

OTAY WATER DISTRICT  
FINANCE, ADMINISTRATION AND COMMUNICATIONS  
COMMITTEE MEETING  
and  
SPECIAL MEETING OF THE BOARD OF DIRECTORS

2554 SWEETWATER SPRINGS BOULEVARD  
SPRING VALLEY, CALIFORNIA  
BOARDROOM

**WEDNESDAY**  
**February 19, 2014**  
**11:30 A.M.**

This is a District Committee meeting. This meeting is being posted as a special meeting in order to comply with the Brown Act (Government Code Section §54954.2) in the event that a quorum of the Board is present. Items will be deliberated, however, no formal board actions will be taken at this meeting. The committee makes recommendations to the full board for its consideration and formal action.

**AGENDA**

1. ROLL CALL
2. PUBLIC PARTICIPATION – OPPORTUNITY FOR MEMBERS OF THE PUBLIC TO SPEAK TO THE BOARD ON ANY SUBJECT MATTER WITHIN THE BOARD'S JURISDICTION BUT NOT AN ITEM ON TODAY'S AGENDA

**DISCUSSION ITEMS**

3. APPROVE THE ELIMINATION OF THE COLLECTION OF BETTERMENT FEES FOR THE NORTH DISTRICT AND IMPROVEMENT DISTRICTS (ID) 9 AND 10; AND ADOPT ORDINANCE NO. 541 AMENDING SECTION 0.02 A, DEFINITIONS; SECTION 25.03 G, H AND I, DEFINITIONS OF WATER CATEGORIES, WATER RATES, CHARGES AND FEES; AND APPENDIX A OF THE DISTRICT'S CODE OF ORDINANCES TO REFLECT THESE CHANGES EFFECTIVE JULY 1, 2014 (BELL) [5 minutes]
4. APPROVE RESOLUTION NOS. 4224 AND 4225 TO COMPLETE THE PROCESS FOR THE EXCLUSION OF PARCELS WITHIN IMPROVEMENT DISTRICTS (IDS) 19 AND 25; CONCURRENT WITH THIS ACTION, THAT THE BOARD ALSO APPROVE RESOLUTION NOS. 4226 AND 4227, THAT ARE NECESSARY TO COMPLETE THE PROCESS FOR THE ANNEXATION OF THE EXCLUDED PARCELS IN IDS 19 AND 25 INTO IDS 22 AND 20, RESPECTIVELY (BELL) [5 minutes]

5. ADOPT ORDINANCE NO. 542 AMENDING SECTION 2.01, AUTHORITY OF THE GENERAL MANAGER, OF THE DISTRICT'S CODE OF ORDINANCE WITH REGARD TO AMENDMENTS FOR THE LEASE OF DISTRICT REAL PROPERTY AND/OR SPACE ON DISTRICT FACILITIES TO CELLULAR COMPANIES AND RELATED ENTITIES FOR TELECOMMUNICATIONS PURPOSES [MARTIN] (5 minutes)
6. AUTHORIZE THE DISTRICT TO DECLARE A LEVEL I DROUGHT WATCH (MENDEZ-SCHOMER) [5 minutes]
7. DRAFT FISCAL YEAR 2015-2018 STRATEGIC PLAN FOR THE FINANCE, ADMINISTRATION AND INFORMATIONAL TECHNOLOGY DEPARTMENTS (STEVENS) [15 minutes]

RECESS TO CLOSED SESSION

8. CLOSED SESSION
  - a) CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION [GOVERNMENT CODE §54956.9]  
  
1 CASE

RETURN TO OPEN SESSION

9. ADJOURNMENT

BOARD MEMBERS ATTENDING:

Mitch Thompson, Chair  
Jose Lopez

All items appearing on this agenda, whether or not expressly listed for action, may be deliberated and may be subject to action by the Board.

The Agenda, and any attachments containing written information, are available at the District's website at [www.otaywater.gov](http://www.otaywater.gov). Written changes to any items to be considered at the open meeting, or to any attachments, will be posted on the District's website. Copies of the Agenda and all attachments are also available through the District Secretary by contacting her at (619) 670-2280.

If you have any disability which would require accommodation in order to enable you to participate in this meeting, please call the District Secretary at 670-2280 at least 24 hours prior to the meeting.

#### Certification of Posting

I certify that on February 14, 2014 I posted a copy of the foregoing agenda near the regular meeting place of the Board of Directors of Otay Water District, said time being at least 24 hours in advance of the meeting of the Board of Directors (Government Code Section §54954.2).

Executed at Spring Valley, California on February 14, 2014.

/s/ Susan Cruz, District Secretary



installation, and maintenance of water storage reservoirs, pump stations, and water lines for each improvement district.

For the North District and ID 9, there are no authoritative or clear end dates, however, there are sufficient reasons to terminate these fees. Prior staff reports and Board minutes, while not authoritative, show where the terms did not exceed 20 years. Also, capital cost recovery for the assets identified in staff reports have or will be met before the end of this fiscal year. There are authorized maintenance expenditures for these revenues that are ongoing, however, these types of charges are no longer consistent with the District's rate philosophy. The District has gone to a district-wide financing approach for all capital and maintenance costs.

Based on discussions with legal counsel, there is no requirement to refund any additional funding collected as these funds have been used consistent with the purposes outlined in the resolutions. Staff has determined the purposes for the fees appear to have been substantially met and staff recommends that the fees be terminated.

The North District betterment fees were adopted on January 1, 1986 under Ordinance No. 318. The Ordinance was silent with regard to an expiration date. Staff reviewed board packets and minutes to determine if an expiration date was discussed and/or adopted. Financing presentations to the Board identified a 15-year term and a review of the board minutes show discussions of the financing term not to exceed 20 years. Assuming a 20-year term for the North District, these fees would have expired on December 31, 2005.

Improvement District 9 betterment fees were adopted on May 1, 1986 under Ordinance No. 319. The ordinance was silent with regard to an expiration date. Staff reviewed board packets and minutes to determine if an expiration date was discussed and/or adopted. Financing presentations to the Board identified a 15-year term and a review of the board minutes show discussions of the financing term not to exceed 20 years. Assuming a 20-year term for ID 9, these fees would have expired on June 1, 2006.

Improvement District 10 betterment fees were adopted on May 17, 1993 under Ordinance No. 411 and unlike the North District and ID 9 fees, ID 10 does have a termination date. The ordinance establishes the expiration date for ID 10 as December 31, 2018 (25-year term). However, similar to ID 9 and the North

District, sufficient revenues will be collected by the end of the 2014 fiscal year. Also, while there is authorization to fund the maintenance costs via these fees, this is no longer consistent with the District's rate setting philosophy.

Staff performed the following procedures for the North District and IDs 9 and 10 to identify the capital projects intended for each district and its related revenue collections:

- Reviewed board meeting agendas, minutes and related documentation from 1985 through 1998 that had discussions of betterment fees for the North District and IDs 9 and 10.
- Reviewed financing presentations (1985-1986) to the Board which itemized the intended CIP projects and estimated costs for betterment projects for each improvement district.
- Reviewed 1992 financing study from an independent consultant, Fieldman, Rolapp & Associates (FRA). The District had a contract with FRA to develop a financing plan that would provide funding for all of the District's future capital improvement projects. The study included a review of Otay's improvement districts. The report was presented and approved by the Board in February 1993.
- Staff itemized the projects listed in the FRA report and traced CIP projects and estimated costs to Otay's 1995 approved 5-year CIP plan. Staff researched the CIP projects to determine the current status (deleted, completed, delayed or in process) and estimated the costs incurred through June 30, 2013. Following are the estimated costs for each improvement district:
  - North District = \$9,583,700
  - Improvement District 9 = \$3,506,660
  - Improvement District 10 = \$2,978,200
- Staff estimated cumulative collections for the North District and Improvement Districts 9 and 10 from its inception through June 30, 2013. Following are the estimated collections for each improvement district:
  - North District = \$9,503,285
  - Improvement District 9 = \$4,114,209
  - Improvement District 10 = \$3,076,982

Staff estimates that by June 30, 2014, the District will have collected sufficient fees to cover the costs of the CIP projects that were identified in the Financing Plan. In addition, all fees collected in excess of the CIP costs have been used for the maintenance of each improvement district, as intended.

Staff recommends the Board approve an expiration date of July 1, 2014 for betterment fees of the North District and IDs 9 and 10.

**FISCAL IMPACT:** \_\_\_\_\_

Staff recommends that the District discontinue betterment fee collections for the North District and ID 9 because 1) the collection period (20 years) has passed; 2) sufficient fees have been collected to cover the CIP projects; and 3) ongoing collection of these charges for maintenance purposes is no longer consistent with the District's rate setting practices. Staff also recommends that the betterment fees collected for ID 10 be discontinued for reasons 2 and 3 above.

Staff also reviewed the effect to the typical water bill. With a decrease in betterment fees and an equivalent increase in the general water rate, the typical bill would remain at an estimated \$83.67 for Fiscal Year 2015. The District will have no change to its position of having the 10<sup>th</sup> lowest water rates of the 23 water providers in the region.

Should the Board approve the expiration of betterment fees in the North District and Improvement Districts 9 and 10 to be effective July 1, 2014, staff would look to shift the \$783,100 of betterment fee revenue into the general water rate. Sewer revenues would not be affected.

**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 Form

B) Ordinance No. 541

Exhibit 1 - Strike-through Section 0.02

Exhibit 2 - Proposed Section 0.02

Exhibit 3 - Strike-through Section 25.03

Exhibit 4 - Proposed Section 25.03

Exhibit 5 - Strike-through Appendix A

Exhibit 6 - Proposed Appendix A



## ATTACHMENT A

<b>SUBJECT/PROJECT:</b>	Eliminate the Collection of Betterment Fees for the North District and Improvement Districts (ID) 9 and 10; Adopt Ordinance No. 541 Amending Section 0.02 A, Definitions; Section 25.03 G, H & I, Definitions of Water Categories, Water Rates, Charges and Fees; and Appendix A of the District's Code of Ordinances to Reflect these Changes Effective July 1, 2014
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### **COMMITTEE ACTION:**

That the Finance, Administration and Communications Committee recommend that the Board eliminate the collection of betterment fees for the North District and Improvement Districts (ID) 9 and 10; and Adopt Ordinance No. 541 amending Section 0.02 A. Definitions; Section 25.03 G, H & I, Definitions of Water Categories, Water Rates, Charges and Fees; and Appendix A of the District's Code of Ordinances to reflect these changes effective July 1, 2014.

### **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.

ORDINANCE NO. 541

AN ORDINANCE OF THE BOARD OF DIRECTORS OF  
THE OTAY WATER DISTRICT  
AMENDING SECTIONS 0.02 A, DEFINITIONS; 25.03 G, H & I,  
DEFINITIONS OF WATER CATEGORIES, WATER RATES, CHARGES AND FEES;  
AND APPENDIX A OF THE DISTRICT'S CODE OF ORDINANCES

BE IT ORDAINED by the Board of Directors of Otay Water District that the District's Code of Ordinances Sections 0.02 A, Definitions; 25.03 G, H & I, Definitions of Water Categories, Water Rates, Charges and Fees; and Appendix A be amended as per Exhibits 1, 3 and 5.

NOW, THEREFORE, BE IT RESOLVED that the new proposed Sections 0.02 A. Definitions; 25.03 G, H & I, Definitions of Water Categories, Water Rates, Charges and Fees; and Appendix A as per Exhibits 2, 4 and 6 of the Code of Ordinances shall become effective July 1, 2014.

PASSED, APPROVED AND ADOPTED by the Board of Directors of the Otay Water District at a regular meeting duly held this 5th day of March 2014, by the following roll call vote:

- AYES:
- NOES:
- ABSENT:
- ABSTAIN:

\_\_\_\_\_  
President

ATTEST:

\_\_\_\_\_  
District Secretary

DIVISION I        DISTRICT ADMINISTRATION  
CHAPTER 1        GENERAL PROVISIONS  
SECTION 0        DEFINITIONS AND MISCELLANEOUS PROVISIONS

0.01        TITLE - REFERENCE TO CODE

This Code shall be known as the "Otay Water District Code of Ordinances." References herein to the "Code" or the "Ordinances" shall be deemed to mean said Code of Ordinances.

0.02        DEFINITIONS

A. The following words as used in this Code shall have the meanings set forth below unless otherwise apparent in the context in which they are used:

"Board of Directors" or "Board" means the Board of Directors of the District.

"Board Member" or "Member of the Board" means a Director of the Board of Directors.

"Central Area Service Zone" means all land within the boundaries of the area identified as the Central Area Service Zone as shown on the map on file in the Office of the District Secretary.

"County" means the County of San Diego.

"Customer" means any person, firm, association, partnership, corporation or governmental agency supplied or entitled to be supplied with water or sewer service by the District for compensation.

"Developer" means any person, firm, association, partnership, joint venture or corporation who applies for acceptance by the District of an addition to its water distribution system or its sewer collection system.

"District" means the Otay Water District (formerly Otay Municipal Water District).

"Equivalent Dwelling Unit" or "EDU" means a unit of measurement for water service or sewer service. For water service, one EDU shall be considered to be equivalent to a ¾-inch meter, and is also typically considered to be equivalent to 650 gallons per day (gpd) for planning purposes. For sewer service, one EDU shall be 250 gallons per day (gpd) of residential strength wastewater defined

as having a maximum concentration of 280 milligrams per liter (mg/l) biochemical oxygen demand (BOD) and 234 milligrams per liter (mg/l) suspended solids.

"General Manager" means the General Manager of the District or the designated representative.

~~"ID 9 Water Service Zone" means all land within water Improvement District No. 9 and within the boundaries of San Diego County Tentative Map No. 3541, including but not limited to San Diego County Map Nos. 9163 and 9212.~~

"Irrigated area" means the area of land (measured in square feet) which may require supplemental water (potable or recycled) from the District for the support of landscaping, but does not include decks, walkways, patios, tennis courts or any other permanently hard-surfaced areas maintained within or around landscaped areas. Trees shall have an irrigated area equal to the area within the circumference of the canopy (drip line) of the tree at maturity.

"Landscape or landscaping" means the living plant material and organic or inorganic ground covers (mulches) used for aesthetic, erosion control and/or fire control purposes as specified by city or county regulations.

"Line Extension" means a water or sewer main constructed from the termination point of an existing District main to provide service beyond the existing main.

"Non-permanent Irrigation Service" means water service furnished to establish and maintain re-vegetated native plants for a period not to exceed five years.

~~"North District" means all land within water Improvement Districts 1, 2, 3, 9, 20 and 25, and all land within the District boundaries lying east of the westerly line of Sections 16, 21, 28 and 33 of Township 17 South, Range 1 East, San Bernardino Base and Meridian, and north of the south line of Township 17 South, Ranges 1 East and 2 East, San Bernardino Base and Meridian.~~

"Off-Site Facilities" means facilities which must be constructed outside the boundaries of a development to bring utility service from the nearest District facility to the boundary of the land being developed.

"On-Site Facilities" means facilities which must be constructed within the boundaries of a development for utility service within the development or other land to be served.

"Parcel Map Development" or "Lot-Split" means a real estate development resulting in a division of land into four or less parcels for which no subdivision map is required but for which a parcel map is required to be filed and approved by the applicable local governmental agency.

"Person" means any individual, firm, co-partnership, joint venture association, corporation, county, city, municipal corporation or other political subdivision, or any other group or combination acting as a unit.

"Sewer Lateral" means the portion of pipe between the District sewer main and the coupling at the property owner's point of connection.

The word "shall" means mandatory and the word "may" means permissive.

"Staff" means the General Manager and other administrative personnel of the District.

"Subdivision" means a real estate development resulting in a division of land into five or more lots or parcels for which a subdivision map is required to be filed and approved by the applicable local governmental agency.

"Utility" or "Utility System" means a water system and/or sewer system, as applicable.

"Water Lateral" means the portion of pipe between the District water main and the water meter location.

"Water Meter" means an instrument used for automatic recording of the quantity of water delivered to a customer and the term shall include the fittings, valves and equipment required for operation of the water meter.

"Water Service" means the furnishing of water to a customer through a District-owned water meter or meters.

0.03            EFFECT OF HEADING

The title, division or section headings contained in this Code shall not be deemed to govern, limit or modify in any manner the scope, meaning or intent of the provisions of any section or subsection of this Code.

0.04            NOTICES

A.        Whenever a notice is required to be given under this Code, unless different provisions are specifically made herein, such notice may be made either by personal delivery thereof to the person to be notified or by deposit in the U.S.

Mail in a sealed envelope, postage prepaid, addressed to such person at his last known business or residence address as the name appears in public records or other records pertaining to the matter to which the notice is directed. Service by mail shall be deemed to have been completed at the time of deposit in the post office.

B. Proof of giving any notice may be made by the certificate of any officer or employee of the District or by affidavit of any person over the age of eighteen years, which shows service in conformity with this Code or other provisions of law applicable to the subject matter concerned.

0.05           VALIDITY OF CODE

If any section, subsection, sentence, clause, phrase or portion of this Code is for any reason held to be invalid or unconstitutional by the decision of any court, such decision shall not affect the remaining portions of this Code. The Board of Directors hereby declares that it would have adopted this Code and each section, subsection, sentence, clause, phrase or portion thereof, irrespective that any one or more sections, subsections, clauses, phrases or portions be declared invalid or unconstitutional.

0.06           TIME LIMIT FOR SEEKING REVIEW OF ADMINISTRATIVE DECISIONS

Judicial review of any administrative decision of the District may be had pursuant to Code of Civil Procedure Section 1094.5 only if the petition for writ of mandate is filed not later than the ninetieth day following the date on which the decision become final.

DIVISION I        DISTRICT ADMINISTRATION  
CHAPTER 1        GENERAL PROVISIONS  
SECTION 0        DEFINITIONS AND MISCELLANEOUS PROVISIONS

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0.03            EFFECT OF HEADING

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0.04            NOTICES

A. Whenever a notice is required to be given under this Code, unless different provisions are specifically made herein, such notice may be made either by personal delivery thereof to the person to be notified or by deposit in the U.S. Mail in a sealed envelope, postage prepaid, addressed to such person at his last known business or residence address as the name appears in public records or other records pertaining to the matter to which the notice is directed. Service by mail shall be deemed to have been completed at the time of deposit in the post office.

