARIES OF OTAY WATER DISTRICT WATER IMPROVEMENT DISTRICT 2 SHALL BE EXCLUDED FROM EXISTING ID 2 AND THE EXCLUDED PARCELS SHALL BE ANNEXED INTO EXISTING ID 22. THE CONSOLIDATION OF EXISTING ID 2 INTO EXISTING ID 22 SHALL BECOME EFFECTIVE JULY 1, 2015, FOLLOWING THE OTAY WATER DISTRICT BOARD OF DIRECTORS ADOPTING RESOLUTION NO. 4269 APPROVING THE EXCLUSION OF PARCELS WITHIN ID 2.

CONTAINING 4,073 ACRES OF LAND, MORE OR LESS.

## RESOLUTION NO. 4270

RESOLUTION OF THE BOARD OF DIRECTORS  
OF OTAY WATER DISTRICT  
TO EXCLUDE PARCELS FROM  
IMPROVEMENT DISTRICT 3

WHEREAS, on November 18, 1958, the Otay Water District Board of Directors (“Board”) formed Improvement District (“ID”) 3 for the purpose of incurring necessary bonded indebtedness for the acquisition, construction and completion of water improvements and works; and

WHEREAS, on July 3, 1972 by Resolution No. 986, the Board formed ID 22 for the purpose of incurring necessary bonded indebtedness for the acquisition, construction, and completion of water improvements and works; and

WHEREAS, the availability fees are identical between IDs 3 and 22; and

WHEREAS, staff has determined that there is no longer a reason to separate these parcels; and

WHEREAS, on March 4, 2015 by Resolution No. 4249, the Board initiated proceedings to consolidate ID 3 into ID 22 to streamline the accounting and tracking of these parcels by declaring, by its own motion, its intention to exclude parcels in ID 3 pursuant to Water Code Sections 72080, *et seq.*, with an eye towards annexing the excluded parcels into ID 22, including ordering a public hearing on said exclusion and directing staff to provide statutorily-required notice for the hearing; and

WHEREAS, in compliance with Proposition 218, the Otay Water District held the required public hearing on the new fees for the parcels excluded from ID 3 and annexed into ID 22 at its May 6, 2015 Board meeting, where the Board determined that there were two protests regarding this action and approved the new fees; and

WHEREAS, on May 6, 2015 at 3:30 p.m., a hearing was held by the Board on the questions of the proposed exclusion and the effect of such exclusion upon the Otay

Water District, ID 3 and the territory to be excluded, where at such time and place, any persons interested, including all persons owning property in the Otay Water District or in ID 3, were heard and allowed to appear and present any matters material to the questions set forth in the resolution of intention to exclude.

NOW, THEREFORE, BE IT RESOLVED as follows:

1. That the Board of Directors, following a public hearing on the matter, does hereby determine that it is desirable to exclude parcels within ID 3, as identified in Exhibit "A" to this resolution.

2. That the exclusion of parcels within ID 3, with an eye towards annexing them to ID 22, is desirable to streamline the accounting and tracking of these parcels, given that the availability fees are identical between IDs 3 and 22.

3. That a map showing the exterior boundaries of the proposed territory to be excluded, is on file with the Secretary of the District and is available for inspection by any person or persons interested. Said map shall govern for all details as to the extent of the then existing improvement district.

4. The exclusion of parcels within ID 3 will become effective on July 1, 2015.

PASSED, APPROVED AND ADOPTED by the Board of Directors of the Otay Water District at a regular meeting held this 6<sup>th</sup> day of May, 2015.

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President

ATTEST:

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Secretary

## **EXHIBIT A**

### **CONSOLIDATION OF OTAY WATER DISTRICT WATER IMPROVEMENT DISTRICT (ID) ID 3 INTO ID 22**

#### **LEGAL DESCRIPTION**

THE TERRITORY WITHIN THE EXISTING BOUNDARIES OF OTAY WATER DISTRICT WATER IMPROVEMENT DISTRICT 3 SHALL BE EXCLUDED FROM EXISTING ID 3 AND THE EXCLUDED PARCELS SHALL BE ANNEXED INTO EXISTING ID 22. THE CONSOLIDATION OF EXISTING ID 3 INTO EXISTING ID 22 SHALL BECOME EFFECTIVE JULY 1, 2015, FOLLOWING THE OTAY WATER DISTRICT BOARD OF DIRECTORS ADOPTING RESOLUTION NO. 4270 APPROVING THE EXCLUSION OF PARCELS WITHIN ID 3.

CONTAINING 2,907 ACRES OF LAND, MORE OR LESS.

## RESOLUTION NO. 4271

RESOLUTION OF THE BOARD OF DIRECTORS  
OF OTAY WATER DISTRICT  
TO EXCLUDE PARCELS FROM  
IMPROVEMENT DISTRICT 5

WHEREAS, on November 28, 1960 by Resolution No. 123, the Otay Water District Board of Directors (“Board”) formed Improvement District (“ID”) ID 5 for the purpose of incurring necessary bonded indebtedness for the acquisition, construction and completion of water improvements and works; and

WHEREAS, on June 5, 1972 by Resolution No. 968, the Board formed ID 22 for the purpose of incurring necessary bonded indebtedness for the acquisition, construction, and completion of water improvements and works; and

WHEREAS, the availability fees are identical between IDs 5 and 22 for parcels less than one acre; however, there are 6 parcels larger than one acre in ID 5 for which the water availability fees will increase to make the fees consistent with all other parcels within IDs in the Otay Water District boundaries; and

WHEREAS, staff has determined that there is no longer a reason to separate these parcels; and

WHEREAS, on March 4, 2015 by Resolution No. 4260, the Board initiated proceedings to consolidate ID 5 into ID 22 to streamline the accounting and tracking of these parcels by declaring, by its own motion, its intention to exclude parcels in ID 5 pursuant to Water Code Sections 72080, *et seq.*, with an eye towards annexing the excluded parcels into ID 22, including ordering a public hearing on said exclusion and directing staff to provide statutorily-required notice for the hearing; and

WHEREAS, in compliance with Proposition 218, the Otay Water District held the required public hearing on the new fees for the parcels excluded from ID 5 and annexed

into ID 22 at its May 6, 2015 Board meeting, where the Board determined that there were no protests regarding this action and approved the new fees; and

WHEREAS, on May 6, 2015 at 3:30 p.m., a hearing was held by the Board on the questions of the proposed exclusion and the effect of such exclusion upon the Otay Water District, ID 5 and the territory to be excluded, where at such time and place, any persons interested, including all persons owning property in the Otay Water District or in ID 5, were heard and allowed to appear and present any matters material to the questions set forth in the resolution of intention to exclude.

NOW, THEREFORE, BE IT RESOLVED as follows:

1. That the Board of Directors, following a public hearing on the matter, does hereby determine that it is desirable to exclude parcels within ID 5, as identified in Attachment B to this resolution.

2. That the exclusion of parcels within ID 5, with an eye towards annexing them to ID 22, is desirable to streamline the accounting and tracking of these parcels, given that the availability fees are identical between IDs 5 and 22 for parcels less than one acre; however, there are 6 parcels larger than one acre in ID 5 for which the water availability fees will increase to make the fees consistent with all other parcels within IDs in the Otay Water District boundaries; and

3. That a map showing the exterior boundaries of the proposed territory to be excluded, is on file with the Secretary of the District and is available for inspection by any person or persons interested. Said map shall govern for all details as to the extent of the then existing improvement district.

4. The exclusion of parcels within ID 5 will become effective on July 1, 2015.

PASSED, APPROVED AND ADOPTED by the Board of Directors of the Otay Water District at a regular meeting held this 6<sup>th</sup> day of May, 2015.

\_\_\_\_\_  
President

ATTEST:

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Secretary

## **EXHIBIT A**

### **CONSOLIDATION OF OTAY WATER DISTRICT WATER IMPROVEMENT DISTRICT (ID) ID 5 INTO ID 22**

#### **LEGAL DESCRIPTION**

THE TERRITORY WITHIN THE EXISTING BOUNDARIES OF OTAY WATER DISTRICT WATER IMPROVEMENT DISTRICT 5 SHALL BE EXCLUDED FROM EXISTING ID 5 AND THE EXCLUDED PARCELS SHALL BE ANNEXED INTO EXISTING ID 22. THE CONSOLIDATION OF EXISTING ID 5 INTO EXISTING ID 22 SHALL BECOME EFFECTIVE JULY 1, 2015, FOLLOWING THE OTAY WATER DISTRICT BOARD OF DIRECTORS ADOPTING RESOLUTION NO. 4271 APPROVING THE EXCLUSION OF PARCELS WITHIN ID 5.

CONTAINING 487 ACRES OF LAND, MORE OR LESS.