B. Proof of giving any notice may be made by the certificate of any officer or employee of the District or by affidavit of any person over the age of eighteen years, which shows service in conformity with this Code or other provisions of law applicable to the subject matter concerned.

0.05            VALIDITY OF CODE

If any section, subsection, sentence, clause, phrase or portion of this Code is for any reason held to be invalid or unconstitutional by the decision of any court, such decision shall not affect the remaining portions of this Code. The Board of Directors hereby declares that it would have adopted this Code and each section, subsection, sentence, clause, phrase or portion thereof, irrespective that any one or more sections, subsections, clauses, phrases or portions be declared invalid or unconstitutional.

0.06            TIME LIMIT FOR SEEKING REVIEW OF ADMINISTRATIVE DECISIONS

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## SECTION 25

CONDITIONS FOR WATER SERVICE25.01 SERVICE AREA

Water service shall be furnished by the District only to property within (annexed to) a water improvement district within the District's service area. Water service to property located outside an improvement district may be furnished only upon prior approval of the Board of Directors. Temporary water service to property located outside an improvement district may be furnished, in accordance with Section 25.03 E.12., upon the approval of the General Manager.

25.02 DEFINITION OF "HCF" AND "UNIT OF WATER"

As used in the Code the terms "HCF" and "unit of water" are interchangeable and each shall mean 100 cubic feet or 748 gallons of water.

25.03 DEFINITIONS OF WATER SERVICE CATAGORIES, WATER RATES, CHARGES AND FEES

Water service furnished by the District shall be under the categories of services and at the rates, charges and fees as set forth in Appendix A, Section 25.

All District water rates, charges and fees are subject to Board approval of rate increases beginning January 1, 2014 and periodically thereafter through December 31, 2018. The increases shall be the amount sufficient to cover cost increases related to operations and maintenance, but not to exceed 10% per year.

Five-year Periodic Pass-through Rate Increases or Decreases from District Wholesalers - All District water rates, charges and fees are subject to periodic rate changes from the District's public agency wholesalers for a five-year period beginning January 1, 2014 through December 31, 2018.

A. Set-up Fees for Accounts A set-up fee shall be charged for each account transferred to another customer. See Appendix A, 25.03 A. for charges. A deposit will be required of all customers who do not own the property to be served. See Appendix A, 25.04 A. for deposit amounts.

B. Monthly Fixed MWD & CWA Charges Each potable water service customer shall pay a monthly MWD and CWA fixed system charge, as set forth in Appendix A, 25.03 C. Proceeds of the charge will be used to pay for operating and maintenance costs, including the following: MWD Readiness-to-Serve Charge and Capacity Reservation Charge; CWA Infrastructure Access Charge, Customer Service Charge, and Emergency Storage Charge. The MWD & CWA charge is based on

the size of the water meter(s) in service with the exception of upsizing the meter for individually metered residential fire service, as described in Section 38.03 of the Code. The MWD & CWA charge shall start upon installation of the meter.

- C. Monthly Fixed System Charges Each water service customer shall pay a monthly fixed system charge, as set forth in Appendix A, 25.03 C. Proceeds of the charge will be used to pay for water system replacement, maintenance, and operation expenses. The system charge is based on the size of the water meter(s) in service. For individually metered residential fire service, as outlined in Section 38.03 of the Code, the size and fee would be set based on water use requirements without additional fire capacity. The system charge shall start upon installation of the meter
- D. Water Conservation Drought Pricing To promote conservation, base tiered water rates for all water services are subject to percentage increases during drought stages, as shown in the table below:

<b>Drought Stage Pricing</b>			
	<b>Stage 2</b>	<b>Stage 3</b>	<b>Stage 4</b>
Tier 1*	0%	0%	0%
Tier 2	Up to 5%	Up to 10%	Up to 15%
Tier 3	Up to 30%	Up to 60%	Up to 90%

\*Domestic residential water service has four tiered base rates as outlined in Appendix A, 25.03 E.1.(b). Tier 1 of the above table applies to the first two tiered base rates. Tier 2 of the above table applies to the third tiered base rate. Tier 3 of the above table applies to the fourth tiered base rate.

- E. Categories of Water Service The definitions and rates and charges for water service furnished by the District shall be as follows:

1. DOMESTIC RESIDENTIAL WATER

- (a) Defined as: Water service for single residential and individually metered attached households as well as other domestic uses (other than that provided for in Paragraph 2 below).
- (b) Base Rate: The tiered base rates of water furnished under this category shall be set forth in Appendix A, 25.03 E.1.(b).

The tiered base rates for this category of service are subject to the increased drought pricing outlined in Section 25.03 D.

2. MULTIPLE RESIDENTIAL WATER

(a) Defined as: Master metered water service for multiple residential households, for example, duplexes, townhomes, apartments and mobile homes.

(b) Base Rate: The tiered base rates of water furnished for each dwelling unit under each block of service in this category shall be as set forth in Appendix A, 25.03 E.2.(b).

The tiered base rates for this category of service are subject to the increased drought pricing outlined in Section 25.03 D.

3. BUSINESS AND PUBLICLY-OWNED WATER

(a) Defined as: Potable water service for commercial, industrial and publicly-owned establishments.

(b) Base Rate: The tiered base rate for water furnished under this category shall be determined by meter size and usage block as set forth in Appendix A, 25.03 E.3.(b).

The tiered base rates for this category of service are subject to the increased drought pricing outlined in Section 25.03 D.

4. IRRIGATION AND COMMERCIAL AGRICULTURAL USING POTABLE WATER

(a) Irrigation is potable water service provided solely for irrigation of landscape or landscaping, as defined in Section 0.02 A.

(b) Commercial agricultural engaged in the growing or raising of live stock, in conformity with recognized practices of husbandry, for the purpose of commerce, trade or industry, or for the use by public educational or correctional institutions or agricultural horticultural or floricultural products and produced,

(i) for human consumption or for the market, or

(ii) for the feeding of fowl or livestock produced for human consumption or for the market, or

(iii) for feeding fowl or livestock for the purpose of obtaining their products for human consumption or for the market, such products to be grown or raised on a parcel of land having an area of not less than one acre utilized exclusively therefore.

(c) Base Rate: The tiered base rate for water furnished under this category shall be determined by meter size and usage block as set forth in Appendix A, 25.03 E.4.(c).

The tiered base rates for this category of service are subject to the increased drought pricing outlined in Section 25.03 D.

5. RECYCLED WATER - LANDSCAPE IRRIGATION AND CERTAIN NON-IRRIGATION PURPOSES

(a) Defined as: Non-potable and recycled water service provided for irrigation of landscaping, as defined in Section 0.02 A. of the Code, and certain non-irrigation purposes, other than domestic use, in compliance with federal, state and local laws and regulations regarding use of recycled water.

(b) The provisions of this Code, relating to use of recycled water, set forth in Section 26 of the Code, including but not limited to cross-connections and backflow protective devices, shall be strictly enforced in connection with the use of recycled water.

(c) Base Rate: The tiered base rate for water furnished under this category shall be determined by meter size and usage block as set forth in Appendix A, 25.03 E.5.(c).

The tiered base rates for this category of service are subject to the increased drought pricing outlined in Section 25.03 D.

(d) Monthly system charge: The monthly system charge for recycled water service is set forth in Appendix A, 25.03 C.

6. RECYCLED WATER - COMMERCIAL

(a) Defined as: Non-potable and recycled water service provided for commercial customers, as defined in Section 0.02 A. of the Code, and certain non-irrigation purposes, other than domestic use, in compliance with federal, state and local laws and regulations regarding use of recycled water.

(b) The provisions of this Code, relating to use of recycled water, set forth in Section 26 of the Code, including but not limited to cross-connections and backflow protective devices, shall be strictly enforced in connection with the use of recycled water.

(c) Base Rate: The tiered base rate for water furnished under this category shall be determined by meter size and usage block as set forth in Appendix A, 25.03 E.6.(c).

The tiered base rates for this category of service are subject to the increased drought pricing outlined in Section 25.03 D.

(d) Monthly system charge: The monthly system charge for recycled commercial water service is set forth in Appendix A, 25.03 C.

#### 7. POTABLE TEMPORARY AND CONSTRUCTION WATER SERVICE

(a) Defined as: Potable water service provided by the District on a temporary basis, pursuant to Section 31 of this Code.

(b) If capacity fees have not been paid by the customer, the rates for water furnished under this category is set forth in Appendix A, 25.03 E.7.(b).

(c) If the customer has paid capacity and annexation fees, the base rate for water furnished under this category shall be the base rate charged customers in the same category of service on a permanent meter basis.

(d) The tiered base rates for this category of service are subject to the increased drought pricing outlined in Section 25.03 D.

(e) The applicable monthly system and MWD & CWA charge shall be the same rates charged to customers in the same category of service on a permanent meter basis per Appendix A, 25.03 C.

#### 8. RECYCLED TEMPORARY AND CONSTRUCTION WATER SERVICE

(a) Defined as: Recycled water service provided by the District on a temporary basis, pursuant to Section 31 of this Code.

(b) If capacity fees have not been paid by the customer, the rates for water furnished under this category is set forth in Appendix A, 25.03 E.8(b).

- (c) If the customer has paid capacity and annexation fees, the base rate for water furnished under this category shall be the base rate charged customers in the same category of service on a permanent meter basis.
- (d) The tiered base rates for this category of service are subject to the increased drought pricing outlined in Section 25.03 D.
- (e) The applicable monthly system charge shall be the same rates charged to customers in the same category of service on a permanent meter basis per Appendix A, 25.03 C.

9. WATER SERVICE UNDER SPECIAL AGREEMENTS

- (a) Defined as: Water service provided under express agreements approved by the Board of Directors for service to golf courses and other entities, which service may be curtailed or interrupted by the District under conditions provided in such agreements.
- (b) For water service under this category the base rate shall be determined on a case-by-case basis.

Unless otherwise specified in the particular agreement, the tiered base rates for this category of service are subject to the increased drought pricing outlined in Section 25.03 D.

10. TANK TRUCKS

- (a) Defined as: Water service provided for the filling of tanks on motor vehicles transporting water used for other than earth grading purposes, which service shall be made only through a portable meter issued by the District to a customer specifically for use in accordance with the provisions herein for such service.
- (b) The rate for metered water furnished under this category is reflected in Appendix A, 25.03 E.10. (b), plus a monthly system charge at the rate set forth in Appendix A, 25.03 C.

The tiered base rates for this category of service are subject to the increased drought pricing outlined in Section 25.03 D.

- (c) Requirements for Use of Water Meter
  - (1) To receive such service, the customer must make a deposit for the use a water meter

furnished by the District. The fee is set forth in Appendix A, 31.03 A.1.

- (2) Upon termination of the service, the District will refund the amount of deposit remaining after making the following deductions:
  - (i) Cost of repairing or replacing the meter, fire hydrant and/or any fittings damaged or lost while in use; and
  - (ii) Unpaid charges for water or other applicable charges.
- (3) Prior to the end of each six month period following issuance of a meter under this section, or at the request of the District, whichever is earlier, the customer shall return the meter to the District for inspection, repair, or calibration as deemed necessary by the District.
- (4) Payment for water service under this category shall be made as follows:
  - (i) The bill shall be based on the amount of water actually used, which shall be determined by the District's reading of the meter or by a report made by the customer to the District in the manner prescribed by the District.
  - (ii) Where the actual amount of water used cannot be determined as provided in (i), the District will issue a bill based on a District estimate of the amount of water used, as determined by the District. Such estimates shall be reconciled with actual amounts used when the customer returns the meter to the District as provided in paragraph 3 above.
  - (iii) Payments shall be made as specified on the bill.

11. WATER SERVICE OUTSIDE DISTRICT

- (a) Defined as: Water service for real property outside the service area of the District.
- (b) This service will be provided only upon prior approval of the General Manager when there is a surplus of water over and above the existing

needs for service in the District. This service is temporary and may be terminated upon written notice from the District. Customers for this service are sometimes referred to as "outside users."

- (c) Customers applying for this category of service shall pay an application fee as set forth in Appendix A, 25.03 E.11.(c).
- (d) The rate for metered water furnished under this category shall be charged the rate as described in Appendix A, 25.03 E.11.(d), plus a monthly system charge at the rate set forth in Appendix A, 25.03 C.

The tiered base rates for this category of service are subject to the increased drought pricing outlined in Section 25.03 D.

- (e) Customers requesting only fire service or a fire hydrant under this category shall be charged a capacity fee based on one (1) EDU for a permanent meter in the improvement district from which the fire service derives its flow, plus a monthly system charge at the rate set forth in Appendix A, 25.03 E.13.(c).

12. WATER SERVICE OUTSIDE AN IMPROVEMENT DISTRICT

- (a) Defined as: Water service for property located within the boundaries of the District, but not within a water improvement district. Customers for this service are sometimes referred to as "outside users."
- (b) Customers applying for this service shall pay an application fee as set forth in Appendix A, 25.03 E.12.(b). The District will review the application to determine whether the land to be served should be annexed to an improvement district. If it is determined that annexation is not practical, the Board of Directors may authorize service as an outside user. This service will be reviewed periodically until it is determined that the property must be annexed to an improvement district or that service must be terminated.
- (c) The rate for metered water furnished under this category is as set forth in Appendix A, 25.03 E.12.(c), plus a monthly system charge as set forth in Appendix A, 25.03.C.

The tiered base rates for this category of service are subject to the increased drought pricing outlined in Section 25.03 D.

- (d) Upon approval of the Board of Directors, a customer, who has paid all construction costs for facilities necessary to serve the customer's property in lieu of annexation to a water improvement district, shall be exempt from the provision for this category of service.

13. SERVICE FOR FIRE PROTECTION

- (a) Defined as: Water service provided by the District solely to feed fire hydrants or fire sprinkler systems from lines or laterals connected to District water mains.
- (b) The District will not make a charge for the quantity of water used for fire protection purposes.
- (c) The monthly system charge for this category of service is set forth in Appendix A, 25.03 E.13.(c) for each connection to a District water main made for fire protection service.

14. WATER SERVICE TO PROPERTY NOT SUBJECT TO DISTRICT TAXES

- (a) Pursuant to Section 71613 of the California Water Code, the District may furnish water to property, not subject to District taxes, at special rates, terms and conditions as are determined by the Board of Directors for such service. Such rates, terms and conditions shall be uniformly applied to like classes and conditions of service in the same improvement district or geographical area.
- (b) Customers in this category, such as publicly-owned establishments, shall pay an additional fee as outlined in Appendix A, 25.03 E.14.(b).

15. INTERIM WATER SERVICE IN IMPROVEMENT DISTRICT 7

- (a) Definition of Interim Service. This is water Service furnished to a customer in Improvement District 7 (ID 7) for temporary use.
- (b) Rates for Interim Service. Customers applying for interim service in ID 7 shall not be required to pay the ID 7 water capacity fee and San Diego

County Water Authority fee, as required under Section 2801 of this Code. The water rate is set forth in Appendix A, 25.03 E.15.(b).

- (c) Conversion to Permanent Service. At such time as use expires, the customer shall be required to pay all fees in effect at the time the permanent use is implemented.

F. Energy Charges for Pumping Water

In addition to water rates and other charges provided for in this Section 25.03, customers shall be charged an energy pumping charge based on the quantity of water used and the elevation to which the water has been lifted to provide service. The energy pumping charge shall be made at the rate set forth in Appendix A, 25.03 F.

~~G. Additional Water Charge for Service in the North District~~

- ~~1. In addition to other applicable water rates and charges provided for in this Section 25.03, each customer receiving water service in the North District shall pay a charge as set forth in Appendix A, 25.03 G.1. The North District area is defined in Section 0.02 of this Code.~~
- ~~2. All proceeds from charges collected pursuant to this Section 25.03 G. shall be set aside by the District in a separate account and shall be used solely for payment of costs and borrowings for construction, installation and maintenance of water storage reservoirs, pump stations and water lines to provide service in the North District.~~

~~H. Additional Water Charges and Monthly System Charges for Service in the ID 9 Water Service Zone~~

- ~~1. In addition to other applicable water rates and charges provided for in this Section 25.03, effective May 1, 1986, each customer receiving water service in the ID 9 Water Service Zone shall pay a charge set forth in Appendix A, 25.03 H.1. The ID 9 Water Service Zone area is defined in Section 0.02 of this Code.~~
- ~~2. In addition to the monthly system charges provided for, effective May 1, 1986, each customer receiving water service in the ID 9 Water Service Zone shall pay a monthly meter system charge as outlined in Appendix A, 25.03 H.2. for each meter in service.~~
- ~~3. All proceeds from charges collected pursuant to this Section 25.03 H. shall be set aside by the District in~~

~~a separate account and shall be used solely for payment of costs and borrowing for construction, installation and maintenance of water storage reservoirs, pump stations and water lines to provide service in the ID 9 Water Service Zone.~~

~~I. Additional Water Charges for Services in the ID 3, ID 10 and La Presa Water Service Zones~~

- ~~1. In addition to other applicable water rates and charges provided for in this Section 25.03, effective May 17, 1993, each customer receiving water service in ID 3, ID 10 and La Presa Water Service Zones is assessed an additional charge per H.C.F. of water furnished by the District. Said surcharge is assessed as set forth in Appendix A, 25.03 I.1.(a), (b), and (c), respectively.~~
- ~~2. All proceeds from charges collected pursuant to this Section 25.03 I. shall be set aside by the District in a separate account and shall be used solely for payment of costs and borrowings for construction, installation and maintenance of water storage, reservoirs, pump stations and water lines to provide service in the ID 3, ID 10 and La Presa Water Service Zones, respectively.~~

25.04 DEPOSITS BY LESSEES OR NON-OWNERS OF PROPERTY

8. RECYCLED TEMPORARY AND CONSTRUCTION WATER SERVICE

- (a) Defined as: Recycled water service provided by the District on a temporary basis, pursuant to Section 31 of this Code.
- (b) If capacity fees have not been paid by the customer, the rates for water furnished under this category is set forth in Appendix A, 25.03 E.8(b).
- (c) If the customer has paid capacity and annexation fees, the base rate for water furnished under this category shall be the base rate charged customers in the same category of service on a permanent meter basis.
- (d) The tiered base rates for this category of service are subject to the increased drought pricing outlined in Section 25.03 D.
- (e) The applicable monthly system charge shall be the same rates charged to customers in the same

category of service on a permanent meter basis per Appendix A, 25.03 C.