## RESOLUTION NO. 4272

RESOLUTION OF THE BOARD OF DIRECTORS  
OF OTAY WATER DISTRICT  
TO EXCLUDE PARCELS FROM  
IMPROVEMENT DISTRICT 7

WHEREAS, on March 27, 1961 by Resolution No. 142, the Otay Water District Board of Directors (“Board”) formed Improvement District (“ID”) 7 for the purpose of incurring necessary bonded indebtedness for the acquisition, construction and completion of water improvements and works; and

WHEREAS, on July 3, 1972 by Resolution No. 986, the Board formed ID 22 for the purpose of incurring necessary bonded indebtedness for the acquisition, construction, and completion of water improvements and works; and

WHEREAS, the availability fees are identical between IDs 7 and 22; and

WHEREAS, staff has determined that there is no longer a reason to separate these parcels; and

WHEREAS, on March 4, 2015 by Resolution No. 4262, the Board initiated proceedings to consolidate ID 7 into ID 22 to streamline the accounting and tracking of these parcels by declaring, by its own motion, its intention to exclude parcels in ID 7 pursuant to Water Code Sections 72080, *et seq.*, with an eye towards annexing the excluded parcels into ID 22, including ordering a public hearing on said exclusion and directing staff to provide statutorily-required notice for the hearing; and

WHEREAS, in compliance with Proposition 218, the Otay Water District held the required public hearing on the new fees for the parcels excluded from ID 7 and annexed into ID 22 at its May 6, 2015 Board meeting, where the Board determined that there was one protest regarding this action and approved the new fees; and

WHEREAS, on May 6, 2015 at 3:30 p.m., a hearing was held by the Board on the questions of the proposed exclusion and the effect of such exclusion upon the Otay

Water District, ID 7 and the territory to be excluded, where at such time and place, any persons interested, including all persons owning property in the Otay Water District or in ID 7, were heard and allowed to appear and present any matters material to the questions set forth in the resolution of intention to exclude.

NOW, THEREFORE, BE IT RESOLVED as follows:

1. That the Board of Directors, following a public hearing on the matter, does hereby determine that it is desirable to exclude parcels within ID 7, as identified in Attachment B to this resolution.

2. That the exclusion of parcels within ID 7, with an eye towards annexing them to ID 22, is desirable to streamline the accounting and tracking of these parcels, given that the availability fees are identical between IDs 7 and 22.

3. That a map showing the exterior boundaries of the proposed territory to be excluded, is on file with the Secretary of the District and is available for inspection by any person or persons interested. Said map shall govern for all details as to the extent of the then existing improvement district.

4. The exclusion of parcels within ID 7 will become effective on July 1, 2015.

PASSED, APPROVED AND ADOPTED by the Board of Directors of the Otay Water District at a regular meeting held this 6<sup>th</sup> day of May, 2015.

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President

ATTEST:

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Secretary

## **EXHIBIT A**

### **CONSOLIDATION OF OTAY WATER DISTRICT WATER IMPROVEMENT DISTRICT (ID) ID 7 INTO ID 22**

#### **LEGAL DESCRIPTION**

THE TERRITORY WITHIN THE EXISTING BOUNDARIES OF OTAY WATER DISTRICT WATER IMPROVEMENT DISTRICT 7 SHALL BE EXCLUDED FROM EXISTING ID 7 AND THE EXCLUDED PARCELS SHALL BE ANNEXED INTO EXISTING ID 22. THE CONSOLIDATION OF EXISTING ID 7 INTO EXISTING ID 22 SHALL BECOME EFFECTIVE JULY 1, 2015, FOLLOWING THE OTAY WATER DISTRICT BOARD OF DIRECTORS ADOPTING RESOLUTION NO. 4272 APPROVING THE EXCLUSION OF PARCELS WITHIN ID 7.

CONTAINING 7,622 ACRES OF LAND, MORE OR LESS.

## RESOLUTION NO. 4273

RESOLUTION OF THE BOARD OF DIRECTORS  
OF OTAY WATER DISTRICT  
TO EXCLUDE PARCELS FROM  
IMPROVEMENT DISTRICT 9

WHEREAS, on July 24, 1961 by Resolution No. 153, the Otay Water District Board of Directors (“Board”) formed Improvement District (“ID”) 9 for the purpose of incurring necessary bonded indebtedness for the acquisition, construction and completion of water improvements and works; and

WHEREAS, on July 3, 1972 by Resolution No. 986, the Board formed ID 22 for the purpose of incurring necessary bonded indebtedness for the acquisition, construction, and completion of water improvements and works; and

WHEREAS, the availability fees are identical between IDs 9 and 22; and

WHEREAS, staff has determined that there is no longer a reason to separate these parcels; and

WHEREAS, on March 4, 2015 by Resolution No. 4262, the Board initiated proceedings to consolidate ID 9 into ID 22 to streamline the accounting and tracking of these parcels by declaring, by its own motion, its intention to exclude parcels in ID 9 pursuant to Water Code Sections 72080, *et seq.*, with an eye towards annexing the excluded parcels into ID 22, including ordering a public hearing on said exclusion and directing staff to provide statutorily-required notice for the hearing; and

WHEREAS, in compliance with Proposition 218, the Otay Water District held the required public hearing on the new fees for the parcels excluded from ID 9 and annexed into ID 22 at its May 6, 2015 Board meeting, where the Board determined that there was one protest regarding this action and approved the new fees; and

WHEREAS, on May 6, 2015 at 3:30 p.m., a hearing was held by the Board on the questions of the proposed exclusion and the effect of such exclusion upon the Otay

Water District, ID 9 and the territory to be excluded, where at such time and place, any persons interested, including all persons owning property in the Otay Water District or in ID 9, were heard and allowed to appear and present any matters material to the questions set forth in the resolution of intention to exclude.

NOW, THEREFORE, BE IT RESOLVED as follows:

1. That the Board of Directors, following a public hearing on the matter, does hereby determine that it is desirable to exclude parcels within ID 9, as identified in Exhibit A to this resolution.

2. That the exclusion of parcels within ID 9, with an eye towards annexing them to ID 22, is desirable to streamline the accounting and tracking of these parcels, given that the availability fees are identical between IDs 9 and 22.

3. That a map showing the exterior boundaries of the proposed territory to be excluded, is on file with the Secretary of the District and is available for inspection by any person or persons interested. Said map shall govern for all details as to the extent of the then existing improvement district.

4. The exclusion of parcels within ID 9 will become effective on July 1, 2015.

PASSED, APPROVED AND ADOPTED by the Board of Directors of the Otay Water District at a regular meeting held this 6<sup>th</sup> day of May, 2015.

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President

ATTEST:

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Secretary

## **EXHIBIT A**

### **CONSOLIDATION OF OTAY WATER DISTRICT WATER IMPROVEMENT DISTRICT (ID) ID 9 INTO ID 22**

#### **LEGAL DESCRIPTION**

THE TERRITORY WITHIN THE EXISTING BOUNDARIES OF OTAY WATER DISTRICT WATER IMPROVEMENT DISTRICT 9 SHALL BE EXCLUDED FROM EXISTING ID 9 AND THE EXCLUDED PARCELS SHALL BE ANNEXED INTO EXISTING ID 22. THE CONSOLIDATION OF EXISTING ID 9 INTO EXISTING ID 22 SHALL BECOME EFFECTIVE JULY 1, 2015, FOLLOWING THE OTAY WATER DISTRICT BOARD OF DIRECTORS ADOPTING RESOLUTION NO. 4273 APPROVING THE EXCLUSION OF PARCELS WITHIN ID 9.

CONTAINING 7,075 ACRES OF LAND, MORE OR LESS.

RESOLUTION NO. 4274

RESOLUTION OF THE BOARD OF DIRECTORS  
OF OTAY WATER DISTRICT  
TO EXCLUDE PARCELS FROM  
IMPROVEMENT DISTRICT 10

WHEREAS, on February 11, 1963 by Resolution No. 266, the Otay Water District Board of Directors (“Board”) formed Improvement District (“ID”) 10 for the purpose of incurring necessary bonded indebtedness for the acquisition, construction and completion of water improvements and works; and

WHEREAS, on July 3, 1972 by Resolution No. 986, the Board formed ID 22 for the purpose of incurring necessary bonded indebtedness for the acquisition, construction, and completion of water improvements and works; and

WHEREAS, the availability fees are identical between IDs 10 and 22; and

WHEREAS, staff has determined that there is no longer a reason to separate these parcels; and

WHEREAS, on March 4, 2015 by Resolution No. 4263, the Board initiated proceedings to consolidate ID 10 into ID 22 to streamline the accounting and tracking of these parcels by declaring, by its own motion, its intention to exclude parcels in ID 10 pursuant to Water Code Sections 72080, *et seq.*, with an eye towards annexing the excluded parcels into ID 22, including ordering a public hearing on said exclusion and directing staff to provide statutorily-required notice for the hearing; and

WHEREAS, in compliance with Proposition 218, the Otay Water District held the required public hearing on the new fees for the parcels excluded from ID 10 and annexed into ID 22 at its May 6, 2015 Board meeting, where the Board determined that there were two protests regarding this action and approved the new fees; and

WHEREAS, on May 6, 2015 at 3:30 p.m., a hearing was held by the Board on the questions of the proposed exclusion and the effect of such exclusion upon the Otay

Water District, ID 10 and the territory to be excluded, where at such time and place, any persons interested, including all persons owning property in the Otay Water District or in ID 10, were heard and allowed to appear and present any matters material to the questions set forth in the resolution of intention to exclude.

NOW, THEREFORE, BE IT RESOLVED as follows:

1. That the Board of Directors, following a public hearing on the matter, does hereby determine that it is desirable to exclude parcels within ID 10, as identified in Exhibit A to this resolution.

2. That the exclusion of parcels within ID 10, with an eye towards annexing them to ID 22, is desirable to streamline the accounting and tracking of these parcels, given that the availability fees are identical between IDs 10 and 22.

3. That a map showing the exterior boundaries of the proposed territory to be excluded, is on file with the Secretary of the District and is available for inspection by any person or persons interested. Said map shall govern for all details as to the extent of the then existing improvement district.

4. The exclusion of parcels within ID 10 will become effective on July 1, 2015.

PASSED, APPROVED AND ADOPTED by the Board of Directors of the Otay Water District at a regular meeting held this 6<sup>th</sup> day of May, 2015.

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President

ATTEST:

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Secretary

## **EXHIBIT A**

### **CONSOLIDATION OF OTAY WATER DISTRICT WATER IMPROVEMENT DISTRICT (ID) ID 10 INTO ID 22**

#### **LEGAL DESCRIPTION**

THE TERRITORY WITHIN THE EXISTING BOUNDARIES OF OTAY WATER DISTRICT WATER IMPROVEMENT DISTRICT 10 SHALL BE EXCLUDED FROM EXISTING ID 10 AND THE EXCLUDED PARCELS SHALL BE ANNEXED INTO EXISTING ID 22. THE CONSOLIDATION OF EXISTING ID 10 INTO EXISTING ID 22 SHALL BECOME EFFECTIVE JULY 1, 2015, FOLLOWING THE OTAY WATER DISTRICT BOARD OF DIRECTORS ADOPTING RESOLUTION NO. 4274 APPROVING THE EXCLUSION OF PARCELS WITHIN ID 10.

CONTAINING 2,007 ACRES OF LAND, MORE OR LESS.

## RESOLUTION NO. 4275

RESOLUTION OF THE BOARD OF DIRECTORS  
OF OTAY WATER DISTRICT  
TO EXCLUDE PARCELS FROM  
IMPROVEMENT DISTRICT 20

WHEREAS, on April 19, 1971 by Resolution No. 874, the Otay Water District Board of Directors (“Board”) formed Improvement District (“ID”) 20 for the purpose of incurring necessary bonded indebtedness for the acquisition, construction and completion of water improvements and works; and

WHEREAS, on July 3, 1972 by Resolution No. 986, the Board formed ID 22 for the purpose of incurring necessary bonded indebtedness for the acquisition, construction, and completion of water improvements and works; and

WHEREAS, the availability fees are identical between IDs 20 and 22; and

WHEREAS, staff has determined that there is no longer a reason to separate these parcels; and

WHEREAS, on March 4, 2015 by Resolution No. 4219, the Board initiated proceedings to consolidate ID 20 into ID 22 to streamline the accounting and tracking of these parcels by declaring, by its own motion, its intention to exclude parcels in ID 20 pursuant to Water Code Sections 72080, *et seq.*, with an eye towards annexing the excluded parcels into ID 22, including ordering a public hearing on said exclusion and directing staff to provide statutorily-required notice for the hearing; and

WHEREAS, in compliance with Proposition 218, the Otay Water District held the required public hearing on the new fees for the parcels excluded from ID 20 and annexed into ID 22 at its May 6, 2015 Board meeting, where the Board determined that there were three protests regarding this action and approved the new fees; and

WHEREAS, on May 6, 2015 at 3:30 p.m., a hearing was held by the Board on the questions of the proposed exclusion and the effect of such exclusion upon the Otay

Water District, ID 20 and the territory to be excluded, where at such time and place, any persons interested, including all persons owning property in the Otay Water District or in ID 20, were heard and allowed to appear and present any matters material to the questions set forth in the resolution of intention to exclude.

NOW, THEREFORE, BE IT RESOLVED as follows:

1. That the Board of Directors, following a public hearing on the matter, does hereby determine that it is desirable to exclude parcels within ID 20, as identified in Exhibit A to this resolution.

2. That the exclusion of parcels within ID 20, with an eye towards annexing them to ID 22, is desirable to streamline the accounting and tracking of these parcels, given that the availability fees are identical between IDs 20 and 22.

3. That a map showing the exterior boundaries of the proposed territory to be excluded, is on file with the Secretary of the District and is available for inspection by any person or persons interested. Said map shall govern for all details as to the extent of the then existing improvement district.

4. The exclusion of parcels within ID 20 will become effective on July 1, 2015.

PASSED, APPROVED AND ADOPTED by the Board of Directors of the Otay Water District at a regular meeting held this 6<sup>th</sup> day of May, 2015.

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President

ATTEST:

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Secretary

## **EXHIBIT A**

### **CONSOLIDATION OF OTAY WATER DISTRICT WATER IMPROVEMENT DISTRICT (ID) ID 20 INTO ID 22**

#### **LEGAL DESCRIPTION**

THE TERRITORY WITHIN THE EXISTING BOUNDARIES OF OTAY WATER DISTRICT WATER IMPROVEMENT DISTRICT 20 SHALL BE EXCLUDED FROM EXISTING ID 20 AND THE EXCLUDED PARCELS SHALL BE ANNEXED INTO EXISTING ID 22. THE CONSOLIDATION OF EXISTING ID 20 INTO EXISTING ID 22 SHALL BECOME EFFECTIVE JULY 1, 2015, FOLLOWING THE OTAY WATER DISTRICT BOARD OF DIRECTORS ADOPTING RESOLUTION NO. 4275 APPROVING THE EXCLUSION OF PARCELS WITHIN ID 20.

CONTAINING 6,859 ACRES OF LAND, MORE OR LESS.

## RESOLUTION NO. 4276

RESOLUTION OF THE BOARD OF DIRECTORS  
OF OTAY WATER DISTRICT  
TO EXCLUDE PARCELS FROM  
IMPROVEMENT DISTRICT 4

WHEREAS, on August 4, 1959 by Resolution No. 83, the Otay Water District Board of Directors (“Board”) formed Improvement District (“ID”) 4 for the purpose of incurring necessary bonded indebtedness for the acquisition, construction and completion of sewer improvements and works; and

WHEREAS, on February 16, 1970 by Resolution No. 758, the Board formed ID 18 for the purpose of incurring necessary bonded indebtedness for the acquisition, construction, and completion of sewer improvements and works; and

WHEREAS, the availability fees are identical between IDs 4 and 18; and

WHEREAS, staff has determined that there is no longer a reason to separate these parcels; and

WHEREAS, on March 4, 2015 by Resolution No. 4219, the Board initiated proceedings to consolidate ID 4 into ID 18 to streamline the accounting and tracking of these parcels by declaring, by its own motion, its intention to exclude parcels in ID 4 pursuant to Water Code Sections 72080, *et seq.*, with an eye towards annexing the excluded parcels into ID 18, including ordering a public hearing on said exclusion and directing staff to provide statutorily-required notice for the hearing; and

WHEREAS, in compliance with Proposition 218, the Otay Water District held the required public hearing on the new fees for the parcels excluded from ID 4 and annexed into ID 18 at its May 6, 2015 Board meeting, where the Board determined that there were no protests regarding this action and approved the new fees; and

WHEREAS, on May 6, 2015 at 3:30 p.m., a hearing was held by the Board on the questions of the proposed exclusion and the effect of such exclusion upon the Otay

Sewer District, ID 4 and the territory to be excluded, where at such time and place, any persons interested, including all persons owning property in the Otay Water District or in ID 4, were heard and allowed to appear and present any matters material to the questions set forth in the resolution of intention to exclude.

NOW, THEREFORE, BE IT RESOLVED as follows:

1. That the Board of Directors, following a public hearing on the matter, does hereby determine that it is desirable to exclude parcels within ID 4, as identified in Attachment C to this resolution.

2. That the exclusion of parcels within ID 4, with an eye towards annexing them to ID 18, is desirable to streamline the accounting and tracking of these parcels, given that the availability fees are identical between IDs 4 and 18.

3. That a map showing the exterior boundaries of the proposed territory to be excluded, is on file with the Secretary of the District and is available for inspection by any person or persons interested. Said map shall govern for all details as to the extent of the then existing improvement district.

4. The exclusion of parcels within ID 4 will become effective on July 1, 2015.

PASSED, APPROVED AND ADOPTED by the Board of Directors of the Otay Water District at a regular meeting held this 6<sup>th</sup> day of May, 2015.

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President

ATTEST:

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Secretary

## **EXHIBIT A**

### **CONSOLIDATION OF OTAY WATER DISTRICT SEWER IMPROVEMENT DISTRICT (ID) ID 4 INTO ID 18**

#### **LEGAL DESCRIPTION**

THE TERRITORY WITHIN THE EXISTING BOUNDARIES OF OTAY WATER DISTRICT SEWER IMPROVEMENT DISTRICT 4 SHALL BE EXCLUDED FROM EXISTING ID 4 AND THE EXCLUDED PARCELS SHALL BE ANNEXED INTO EXISTING ID 18. THE CONSOLIDATION OF EXISTING ID 4 INTO EXISTING ID 18 SHALL BECOME EFFECTIVE JULY 1, 2015, FOLLOWING THE OTAY WATER DISTRICT BOARD OF DIRECTORS ADOPTING RESOLUTION NO. 4276 APPROVING THE EXCLUSION OF PARCELS WITHIN ID 4.

CONTAINING 348 ACRES OF LAND, MORE OR LESS.