A. AMOUNT OF DEPOSIT

The customer's deposit shall be applied to reduce or satisfy any delinquent payment or other amount due the District at the time of termination of water service to the customer. Any portion of the deposit remaining, after satisfaction of the amount due, shall be refunded to the customer that made the deposit.

The deposits listed above may be waived for a new residential applicant where the applicant demonstrates credit worthiness based upon prior utility payments or a non-delinquent water account for one year or other similar evidence of credit.

B. REFUND OF DEPOSIT

Where funds have been on deposit for twelve months in a domestic service account and there has been no more than one delinquent payment on that account during that period, the District will apply a credit to the water account in the amount of the deposit.

C. LETTER OF CREDIT

A letter of credit, in a form approved by the General Manager or Department Head of Finance, may be submitted to the District to satisfy the deposit requirements.

25.05 SERVICE TO SUBSEQUENT CUSTOMERS

After a water meter has been installed for a customer and all fees and charges have been paid, water service may be furnished to a subsequent customer through the water meter installed without payment of further charges, except for the set-up fee for transferred accounts, payment of delinquent charges for the applicant's service or other deposits that may be required by this Code.

## SECTION 25

CONDITIONS FOR WATER SERVICE25.01 SERVICE AREA

Water service shall be furnished by the District only to property within (annexed to) a water improvement district within the District's service area. Water service to property located outside an improvement district may be furnished only upon prior approval of the Board of Directors. Temporary water service to property located outside an improvement district may be furnished, in accordance with Section 25.03 E.12., upon the approval of the General Manager.

25.02 DEFINITION OF "HCF" AND "UNIT OF WATER"

As used in the Code the terms "HCF" and "unit of water" are interchangeable and each shall mean 100 cubic feet or 748 gallons of water.

25.03 DEFINITIONS OF WATER SERVICE CATAGORIES, WATER RATES, CHARGES AND FEES

Water service furnished by the District shall be under the categories of services and at the rates, charges and fees as set forth in Appendix A, Section 25.

All District water rates, charges and fees are subject to Board approval of rate increases beginning January 1, 2014 and periodically thereafter through December 31, 2018. The increases shall be the amount sufficient to cover cost increases related to operations and maintenance, but not to exceed 10% per year.

Five-year Periodic Pass-through Rate Increases or Decreases from District Wholesalers - All District water rates, charges and fees are subject to periodic rate changes from the District's public agency wholesalers for a five-year period beginning January 1, 2014 through December 31, 2018.

- A. Set-up Fees for Accounts A set-up fee shall be charged for each account transferred to another customer. See Appendix A, 25.03 A. for charges. A deposit will be required of all customers who do not own the property to be served. See Appendix A, 25.04 A. for deposit amounts.
- B. Monthly Fixed MWD & CWA Charges Each potable water service customer shall pay a monthly MWD and CWA fixed system charge, as set forth in Appendix A, 25.03 C. Proceeds of the charge will be used to pay for operating and maintenance costs, including the following: MWD Readiness-to-Serve Charge and Capacity Reservation Charge; CWA Infrastructure Access Charge, Customer Service Charge, and Emergency Storage Charge. The MWD & CWA charge is based on

the size of the water meter(s) in service with the exception of upsizing the meter for individually metered residential fire service, as described in Section 38.03 of the Code. The MWD & CWA charge shall start upon installation of the meter.

- C. Monthly Fixed System Charges Each water service customer shall pay a monthly fixed system charge, as set forth in Appendix A, 25.03 C. Proceeds of the charge will be used to pay for water system replacement, maintenance, and operation expenses. The system charge is based on the size of the water meter(s) in service. For individually metered residential fire service, as outlined in Section 38.03 of the Code, the size and fee would be set based on water use requirements without additional fire capacity. The system charge shall start upon installation of the meter
- D. Water Conservation Drought Pricing To promote conservation, base tiered water rates for all water services are subject to percentage increases during drought stages, as shown in the table below:

	<b>Drought Stage Pricing</b>		
	<b>Stage 2</b>	<b>Stage 3</b>	<b>Stage 4</b>
Tier 1*	0%	0%	0%
Tier 2	Up to 5%	Up to 10%	Up to 15%
Tier 3	Up to 30%	Up to 60%	Up to 90%

\*Domestic residential water service has four tiered base rates as outlined in Appendix A, 25.03 E.1.(b). Tier 1 of the above table applies to the first two tiered base rates. Tier 2 of the above table applies to the third tiered base rate. Tier 3 of the above table applies to the fourth tiered base rate.

- E. Categories of Water Service The definitions and rates and charges for water service furnished by the District shall be as follows:

1. DOMESTIC RESIDENTIAL WATER

- (a) Defined as: Water service for single residential and individually metered attached households as well as other domestic uses (other than that provided for in Paragraph 2 below).
- (b) Base Rate: The tiered base rates of water furnished under this category shall be set forth in Appendix A, 25.03 E.1.(b).

The tiered base rates for this category of service are subject to the increased drought pricing outlined in Section 25.03 D.

2. MULTIPLE RESIDENTIAL WATER

(a) Defined as: Master metered water service for multiple residential households, for example, duplexes, townhomes, apartments and mobile homes.

(b) Base Rate: The tiered base rates of water furnished for each dwelling unit under each block of service in this category shall be as set forth in Appendix A, 25.03 E.2.(b).

The tiered base rates for this category of service are subject to the increased drought pricing outlined in Section 25.03 D.

3. BUSINESS AND PUBLICLY-OWNED WATER

(a) Defined as: Potable water service for commercial, industrial and publicly-owned establishments.

(b) Base Rate: The tiered base rate for water furnished under this category shall be determined by meter size and usage block as set forth in Appendix A, 25.03 E.3.(b).

The tiered base rates for this category of service are subject to the increased drought pricing outlined in Section 25.03 D.

4. IRRIGATION AND COMMERCIAL AGRICULTURAL USING POTABLE WATER

(a) Irrigation is potable water service provided solely for irrigation of landscape or landscaping, as defined in Section 0.02 A.

(b) Commercial agricultural engaged in the growing or raising of live stock, in conformity with recognized practices of husbandry, for the purpose of commerce, trade or industry, or for the use by public educational or correctional institutions or agricultural horticultural or floricultural products and produced,

(i) for human consumption or for the market, or

(ii) for the feeding of fowl or livestock produced for human consumption or for the market, or

(iii) for feeding fowl or livestock for the purpose of obtaining their products for human consumption or for the market, such products to be grown or raised on a parcel of land having an area of not less than one acre utilized exclusively therefore.

(c) Base Rate: The tiered base rate for water furnished under this category shall be determined by meter size and usage block as set forth in Appendix A, 25.03 E.4.(c).

The tiered base rates for this category of service are subject to the increased drought pricing outlined in Section 25.03 D.

5. RECYCLED WATER - LANDSCAPE IRRIGATION AND CERTAIN NON-IRRIGATION PURPOSES

(a) Defined as: Non-potable and recycled water service provided for irrigation of landscaping, as defined in Section 0.02 A. of the Code, and certain non-irrigation purposes, other than domestic use, in compliance with federal, state and local laws and regulations regarding use of recycled water.

(b) The provisions of this Code, relating to use of recycled water, set forth in Section 26 of the Code, including but not limited to cross-connections and backflow protective devices, shall be strictly enforced in connection with the use of recycled water.

(c) Base Rate: The tiered base rate for water furnished under this category shall be determined by meter size and usage block as set forth in Appendix A, 25.03 E.5.(c).

The tiered base rates for this category of service are subject to the increased drought pricing outlined in Section 25.03 D.

(d) Monthly system charge: The monthly system charge for recycled water service is set forth in Appendix A, 25.03 C.

6. RECYCLED WATER - COMMERCIAL

(a) Defined as: Non-potable and recycled water service provided for commercial customers, as defined in Section 0.02 A. of the Code, and certain non-irrigation purposes, other than domestic use, in compliance with federal, state and local laws and regulations regarding use of recycled water.

- (b) The provisions of this Code, relating to use of recycled water, set forth in Section 26 of the Code, including but not limited to cross-connections and backflow protective devices, shall be strictly enforced in connection with the use of recycled water.
- (c) Base Rate: The tiered base rate for water furnished under this category shall be determined by meter size and usage block as set forth in Appendix A, 25.03 E.6.(c).  
  
The tiered base rates for this category of service are subject to the increased drought pricing outlined in Section 25.03 D.
- (d) Monthly system charge: The monthly system charge for recycled commercial water service is set forth in Appendix A, 25.03 C.

7. POTABLE TEMPORARY AND CONSTRUCTION WATER SERVICE

- (a) Defined as: Potable water service provided by the District on a temporary basis, pursuant to Section 31 of this Code.
- (b) If capacity fees have not been paid by the customer, the rates for water furnished under this category is set forth in Appendix A, 25.03 E.7.(b).
- (c) If the customer has paid capacity and annexation fees, the base rate for water furnished under this category shall be the base rate charged customers in the same category of service on a permanent meter basis.
- (d) The tiered base rates for this category of service are subject to the increased drought pricing outlined in Section 25.03 D.
- (e) The applicable monthly system and MWD & CWA charge shall be the same rates charged to customers in the same category of service on a permanent meter basis per Appendix A, 25.03 C.

8. RECYCLED TEMPORARY AND CONSTRUCTION WATER SERVICE

- (a) Defined as: Recycled water service provided by the District on a temporary basis, pursuant to Section 31 of this Code.
- (b) If capacity fees have not been paid by the customer, the rates for water furnished under this category is set forth in Appendix A, 25.03 E.8(b).

- (c) If the customer has paid capacity and annexation fees, the base rate for water furnished under this category shall be the base rate charged customers in the same category of service on a permanent meter basis.
- (d) The tiered base rates for this category of service are subject to the increased drought pricing outlined in Section 25.03 D.
- (e) The applicable monthly system charge shall be the same rates charged to customers in the same category of service on a permanent meter basis per Appendix A, 25.03 C.

9. WATER SERVICE UNDER SPECIAL AGREEMENTS

- (a) Defined as: Water service provided under express agreements approved by the Board of Directors for service to golf courses and other entities, which service may be curtailed or interrupted by the District under conditions provided in such agreements.
- (b) For water service under this category the base rate shall be determined on a case-by-case basis.

Unless otherwise specified in the particular agreement, the tiered base rates for this category of service are subject to the increased drought pricing outlined in Section 25.03 D.

10. TANK TRUCKS

- (a) Defined as: Water service provided for the filling of tanks on motor vehicles transporting water used for other than earth grading purposes, which service shall be made only through a portable meter issued by the District to a customer specifically for use in accordance with the provisions herein for such service.
- (b) The rate for metered water furnished under this category is reflected in Appendix A, 25.03 E.10. (b), plus a monthly system charge at the rate set forth in Appendix A, 25.03 C.

The tiered base rates for this category of service are subject to the increased drought pricing outlined in Section 25.03 D.

- (c) Requirements for Use of Water Meter
  - (1) To receive such service, the customer must make a deposit for the use a water meter

furnished by the District. The fee is set forth in Appendix A, 31.03 A.1.

- (2) Upon termination of the service, the District will refund the amount of deposit remaining after making the following deductions:
  - (i) Cost of repairing or replacing the meter, fire hydrant and/or any fittings damaged or lost while in use; and
  - (ii) Unpaid charges for water or other applicable charges.
- (3) Prior to the end of each six month period following issuance of a meter under this section, or at the request of the District, whichever is earlier, the customer shall return the meter to the District for inspection, repair, or calibration as deemed necessary by the District.
- (4) Payment for water service under this category shall be made as follows:
  - (i) The bill shall be based on the amount of water actually used, which shall be determined by the District's reading of the meter or by a report made by the customer to the District in the manner prescribed by the District.
  - (ii) Where the actual amount of water used cannot be determined as provided in (i), the District will issue a bill based on a District estimate of the amount of water used, as determined by the District. Such estimates shall be reconciled with actual amounts used when the customer returns the meter to the District as provided in paragraph 3 above.
  - (iii) Payments shall be made as specified on the bill.

11. WATER SERVICE OUTSIDE DISTRICT

- (a) Defined as: Water service for real property outside the service area of the District.
- (b) This service will be provided only upon prior approval of the General Manager when there is a surplus of water over and above the existing

needs for service in the District. This service is temporary and may be terminated upon written notice from the District. Customers for this service are sometimes referred to as "outside users."

- (c) Customers applying for this category of service shall pay an application fee as set forth in Appendix A, 25.03 E.11.(c).
- (d) The rate for metered water furnished under this category shall be charged the rate as described in Appendix A, 25.03 E.11.(d), plus a monthly system charge at the rate set forth in Appendix A, 25.03 C.

The tiered base rates for this category of service are subject to the increased drought pricing outlined in Section 25.03 D.

- (e) Customers requesting only fire service or a fire hydrant under this category shall be charged a capacity fee based on one (1) EDU for a permanent meter in the improvement district from which the fire service derives its flow, plus a monthly system charge at the rate set forth in Appendix A, 25.03 E.13.(c).

## 12. WATER SERVICE OUTSIDE AN IMPROVEMENT DISTRICT

- (a) Defined as: Water service for property located within the boundaries of the District, but not within a water improvement district. Customers for this service are sometimes referred to as "outside users."
- (b) Customers applying for this service shall pay an application fee as set forth in Appendix A, 25.03 E.12.(b). The District will review the application to determine whether the land to be served should be annexed to an improvement district. If it is determined that annexation is not practical, the Board of Directors may authorize service as an outside user. This service will be reviewed periodically until it is determined that the property must be annexed to an improvement district or that service must be terminated.
- (c) The rate for metered water furnished under this category is as set forth in Appendix A, 25.03 E.12.(c), plus a monthly system charge as set forth in Appendix A, 25.03.C.

The tiered base rates for this category of service are subject to the increased drought pricing outlined in Section 25.03 D.

- (d) Upon approval of the Board of Directors, a customer, who has paid all construction costs for facilities necessary to serve the customer's property in lieu of annexation to a water improvement district, shall be exempt from the provision for this category of service.

13. SERVICE FOR FIRE PROTECTION

- (a) Defined as: Water service provided by the District solely to feed fire hydrants or fire sprinkler systems from lines or laterals connected to District water mains.
- (b) The District will not make a charge for the quantity of water used for fire protection purposes.
- (c) The monthly system charge for this category of service is set forth in Appendix A, 25.03 E.13.(c) for each connection to a District water main made for fire protection service.

14. WATER SERVICE TO PROPERTY NOT SUBJECT TO DISTRICT TAXES

- (a) Pursuant to Section 71613 of the California Water Code, the District may furnish water to property, not subject to District taxes, at special rates, terms and conditions as are determined by the Board of Directors for such service. Such rates, terms and conditions shall be uniformly applied to like classes and conditions of service in the same improvement district or geographical area.
- (b) Customers in this category, such as publicly-owned establishments, shall pay an additional fee as outlined in Appendix A, 25.03 E.14.(b).

15. INTERIM WATER SERVICE IN IMPROVEMENT DISTRICT 7

- (a) Definition of Interim Service. This is water Service furnished to a customer in Improvement District 7 (ID 7) for temporary use.
- (b) Rates for Interim Service. Customers applying for interim service in ID 7 shall not be required to pay the ID 7 water capacity fee and San Diego

County Water Authority fee, as required under Section 2801 of this Code. The water rate is set forth in Appendix A, 25.03 E.15.(b).

- (c) Conversion to Permanent Service. At such time as use expires, the customer shall be required to pay all fees in effect at the time the permanent use is implemented.

F. Energy Charges for Pumping Water

In addition to water rates and other charges provided for in this Section 25.03, customers shall be charged an energy pumping charge based on the quantity of water used and the elevation to which the water has been lifted to provide service. The energy pumping charge shall be made at the rate set forth in Appendix A, 25.03 F.

25.04 DEPOSITS BY LESSEES OR NON-OWNERS OF PROPERTY

8. RECYCLED TEMPORARY AND CONSTRUCTION WATER SERVICE

- (a) Defined as: Recycled water service provided by the District on a temporary basis, pursuant to Section 31 of this Code.
- (b) If capacity fees have not been paid by the customer, the rates for water furnished under this category is set forth in Appendix A, 25.03 E.8(b).
- (c) If the customer has paid capacity and annexation fees, the base rate for water furnished under this category shall be the base rate charged customers in the same category of service on a permanent meter basis.
- (d) The tiered base rates for this category of service are subject to the increased drought pricing outlined in Section 25.03 D.
- (e) The applicable monthly system charge shall be the same rates charged to customers in the same category of service on a permanent meter basis per Appendix A, 25.03 C.

A. AMOUNT OF DEPOSIT

The customer's deposit shall be applied to reduce or satisfy any delinquent payment or other amount due the District at the time of termination of water service to the customer. Any portion of the deposit remaining, after

satisfaction of the amount due, shall be refunded to the customer that made the deposit.

The deposits listed above may be waived for a new residential applicant where the applicant demonstrates credit worthiness based upon prior utility payments or a non-delinquent water account for one year or other similar evidence of credit.

B. REFUND OF DEPOSIT

Where funds have been on deposit for twelve months in a domestic service account and there has been no more than one delinquent payment on that account during that period, the District will apply a credit to the water account in the amount of the deposit.

C. LETTER OF CREDIT

A letter of credit, in a form approved by the General Manager or Department Head of Finance, may be submitted to the District to satisfy the deposit requirements.

25.05 SERVICE TO SUBSEQUENT CUSTOMERS

After a water meter has been installed for a customer and all fees and charges have been paid, water service may be furnished to a subsequent customer through the water meter installed without payment of further charges, except for the set-up fee for transferred accounts, payment of delinquent charges for the applicant's service or other deposits that may be required by this Code.