## RESOLUTION NO. 4277

RESOLUTION OF THE BOARD OF DIRECTORS  
OF OTAY WATER DISTRICT  
TO EXCLUDE PARCELS FROM  
IMPROVEMENT DISTRICT 14

WHEREAS, on June 10, 1968 by Resolution No. 586, the Otay Water District Board of Directors ("Board") formed Improvement District ("ID") 14 for the purpose of incurring necessary bonded indebtedness for the acquisition, construction and completion of sewer improvements and works; and

WHEREAS, on February 16, 1970 by Resolution No. 758, the Board formed ID 18 for the purpose of incurring necessary bonded indebtedness for the acquisition, construction, and completion of sewer improvements and works; and

WHEREAS, the availability fees are identical between IDs 14 and 18; and

WHEREAS, staff has determined that there is no longer a reason to separate these parcels; and

WHEREAS, on March 4, 2015 by Resolution No. 4219, the Board initiated proceedings to consolidate ID 14 into ID 18 to streamline the accounting and tracking of these parcels by declaring, by its own motion, its intention to exclude parcels in ID 14 pursuant to Water Code Sections 72080, *et seq.*, with an eye towards annexing the excluded parcels into ID 18, including ordering a public hearing on said exclusion and directing staff to provide statutorily-required notice for the hearing; and

WHEREAS, in compliance with Proposition 218, the Otay Water District held the required public hearing on the new fees for the parcels excluded from ID 14 and annexed into ID 18 at its May 6, 2015 Board meeting, where the Board determined that there were no protests regarding this action and approved the new fees; and

WHEREAS, on May 6, 2015 at 3:30 p.m., a hearing was held by the Board on the questions of the proposed exclusion and the effect of such exclusion upon the Otay

Sewer District, ID 14 and the territory to be excluded, where at such time and place, any persons interested, including all persons owning property in the Otay Water District or in ID 14, were heard and allowed to appear and present any matters material to the questions set forth in the resolution of intention to exclude.

NOW, THEREFORE, BE IT RESOLVED as follows:

1. That the Board of Directors, following a public hearing on the matter, does hereby determine that it is desirable to exclude parcels within ID 14, as identified in Attachment C to this resolution.

2. That the exclusion of parcels within ID 14, with an eye towards annexing them to ID 18, is desirable to streamline the accounting and tracking of these parcels, given that the availability fees are identical between IDs 14 and 18.

3. That a map showing the exterior boundaries of the proposed territory to be excluded, is on file with the Secretary of the District and is available for inspection by any person or persons interested. Said map shall govern for all details as to the extent of the then existing improvement district.

4. The exclusion of parcels within ID 14 will become effective on July 1, 2015.

PASSED, APPROVED AND ADOPTED by the Board of Directors of the Otay Water District at a regular meeting held this 6<sup>th</sup> day of May, 2015.

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President

ATTEST:

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Secretary

## **EXHIBIT A**

### **CONSOLIDATION OF OTAY WATER DISTRICT SEWER IMPROVEMENT DISTRICT (ID) ID 14 INTO ID 18**

#### **LEGAL DESCRIPTION**

THE TERRITORY WITHIN THE EXISTING BOUNDARIES OF OTAY WATER DISTRICT SEWER IMPROVEMENT DISTRICT 14 SHALL BE EXCLUDED FROM EXISTING ID 14 AND THE EXCLUDED PARCELS SHALL BE ANNEXED INTO EXISTING ID 18. THE CONSOLIDATION OF EXISTING ID 14 INTO EXISTING ID 18 SHALL BECOME EFFECTIVE JULY 1, 2015, FOLLOWING THE OTAY WATER DISTRICT BOARD OF DIRECTORS ADOPTING RESOLUTION NO. 4277 APPROVING THE EXCLUSION OF PARCELS WITHIN ID 14.

CONTAINING 644 ACRES OF LAND, MORE OR LESS.

RESOLUTION NO. 4278

A RESOLUTION OF THE BOARD OF DIRECTORS OF  
OTAY WATER DISTRICT APPROVING THE ANNEXATION  
OF PARCELS EXCLUDED FROM IMPROVEMENT  
DISTRICT (ID) 1 INTO IMPROVEMENT DISTRICT 22

WHEREAS, on January 27, 1958 by Resolution No. 32, the Otay Water District Board of Directors (“Board”) formed Improvement District (“ID”) 1 for the purpose of incurring necessary bonded indebtedness for the acquisition, construction and completion of water improvements and works; and

WHEREAS, on June 5, 1972, by Resolution No. 968, the Board formed ID 22 for the purpose of incurring necessary bonded indebtedness for the acquisition, construction, and completion of water improvements and works; and

WHEREAS, the availability fees are identical between IDs 1 and 22 for parcels less than one acre; however, there are 62 parcels larger than one acre in ID 1 for which the water availability fees will increase to make the fees consistent with all other parcels within IDs in the Otay Water District boundaries; and

WHEREAS, staff has determined that there is no longer a reason to separate these parcels; and

WHEREAS, on March 4, 2015, by Resolution No. 4247, the Board initiated proceedings to consolidate ID 1 into ID 22 to streamline the accounting and tracking of these parcels by declaring its intention to annex parcels excluded from ID 1, if approved, into ID 22, pursuant to Water Code sections 72700, *et seq.*, including ordering a public hearing on said annexation and directing staff to provide statutorily-required notice for the hearing; and

WHEREAS, in compliance with Proposition 218, the Board held the required public hearing on May 6, 2015, a hearing at which the Board received written protests, if

any, theretofore filed with the Secretary of the District, received additional written protests, if any, and heard from any and all persons interested in the annexation, where the Board determined that there were no protests filed by the holders of title of one-half of the value of the territory proposed to be annexed.

NOW, THEREFORE, BE IT RESOLVED as follows:

1. That the Board of Directors, following a public hearing on the matter where written protests were not made by the owners of one-half of the value of the territory proposed to be annexed, does hereby confirm the annexation of parcels excluded from ID 1 into ID 22, as described in Attachment B pursuant to Water Code sections 72700, *et seq.*

2. That the Board determines from the evidence presented at the hearing that the parcels excluded from ID 1 and to be annexed into ID 22 will be benefited thereby, and that ID 22 will also be benefited thereby and will not be injured thereby, because of the streamlining of accounting and tracking of these parcels and because the availability fees are identical between IDs 1 and 22 for parcels less than one acre; however, there are 62 parcels larger than one acre in ID 1 for which the water availability fees will increase to make the fees consistent with all other parcels within IDs in the Otay Water District boundaries.

3. A depiction of the area to be annexed, and the boundaries of IDs 1 and 22 following the annexation, is set forth on a map in Attachment B filed with the Secretary of the District, which map shall govern for all details as to the area to be annexed.

4. That the terms and conditions for the annexation of said parcels is as follows, with the owners required to:

- (a) Pay yearly assessment fees of \$30.00 per acre of land and \$10.00 per parcel of land less than one acre which will be collected through the County Tax Assessor's office.

(b) In the event that water service is to be provided, the payment of all applicable water meter fees per Equipment Dwelling Unit (EDU) at the time the meter is purchased.

5. That the annexation shall become effective on July 1, 2015, on the date the exclusion of parcels from ID 1 becomes effective.

PASSED, APPROVED AND ADOPTED by the Board of Directors of the Otay Water District at a regular meeting held this 6<sup>th</sup> day of May, 2015.

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President

ATTEST:

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District Secretary

## **EXHIBIT A**

### **CONSOLIDATION OF OTAY WATER DISTRICT WATER IMPROVEMENT DISTRICT (ID) ID 1 INTO ID 22**

#### **LEGAL DESCRIPTION**

THE TERRITORY WITHIN THE EXISTING BOUNDARIES OF OTAY WATER DISTRICT WATER IMPROVEMENT DISTRICT 1 SHALL BE EXCLUDED FROM EXISTING ID 1 AND THE EXCLUDED PARCELS SHALL BE ANNEXED INTO EXISTING ID 22. THE CONSOLIDATION OF EXISTING ID 1 INTO EXISTING ID 22 SHALL BECOME EFFECTIVE JULY 1, 2015, FOLLOWING THE OTAY WATER DISTRICT BOARD OF DIRECTORS ADOPTING RESOLUTION NO. 4278 APPROVING THE ANNEXATION OF THE EXCLUDED PARCELS INTO ID 22.

CONTAINING 2,177 ACRES OF LAND, MORE OR LESS.

## RESOLUTION NO. 4279

A RESOLUTION OF THE BOARD OF DIRECTORS OF  
OTAY WATER DISTRICT APPROVING THE ANNEXATION  
OF PARCELS EXCLUDED FROM IMPROVEMENT  
DISTRICT (ID) 2 INTO IMPROVEMENT DISTRICT 22

WHEREAS, on June 17, 1958 by Resolution No. 4, the Otay Water District Board of Directors ("Board") formed Improvement District ("ID") 2 for the purpose of incurring necessary bonded indebtedness for the acquisition, construction and completion of water improvements and works; and

WHEREAS, on June 5, 1972 by Resolution No. 968, the Board formed ID 22 for the purpose of incurring necessary bonded indebtedness for the acquisition, construction, and completion of water improvements and works; and

WHEREAS, the availability fees are identical between IDs 2 and 22; and

WHEREAS, staff has determined that there is no longer a reason to separate these parcels; and

WHEREAS, on March 4, 2015, by Resolution No. 4248, the Board initiated proceedings to consolidate ID 2 into ID 22 to streamline the accounting and tracking of these parcels by declaring its intention to annex parcels excluded from ID 2, if approved, into ID 22, pursuant to Water Code sections 72700, *et seq.*, including ordering a public hearing on said annexation and directing staff to provide statutorily-required notice for the hearing; and

WHEREAS, in compliance with Proposition 218, the Board held the required public hearing on May 6, 2015, a hearing at which the Board received written protests, if any, theretofore filed with the Secretary of the District, received additional written protests, if any, and heard from any and all persons interested in the annexation, where

the Board determined that there were no protests filed by the holders of title of one-half of the value of the territory proposed to be annexed.

NOW, THEREFORE, BE IT RESOLVED as follows:

1. That the Board of Directors, following a public hearing on the matter where written protests were not made by the owners of one-half of the value of the territory proposed to be annexed, does hereby confirm the annexation of parcels excluded from ID 2 into ID 22, as described in Exhibit A to this resolution, pursuant to Water Code sections 72700, *et seq.*

2. That the Board determines from the evidence presented at the hearing that the parcels excluded from ID 2 and to be annexed into ID 22 will be benefited thereby, and that ID 22 will also be benefited thereby and will not be injured thereby, because of the streamlining of accounting and tracking of these parcels and because the availability fees are identical between IDs 2 and 22.

3. A depiction of the area to be annexed, and the boundaries of IDs 2 and 22 following the annexation, is set forth on a map in Attachment B, filed with the Secretary of the District, which map shall govern for all details as to the area to be annexed.

4. That the terms and conditions for the annexation of said parcels is as follows, with the owners required to:

(a) Pay yearly assessment fees of \$30.00 per acre of land and \$10.00 per parcel of land less than one acre which will be collected through the County Tax Assessor's office.

(b) In the event that water service is to be provided, the payment of all applicable water meter fees per Equipment Dwelling Unit (EDU) at the time the meter is purchased.

5. That the annexation shall become effective on July 1, 2015, on the date the exclusion of parcels from ID 2 becomes effective.

PASSED, APPROVED AND ADOPTED by the Board of Directors of the Otay Water District at a regular meeting held this 6<sup>th</sup> day of May, 2015.

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President

ATTEST:

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District Secretary

## **EXHIBIT A**

### **CONSOLIDATION OF OTAY WATER DISTRICT WATER IMPROVEMENT DISTRICT (ID) ID 2 INTO ID 22**

#### **LEGAL DESCRIPTION**

THE TERRITORY WITHIN THE EXISTING BOUNDARIES OF OTAY WATER DISTRICT WATER IMPROVEMENT DISTRICT 2 SHALL BE EXCLUDED FROM EXISTING ID 2 AND THE EXCLUDED PARCELS SHALL BE ANNEXED INTO EXISTING ID 22. THE CONSOLIDATION OF EXISTING ID 2 INTO EXISTING ID 22 SHALL BECOME EFFECTIVE JULY 1, 2015, FOLLOWING THE OTAY WATER DISTRICT BOARD OF DIRECTORS ADOPTING RESOLUTION NO. 4279 APPROVING THE ANNEXATION OF THE EXCLUDED PARCELS INTO ID 22.

CONTAINING 4,073 ACRES OF LAND, MORE OR LESS.

RESOLUTION NO. 4280

A RESOLUTION OF THE BOARD OF DIRECTORS OF  
OTAY WATER DISTRICT APPROVING THE ANNEXATION  
OF PARCELS EXCLUDED FROM IMPROVEMENT  
DISTRICT (ID) 3 INTO IMPROVEMENT DISTRICT 22

WHEREAS, on November 18, 1958 by Resolution No. 51, the Otay Water District Board of Directors (“Board”) formed Improvement District (“ID”) 3 for the purpose of incurring necessary bonded indebtedness for the acquisition, construction and completion of water improvements and works; and

WHEREAS, on July 3, 1972 by Resolution No. 986, the Board formed ID 22 for the purpose of incurring necessary bonded indebtedness for the acquisition, construction, and completion of water improvements and works; and

WHEREAS, the availability fees are identical between IDs 3 and 22; and

WHEREAS, staff has determined that there is no longer a reason to separate these parcels; and

WHEREAS, on March 4, 2015, by Resolution No. 4270, the Board initiated proceedings to consolidate ID 3 into ID 22 to streamline the accounting and tracking of these parcels by declaring its intention to annex parcels excluded from ID 3, if approved, into ID 22, pursuant to Water Code sections 72700, *et seq.*, including ordering a public hearing on said annexation and directing staff to provide statutorily-required notice for the hearing; and

WHEREAS, in compliance with Proposition 218, the Board held the required public hearing on May 6, 2015, a hearing at which the Board received written protests, if any, theretofore filed with the Secretary of the District, received additional written protests, if any, and heard from any and all persons interested in the annexation, where

the Board determined that there were no protests filed by the holders of title of one-half of the value of the territory proposed to be annexed.

NOW, THEREFORE, BE IT RESOLVED as follows:

1. That the Board of Directors, following a public hearing on the matter where written protests were not made by the owners of one-half of the value of the territory proposed to be annexed, does hereby confirm the annexation of parcels excluded from ID 3 into ID 22, as described in Exhibit A to this resolution, pursuant to Water Code sections 72700, *et seq.*

2. That the Board determines from the evidence presented at the hearing that the parcels excluded from ID 3 and to be annexed into ID 22 will be benefited thereby, and that ID 22 will also be benefited thereby and will not be injured thereby, because of the streamlining of accounting and tracking of these parcels and because the availability fees are identical between IDs 3 and 22.

3. A depiction of the area to be annexed, and the boundaries of IDs 3 and 22 following the annexation, is set forth on a map in Attachment "B," filed with the Secretary of the District, which map shall govern for all details as to the area to be annexed.

4. That the terms and conditions for the annexation of said parcels is as follows, with the owners required to:

(a) Pay yearly assessment fees of \$30.00 per acre of land and \$10.00 per parcel of land less than one acre which will be collected through the County Tax Assessor's office.

(b) In the event that water service is to be provided, the payment of all applicable water meter fees per Equipment Dwelling Unit (EDU) at the time the meter is purchased.

5. That the annexation shall become effective on July 1, 2015, on the date the exclusion of parcels from ID 3 becomes effective.

PASSED, APPROVED AND ADOPTED by the Board of Directors of the Otay Water District at a regular meeting held this 6<sup>th</sup> day of May, 2015.

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President

ATTEST:

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District Secretary

## **EXHIBIT A**

### **CONSOLIDATION OF OTAY WATER DISTRICT WATER IMPROVEMENT DISTRICT (ID) ID 3 INTO ID 22**

#### **LEGAL DESCRIPTION**

THE TERRITORY WITHIN THE EXISTING BOUNDARIES OF OTAY WATER DISTRICT WATER IMPROVEMENT DISTRICT 3 SHALL BE EXCLUDED FROM EXISTING ID 3 AND THE EXCLUDED PARCELS SHALL BE ANNEXED INTO EXISTING ID 22. THE CONSOLIDATION OF EXISTING ID 3 INTO EXISTING ID 22 SHALL BECOME EFFECTIVE JULY 1, 2015, FOLLOWING THE OTAY WATER DISTRICT BOARD OF DIRECTORS ADOPTING RESOLUTION NO. 4280 APPROVING THE ANNEXATION OF THE EXCLUDED PARCELS INTO ID 22.

CONTAINING 2,907 ACRES OF LAND, MORE OR LESS.

## RESOLUTION NO. 4281

A RESOLUTION OF THE BOARD OF DIRECTORS OF  
OTAY WATER DISTRICT APPROVING THE ANNEXATION  
OF PARCELS EXCLUDED FROM IMPROVEMENT  
DISTRICT (ID) 5 INTO IMPROVEMENT DISTRICT 22

WHEREAS, on November 28, 1960 by Resolution No. 123, the Otay Water District Board of Directors (“Board”) formed Improvement District (“ID”) 5 for the purpose of incurring necessary bonded indebtedness for the acquisition, construction and completion of water improvements and works; and

WHEREAS, on June 5, 1972, by Resolution No. 968, the Board formed ID 22 for the purpose of incurring necessary bonded indebtedness for the acquisition, construction, and completion of water improvements and works; and

WHEREAS, the availability fees are identical between IDs 5 and 22 for parcels less than one acre; however, there are 6 parcels larger than one acre in ID 5 for which the water availability fees will increase to make the fees consistent with all other parcels within IDs in the Otay Water District boundaries; and

WHEREAS, staff has determined that there is no longer a reason to separate these parcels; and

WHEREAS, on March 4, 2015, by Resolution No. 4250, the Board initiated proceedings to consolidate ID 5 into ID 22 to streamline the accounting and tracking of these parcels by declaring its intention to annex parcels excluded from ID 5, if approved, into ID 22, pursuant to Water Code sections 72700, *et seq.*, including ordering a public hearing on said annexation and directing staff to provide statutorily-required notice for the hearing; and

WHEREAS, in compliance with Proposition 218, the Board held the required public hearing on May 6, 2015, a hearing at which the Board received written protests, if

any, theretofore filed with the Secretary of the District, received additional written protests, if any, and heard from any and all persons interested in the annexation, where the Board determined that there were no protests filed by the holders of title of one-half of the value of the territory proposed to be annexed.