Otay Water District  
Appendix A

Section #	Code #	Fee Description	Meter Size	Charges		
9	9.04 A.1.	District Annexation Processing Fee		\$751.88		
	9.04 B.	Annexation Fees for Water Annexations into Otay Water District Boundaries		District-wide Annexation Fee		
			3/4"	\$1,622.59		
			1"	\$4,056.48		
			1-1/2"	\$8,112.95		
			2"	\$12,980.72		
			3"	\$25,961.44		
			4"	\$40,564.75		
			6"	\$81,129.50		
			8"	\$129,807.20		
			10"	\$186,597.85		
	9.04 C.4.	Annexation Fees for Annexations to Sewer Improvement Districts		\$5,986.57		
10	10.01	Filing of Petition		\$50.00		
23	23.04	Backflow Certification				
		- Second Notification		\$10.00		
		- Third Notification		\$25.00		
		- Reconnection (service resumed)		\$50.00		
		- Initial Filing Fee (New applicants for addition to the list of approved backflow prevention device testers)		\$25.00		
		- Renewal Filing Fee (to remain on list of approved backflow prevention device testers)	Annually	\$10.00		
25	25.03 A.	Set-up Fees for Accounts		\$10.00		
25	25.03 C.	Monthly Fixed System Charges, MWD & CWA Charges <sup>(1)</sup>	Meter Size	System Charge	MWD & CWA Fixed Charge	Total Fixed Charge
			3/4"	\$16.19	\$14.45	\$30.64
			1"	\$22.87	\$26.79	\$49.66

<sup>(1)</sup> All Water used in December and billed in January 2014.

Section #	Code #	Fee Description	Meter Size	Charges		
25	25.03 C.	Monthly Fixed System Charges, MWD & CWA Charges (continued) <sup>(1)</sup>	1-1/2"	\$39.58	\$60.61	\$100.19
			2"	\$59.62	\$103.08	\$162.70
			3"	\$113.08	\$219.23	\$332.31
			4"	\$173.22	\$351.09	\$524.31
			6"	\$340.29	\$718.69	\$1,058.98
			8"	\$540.76	\$1,160.59	\$1,701.35
			10"	\$774.64	\$1,670.55	\$2,445.19
25	25.03 E.1.(b)	Domestic Residential Water Rates <sup>(1)</sup>		Unit	Charge	
		(The Conservation Tier discount applies toward the first five units of water when overall consumption is ten units or less.)	Conservation Tier	0 - 5	\$1.86	
				6-10	\$2.90	
				11-22	\$3.77	
				23 or more	\$5.80	
25	25.03 E.2.(b)	Multiple Residential Water Rates - Per Dwelling Unit <sup>(1)</sup>		0-4	\$2.86	
				5-9	\$3.71	
				10 or more	\$5.73	
25	25.03 E.3.(b)	Business and Publicly-Owned Water Rates <sup>(1)</sup>	under 10"	0-185	\$3.06	
				186-1,400	\$3.14	
				1,401 or more	\$3.19	
			10" & larger	0-7,426	\$3.06	
				7,427-14,616	\$3.14	
				14,617 or more	\$3.19	
25	25.03 E.4.(c)	Irrigation and Commercial Agricultural Using Potable Water Rates <sup>(1)</sup>	1" & smaller	0-54	\$4.17	
				55-199	\$4.25	
				200 or more	\$4.32	
			1.5" & 2"	0-144	\$4.17	
				145-355	\$4.25	
				356 or more	\$4.32	
			3" & larger	0-550	\$4.17	
				551-1,200	\$4.25	
				1,201 or more	\$4.32	

<sup>(1)</sup> All Water used in December and billed in January 2014.

Section #	Code #	Fee Description	Meter Size		Charges					
25	25.03 E.5. (c)	Recycled Water <sup>(1)</sup>	3/4" - 1"	0-32	\$3.56					
				33-75	\$3.61					
				76 or more	\$3.68					
					1.5" & 2"	0-130	\$3.56			
						131-325	\$3.61			
						326 or more	\$3.68			
						3" & 4"	0-440	\$3.56		
						441-1,050	\$3.61			
						1,051 or more	\$3.68			
				6" & larger	0-4,000	\$3.56				
				4,001-10,000	\$3.61					
				10,001 or more	\$3.68					
25	25.03 E.6.(c)	Recycled Commercial <sup>(1)</sup>	under 10"	0-173	\$2.56					
				174-831	\$2.64					
				832 or more	\$2.66					
				10" & larger	0-7,426	2.56				
				7,427-14,616	\$2.64					
				14,617 or more	\$2.66					
25	25.03 E.7.(b)	Potable Temporary and Construction Water Service Rates <sup>(1)</sup>	1" & smaller	0-54	\$8.34					
				55-199	\$8.50					
				200 or more	\$8.64					
						1.5" & 2"	0-144	\$8.34		
							145-355	\$8.50		
							356 or more	\$8.64		
							3" & larger	0-550	\$8.34	
							551-1,200	\$8.50		
							1,201 or more	\$8.64		
<sup>(1)</sup> All Water used in December and billed in January 2014.										

Section #	Code #	Fee Description	Meter Size		Charges					
25	25.03 E.10.(b)	Tank Trucks Water Rates <sup>(1)</sup>	1" & smaller	0-54	\$8.34					
				55-199	\$8.50					
				200 or more	\$8.64					
						1.5" & 2"	0-144	\$8.34		
					145-355		\$8.50			
					356 or more		\$8.64			
						3" & larger	0-550	\$8.34		
		551-1,200	\$8.50							
		1,201 or more	\$8.64							
25	25.03 E.11.(c)	Application Fee for Water Service Outside District Boundaries			\$500.00					
25	25.03 E.11.(d)	Water Rate for Service Outside District Boundaries <sup>(1)</sup>	1" & smaller	0-54	\$8.34					
				55-199	\$8.50					
				200 or more	\$8.64					
						1.5" & 2"	0-144	\$8.34		
					145-355		\$8.50			
					356 or more		\$8.64			
						3" & larger	0-550	\$8.34		
		551-1,200	\$8.50							
		1,201 or more	\$8.64							
25	25.03 E.12.(b)	Application Fee for Water Service Outside an Improvement District			\$275.00					
25	25.03 E.12.(c)	Water Rate for Service Outside Improvement District <sup>(1)</sup>	1" & smaller	0-54	\$8.34					
				55-199	\$8.50					
				200 or more	\$8.64					
						1.5" & 2"	0-144	\$8.34		
					145-355		\$8.50			
					356 or more		\$8.64			
<sup>(1)</sup> All Water used in December and billed in January 2014.										

Section #	Code #	Fee Description	Meter Size		Charges		
25	25.03 E.12.(c)	Water Rate for Service Outside Improvement District (continued) <sup>(1)</sup>	3" & larger	0-550	\$8.34		
				551-1,200	\$8.50		
				1,201 or more	\$8.64		
25	25.03 E.13.(c)	Fire Service Monthly Charge	3" or less		\$21.14		
			more than 4"		\$28.49		
25	25.03 E.14.(b)	Additional Water Service for Property Not Subject to District Taxes		per unit	\$0.31		
25	25.03 E.15.(b)	Interim Service Water Rate in Improvement District 7 <sup>(1)</sup>	1" & smaller	0-54	\$8.34		
				55-199	\$8.50		
				200 or more	\$8.64		
			1.5" & 2"	0-144	\$8.34		
				145-355	\$8.50		
				356 or more	\$8.64		
			3" & larger	0-550	\$8.34		
				551-1,200	\$8.50		
				1,201 or more	\$8.64		
25	25.03 F.	Energy Charges for Pumping Water <sup>(1)</sup>		Per 100 ft of lift over 450 ft per unit	\$0.048		
25	<del>25.03 G.1.</del>	<del>Additional Water Charge for Service in the North District</del>		<del>Per unit charge except for the first 5 units of residential</del>	<del>\$0.08</del>		
25	<del>25.03 H.1.</del>	<del>Additional Water Charges for Service in the Improvement District 9 Water Service Zone</del>		<del>Per unit charge except for the first 5 units of residential</del>	<del>\$0.27</del>		
25	<del>25.03 H.2.-</del>	<del>Additional Monthly System Fee for Improvement District 9</del>			<del>\$2.00</del>		

<sup>(1)</sup> All Water used in December and billed in January 2014.

Section #	Code #	Fee Description	Meter Size	Charges		
25	25.03 I.1.(a)	Additional Water Charges for Services in Improvement District 3		Per unit charge except for the first 5 units of residential	0.19 per H.C.F.	Effective Jan 1, 2011
				"	0.20 per H.C.F.	Effective Jan 1, 2012
				"	0.21 per H.C.F.	Effective Jan 1, 2013
25	25.03 I.1.(b)	Additional Water Charges for Services in Improvement District 10		Per unit charge except for the first 5 units of residential	0.27 per H.C.F.	Effective Jan 1st 2011-2018
25	25.03 I.1.(c)	Additional Water Charges for Services in La Presa		Per unit charge except for the first 5 units of residential	0.08 per H.C.F.	Effective Jan 1st 2011-2013
25	25.04 A.	Deposits for Non-Property Owners	3/4"		\$75.00	
			1"		\$150.00	
			1-1/2"		\$200.00	
			2"		\$360.00	
			3"		\$800.00	
			4"		\$1,350.00	
			6"		\$3,300.00	
			8"		\$4,400.00	
			10"		\$5,500.00	
28	28.01 B.1.	Capacity Fees and Zone Charge			District-wide Capacity Fee	
		- I.D.'s 1,2,3,5,7,9,10,20,22,22/27,25 (excluding Triad) and only I.D. 22/27 require reclaimed irrigation meters.	3/4"		\$8,238.18	
			1"		\$20,595.45	
			1-1/2"		\$41,190.90	
			2"		\$65,905.44	
			3"		\$131,810.88	
			4"		\$205,954.50	
			6"		\$411,909.00	
			8"		\$659,054.40	
			10"		\$947,390.70	

Section #	Code #	Fee Description	Meter Size	Charges			
28	28.01 B.1.	Capacity Fees and Zone Charge (continued)					
		- 22/27 TRIAD	3/4"		\$6,165.18		
			1"		\$15,412.95		
			1 -1/2"		\$30,825.90		
			2"		\$49,321.44		
			3"		\$98,642.88		
			4"		\$154,129.50		
			6"		\$308,259.00		
			8"		\$493,214.40		
			10"		\$708,995.70		
28	28.01 B.2.	New Water Supply Fee					
		- All IDs including Triad	3/4"		\$949.16		
			1"		\$2,372.90		
			1-1/2"		\$4,745.80		
			2"		\$7,593.28		
			3"		\$15,186.56		
			4"		\$23,729.00		
			6"		\$47,458.00		
			8"		\$75,932.80		
			10"		\$109,153.40		
28	28.02	Installation Charges for Water Meter and Water Service Laterals	Meter Size	Meter Cost	Installation	Total	Meter Box/Vault (if Needed)
		Potable (Non-Irrigation)	3/4" x 7.5"	\$210.97	\$100.11	\$311.08	\$84.99
			3/4" x 9"	\$224.62	\$100.11	\$324.73	\$84.99
			1"	\$272.24	\$100.11	\$372.35	\$84.99
			1.5"	\$442.49	\$100.11	\$542.60	\$192.68
			2"	\$634.05	\$100.11	\$734.16	\$192.68
			3"	\$1,975.94	\$602.77	\$2,578.71	\$3,437.05
			4"	\$3,431.89	\$602.77	\$4,034.66	\$3,437.05
			6"	\$5,927.80	\$952.13	\$6,879.93	\$3,437.05
			8"	\$7,406.35	\$1,460.00	\$8,866.35	\$4,930.69
			10"	\$10,651.71	\$1,460.00	\$12,111.71	\$4,930.69
		Potable/Recycled Irrigation	3/4" x 7.5"	\$210.97	\$100.11	\$311.08	\$216.60
			3/4" x 9"	\$224.62	\$100.11	\$324.73	\$84.99
			1"	\$272.24	\$100.11	\$372.35	\$216.60
			1.5"	\$442.49	\$100.11	\$542.60	\$216.60
			2"	\$634.05	\$100.11	\$734.16	\$216.60
			3"	\$1,367.55	\$602.77	\$1,970.32	\$3,437.05
			4"	\$2,662.41	\$602.77	\$3,265.18	\$3,437.05
			6"	\$4,793.20	\$952.13	\$5,745.33	\$3,437.05
			8"	\$6,385.40	\$1,460.00	\$7,845.40	\$4,930.69
			10"	\$9,061.00	\$1,460.00	\$10,521.00	\$4,930.69

Section #	Code #	Fee Description	Meter Size	Charges		
28	28.02	Installation Charges for Water Meter and Water Service Laterals (continued)	Meter Size			
		Combined Fire and Domestic	4"	\$8,164.77	\$602.77	\$8,767.54
			6"	\$10,866.59	\$952.13	\$11,818.72
			8"	\$15,799.24	\$1,460.00	\$17,259.24
			10"	\$21,560.74	\$1,460.00	\$23,020.74
31	31.02 D.1.	Requirement of Temporary Meter for Service		minimum/per day	\$25.00	
31	31.03 A.1.	Requirement of Deposit for Temporary Meters				
			3/4"		\$150.00	
			1"		\$180.00	
			1-1/2"		\$330.00	
			2"		\$2,046.00	
			3"		\$850.00	
			4"		\$1,986.00	
			6"		\$2,465.00	
		- Construction Trailer Temporary Meter	2"		\$2,046.00	
		- Tank Truck Temporary Meter (Ordinance No. 372)	2"		\$850.00	
31	31.03 A.4.	Temporary Meter Install & Removal			\$128.00	
31	31.03 A.5.	Temporary Meter Move Fee (includes backflow certification)	3/4" - 2"		\$64.00	
			3" and larger	No backflow test	\$64.00	
33	33.07 A.	Customer Request for Meter Test (Deposit)	5/8", 3/4" & 1"		\$25.00	
			1-1/2" & 2"		\$50.00	
			3" & Larger		\$125.00	
34	34.01 D.2.	Returned Check Charges			\$25.00	
34	34.02 B.	Late Payment Charge			5% of Delinquent Balance	
34	34.02 G.1.(d)	Delinquency Tag			\$10.00	
34	34.02 G.3.(a)	Meter "Turn-On" Charge		During regular business hours	\$35.00	

Section #	Code #	Fee Description	Meter Size		Charges		
34	34.02 G.3.(b)	Meter "Turn-On" Charge		After regular business hours	\$65.00		
53	53.03 B.1.	Sewer Connection Fee - Russell Square			\$7,500.00		
53	53.03 B.2.	Monthly Sewer Service Charge - Russell Square			\$200.00		
53	53.10 & 11	Set-up Fees for Accounts			\$10.00		
53	53.10	Residential Sewer Usage Fee <sup>(2)</sup>		Rate multiplied by winter average units	\$2.35		
53	53.10	Residential Sewer System Fee <sup>(2)</sup>	5/8" & 3/4"		\$14.38		
			1" & larger		\$14.38		
53	53.10 A.	Residential Sewer Without Consumption History <sup>(2)</sup>	5/8" & 3/4"		\$42.35		
			1" & larger		\$42.35		
53	53.10 B.	Multi-Residential Usage Fee - Sewer Without Consumption History <sup>(2)</sup>			\$27.97		
53	53.10 B.2.	Multi-Residential Usage Fee - Sewer <sup>(2)</sup>		Rate multiplied by winter average units	\$2.35		
53	53.10 B. 2.	Multi-Residential System Fee - Sewer <sup>(2)</sup>	.75"		\$25.83		
			1"		\$38.03		
			1.5"		\$68.53		
			2"		\$105.12		
			3"		\$190.52		
			4"		\$312.51		
			6"		\$617.48		
			8"		\$983.46		
			10"		\$1,410.42		
53	53.11	Commercial and Institutional Sewer Strength Factors	Low Strength	1			
			Medium Strength	2			
			High Strength	4			

<sup>(2)</sup> Sewer billed beginning January 1, 2014.

Section #	Code #	Fee Description	Meter Size	Charges	
53	53.11	Monthly Usage Fee for Commercial and Institutional Sewer <sup>(2)</sup>	Rate multiplied	Low Strength	\$2.35
			by annual	Medium Strength	\$3.37
			avg. units	High Strength	\$5.37
53	53.11	Monthly System Fee for Commercial and Institutional Sewer <sup>(2)</sup>	.75"		\$25.83
			1"		\$38.03
			1.5"		\$68.53
			2"		\$105.12
			3"		\$190.52
			4"		\$312.51
			6"		\$617.48
			8"		\$983.46
		10"		\$1,410.42	
60	60.03	Issuance of Availability Letters for Water and/or Sewer Service			\$75.00
72	72.04 A.1.	Locking or Removing Damaged or Tampered Meters	- To Pull and Reset Meter	3/4" - 2"	\$170.00
			- Broken Curbstop or Tabs	3/4" - 1"	\$192.00
			- If Customer uses Jumper	3/4" - 1"	\$149.00
			- Broken Lock/Locking Device	3/4" - 1"	\$56.00
			- Cap Lock (Welded)	3/4" - 1"	\$158.00
			- Broken Curbstop or Tabs	1.5" - 2"	\$265.00
			- To Pull and Reset Meter	3"	\$351.00
			- To Pull and Reset Meter	4"	\$454.00
			- To Pull and Reset Meter	6"	\$454.00
			- To Pull and Reset Meter	8"	\$600.00
		- To Pull and Reset Meter	10"	\$600.00	
72	72.05 D. A.	Type I Fine	- First Violation		\$100.00
			- Second Violations		\$200.00
			- Third or each additional violation of that same ordinance or requirement within a twelve-month period		\$500.00

<sup>(2)</sup> Sewer billed beginning January 1, 2014.