NOW, THEREFORE, BE IT RESOLVED as follows:

1. That the Board of Directors, following a public hearing on the matter where written protests were not made by the owners of one-half of the value of the territory proposed to be annexed, does hereby confirm the annexation of parcels excluded from ID 5 into ID 22, as described in Attachment B pursuant to Water Code sections 72700, *et seq.*

2. That the Board determines from the evidence presented at the hearing that the parcels excluded from ID 5 and to be annexed into ID 22 will be benefited thereby, and that ID 22 will also be benefited thereby and will not be injured thereby, because of the streamlining of accounting and tracking of these parcels and because the availability fees are identical between IDs 5 and ID 22 for parcels less than one acre; however, there are 6 parcels larger than one acre in ID 5 for which the water availability fees will increase to make the fees consistent with all other parcels within IDs in the Otay Water District boundaries.

3. A depiction of the area to be annexed, and the boundaries of IDs 5 and ID 22 following the annexation, is set forth on a map in Attachment B filed with the Secretary of the District, which map shall govern for all details as to the area to be annexed.

4. That the terms and conditions for the annexation of said parcels is as follows, with the owners required to:

- (a) Pay yearly assessment fees of \$30.00 per acre of land and \$10.00 per parcel of land less than one acre which will be collected through the County Tax Assessor's office.

(b) In the event that water service is to be provided, the payment of all applicable water meter fees per Equipment Dwelling Unit (EDU) at the time the meter is purchased.

5. That the annexation shall become effective on July 1, 2015, on the date the exclusion of parcels from ID 5 becomes effective.

PASSED, APPROVED AND ADOPTED by the Board of Directors of the Otay Water District at a regular meeting held this 6<sup>th</sup> day of May, 2015.

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President

ATTEST:

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District Secretary

## **EXHIBIT A**

### **CONSOLIDATION OF OTAY WATER DISTRICT WATER IMPROVEMENT DISTRICT (ID) ID 5 INTO ID 22**

#### **LEGAL DESCRIPTION**

THE TERRITORY WITHIN THE EXISTING BOUNDARIES OF OTAY WATER DISTRICT WATER IMPROVEMENT DISTRICT 5 SHALL BE EXCLUDED FROM EXISTING ID 5 AND THE EXCLUDED PARCELS SHALL BE ANNEXED INTO EXISTING ID 22. THE CONSOLIDATION OF EXISTING ID 5 INTO EXISTING ID 22 SHALL BECOME EFFECTIVE JULY 1, 2015, FOLLOWING THE OTAY WATER DISTRICT BOARD OF DIRECTORS ADOPTING RESOLUTION NO. 4281 APPROVING THE ANNEXATION OF THE EXCLUDED PARCELS INTO ID 22.

CONTAINING 487 ACRES OF LAND, MORE OR LESS.

RESOLUTION NO. 4282

A RESOLUTION OF THE BOARD OF DIRECTORS OF  
OTAY WATER DISTRICT APPROVING THE ANNEXATION  
OF PARCELS EXCLUDED FROM IMPROVEMENT  
DISTRICT (ID) 7 INTO IMPROVEMENT DISTRICT 22

WHEREAS, on March 27, 1961, by Resolution No. 142, the Otay Water District Board of Directors (“Board”) formed Improvement District (“ID”) 7 for the purpose of incurring necessary bonded indebtedness for the acquisition, construction and completion of water improvements and works; and

WHEREAS, on July 3, 1972 by Resolution No. 986, the Board formed ID 22 for the purpose of incurring necessary bonded indebtedness for the acquisition, construction, and completion of water improvements and works; and

WHEREAS, the availability fees are identical between IDs 7 and 22; and

WHEREAS, staff has determined that there is no longer a reason to separate these parcels; and

WHEREAS, on March 4, 2015, by Resolution No. 4251, the Board initiated proceedings to consolidate ID 7 into ID 22 to streamline the accounting and tracking of these parcels by declaring its intention to annex parcels excluded from ID 7, if approved, into ID 22, pursuant to Water Code sections 72700, *et seq.*, including ordering a public hearing on said annexation and directing staff to provide statutorily-required notice for the hearing; and

WHEREAS, in compliance with Proposition 218, the Board held the required public hearing on May 6, 2015, a hearing at which the Board received written protests, if any, theretofore filed with the Secretary of the District, received additional written protests, if any, and heard from any and all persons interested in the annexation, where

the Board determined that there were no protests filed by the holders of title of one-half of the value of the territory proposed to be annexed.

NOW, THEREFORE, BE IT RESOLVED as follows:

1. That the Board of Directors, following a public hearing on the matter where written protests were not made by the owners of one-half of the value of the territory proposed to be annexed, does hereby confirm the annexation of parcels excluded from ID 7 into ID 22, as described in Attachment B, pursuant to Water Code sections 72700, *et seq.*

2. That the Board determines from the evidence presented at the hearing that the parcels excluded from ID 7 and to be annexed into ID 22 will be benefited thereby, and that ID 22 will also be benefited thereby and will not be injured thereby, because of the streamlining of accounting and tracking of these parcels and because the availability fees are identical between IDs 7 and 22.

3. A depiction of the area to be annexed, and the boundaries of IDs 7 and 22 following the annexation, is set forth on a map in Attachment B filed with the Secretary of the District, which map shall govern for all details as to the area to be annexed.

4. That the terms and conditions for the annexation of said parcels is as follows, with the owners required to:

(a) Pay yearly assessment fees of \$30.00 per acre of land and \$10.00 per parcel of land less than one acre which will be collected through the County Tax Assessor's office.

(b) In the event that water service is to be provided, the payment of all applicable water meter fees per Equipment Dwelling Unit (EDU) at the time the meter is purchased.

5. That the annexation shall become effective on July 1, 2015, on the date the exclusion of parcels from ID 7 becomes effective.

PASSED, APPROVED AND ADOPTED by the Board of Directors of the Otay Water District at a regular meeting held this 6<sup>th</sup> day of May, 2015.

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President

ATTEST:

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District Secretary

## **EXHIBIT A**

### **CONSOLIDATION OF OTAY WATER DISTRICT WATER IMPROVEMENT DISTRICT (ID) ID 7 INTO ID 22**

#### **LEGAL DESCRIPTION**

THE TERRITORY WITHIN THE EXISTING BOUNDARIES OF OTAY WATER DISTRICT WATER IMPROVEMENT DISTRICT 7 SHALL BE EXCLUDED FROM EXISTING ID 7 AND THE EXCLUDED PARCELS SHALL BE ANNEXED INTO EXISTING ID 22. THE CONSOLIDATION OF EXISTING ID 7 INTO EXISTING ID 22 SHALL BECOME EFFECTIVE JULY 1, 2015, FOLLOWING THE OTAY WATER DISTRICT BOARD OF DIRECTORS ADOPTING RESOLUTION NO. 4282 APPROVING THE ANNEXATION OF THE EXCLUDED PARCELS INTO ID 22.

CONTAINING 7,622 ACRES OF LAND, MORE OR LESS.

## RESOLUTION NO. 4283

A RESOLUTION OF THE BOARD OF DIRECTORS OF  
OTAY WATER DISTRICT APPROVING THE ANNEXATION  
OF PARCELS EXCLUDED FROM IMPROVEMENT  
DISTRICT (ID) 9 INTO IMPROVEMENT DISTRICT 22

WHEREAS, on July 24, 1961 by Resolution No. 153, the Otay Water District Board of Directors (“Board”) formed Improvement District (“ID”) 9 for the purpose of incurring necessary bonded indebtedness for the acquisition, construction and completion of water improvements and works; and

WHEREAS, on July 3, 1972 by Resolution No. 986, the Board formed ID 22 for the purpose of incurring necessary bonded indebtedness for the acquisition, construction, and completion of water improvements and works; and

WHEREAS, the availability fees are identical between IDs 9 and 22; and

WHEREAS, staff has determined that there is no longer a reason to separate these parcels; and

WHEREAS, on March 4, 2015, by Resolution No. 4252, the Board initiated proceedings to consolidate ID 9 into ID 22 to streamline the accounting and tracking of these parcels by declaring its intention to annex parcels excluded from ID 9, if approved, into ID 22, pursuant to Water Code sections 72700, *et seq.*, including ordering a public hearing on said annexation and directing staff to provide statutorily-required notice for the hearing; and

WHEREAS, in compliance with Proposition 218, the Board held the required public hearing on May 6, 2015, a hearing at which the Board received written protests, if any, theretofore filed with the Secretary of the District, received additional written protests, if any, and heard from any and all persons interested in the annexation, where

the Board determined that there were no protests filed by the holders of title of one-half of the value of the territory proposed to be annexed.

NOW, THEREFORE, BE IT RESOLVED as follows:

1. That the Board of Directors, following a public hearing on the matter where written protests were not made by the owners of one-half of the value of the territory proposed to be annexed, does hereby confirm the annexation of parcels excluded from ID 9 into ID 22, as described in Exhibit A, pursuant to Water Code sections 72700, *et seq.*

2. That the Board determines from the evidence presented at the hearing that the parcels excluded from ID 9 and to be annexed into ID 22 will be benefited thereby, and that ID 22 will also be benefited thereby and will not be injured thereby, because of the streamlining of accounting and tracking of these parcels and because the availability fees are identical between IDs 9 and 22.

3. A depiction of the area to be annexed, and the boundaries of IDs 9 and 22 following the annexation, is set forth on a map in Attachment B filed with the Secretary of the District, which map shall govern for all details as to the area to be annexed.