Section #	Code #	Fee Description	Meter Size	Charges		
		Type II Fine	Will not exceed per each day the violation is identified or continues.	\$5,000.00		
<sup>(2)</sup> Sewer billed beginning January 1, 2014.						
72	72.05 D. A. (continued)	Type III Fine	Fine up to amount specified per each day the violation is identified or continues.	\$500.00		
		Type IV Fine	Fine up to amount specified per each day the violation is identified or continues.	\$500.00		
State Water Code	#71630 & Annual Board Resolution #4142	Water Availability/Standby Annual Special Assessment Charge	Less than one-acre all I.D.s & Outside an I.D.	\$10.00		
			Per acre in I.D. 1, 5, & Outside an I.D.	\$10.00		
			Per acre in I.D. 2,3,7,9,10,19,20,22,25,& 27	\$30.00		
			Less than one-acre Outside I.D. and greater than one mile from District facilities.	\$3.00		
			Per acre for outside I.D. & greater than one mile from District facilities.	\$3.00		
State Water Code	#71630 & Annual Board Resolution #4142	Sewer Availability/Standby Annual Special Assessment Charge	Less than one acre I.D. 4, 14, & 18	\$10.00		
			Per acre I.D. 4, 14, & 18	\$30.00		
Annual Board Resolution		General Obligation Bond Annual Tax Assessment	Per \$1000 of assessed value for I.D. 27	\$0.005		

Section #	Code #	Fee Description	Meter Size	Charges
<b>Policies</b>				
5		Copies of Identifiable Public Records		\$0.10/page
		Cassette Tape Duplication		\$2.00/tape
		Yearly Subscription Service for Agendas and Ratified Minutes		\$20.00/year or \$0.50/meeting
		Yearly Subscription Service for Board Packet and Ratified Minutes		\$100.00/year for first copy and \$200.00/year for each copy thereafter

Otay Water District  
Appendix A

Section #	Code #	Fee Description	Meter Size	Charges		
9	9.04 A.1.	District Annexation Processing Fee		\$751.88		
	9.04 B.	Annexation Fees for Water Annexations into Otay Water District Boundaries		District-wide Annexation Fee		
			3/4"	\$1,622.59		
			1"	\$4,056.48		
			1-1/2"	\$8,112.95		
			2"	\$12,980.72		
			3"	\$25,961.44		
			4"	\$40,564.75		
			6"	\$81,129.50		
			8"	\$129,807.20		
			10"	\$186,597.85		
	9.04 C.4.	Annexation Fees for Annexations to Sewer Improvement Districts		\$5,986.57		
10	10.01	Filing of Petition		\$50.00		
23	23.04	Backflow Certification				
		- Second Notification		\$10.00		
		- Third Notification		\$25.00		
		- Reconnection (service resumed)		\$50.00		
		- Initial Filing Fee (New applicants for addition to the list of approved backflow prevention device testers)		\$25.00		
		- Renewal Filing Fee (to remain on list of approved backflow prevention device testers)	Annually	\$10.00		
25	25.03 A.	Set-up Fees for Accounts		\$10.00		
25	25.03 C.	Monthly Fixed System Charges, MWD & CWA Charges <sup>(1)</sup>	Meter Size	System Charge	MWD & CWA Fixed Charge	Total Fixed Charge
			3/4"	\$16.19	\$14.45	\$30.64
			1"	\$22.87	\$26.79	\$49.66

<sup>(1)</sup> All Water used in December and billed in January 2014.

Section #	Code #	Fee Description	Meter Size	Charges		
25	25.03 C.	Monthly Fixed System Charges, MWD & CWA Charges (continued) <sup>(1)</sup>	1-1/2"	\$39.58	\$60.61	\$100.19
			2"	\$59.62	\$103.08	\$162.70
			3"	\$113.08	\$219.23	\$332.31
			4"	\$173.22	\$351.09	\$524.31
			6"	\$340.29	\$718.69	\$1,058.98
			8"	\$540.76	\$1,160.59	\$1,701.35
			10"	\$774.64	\$1,670.55	\$2,445.19
25	25.03 E.1.(b)	Domestic Residential Water Rates <sup>(1)</sup> (The Conservation Tier discount applies toward the first five units of water when overall consumption is ten units or less.)	Conservation Tier	Unit	Charge	
			0 - 5		\$1.86	
			6-10		\$2.90	
			11-22		\$3.77	
			23 or more		\$5.80	
25	25.03 E.2.(b)	Multiple Residential Water Rates - Per Dwelling Unit <sup>(1)</sup>		0-4	\$2.86	
				5-9	\$3.71	
				10 or more	\$5.73	
25	25.03 E.3.(b)	Business and Publicly-Owned Water Rates <sup>(1)</sup>	under 10"	0-185	\$3.06	
				186-1,400	\$3.14	
				1,401 or more	\$3.19	
			10" & larger	0-7,426	\$3.06	
				7,427-14,616	\$3.14	
				14,617 or more	\$3.19	
25	25.03 E.4.(c)	Irrigation and Commercial Agricultural Using Potable Water Rates <sup>(1)</sup>	1" & smaller	0-54	\$4.17	
				55-199	\$4.25	
				200 or more	\$4.32	
			1.5" & 2"	0-144	\$4.17	
				145-355	\$4.25	
				356 or more	\$4.32	
			3" & larger	0-550	\$4.17	
				551-1,200	\$4.25	
				1,201 or more	\$4.32	

<sup>(1)</sup> All Water used in December and billed in January 2014.

Section #	Code #	Fee Description	Meter Size		Charges					
25	25.03 E.5.(c)	Recycled Water <sup>(1)</sup> (Landscape Irrigation and Certain Non-Irrigation Purposes Rates)	3/4" - 1"	0-32	\$3.56					
				33-75	\$3.61					
				76 or more	\$3.68					
			1.5" & 2"	0-130	\$3.56					
				131-325	\$3.61					
				326 or more	\$3.68					
			3" & 4"	0-440	\$3.56					
				441-1,050	\$3.61					
				1,051 or more	\$3.68					
			6" & larger	0-4,000	\$3.56					
				4,001-10,000	\$3.61					
				10,001 or more	\$3.68					
25	25.03 E.6.(c)	Recycled Commercial <sup>(1)</sup>	under 10"	0-173	\$2.56					
				174-831	\$2.64					
				832 or more	\$2.66					
			10" & larger	0-7,426	2.56					
				7,427-14,616	\$2.64					
				14,617 or more	\$2.66					
25	25.03 E.7.(b)	Potable Temporary and Construction Water Service Rates <sup>(1)</sup>	1" & smaller	0-54	\$8.34					
				55-199	\$8.50					
				200 or more	\$8.64					
			1.5" & 2"	0-144	\$8.34					
				145-355	\$8.50					
				356 or more	\$8.64					
			3" & larger	0-550	\$8.34					
				551-1,200	\$8.50					
				1,201 or more	\$8.64					
			<sup>(1)</sup> All Water used in December and billed in January 2014.							

Section #	Code #	Fee Description	Meter Size		Charges		
25	25.03 E.10.(b)	Tank Trucks Water Rates <sup>(1)</sup>	1" & smaller	0-54	\$8.34		
				55-199	\$8.50		
				200 or more	\$8.64		
			1.5" & 2"	0-144	\$8.34		
				145-355	\$8.50		
				356 or more	\$8.64		
			3" & larger	0-550	\$8.34		
				551-1,200	\$8.50		
				1,201 or more	\$8.64		
25	25.03 E.11.(c)	Application Fee for Water Service Outside District Boundaries			\$500.00		
25	25.03 E.11.(d)	Water Rate for Service Outside District Boundaries <sup>(1)</sup>	1" & smaller	0-54	\$8.34		
				55-199	\$8.50		
				200 or more	\$8.64		
			1.5" & 2"	0-144	\$8.34		
				145-355	\$8.50		
				356 or more	\$8.64		
			3" & larger	0-550	\$8.34		
				551-1,200	\$8.50		
				1,201 or more	\$8.64		
25	25.03 E.12.(b)	Application Fee for Water Service Outside an Improvement District			\$275.00		
25	25.03 E.12.(c)	Water Rate for Service Outside Improvement District <sup>(1)</sup>	1" & smaller	0-54	\$8.34		
				55-199	\$8.50		
				200 or more	\$8.64		
			1.5" & 2"	0-144	\$8.34		
				145-355	\$8.50		
				356 or more	\$8.64		

<sup>(1)</sup> All Water used in December and billed in January 2014.

Section #	Code #	Fee Description	Meter Size	Charges
25	25.03 E.12.(c)	Water Rate for Service Outside Improvement District (continued) <sup>(1)</sup>	3" & larger	0-550 \$8.34 551-1,200 \$8.50 1,201 or more \$8.64
25	25.03 E.13.(c)	Fire Service Monthly Charge	3" or less more than 4"	\$21.14 \$28.49
25	25.03 E.14.(b)	Additional Water Service for Property Not Subject to District Taxes	per unit	\$0.31
25	25.03 E.15.(b)	Interim Service Water Rate in Improvement District 7 <sup>(1)</sup>	1" & smaller	0-54 \$8.34 55-199 \$8.50 200 or more \$8.64
			1.5" & 2"	0-144 \$8.34 145-355 \$8.50 356 or more \$8.64
			3" & larger	0-550 \$8.34 551-1,200 \$8.50 1,201 or more \$8.64
25	25.03 F.	Energy Charges for Pumping Water <sup>(1)</sup>	Per 100 ft of lift over 450 ft per unit	\$0.048
25	25.04 A.	Deposits for Non-Property Owners	3/4" 1" 1-1/2" 2" 3" 4" 6" 8" 10"	\$75.00 \$150.00 \$200.00 \$360.00 \$800.00 \$1,350.00 \$3,300.00 \$4,400.00 \$5,500.00
<sup>(1)</sup> All Water used in December and billed in January 2014.				

Section #	Code #	Fee Description	Meter Size	Charges			
28	28.01 B.1.	Capacity Fees and Zone Charge		District-wide Capacity Fee			
		- I.D.'s 1,2,3,5,7,9,10,20,22,22/27,25	3/4"	\$8,238.18			
		(excluding Triad) and only I.D. 22/27	1"	\$20,595.45			
		require reclaimed irrigation meters.	1-1/2"	\$41,190.90			
			2"	\$65,905.44			
			3"	\$131,810.88			
			4"	\$205,954.50			
			6"	\$411,909.00			
			8"	\$659,054.40			
			10"	\$947,390.70			
		- 22/27 TRIAD	3/4"	\$6,165.18			
			1"	\$15,412.95			
			1 -1/2"	\$30,825.90			
			2"	\$49,321.44			
			3"	\$98,642.88			
			4"	\$154,129.50			
			6"	\$308,259.00			
			8"	\$493,214.40			
			10"	\$708,995.70			
28	28.01 B.2.	New Water Supply Fee					
		- All IDs including Triad	3/4"	\$949.16			
			1"	\$2,372.90			
			1-1/2"	\$4,745.80			
			2"	\$7,593.28			
			3"	\$15,186.56			
			4"	\$23,729.00			
			6"	\$47,458.00			
			8"	\$75,932.80			
			10"	\$109,153.40			
28	28.02	Installation Charges for Water Meter and Water Service Laterals	Meter Size	Meter Cost	Installation	Total	Meter Box/Vault (if Needed)
		- Potable (Non-Irrigation)	3/4" x 7.5"	\$210.97	\$100.11	\$311.08	\$84.99
			3/4" x 9"	\$224.62	\$100.11	\$324.73	\$84.99
			1"	\$272.24	\$100.11	\$372.35	\$84.99
			1.5"	\$442.49	\$100.11	\$542.60	\$192.68
			2"	\$634.05	\$100.11	\$734.16	\$192.68
			3"	\$1,975.94	\$602.77	\$2,578.71	\$3,437.05
			4"	\$3,431.89	\$602.77	\$4,034.66	\$3,437.05
			6"	\$5,927.80	\$952.13	\$6,879.93	\$3,437.05
			8"	\$7,406.35	\$1,460.00	\$8,866.35	\$4,930.69
			10"	\$10,651.71	\$1,460.00	\$12,111.71	\$4,930.69

Section #	Code #	Fee Description	Meter Size	Charges				
28	28.02	Installation Charges for Water Meter and Water Service Laterals (continued)	Meter Size					
		- Potable/Recycled Irrigation	3/4" x 7.5"	\$210.97	\$100.11	\$311.08	\$216.60	
			3/4" x 9"	\$224.62	\$100.11	\$324.73	\$84.99	
			1"	\$272.24	\$100.11	\$372.35	\$216.60	
			1.5"	\$442.49	\$100.11	\$542.60	\$216.60	
			2"	\$634.05	\$100.11	\$734.16	\$216.60	
			3"	\$1,367.55	\$602.77	\$1,970.32	\$3,437.05	
			4"	\$2,662.41	\$602.77	\$3,265.18	\$3,437.05	
			6"	\$4,793.20	\$952.13	\$5,745.33	\$3,437.05	
			8"	\$6,385.40	\$1,460.00	\$7,845.40	\$4,930.69	
			10"	\$9,061.00	\$1,460.00	\$10,521.00	\$4,930.69	
			- Combined Fire and Domestic	4"	\$8,164.77	\$602.77	\$8,767.54	\$3,437.05
				6"	\$10,866.59	\$952.13	\$11,818.72	\$3,437.05
				8"	\$15,799.24	\$1,460.00	\$17,259.24	\$4,930.69
		10"	\$21,560.74	\$1,460.00	\$23,020.74	\$4,930.69		
31	31.02 D.1.	Requirement of Temporary Meter for Service	minimum/per day	\$25.00				
31	31.03 A.1.	Requirement of Deposit for Temporary Meters						
			3/4"	\$150.00				
			1"	\$180.00				
			1-1/2"	\$330.00				
			2"	\$2,046.00				
			3"	\$850.00				
			4"	\$1,986.00				
			6"	\$2,465.00				
		- Construction Trailer Temporary Meter	2"	\$2,046.00				
		- Tank Truck Temporary Meter (Ordinance No. 372)	2"	\$850.00				
31	31.03 A.4.	Temporary Meter Install & Removal		\$128.00				
31	31.03 A.5.	Temporary Meter Move Fee (includes backflow certification)	3/4" - 2"	\$64.00				
			3" and larger No backflow test	\$64.00				
33	33.07 A.	Customer Request for Meter Test (Deposit)	5/8", 3/4" & 1"	\$25.00				
			1-1/2" & 2"	\$50.00				
			3" & Larger	\$125.00				
34	34.01 D.2.	Returned Check Charges		\$25.00				

Section #	Code #	Fee Description	Meter Size	Charges		
34	34.02 B.	Late Payment Charge		5% of Delinquent Balance		
34	34.02 G.1.(d)	Delinquency Tag		\$10.00		
34	34.02 G.3.(a)	Meter "Turn-On" Charge		During regular business hours	\$35.00	
34	34.02 G.3.(b)	Meter "Turn-On" Charge		After regular business hours	\$65.00	
53	53.03 B.1.	Sewer Connection Fee - Russell Square			\$7,500.00	
53	53.03 B.2.	Monthly Sewer Service Charge - Russell Square			\$200.00	
53	53.10 & 11	Set-up Fees for Accounts			\$10.00	
53	53.10	Residential Sewer Usage Fee <sup>(2)</sup>		Rate multiplied by winter average units	\$2.35	
53	53.10	Residential Sewer System Fee <sup>(2)</sup>	5/8" & 3/4"		\$14.38	
			1" & larger		\$14.38	
53	53.10 A.	Residential Sewer Without Consumption History <sup>(2)</sup>	5/8" & 3/4"		\$42.35	
			1" & larger		\$42.35	
53	53.10 B.	Multi-Residential Usage Fee - Sewer Without Consumption History <sup>(2)</sup>			\$27.97	
53	53.10 B.2.	Multi-Residential Usage Fee - Sewer <sup>(2)</sup>		Rate multiplied by winter average units	\$2.35	
53	53.10 B. 2.	Multi-Residential System Fee - Sewer <sup>(2)</sup>	.75"		\$25.83	
			1"		\$38.03	
			1.5"		\$68.53	
			2"		\$105.12	
			3"		\$190.52	
			4"		\$312.51	
			6"		\$617.48	
			8"		\$983.46	
			10"		\$1,410.42	

<sup>(2)</sup> Sewer billed beginning January 1, 2014.

Section #	Code #	Fee Description	Meter Size	Charges	
53	53.11	Commercial and Institutional Sewer Strength Factors	Low Strength	1	
			Medium Strength	2	
			High Strength	4	
53	53.11	Monthly Usage Fee for Commercial and Institutional Sewer <sup>(2)</sup>	Rate multiplied by	Low Strength	\$2.35
			annual avg.	Medium Strength	\$3.37
			units	High Strength	\$5.37
53	53.11	Monthly System Fee for Commercial and Institutional Sewer <sup>(2)</sup>	.75"		\$25.83
			1"		\$38.03
			1.5"		\$68.53
			2"		\$105.12
			3"		\$190.52
			4"		\$312.51
			6"		\$617.48
			8"		\$983.46
			10"		\$1,410.42
60	60.03	Issuance of Availability Letters for Water and/or Sewer Service			\$75.00
72	72.04 A.1.	Locking or Removing Damaged or Tampered Meters	- To Pull and Reset Meter	3/4" - 2"	\$170.00
			- Broken Curbstop or Tabs	3/4" - 1"	\$192.00
			- If Customer uses Jumper	3/4" - 1"	\$149.00
			- Broken Lock/Locking Device	3/4" - 1"	\$56.00
			- Cap Lock (Welded)	3/4" - 1"	\$158.00
			- Broken Curbstop or Tabs	1.5" - 2"	\$265.00
			- To Pull and Reset Meter	3"	\$351.00
			- To Pull and Reset Meter	4"	\$454.00
			- To Pull and Reset Meter	6"	\$454.00
			- To Pull and Reset Meter	8"	\$600.00
- To Pull and Reset Meter	10"	\$600.00			
<sup>(2)</sup> Sewer billed beginning January 1, 2014.					

Section #	Code #	Fee Description	Meter Size	Charges		
72	72.05 D. A.	Type I Fine				
		- First Violation		\$100.00		
		- Second Violations		\$200.00		
		- Third or each additional violation of that same ordinance or requirement within a twelve-month period		\$500.00		
		Type II Fine	Will not exceed per each day the violation is identified or continues.	\$5,000.00		
		Type III Fine	Fine up to amount specified per each day the violation is identified or continues.	\$500.00		
		Type IV Fine	Fine up to amount specified per each day the violation is identified or continues.	\$500.00		
State Water Code	#71630 & Annual Board Resolution #4142	Water Availability/Standby Annual Special Assessment Charge	Less than one-acre all I.D.s & Outside an I.D.	\$10.00		
			Per acre in I.D. 1, 5, & Outside an I.D.	\$10.00		
			Per acre in I.D. 2,3,7,9,10,19,20,22,25, & 27	\$30.00		
			Less than one-acre Outside I.D. and greater than one mile from District facilities.	\$3.00		
			Per acre for outside I.D. & greater than one mile from District facilities.	\$3.00		

Section #	Code #	Fee Description	Meter Size	Charges		
State Water Code	#71630 & Annual Board Resolution #4142	Sewer Availability/Standby Annual Special Assessment Charge	Less than one acre I.D. 4, 14, & 18	\$10.00		
			Per acre I.D. 4, 14, & 18	\$30.00		
Annual Board Resolution		General Obligation Bond Annual Tax Assessment	Per \$1000 of assessed value for I.D. 27	\$0.005		

### Policies

5	Copies of Identifiable Public Records		\$0.10/page		
	Cassette Tape Duplication		\$2.00/tape		
	Yearly Subscription Service for Agendas and Ratified Minutes		\$20.00/year or \$0.50/meeting		
	Yearly Subscription Service for Board Packet and Ratified Minutes		\$100.00/year for first copy and \$200.00/year for each copy thereafter		

# AGENDA ITEM 4



## STAFF REPORT

TYPE MEETING: Regular Board

MEETING DATE: March 11, 2014

PROJECT: DIV. NO. All

SUBMITTED BY: Rita Bell, Finance Manager

APPROVED BY:  Joseph R. Beachem, Chief Financial Officer  
 German Alvarez, Assistant General Manager  
 Mark Watton, General Manager

SUBJECT: Resolutions as Required by the Water Code and Government Code, to Confirm the Exclusion of Parcels from Improvement Districts (ID) 19 and ID 25 and Annexations into ID 22 and ID 20, Respectively

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

That the Board approve the attached Resolution Nos. 4224 and 4225, which are necessary to complete the process for the exclusion of parcels within Improvement Districts (IDs) 19 and 25. Concurrent with said action, that the Board also approve the attached Resolutions Nos. 4226 and 4227, which are necessary to complete the process for the annexation of the excluded parcels in IDs 19 and 25 into IDs 22 and 20, respectively.

### **PURPOSE:**

That the Board authorize and confirm the exclusion of parcels within Improvement Districts (IDs) 19 and 25 and the annexation of those parcels into IDs 22 and 20, respectively.

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. With approval of the resolutions, staff will submit the appropriate forms and fees required to effectuate the Board action with the State Board of Equalization and the County of San Diego. This action would cease the fees and charges applicable to parcels within IDs 19 and 25 for the excluded parcels and commence the fees and charges applicable to parcels within IDs 22 and 20 on those

parcels, respectively. A subsequent action will request that IDs 19 and 25 be dissolved effective July 1, 2014.

**ANALYSIS:**

On May 14, 2013, the Board directed staff to move forward with the consolidation process. On November 6, 2013 the Board took action on the first of two necessary steps to complete this consolidation, declaring its intention to exclude and subsequently annex certain parcels and initiating the process to do so. Staff has published and posted the resolutions as required by statute, from February 24, 2014 through March 11, 2014. Therefore, the Board has the ability to confirm the exclusion and annexation 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 exclusion will then become effective on the 31st day after completion of the publication and posting of the resolutions to exclude. The annexations become effective after the date of the adoption of the resolutions approving the annexation.

The availability charges and water rates and charges are identical between IDs 19 and 22 and IDs 25 and 20, and staff has determined that 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, in compliance with the Proposition 218 requirements, notices were sent to all customers within these IDs to inform them of their option to protest rate changes. The required public hearing took place at the September 4, 2013 Board meeting where the Board determined there were no protests regarding this action.

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

None.

**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) Resolution No. 4224
  - Exhibit A - Legal Description ID 19
  - Exhibit B - Map ID 19
- C) Resolution No. 4225
  - Exhibit A - Legal Description ID 25
  - Exhibit B - Map ID 25
- D) Resolution No. 4226
  - Exhibit A - Legal Description ID 19
  - Exhibit B - Map ID 19
- E) Resolution No. 4227
  - Exhibit A - Legal Description ID 25
  - Exhibit B - Map ID 25



## ATTACHMENT A

<b>SUBJECT/PROJECT:</b>	Resolutions as Required by the Water Code and Government Code to Confirm Exclusions of Improvement District (ID) 19 and 25 and Annexations of ID 22 and ID 20
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### **COMMITTEE ACTION:**

That the Board approve the Finance, Administration and Communications Committee's recommendation to approve the attached resolutions to exclude territory, Nos. 4224 and 4225, that are necessary to complete the process for the exclusion of parcels within Improvement Districts (IDs) 19 and 25. Concurrent with said action, that the Board also approve the attached resolutions approving annexation, Nos. 4226 and 4227, that are necessary to complete the process for the annexation of the excluded parcels in IDs 19 and 25 into IDs 22 and 20, respectively.

### **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.

RESOLUTION NO. 4224

RESOLUTION OF THE BOARD OF DIRECTORS OF  
OTAY WATER DISTRICT  
TO EXCLUDE PARCELS FROM  
IMPROVEMENT DISTRICT 19

WHEREAS, on April 19<sup>th</sup>, 1971 by Resolution No. 866, the Otay Water District Board of Directors (“Board”) formed Improvement District (“ID”) 19 for the purpose of incurring necessary bonded indebtedness for the acquisition, construction and completion of water improvements and works; and

WHEREAS, on July 3<sup>rd</sup>, 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 charges and water rates and charges are identical between IDs 19 and 22; and

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

WHEREAS, on November 6, 2013, by Resolution No. 4219, the Board initiated proceedings to consolidate ID 19 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 19 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 and charges for the parcels excluded from ID 19 and annexed into ID 22 at its September 4, 2013 Board meeting, where the Board determined that there were no protests regarding this action and approved the new fees and charges; and

WHEREAS, on March 11, 2014 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 19 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 19, 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 19, as identified in Exhibit 1 to this resolution.

2. That the exclusion of parcels within ID 19, with an eye towards annexing them to ID 22, is desirable to streamline the accounting and tracking of these parcels, given that the availability charges and water rates and charges are identical between IDs 19 and 22.

3. That a map showing the exterior boundaries of the proposed territory to be excluded, with relation to the territory remaining in ID 19, 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.

BE IT FURTHER RESOLVED that the Board directs staff to take all steps reasonably necessary to effectuate such exclusion including, but not limited to, submitting the appropriate forms and fees to the State Board of Equalization and the County of San Diego.

PASSED, APPROVED AND ADOPTED by the Board of Directors of the Otay Water District at a regular meeting held this 11<sup>th</sup> day of March, 2014.

President

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ATTEST:

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Secretary

## EXHIBIT "A"

### GEOGRAPHIC DESCRIPTION IMPROVEMENT DISTRICT 19

ALL THOSE PORTIONS OF FRACTIONAL SECTIONS 16, 20 AND 21 IN TOWNSHIP 17 SOUTH, RANGE 1 WEST, SAN BERNARDINO MERIDIAN IN SAN DIEGO COUNTY, STATE OF CALIFORNIA ACCORDING TO THE UNITED STATES GOVERNMENT SURVEY THEREOF AND A PORTION OF SAN MIGUEL CITY ACCORDING TO THE MAP THEREOF NO. 335 AND A PORTION OF M.S. ROOTS VILLAGE SITES ACCORDING TO THE MAP THEREOF NO. 586, BOTH MAPS ON FILE IN THE OFFICE OF THE COUNTY RECORDER OF SAN DIEGO COUNTY, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

**BEGINNING** AT THE SOUTHEAST CORNER FRACTIONAL SECTION 16, TOWNSHIP 21 SOUTH, RANGE 1 WEST, SAN BERNARDINO BASE AND MERIDIAN, ACCORDING TO SAID UNITED STATES GOVERNMENT SURVEY;

THENCE (1) NORTH 89°49'14" WEST, A DISTANCE OF 1,338.86 FEET ALONG THE SOUTH LINE OF SAID FRACTIONAL SECTION 16, TOWNSHIP 17 SOUTH, RANGE 1 WEST, ACCORDING TO SAID UNITED STATES GOVERNEMENT SURVEY TO THE CENTERLINE OF B STREET, AS SHOWN ON M. S. ROOT'S VILLA SITES, ACCORDING TO MAP NO. 586;

THENCE (2) SOUTH 00°04'39" WEST, A DISTANCE OF 1,318.72 FEET ALONG THE CENTERLINE OF B STREET, AS SHOWN ON SAID MAP NO. 586, TO THE SOUTHERLY LINE OF OLIVE AVENUE, AS SHOWN ON SAID MAP NO. 586;

THENCE (3) NORTH 89°51'51" WEST, A DISTANCE OF 1,307.38 FEET ALONG SOUTHERLY LINE OF OLIVE AVENUE TO NORTH-SOUTH CENTERLINE OF FRACTIONAL SECTION 21, TOWNSHIP 17 SOUTH, RANGE 1 WEST, ACCORDING TO SAID UNITED STATES GOVERNEMENT SURVEY;

THENCE (4) SOUTH 00°08'11" WEST, A DISTANCE OF 2,636.91 FEET TO THE SOUTH LINE OF THE NORTH HALF OF THE SOUTHWEST QUARTER OF SAID SECTION 21;

THENCE (5) NORTH 89°48'46" WEST, A DISTANCE OF 2,650.02 FEET TO THE WEST LINE OF SAID SECTION 21;

THENCE (6) SOUTH 00°09'43" WEST, A DISTANCE OF 23.32 FEET ALONG THE WEST LINE OF SAID SECTION 21 TO THE NORTHERLY LINE OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF FRACTIONAL SECTION 20, TOWNSHIP 17 SOUTH, RANGE 1 WEST;

THENCE (7) NORTH 89°42'09" WEST, A DISTANCE OF 221.52 FEET ALONG SAID NORTHERLY LINE TO THE EASTERLY LINE OF QUARTER SECTION 5 OF RANCHO DE LA NACION, ACCORDING TO MAP NO. 166, SAID POINT ALSO BEING ON THE EXISTING OTAY WATER DISTRICT BOUNDARY;

THENCE (8) NORTH 17°51'58" WEST, A DISTANCE OF 1,564.70 FEET ALONG THE EASTERLY LINE OF SAID QUARTER SECTION 5;

THENCE (9) NORTH 70°43'41" EAST, A DISTANCE OF 749.46 FEET TO A POINT ON THE WESTERLY LINE OF SECTION 21;

THENCE (10) NORTH 00°14'14" EAST, A DISTANCE OF 959.66 FEET ALONG THE WESTERLY LINE OF SAID SECTION 21;

THENCE (11) SOUTH 89°52'49" EAST, A DISTANCE OF 270.21 FEET;

THENCE (12) NORTH 00°15'07" EAST, A DISTANCE OF 594.18 FEET;

THENCE (13) SOUTH 70°14'36" EAST, A DISTANCE OF 1,116.85 FEET;

THENCE (14) SOUTH 00°12'13" WEST, A DISTANCE OF 93.66 FEET;

THENCE (15) SOUTH 89°31'44" EAST, A DISTANCE OF 976.92 FEET;

THENCE (16) NORTH, A DISTANCE OF 1,154.68 FEET TO THE SOUTH LINE OF SECTION 16;

THENCE (17) SOUTH 89°55'04" EAST, A DISTANCE OF 25.32 FEET ALONG THE SOUTH LINE OF SECTION 16;

THENCE (18) NORTH 00°11'02" EAST, A DISTANCE OF 586.34 FEET;

THENCE (19) SOUTH 89°42'44" EAST, A DISTANCE OF 573.93 FEET;

THENCE (20) NORTH, A DISTANCE OF 588.73 FEET;

THENCE (21) EAST, A DISTANCE OF 568.19 FEET;

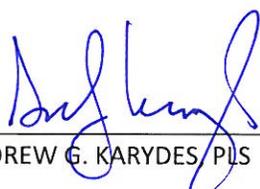
THENCE (22) NORTH, A DISTANCE OF 267.62 FEET;

THENCE (23) SOUTH 89°43'30" EAST, A DISTANCE OF 1,729.62 FEET TO THE EASTERLY LINE OF SECTION 16;

THENCE (24) SOUTH 03°47'26" EAST, A DISTANCE OF 1,438.09 FEET ALONG THE EASTERLY LINE OF SAID SECTION 16 TO THE POINT OF BEGINNING.

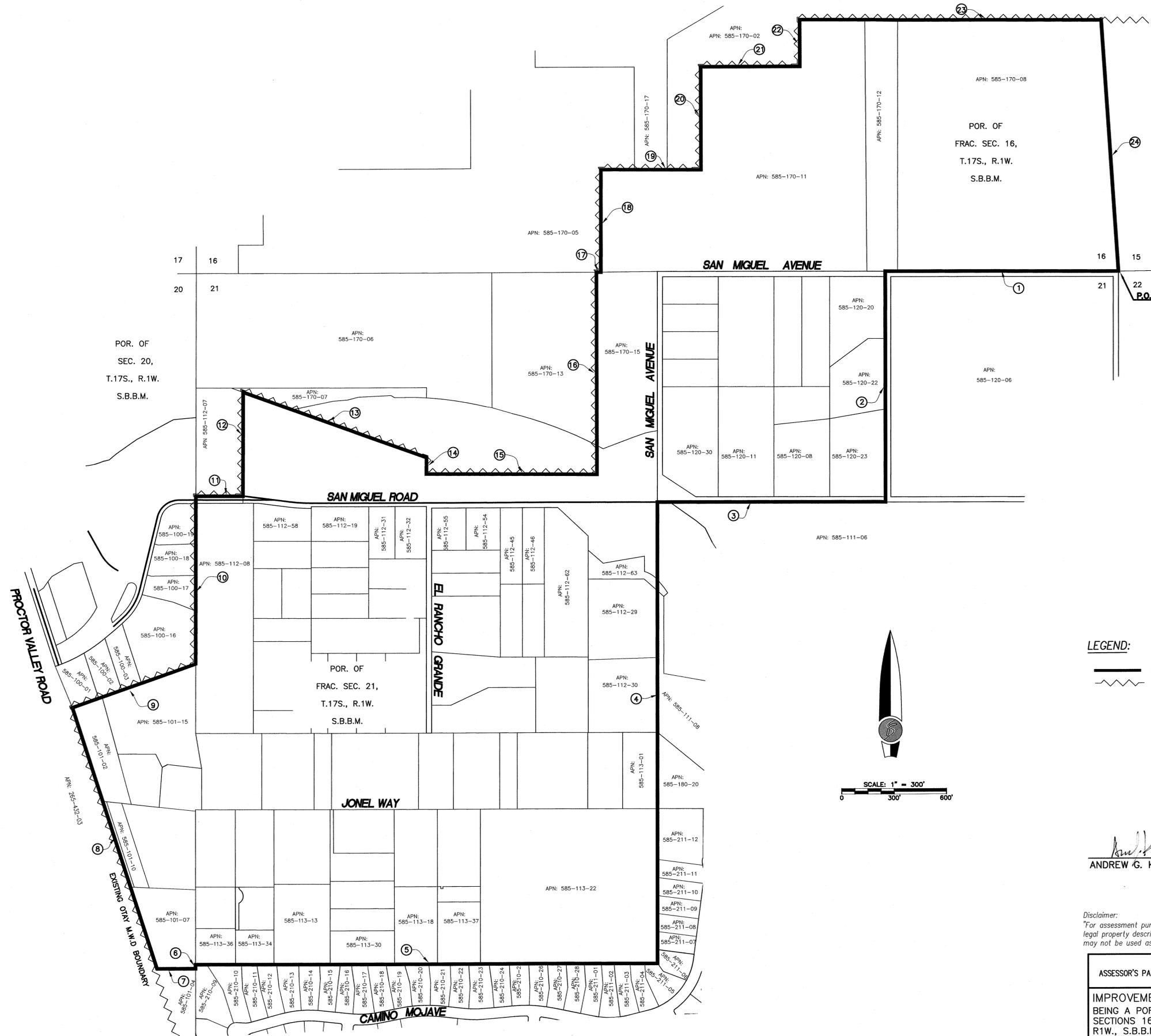
CONTAINING 324.395 ACRES, MORE OR LESS.