4. That the terms and conditions for the annexation of said parcels is as follows, with the owners required to:

(a) Pay yearly assessment fees of \$30.00 per acre of land and \$10.00 per parcel of land less than one acre which will be collected through the County Tax Assessor's office.

(b) In the event that water service is to be provided, the payment of all applicable water meter fees per Equipment Dwelling Unit (EDU) at the time the meter is purchased.

5. That the annexation shall become effective on July 1, 2015, on the date the exclusion of parcels from ID 9 becomes effective.

PASSED, APPROVED AND ADOPTED by the Board of Directors of the Otay Water District at a regular meeting held this 6<sup>th</sup> day of May, 2015.

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President

ATTEST:

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District Secretary

## **EXHIBIT A**

### **CONSOLIDATION OF OTAY WATER DISTRICT WATER IMPROVEMENT DISTRICT (ID) ID 9 INTO ID 22**

#### **LEGAL DESCRIPTION**

THE TERRITORY WITHIN THE EXISTING BOUNDARIES OF OTAY WATER DISTRICT WATER IMPROVEMENT DISTRICT 9 SHALL BE EXCLUDED FROM EXISTING ID 9 AND THE EXCLUDED PARCELS SHALL BE ANNEXED INTO EXISTING ID 22. THE CONSOLIDATION OF EXISTING ID 9 INTO EXISTING ID 22 SHALL BECOME EFFECTIVE JULY 1, 2015, FOLLOWING THE OTAY WATER DISTRICT BOARD OF DIRECTORS ADOPTING RESOLUTION NO. 4283 APPROVING THE ANNEXATION OF THE EXCLUDED PARCELS INTO ID 22.

CONTAINING 7,075 ACRES OF LAND, MORE OR LESS.

RESOLUTION NO. 4284

A RESOLUTION OF THE BOARD OF DIRECTORS OF  
OTAY WATER DISTRICT APPROVING THE ANNEXATION  
OF PARCELS EXCLUDED FROM IMPROVEMENT  
DISTRICT (ID) 10 INTO IMPROVEMENT DISTRICT 22

WHEREAS, on February 11, 1963 by Resolution No. 266, the Otay Water District Board of Directors (“Board”) formed Improvement District (“ID”) 10 for the purpose of incurring necessary bonded indebtedness for the acquisition, construction and completion of water improvements and works; and

WHEREAS, on July 3, 1972 by Resolution No. 986, the Board formed ID 22 for the purpose of incurring necessary bonded indebtedness for the acquisition, construction, and completion of water improvements and works; and

WHEREAS, the availability fees are identical between IDs 10 and 22; and

WHEREAS, staff has determined that there is no longer a reason to separate these parcels; and

WHEREAS, on March 4, 2015, by Resolution No. 4253, the Board initiated proceedings to consolidate ID 10 into ID 22 to streamline the accounting and tracking of these parcels by declaring its intention to annex parcels excluded from ID 10, if approved, into ID 22, pursuant to Water Code sections 72700, *et seq.*, including ordering a public hearing on said annexation and directing staff to provide statutorily-required notice for the hearing; and

WHEREAS, in compliance with Proposition 218, the Board held the required public hearing on May 6, 2015, a hearing at which the Board received written protests, if any, theretofore filed with the Secretary of the District, received additional written protests, if any, and heard from any and all persons interested in the annexation, where

the Board determined that there were no protests filed by the holders of title of one-half of the value of the territory proposed to be annexed.

NOW, THEREFORE, BE IT RESOLVED as follows:

1. That the Board of Directors, following a public hearing on the matter where written protests were not made by the owners of one-half of the value of the territory proposed to be annexed, does hereby confirm the annexation of parcels excluded from ID 10 into ID 22, as described in Exhibit "A," pursuant to Water Code sections 72700, *et seq.*

2. That the Board determines from the evidence presented at the hearing that the parcels excluded from ID 10 and to be annexed into ID 22 will be benefited thereby, and that ID 22 will also be benefited thereby and will not be injured thereby, because of the streamlining of accounting and tracking of these parcels and because the availability fees are identical between IDs 10 and 22.

3. A depiction of the area to be annexed, and the boundaries of IDs 10 and 22 following the annexation, is set forth on a map in Attachment B, filed with the Secretary of the District, which map shall govern for all details as to the area to be annexed.

4. That the terms and conditions for the annexation of said parcels is as follows, with the owners required to:

(a) Pay yearly assessment fees of \$30.00 per acre of land and \$10.00 per parcel of land less than one acre which will be collected through the County Tax Assessor's office.

(b) In the event that water service is to be provided, the payment of all applicable water meter fees per Equipment Dwelling Unit (EDU) at the time the meter is purchased.

5. That the annexation shall become effective on July 1, 2015, on the date the exclusion of parcels from ID 10 becomes effective.

PASSED, APPROVED AND ADOPTED by the Board of Directors of the Otay Water District at a regular meeting held this 6<sup>th</sup> day of May, 2015.

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President

ATTEST:

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District Secretary

## **EXHIBIT A**

### **CONSOLIDATION OF OTAY WATER DISTRICT WATER IMPROVEMENT DISTRICT (ID) ID 10 INTO ID 22**

#### **LEGAL DESCRIPTION**

THE TERRITORY WITHIN THE EXISTING BOUNDARIES OF OTAY WATER DISTRICT WATER IMPROVEMENT DISTRICT 10 SHALL BE EXCLUDED FROM EXISTING ID 10 AND THE EXCLUDED PARCELS SHALL BE ANNEXED INTO EXISTING ID 22. THE CONSOLIDATION OF EXISTING ID 10 INTO EXISTING ID 22 SHALL BECOME EFFECTIVE JULY 1, 2015, FOLLOWING THE OTAY WATER DISTRICT BOARD OF DIRECTORS ADOPTING RESOLUTION NO. 4284 APPROVING THE ANNEXATION OF THE EXCLUDED PARCELS INTO ID 22.

CONTAINING 2,007 ACRES OF LAND, MORE OR LESS.

## RESOLUTION NO. 4285

A RESOLUTION OF THE BOARD OF DIRECTORS OF  
OTAY WATER DISTRICT APPROVING THE ANNEXATION  
OF PARCELS EXCLUDED FROM IMPROVEMENT  
DISTRICT (ID) 20 INTO IMPROVEMENT DISTRICT 22

WHEREAS, on April 19, 1971 by Resolution No. 874, the Otay Water District Board of Directors (“Board”) formed Improvement District (“ID”) 20 for the purpose of incurring necessary bonded indebtedness for the acquisition, construction and completion of water improvements and works; and

WHEREAS, on July 3, 1972 by Resolution No. 986, the Board formed ID 22 for the purpose of incurring necessary bonded indebtedness for the acquisition, construction, and completion of water improvements and works; and

WHEREAS, the availability fees are identical between IDs 20 and 22; and

WHEREAS, staff has determined that there is no longer a reason to separate these parcels; and

WHEREAS, on March 4, 2015, by Resolution No. 4221, the Board initiated proceedings to consolidate ID 20 into ID 22 to streamline the accounting and tracking of these parcels by declaring its intention to annex parcels excluded from ID 20, if approved, into ID 22, pursuant to Water Code sections 72700, *et seq.*, including ordering a public hearing on said annexation and directing staff to provide statutorily-required notice for the hearing; and

WHEREAS, in compliance with Proposition 218, the Board held the required public hearing on May 6, 2015, a hearing at which the Board received written protests, if any, theretofore filed with the Secretary of the District, received additional written protests, if any, and heard from any and all persons interested in the annexation, where

the Board determined that there were no protests filed by the holders of title of one-half of the value of the territory proposed to be annexed.

NOW, THEREFORE, BE IT RESOLVED as follows:

1. That the Board of Directors, following a public hearing on the matter where written protests were not made by the owners of one-half of the value of the territory proposed to be annexed, does hereby confirm the annexation of parcels excluded from ID 20 into ID 22, as described in Exhibit "A," pursuant to Water Code sections 72700, *et seq.*

2. That the Board determines from the evidence presented at the hearing that the parcels excluded from ID 20 and to be annexed into ID 22 will be benefited thereby, and that ID 22 will also be benefited thereby and will not be injured thereby, because of the streamlining of accounting and tracking of these parcels and because the availability fees are identical between IDs 20 and 22.

3. A depiction of the area to be annexed, and the boundaries of IDs 20 and 22 following the annexation, is set forth on a map in Exhibit "B" filed with the Secretary of the District, which map shall govern for all details as to the area to be annexed.

4. That the terms and conditions for the annexation of said parcels is as follows, with the owners required to:

(a) Pay yearly assessment fees of \$30.00 per acre of land and \$10.00 per parcel of land less than one acre which will be collected through the County Tax Assessor's office.

(b) In the event that water service is to be provided, the payment of all applicable water meter fees per Equipment Dwelling Unit (EDU) at the time the meter is purchased.

5. That the annexation shall become effective on July 1, 2015, on the date the exclusion of parcels from ID 20 becomes effective.

PASSED, APPROVED AND ADOPTED by the Board of Directors of the Otay Water District at a regular meeting held this 6<sup>th</sup> day of May, 2015.