*For assessment purposes only. This description of land is not a legal property description as defined in the Subdivision Map Act and may not be used as the basis for an offer for sale of the land described.*

  
\_\_\_\_\_  
ANDREW G. KARYDES, PLS                      1/02/14  
DATE



# EXHIBIT "B"

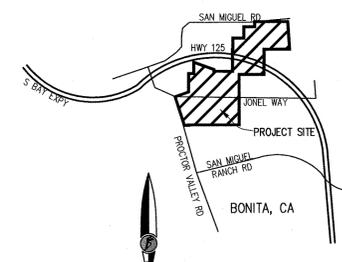
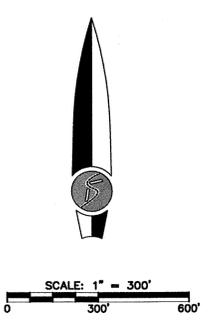


**COURSES:**

1	N89°49'14"W	1338.86'
2	S0°04'39"W	1318.72'
3	N89°51'51"W	1307.38'
4	S0°08'11"W	2636.91'
5	N89°48'46"W	2650.02'
6	S0°09'43"W	23.32'
7	N89°42'09"W	221.52'
8	N17°51'58"W	1564.70'
9	N70°43'41"E	749.46'
10	N0°14'14"E	959.66'
11	S89°52'49"E	270.21'
12	N0°15'07"E	594.18'
13	S70°14'36"E	1116.85'
14	S0°12'13"W	93.66'
15	S89°31'44"E	976.92'
16	N0°00'00"E	1154.68'
17	S89°55'04"E	25.32'
18	N0°11'02"E	586.34'
19	S89°42'44"E	573.93'
20	N0°00'00"E	588.73'
21	N90°00'00"E	568.19'
22	N0°00'00"E	267.62'
23	S89°43'30"E	1729.62'
24	S3°47'26"E	1438.09'

**324.39 ACRES**

**LEGEND:**  
 IMPROVEMENT DISTRICT 19  
 EXISTING OWD BOUNDARY



*Andrew G. Karydes*  
 ANDREW G. KARYDES, PLS      01/02/14      DATE



Disclaimer:  
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ASSESSOR'S PARCEL NUMBER(S):	SEE MAP	ACREAGE	DATE	SCALE
		324.39	01/02/14	1" = 300'
IMPROVEMENT DISTRICT NO. 19 BEING A PORTION OF FRACTIONAL SECTIONS 16, 20, AND 21 T.17S., R.1W., S.B.B.M. SAN DIEGO COUNTY		SAN DIEGUITO ENGINEERING, INC. 4407 MANCHESTER, SUITE 105 ENCINITAS, CA. 92024 PHONE: (760) 753-5525 CIVIL ENGINEERING • PLANNING LAND SURVEYING		

## RESOLUTION NO. 4225

RESOLUTION OF THE BOARD OF DIRECTORS OF  
OTAY WATER DISTRICT  
TO EXCLUDE PARCELS FROM  
IMPROVEMENT DISTRICT 25

WHEREAS, on May 1<sup>st</sup>, 1978 by Resolution No. 1498, the Otay Water District Board of Directors (“Board”) formed Improvement District (“ID”) 25 for the purpose of incurring bonded indebtedness for the construction of a water transmission and distribution system; and

WHEREAS, on May 17<sup>th</sup>, 1971 by Resolution No. 880, the Board formed ID 20 for the purpose of incurring necessary bonded indebtedness for the acquisition, construction, and completion of water improvements and works; and

WHEREAS, the availability charges and water rates and charges are identical between IDs 25 and 20; and

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

WHEREAS, on November 6, 2013, by Resolution No. 4220, the Board initiated proceedings to consolidate ID 25 into ID 20 to streamline the accounting and tracking of these parcels by declaring, by its own motion, its intention to exclude parcels in ID 25 pursuant to Water Code Sections 72080, *et seq.*, with an eye towards annexing the excluded parcels into ID 20 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 and charges for the parcels excluded from ID 25 and annexed into ID 20 at its September 4, 2013 Board meeting, where the Board determined that there were no protests regarding this action and approved the new fees and charges; and

WHEREAS, on March 11, 2014 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 25 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 25, 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 25, as identified in Exhibit 1 to this resolution.

2. That the exclusion of parcels within ID 25, with an eye towards annexing them to ID 20, is desirable to streamline the accounting and tracking of these parcels, given that the availability charges and water rates and charges are identical between IDs 25 and 20.

3. That a map showing the exterior boundaries of the proposed territory to be excluded, with relation to the territory remaining in ID 25, 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.

BE IT FURTHER RESOLVED that the Board directs staff to take all steps reasonably necessary to effectuate such exclusion including, but not limited to, submitting the appropriate forms and fees to the State Board of Equalization and the County of San Diego.

PASSED, APPROVED AND ADOPTED by the Board of Directors of the Otay Water District at a regular meeting held this 11<sup>th</sup> day of March, 2014.

President

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ATTEST:

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Secretary

## EXHIBIT "A"

### GEOGRAPHIC DESCRIPTION IMPROVEMENT DISTRICT 25

ALL THAT PORTION OF EAST SAN DIEGO VILLA HEIGHTS ACCORDING TO THE MAP THEREOF NO. 1317 FILED IN THE OFFICE OF THE RECORDER OF SAN DIEGO COUNTY, STATE OF CALIFORNIA, BEING A PORTION OF SECTION 4, TOWNSHIP 17 SOUTH, RANGE 1 WEST, SAN BERNARDINO MERIDIAN ACCORDING TO THE UNITED STATES GOVERNMENT SURVEY THEREOF, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHWEST CORNER OF SECTION 4, TOWNSHIP 17 SOUTH, RANGE 1 WEST, SAN BERNARDINO MERIDIAN OF SAID UNITED STATES GOVERNMENT SURVEY;

THENCE (1) NORTH 89°40'36" EAST, A DISTANCE OF 631.20 FEET ALONG THE NORTHERLY LINE OF SAID SECTION 4 TO A POINT OF INTERSECTION WITH THE CENTERLINE OF RAMONA AVENUE, AS SHOWN ON SAID MAP NO. 1317, AND THE **TRUE POINT OF BEGINNING**, SAID POINT ALSO BEING ON THE EXISTING OTAY WATER DISTRICT BOUNDARY;

THENCE (2) NORTH 89°40'36" EAST, A DISTANCE OF 909.25 FEET ALONG SAID NORTHERLY LINE OF SAID SECTION TO A POINT OF INTERSECTION WITH THE CENTERLINE OF LA PRESA AVENUE, AS SHOWN ON SAID MAP NO. 1317;

THENCE (3) SOUTH 01°09'20" WEST, A DISTANCE OF 395.86 FEET ALONG THE CENTERLINE OF SAID LA PRESA AVENUE TO A POINT OF INTERSECTION OF THE WESTERLY PROLONGATION OF THE SOUTHERLY LINE OF LOTS 9 AND 22, BLOCK 99, OF SAID MAP NO. 1317;

THENCE (4) SOUTH 88°44'07" EAST, A DISTANCE OF 303.13 FEET ALONG SAID SOUTHERLY LINE TO A POINT OF INTERSECTION WITH THE CENTERLINE OF SAN MIGUEL AVENUE, AS SHOWN ON SAID MAP NO. 1317;

THENCE (5) NORTH 01°07'59" EAST, A DISTANCE OF 404.26 FEET ALONG SAID CENTERLINE OF SAN MIGUEL AVENUE TO THE NORTHERLY LINE OF SAID SECTION 4 AND THE NORTHERLY LINE OF IVY STREET, AS SHOWN ON SAID MAP NO. 1317, SAID POINT ALSO BEING ON THE EXISTING OTAY WATER DISTRICT BOUNDARY;

THENCE (6) NORTH 89°40'36" EAST, A DISTANCE OF 813.94 FEET ALONG SAID NORTHERLY LINE OF SAID SECTION;

THENCE (7) SOUTH 89°09'48" EAST, A DISTANCE OF 176.13 FEET CONTINUING ALONG SAID NORTHERLY LINE OF SAID SECTION;

THENCE (8) SOUTH 00°50'12" WEST, A DISTANCE OF 46.00 FEET TO THE SOUTHERLY LINE OF IVY STREET, AS SHOWN ON SAID MAP NO. 1317;

THENCE (9) NORTH 89°09'48" WEST, A DISTANCE OF 175.66 FEET ALONG SAID SOUTHERLY LINE OF IVY STREET, AS SHOWN ON SAID MAP NO. 1317;

THENCE (10) SOUTH 89°40'36" WEST, A DISTANCE OF 182.24 FEET CONTINUING ALONG SAID SOUTHERLY LINE OF IVY STREET TO THE EASTERLY LINE OF PORTOLA AVENUE, AS SHOWN ON SAID MAP NO. 1317;

THENCE (11) SOUTH 01°10'35" WEST, A DISTANCE OF 119.26 FEET ALONG THE EASTERLY LINE OF PORTOLA AVENUE TO THE NORTHWEST CORNER OF LOT 13, BLOCK 96, OF SAID MAP NO. 1317;

THENCE (12) SOUTH 88°22'01" EAST, A DISTANCE OF 303.18 FEET ALONG THE NORTHERLY LINE OF SAID LOT 13, LOT 18, AND THE EASTERLY PROLONGATION THEREOF, TO THE EASTERLY LINE OF CORONADO AVENUE, AS SHOWN ON SAID MAP NO. 1317;

THENCE (13) SOUTH 01°09'50" WEST, A DISTANCE OF 685.65 FEET ALONG THE EASTERLY LINE OF SAID CORONADO AVENUE TO A POINT OF INTERSECTION WITH THE CENTERLINE OF HEMLOCK STREET, AS SHOWN ON SAID MAP NO. 1317;

THENCE (14) SOUTH 88°22'29" EAST, A DISTANCE OF 1,209.33 FEET ALONG THE CENTERLINE OF SAID HEMLOCK STREET TO THE CENTERLINE OF SANGAMON STREET, AS SHOWN ON SAID MAP NO. 1317;

THENCE (15) SOUTH 01°27'48" WEST, A DISTANCE OF 1,815.88 FEET ALONG THE CENTERLINE OF SANGAMON STREET TO THE EASTERLY PROLONGATION OF THE SOUTHERLY LINE OF LOTS 3 AND 22 OF BLOCKS 53 THROUGH 65 OF SAID MAP NO. 1317;

THENCE (16) NORTH 88°24'52" WEST, A DISTANCE OF 3,957.69 FEET ALONG SAID SOUTHERLY LINE OF SAID LOTS 3 AND 22 OF SAID BLOCKS 53 THROUGH 65, TO THE CENTERLINE OF GRAND AVENUE, AS SHOWN ON SAID MAP NO. 1317, SAID POINT ALSO BEING ON THE EXISTING OTAY WATER DISTRICT BOUNDARY;

THENCE (17) NORTH 01°15'51" EAST, A DISTANCE OF 1,170.94 FEET ALONG THE CENTERLINE OF SAID GRAND AVENUE TO A POINT OF INTERSECTION WITH GRAPE STREET, AS SHOWN ON SAID MAP NO. 1317;

THENCE (18) SOUTH 88°23'18" EAST, A DISTANCE OF 303.53 FEET ALONG THE CENTERLINE OF GRAPE STREET, TO A POINT OF INTERSECTION WITH THE CENTERLINE OF PARAISO AVENUE, AS SHOWN ON SAID MAP NO. 1317;

THENCE (19) NORTH 01°14'31" EAST, A DISTANCE OF 274.20 FEET ALONG THE CENTERLINE OF PARAISO AVENUE, TO A POINT WHICH BEARS SOUTH 88°45'29" EAST, A DISTANCE OF 25.00 FEET FROM THE NORTHEAST CORNER OF LOT 20, BLOCK 79, OF SAID MAP NO. 1317;

THENCE (20) NORTH 88°45'29" WEST, A DISTANCE OF 25.00 FEET TO THE NORTHEAST CORNER OF SAID LOT 20;

THENCE (21) NORTH 88°22'48" WEST, A DISTANCE OF 253.42 FEET ALONG THE NORTH LINE OF LOT 20, BLOCK 79, OF MAP NO. 1317, TO THE NORTHWEST CORNER OF SAID LOT 20;

THENCE (22) NORTH 88°44'09" WEST, A DISTANCE OF 25.00 FEET TO THE CENTERLINE OF GRAND AVENUE, AS SHOWN ON SAID MAP NO. 1317, SAID POINT ALSO BEING ON THE EXISTING OTAY WATER DISTRICT BOUNDARY;

THENCE (23) NORTH 01°15'51" EAST, A DISTANCE OF 373.86 FEET ALONG SAID CENTERLINE OF GRAND AVENUE, TO A POINT OF INTERSECTION WITH THE CENTERLINE OF HEMLOCK STREET, AS SHOWN ON SAID MAP NO. 1317;

THENCE (24) SOUTH 88°22'25" EAST, A DISTANCE OF 606.57 FEET ALONG THE CENTERLINE OF HEMLOCK STREET, TO A POINT OF INTERSECTION WITH THE CENTERLINE OF RAMONA AVENUE, AS SHOWN ON SAID MAP NO. 1317;

THENCE (25) NORTH 01°13'13" EAST, A DISTANCE OF 788.18 FEET ALONG THE CENTERLINE OF RAMONA AVENUE TO THE NORTHERLY LINE OF SAID SECTION 4 AND THE TRUE POINT OF BEGINNING;

CONTAINING 200.403 ACRES, MORE OR LESS.

*For assessment purposes only. This description of land is not a legal property description as defined in the Subdivision Map Act and may not be used as the basis for an offer for sale of the land described.*

  
\_\_\_\_\_  
ANDREW G. KARYDES, PLS                      1/02/14  
DATE





RESOLUTION NO. 4226

A RESOLUTION OF THE BOARD OF DIRECTORS OF  
OTAY WATER DISTRICT APPROVING THE ANNEXATION  
OF PARCELS EXCLUDED FROM IMPROVEMENT  
DISTRICT 19 INTO IMPROVEMENT DISTRICT 22

WHEREAS, on April 19<sup>th</sup>, 1971 by Resolution No. 866, the Otay Water District Board of Directors (“Board”) formed Improvement District (“ID”) 19 for the purpose of incurring necessary bonded indebtedness for the acquisition, construction and completion of water improvements and works; and

WHEREAS, on July 3<sup>rd</sup>, 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 charges and water rates and charges are identical between IDs 19 and 22; and

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

WHEREAS, on November 6, 2013, by Resolution No. 4221, the Board initiated proceedings to consolidate ID 19 into ID 22 to streamline the accounting and tracking of these parcels by declaring its intention to annex parcels excluded from ID 19, 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 Otay Water District held the required public hearing on the new fees and changes for the parcels excluded from ID 19 and annexed into ID 22 at its September 4, 2013 Board meeting, where the Board

determined that there were no protests regarding this action and approved the new fees and charges; and

WHEREAS, on March 11, 2014, a hearing was held by the Board 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 19 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 19 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 rates and charges are identical between IDs 19 and 22.

3. A depiction of the area to be annexed, and the boundaries of IDs 19 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.

(c) 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.

(d) Pay all other applicable local or state agency fees or charges.

5. That the annexation shall become effective on the date the exclusion of parcels from ID 19 becomes effective.

BE IT FURTHER RESOLVED that the Board directs staff to take all steps reasonably necessary to effectuate such annexation including, but not limited to, submitting the appropriate forms and fees to the State Board of Equalization and the County of San Diego.

PASSED, APPROVED AND ADOPTED by the Board of Directors of the Otay Water District at a regular meeting held this 11<sup>th</sup> day of March, 2014.

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President

ATTEST:

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District Secretary

## EXHIBIT "A"

### GEOGRAPHIC DESCRIPTION IMPROVEMENT DISTRICT 19

ALL THOSE PORTIONS OF FRACTIONAL SECTIONS 16, 20 AND 21 IN TOWNSHIP 17 SOUTH, RANGE 1 WEST, SAN BERNARDINO MERIDIAN IN SAN DIEGO COUNTY, STATE OF CALIFORNIA ACCORDING TO THE UNITED STATES GOVERNMENT SURVEY THEREOF AND A PORTION OF SAN MIGUEL CITY ACCORDING TO THE MAP THEREOF NO. 335 AND A PORTION OF M.S. ROOTS VILLAGE SITES ACCORDING TO THE MAP THEREOF NO. 586, BOTH MAPS ON FILE IN THE OFFICE OF THE COUNTY RECORDER OF SAN DIEGO COUNTY, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

**BEGINNING** AT THE SOUTHEAST CORNER FRACTIONAL SECTION 16, TOWNSHIP 21 SOUTH, RANGE 1 WEST, SAN BERNARDINO BASE AND MERIDIAN, ACCORDING TO SAID UNITED STATES GOVERNMENT SURVEY;

THENCE (1) NORTH 89°49'14" WEST, A DISTANCE OF 1,338.86 FEET ALONG THE SOUTH LINE OF SAID FRACTIONAL SECTION 16, TOWNSHIP 17 SOUTH, RANGE 1 WEST, ACCORDING TO SAID UNITED STATES GOVERNEMENT SURVEY TO THE CENTERLINE OF B STREET, AS SHOWN ON M. S. ROOT'S VILLA SITES, ACCORDING TO MAP NO. 586;

THENCE (2) SOUTH 00°04'39" WEST, A DISTANCE OF 1,318.72 FEET ALONG THE CENTERLINE OF B STREET, AS SHOWN ON SAID MAP NO. 586, TO THE SOUTHERLY LINE OF OLIVE AVENUE, AS SHOWN ON SAID MAP NO. 586;

THENCE (3) NORTH 89°51'51" WEST, A DISTANCE OF 1,307.38 FEET ALONG SOUTHERLY LINE OF OLIVE AVENUE TO NORTH-SOUTH CENTERLINE OF FRACTIONAL SECTION 21, TOWNSHIP 17 SOUTH, RANGE 1 WEST, ACCORDING TO SAID UNITED STATES GOVERNEMENT SURVEY;

THENCE (4) SOUTH 00°08'11" WEST, A DISTANCE OF 2,636.91 FEET TO THE SOUTH LINE OF THE NORTH HALF OF THE SOUTHWEST QUARTER OF SAID SECTION 21;

THENCE (5) NORTH 89°48'46" WEST, A DISTANCE OF 2,650.02 FEET TO THE WEST LINE OF SAID SECTION 21;

THENCE (6) SOUTH 00°09'43" WEST, A DISTANCE OF 23.32 FEET ALONG THE WEST LINE OF SAID SECTION 21 TO THE NORTHERLY LINE OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF FRACTIONAL SECTION 20, TOWNSHIP 17 SOUTH, RANGE 1 WEST;

THENCE (7) NORTH 89°42'09" WEST, A DISTANCE OF 221.52 FEET ALONG SAID NORTHERLY LINE TO THE EASTERLY LINE OF QUARTER SECTION 5 OF RANCHO DE LA NACION, ACCORDING TO MAP NO. 166, SAID POINT ALSO BEING ON THE EXISTING OTAY WATER DISTRICT BOUNDARY;

THENCE (8) NORTH 17°51'58" WEST, A DISTANCE OF 1,564.70 FEET ALONG THE EASTERLY LINE OF SAID QUARTER SECTION 5;

THENCE (9) NORTH 70°43'41" EAST, A DISTANCE OF 749.46 FEET TO A POINT ON THE WESTERLY LINE OF SECTION 21;

THENCE (10) NORTH 00°14'14" EAST, A DISTANCE OF 959.66 FEET ALONG THE WESTERLY LINE OF SAID SECTION 21;

THENCE (11) SOUTH 89°52'49" EAST, A DISTANCE OF 270.21 FEET;

THENCE (12) NORTH 00°15'07" EAST, A DISTANCE OF 594.18 FEET;

THENCE (13) SOUTH 70°14'36" EAST, A DISTANCE OF 1,116.85 FEET;

THENCE (14) SOUTH 00°12'13" WEST, A DISTANCE OF 93.66 FEET;

THENCE (15) SOUTH 89°31'44" EAST, A DISTANCE OF 976.92 FEET;

THENCE (16) NORTH, A DISTANCE OF 1,154.68 FEET TO THE SOUTH LINE OF SECTION 16;

THENCE (17) SOUTH 89°55'04" EAST, A DISTANCE OF 25.32 FEET ALONG THE SOUTH LINE OF SECTION 16;

THENCE (18) NORTH 00°11'02" EAST, A DISTANCE OF 586.34 FEET;

THENCE (19) SOUTH 89°42'44" EAST, A DISTANCE OF 573.93 FEET;

THENCE (20) NORTH, A DISTANCE OF 588.73 FEET;

THENCE (21) EAST, A DISTANCE OF 568.19 FEET;

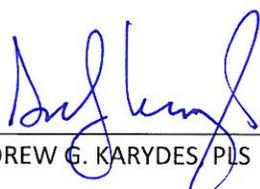
THENCE (22) NORTH, A DISTANCE OF 267.62 FEET;

THENCE (23) SOUTH 89°43'30" EAST, A DISTANCE OF 1,729.62 FEET TO THE EASTERLY LINE OF SECTION 16;

THENCE (24) SOUTH 03°47'26" EAST, A DISTANCE OF 1,438.09 FEET ALONG THE EASTERLY LINE OF SAID SECTION 16 TO THE POINT OF BEGINNING.