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President

ATTEST:

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District Secretary

## **EXHIBIT A**

### **CONSOLIDATION OF OTAY WATER DISTRICT WATER IMPROVEMENT DISTRICT (ID) ID 20 INTO ID 22**

#### **LEGAL DESCRIPTION**

THE TERRITORY WITHIN THE EXISTING BOUNDARIES OF OTAY WATER DISTRICT WATER IMPROVEMENT DISTRICT 20 SHALL BE EXCLUDED FROM EXISTING ID 20 AND THE EXCLUDED PARCELS SHALL BE ANNEXED INTO EXISTING ID 22. THE CONSOLIDATION OF EXISTING ID 20 INTO EXISTING ID 22 SHALL BECOME EFFECTIVE JULY 1, 2015, FOLLOWING THE OTAY WATER DISTRICT BOARD OF DIRECTORS ADOPTING RESOLUTION NO. 4285 APPROVING THE ANNEXATION OF THE EXCLUDED PARCELS INTO ID 22.

CONTAINING 6,859 ACRES OF LAND, MORE OR LESS.

RESOLUTION NO. 4286

A RESOLUTION OF THE BOARD OF DIRECTORS OF  
OTAY WATER DISTRICT APPROVING THE ANNEXATION  
OF PARCELS EXCLUDED FROM IMPROVEMENT  
DISTRICT (ID) 4 INTO IMPROVEMENT DISTRICT 18

WHEREAS, on August 4, 1959 by Resolution No. 83, the Otay Water District Board of Directors (“Board”) formed Improvement District (“ID”) 4 for the purpose of incurring necessary bonded indebtedness for the acquisition, construction and completion of sewer improvements and works; and

WHEREAS, on February 16, 1970 by Resolution No. 758, the Board formed ID 18 for the purpose of incurring necessary bonded indebtedness for the acquisition, construction, and completion of sewer improvements and works; and

WHEREAS, the availability fees are identical between IDs 4 and 18; and

WHEREAS, staff has determined that there is no longer a reason to separate these parcels; and

WHEREAS, on March 4, 2015, by Resolution No. 4221, the Board initiated proceedings to consolidate ID 4 into ID 18 to streamline the accounting and tracking of these parcels by declaring its intention to annex parcels excluded from ID 4, if approved, into ID 18, pursuant to Water Code sections 72700, *et seq.*, including ordering a public hearing on said annexation and directing staff to provide statutorily-required notice for the hearing; and

WHEREAS, in compliance with Proposition 218, the Board held the required public hearing on May 6, 2015, a hearing at which the Board received written protests, if any, theretofore filed with the Secretary of the District, received additional written protests, if any, and heard from any and all persons interested in the annexation, where

the Board determined that there were no protests filed by the holders of title of one-half of the value of the territory proposed to be annexed.

NOW, THEREFORE, BE IT RESOLVED as follows:

1. That the Board of Directors, following a public hearing on the matter where written protests were not made by the owners of one-half of the value of the territory proposed to be annexed, does hereby confirm the annexation of parcels excluded from ID 4 into ID 18, as described in Exhibit "A," pursuant to Water Code sections 72700, *et seq.*

2. That the Board determines from the evidence presented at the hearing that the parcels excluded from ID 4 and to be annexed into ID 18 will be benefited thereby, and that ID 18 will also be benefited thereby and will not be injured thereby, because of the streamlining of accounting and tracking of these parcels and because the availability fees are identical between IDs 4 and 18.

3. A depiction of the area to be annexed, and the boundaries of IDs 4 and 18 following the annexation, is set forth on a map in Attachment C, filed with the Secretary of the District, which map shall govern for all details as to the area to be annexed.

4. That the terms and conditions for the annexation of said parcels is as follows, with the owners required to:

(a) Pay yearly assessment fees of \$30.00 per acre of land and \$10.00 per parcel of land less than one acre which will be collected through the County Tax Assessor's office.

(b) In the event that sewer service is to be provided, the payment of all sewer capacity fees per Equipment Dwelling Unit (EDU) at the time the service is requested.

5. That the annexation shall become effective on July 1, 2015, on the date the exclusion of parcels from ID 4 becomes effective.

PASSED, APPROVED AND ADOPTED by the Board of Directors of the Otay Water District at a regular meeting held this 6<sup>th</sup> day of May, 2015.

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President

ATTEST:

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District Secretary

## **EXHIBIT A**

### **CONSOLIDATION OF OTAY WATER DISTRICT SEWER IMPROVEMENT DISTRICT (ID) ID 4 INTO ID 18**

#### **LEGAL DESCRIPTION**

THE TERRITORY WITHIN THE EXISTING BOUNDARIES OF OTAY WATER DISTRICT SEWER IMPROVEMENT DISTRICT 4 SHALL BE EXCLUDED FROM EXISTING ID 4 AND THE EXCLUDED PARCELS SHALL BE ANNEXED INTO EXISTING ID 18. THE CONSOLIDATION OF EXISTING ID 4 INTO EXISTING ID 18 SHALL BECOME EFFECTIVE JULY 1, 2015, FOLLOWING THE OTAY WATER DISTRICT BOARD OF DIRECTORS ADOPTING RESOLUTION NO. 4286 APPROVING THE ANNEXATION OF THE EXCLUDED PARCELS INTO ID 18.

CONTAINING 348 ACRES OF LAND, MORE OR LESS.

RESOLUTION NO. 4287

A RESOLUTION OF THE BOARD OF DIRECTORS OF  
OTAY WATER DISTRICT APPROVING THE ANNEXATION  
OF PARCELS EXCLUDED FROM IMPROVEMENT  
DISTRICT (ID) 14 INTO IMPROVEMENT DISTRICT 18

WHEREAS, on June 10, 1968 by Resolution No. 586, the Otay Water District Board of Directors (“Board”) formed Improvement District (“ID”) 14 for the purpose of incurring necessary bonded indebtedness for the acquisition, construction and completion of sewer improvements and works; and

WHEREAS, on February 16, 1970 by Resolution No. 758, the Board formed ID 18 for the purpose of incurring necessary bonded indebtedness for the acquisition, construction, and completion of sewer improvements and works; and

WHEREAS, the availability fees are identical between IDs 14 and 18; and

WHEREAS, staff has determined that there is no longer a reason to separate these parcels; and

WHEREAS, on March 4, 2015, by Resolution No. 4221, the Board initiated proceedings to consolidate ID 14 into ID 18 to streamline the accounting and tracking of these parcels by declaring its intention to annex parcels excluded from ID 14, if approved, into ID 18, pursuant to Water Code sections 72700, *et seq.*, including ordering a public hearing on said annexation and directing staff to provide statutorily-required notice for the hearing; and

WHEREAS, in compliance with Proposition 218, the Board held the required public hearing on May 6, 2015, a hearing at which the Board received written protests, if any, theretofore filed with the Secretary of the District, received additional written protests, if any, and heard from any and all persons interested in the annexation, where

the Board determined that there were no protests filed by the holders of title of one-half of the value of the territory proposed to be annexed.

NOW, THEREFORE, BE IT RESOLVED as follows:

1. That the Board of Directors, following a public hearing on the matter where written protests were not made by the owners of one-half of the value of the territory proposed to be annexed, does hereby confirm the annexation of parcels excluded from ID 14 into ID 18, as described in Exhibit "A," pursuant to Water Code sections 72700, *et seq.*

2. That the Board determines from the evidence presented at the hearing that the parcels excluded from ID 14 and to be annexed into ID 18 will be benefited thereby, and that ID 18 will also be benefited thereby and will not be injured thereby, because of the streamlining of accounting and tracking of these parcels and because the availability fees are identical between IDs 14 and 18.

3. A depiction of the area to be annexed, and the boundaries of IDs 14 and 18 following the annexation, is set forth on a map in Attachment C, filed with the Secretary of the District, which map shall govern for all details as to the area to be annexed.

4. That the terms and conditions for the annexation of said parcels is as follows, with the owners required to:

(a) Pay yearly assessment fees of \$30.00 per acre of land and \$10.00 per parcel of land less than one acre which will be collected through the County Tax Assessor's office.

(b) In the event that sewer service is to be provided, the payment of all sewer capacity fees per Equipment Dwelling Unit (EDU) at the time the service is requested.

5. That the annexation shall become effective on July 1, 2015, on the date the exclusion of parcels from ID 14 becomes effective.

PASSED, APPROVED AND ADOPTED by the Board of Directors of the Otay Water District at a regular meeting held this 6<sup>th</sup> day of May, 2015.

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President

ATTEST:

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District Secretary

## **EXHIBIT A**

### **CONSOLIDATION OF OTAY WATER DISTRICT SEWER IMPROVEMENT DISTRICT (ID) ID 14 INTO ID 18**

#### **LEGAL DESCRIPTION**

THE TERRITORY WITHIN THE EXISTING BOUNDARIES OF OTAY WATER DISTRICT SEWER IMPROVEMENT DISTRICT 14 SHALL BE EXCLUDED FROM EXISTING ID 14 AND THE EXCLUDED PARCELS SHALL BE ANNEXED INTO EXISTING ID 18. THE CONSOLIDATION OF EXISTING ID 14 INTO EXISTING ID 18 SHALL BECOME EFFECTIVE JULY 1, 2015, FOLLOWING THE OTAY WATER DISTRICT BOARD OF DIRECTORS ADOPTING RESOLUTION NO. 4287 APPROVING THE ANNEXATION OF THE EXCLUDED PARCELS INTO ID 18.

CONTAINING 644 ACRES OF LAND, MORE OR LESS.