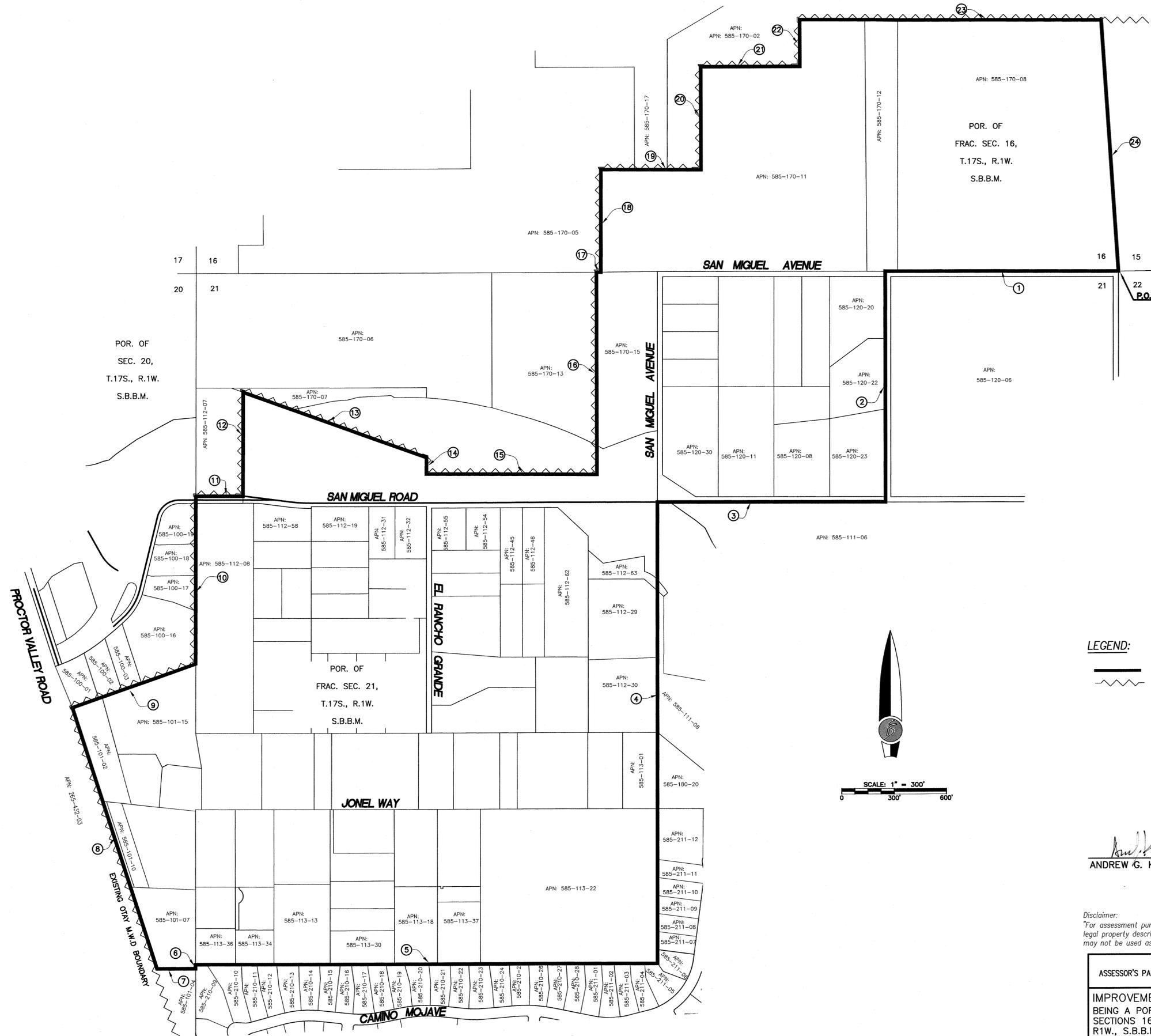
CONTAINING 324.395 ACRES, MORE OR LESS.

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ANDREW G. KARYDES, PLS  
1/02/14  
DATE



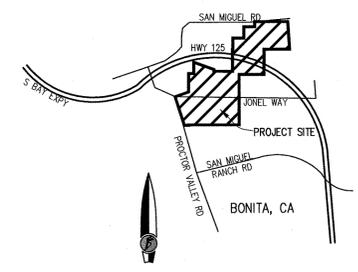
# EXHIBIT "B"



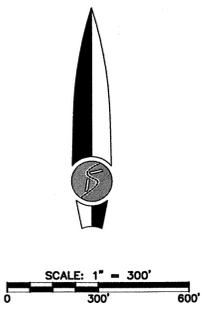
**COURSES:**

1	N89°49'14"W	1338.86'
2	S0°04'39"W	1318.72'
3	N89°51'51"W	1307.38'
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19	S89°42'44"E	573.93'
20	N0°00'00"E	588.73'
21	N90°00'00"E	568.19'
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324.39 ACRES



**LEGEND:**  
 IMPROVEMENT DISTRICT 19  
 EXISTING OWD BOUNDARY



*Andrew G. Karydes* 01/02/14  
 ANDREW G. KARYDES, PLS DATE



Disclaimer:  
 "For assessment purposes only, this description of land is not a legal property description as defined in the Subdivision Map Act and may not be used as the basis for the sale of land described."

ASSESSOR'S PARCEL NUMBER(S):	SEE MAP	ACREAGE	DATE	SCALE
		324.39	01/02/14	1" = 300'
IMPROVEMENT DISTRICT NO. 19 BEING A PORTION OF FRACTIONAL SECTIONS 16, 20, AND 21 T.17S., R.1W., S.B.B.M. SAN DIEGO COUNTY		SAN DIEGUITO ENGINEERING, INC. 4407 MANCHESTER, SUITE 105 ENCINITAS, CA. 92024 PHONE: (760) 753-5525 CIVIL ENGINEERING • PLANNING LAND SURVEYING		

## RESOLUTION NO. 4227

A RESOLUTION OF THE BOARD OF DIRECTORS OF  
OTAY WATER DISTRICT DECLARING ITS INTENTION TO  
ANNEX PARCELS EXCLUDED FROM IMPROVEMENT  
DISTRICT 25 INTO IMPROVEMENT DISTRICT 20

WHEREAS, on May 1<sup>st</sup>, 1978 by Resolution No. 1498, the Otay Water District Board of Directors (“Board”) formed Improvement District (“ID”) 25 for the purpose of incurring bonded indebtedness for the construction of a water transmission and distribution system; and

WHEREAS, on May 17<sup>th</sup>, 1971 by Resolution No. 880, the Board formed ID 20 for the purpose of incurring necessary bonded indebtedness for the acquisition, construction, and completion of water improvements and works; and

WHEREAS, the availability charges and water rates and charges are identical between IDs 25 and 20; and

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

WHEREAS, on November 6, 2013, by Resolution No. 4222, the Board initiated proceedings to consolidate ID 25 into ID 20 to streamline the accounting and tracking of these parcels by declaring its intention to annex parcels excluded from ID 25, 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 Otay Water District held the required public hearing on the new fees and changes for the parcels excluded from ID 25 and annexed into ID 20 at its September 4, 2013 Board meeting, where the Board

determined that there were no protests regarding this action and approved the new fees and charges; and

WHEREAS, on March 11, 2014, a hearing was held by the Board 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 25 into ID 20, 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 25 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 rates and charges are identical between IDs 25 and 20.

3. A depiction of the area proposed to be annexed, and the boundaries of IDs 25 and 20 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 proposed to be annexed.

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

- (a) Payment of 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.
- (c) 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.
- (d) Payment of all other applicable local or state agency fees or charges.

5. That the annexation shall become effective on the date the exclusion of parcels from ID 25 becomes effective.

BE IT FURTHER RESOLVED that the Board directs staff to take all steps reasonably necessary to effectuate such annexation including, but not limited to, submitting the appropriate forms and fees to the State Board of Equalization and the County of San Diego.

PASSED, APPROVED AND ADOPTED by the Board of Directors of the Otay Water District at a regular meeting held this 11<sup>th</sup> day of March, 2014.

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President

ATTEST:

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District Secretary

## EXHIBIT "A"

### GEOGRAPHIC DESCRIPTION IMPROVEMENT DISTRICT 25

ALL THAT PORTION OF EAST SAN DIEGO VILLA HEIGHTS ACCORDING TO THE MAP THEREOF NO. 1317 FILED IN THE OFFICE OF THE RECORDER OF SAN DIEGO COUNTY, STATE OF CALIFORNIA, BEING A PORTION OF SECTION 4, TOWNSHIP 17 SOUTH, RANGE 1 WEST, SAN BERNARDINO MERIDIAN ACCORDING TO THE UNITED STATES GOVERNMENT SURVEY THEREOF, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHWEST CORNER OF SECTION 4, TOWNSHIP 17 SOUTH, RANGE 1 WEST, SAN BERNARDINO MERIDIAN OF SAID UNITED STATES GOVERNMENT SURVEY;

THENCE (1) NORTH 89°40'36" EAST, A DISTANCE OF 631.20 FEET ALONG THE NORTHERLY LINE OF SAID SECTION 4 TO A POINT OF INTERSECTION WITH THE CENTERLINE OF RAMONA AVENUE, AS SHOWN ON SAID MAP NO. 1317, AND THE **TRUE POINT OF BEGINNING**, SAID POINT ALSO BEING ON THE EXISTING OTAY WATER DISTRICT BOUNDARY;

THENCE (2) NORTH 89°40'36" EAST, A DISTANCE OF 909.25 FEET ALONG SAID NORTHERLY LINE OF SAID SECTION TO A POINT OF INTERSECTION WITH THE CENTERLINE OF LA PRESA AVENUE, AS SHOWN ON SAID MAP NO. 1317;

THENCE (3) SOUTH 01°09'20" WEST, A DISTANCE OF 395.86 FEET ALONG THE CENTERLINE OF SAID LA PRESA AVENUE TO A POINT OF INTERSECTION OF THE WESTERLY PROLONGATION OF THE SOUTHERLY LINE OF LOTS 9 AND 22, BLOCK 99, OF SAID MAP NO. 1317;

THENCE (4) SOUTH 88°44'07" EAST, A DISTANCE OF 303.13 FEET ALONG SAID SOUTHERLY LINE TO A POINT OF INTERSECTION WITH THE CENTERLINE OF SAN MIGUEL AVENUE, AS SHOWN ON SAID MAP NO. 1317;

THENCE (5) NORTH 01°07'59" EAST, A DISTANCE OF 404.26 FEET ALONG SAID CENTERLINE OF SAN MIGUEL AVENUE TO THE NORTHERLY LINE OF SAID SECTION 4 AND THE NORTHERLY LINE OF IVY STREET, AS SHOWN ON SAID MAP NO. 1317, SAID POINT ALSO BEING ON THE EXISTING OTAY WATER DISTRICT BOUNDARY;

THENCE (6) NORTH 89°40'36" EAST, A DISTANCE OF 813.94 FEET ALONG SAID NORTHERLY LINE OF SAID SECTION;

THENCE (7) SOUTH 89°09'48" EAST, A DISTANCE OF 176.13 FEET CONTINUING ALONG SAID NORTHERLY LINE OF SAID SECTION;

THENCE (8) SOUTH 00°50'12" WEST, A DISTANCE OF 46.00 FEET TO THE SOUTHERLY LINE OF IVY STREET, AS SHOWN ON SAID MAP NO. 1317;

THENCE (9) NORTH 89°09'48" WEST, A DISTANCE OF 175.66 FEET ALONG SAID SOUTHERLY LINE OF IVY STREET, AS SHOWN ON SAID MAP NO. 1317;

THENCE (10) SOUTH 89°40'36" WEST, A DISTANCE OF 182.24 FEET CONTINUING ALONG SAID SOUTHERLY LINE OF IVY STREET TO THE EASTERLY LINE OF PORTOLA AVENUE, AS SHOWN ON SAID MAP NO. 1317;

THENCE (11) SOUTH 01°10'35" WEST, A DISTANCE OF 119.26 FEET ALONG THE EASTERLY LINE OF PORTOLA AVENUE TO THE NORTHWEST CORNER OF LOT 13, BLOCK 96, OF SAID MAP NO. 1317;

THENCE (12) SOUTH 88°22'01" EAST, A DISTANCE OF 303.18 FEET ALONG THE NORTHERLY LINE OF SAID LOT 13, LOT 18, AND THE EASTERLY PROLONGATION THEREOF, TO THE EASTERLY LINE OF CORONADO AVENUE, AS SHOWN ON SAID MAP NO. 1317;

THENCE (13) SOUTH 01°09'50" WEST, A DISTANCE OF 685.65 FEET ALONG THE EASTERLY LINE OF SAID CORONADO AVENUE TO A POINT OF INTERSECTION WITH THE CENTERLINE OF HEMLOCK STREET, AS SHOWN ON SAID MAP NO. 1317;

THENCE (14) SOUTH 88°22'29" EAST, A DISTANCE OF 1,209.33 FEET ALONG THE CENTERLINE OF SAID HEMLOCK STREET TO THE CENTERLINE OF SANGAMON STREET, AS SHOWN ON SAID MAP NO. 1317;

THENCE (15) SOUTH 01°27'48" WEST, A DISTANCE OF 1,815.88 FEET ALONG THE CENTERLINE OF SANGAMON STREET TO THE EASTERLY PROLONGATION OF THE SOUTHERLY LINE OF LOTS 3 AND 22 OF BLOCKS 53 THROUGH 65 OF SAID MAP NO. 1317;

THENCE (16) NORTH 88°24'52" WEST, A DISTANCE OF 3,957.69 FEET ALONG SAID SOUTHERLY LINE OF SAID LOTS 3 AND 22 OF SAID BLOCKS 53 THROUGH 65, TO THE CENTERLINE OF GRAND AVENUE, AS SHOWN ON SAID MAP NO. 1317, SAID POINT ALSO BEING ON THE EXISTING OTAY WATER DISTRICT BOUNDARY;

THENCE (17) NORTH 01°15'51" EAST, A DISTANCE OF 1,170.94 FEET ALONG THE CENTERLINE OF SAID GRAND AVENUE TO A POINT OF INTERSECTION WITH GRAPE STREET, AS SHOWN ON SAID MAP NO. 1317;

THENCE (18) SOUTH 88°23'18" EAST, A DISTANCE OF 303.53 FEET ALONG THE CENTERLINE OF GRAPE STREET, TO A POINT OF INTERSECTION WITH THE CENTERLINE OF PARAISO AVENUE, AS SHOWN ON SAID MAP NO. 1317;

THENCE (19) NORTH 01°14'31" EAST, A DISTANCE OF 274.20 FEET ALONG THE CENTERLINE OF PARAISO AVENUE, TO A POINT WHICH BEARS SOUTH 88°45'29" EAST, A DISTANCE OF 25.00 FEET FROM THE NORTHEAST CORNER OF LOT 20, BLOCK 79, OF SAID MAP NO. 1317;

THENCE (20) NORTH 88°45'29" WEST, A DISTANCE OF 25.00 FEET TO THE NORTHEAST CORNER OF SAID LOT 20;

THENCE (21) NORTH 88°22'48" WEST, A DISTANCE OF 253.42 FEET ALONG THE NORTH LINE OF LOT 20, BLOCK 79, OF MAP NO. 1317, TO THE NORTHWEST CORNER OF SAID LOT 20;

THENCE (22) NORTH 88°44'09" WEST, A DISTANCE OF 25.00 FEET TO THE CENTERLINE OF GRAND AVENUE, AS SHOWN ON SAID MAP NO. 1317, SAID POINT ALSO BEING ON THE EXISTING OTAY WATER DISTRICT BOUNDARY;

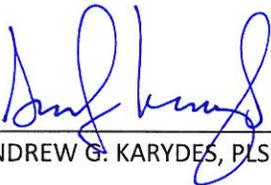
THENCE (23) NORTH 01°15'51" EAST, A DISTANCE OF 373.86 FEET ALONG SAID CENTERLINE OF GRAND AVENUE, TO A POINT OF INTERSECTION WITH THE CENTERLINE OF HEMLOCK STREET, AS SHOWN ON SAID MAP NO. 1317;

THENCE (24) SOUTH 88°22'25" EAST, A DISTANCE OF 606.57 FEET ALONG THE CENTERLINE OF HEMLOCK STREET, TO A POINT OF INTERSECTION WITH THE CENTERLINE OF RAMONA AVENUE, AS SHOWN ON SAID MAP NO. 1317;

THENCE (25) NORTH 01°13'13" EAST, A DISTANCE OF 788.18 FEET ALONG THE CENTERLINE OF RAMONA AVENUE TO THE NORTHERLY LINE OF SAID SECTION 4 AND THE TRUE POINT OF BEGINNING;

CONTAINING 200.403 ACRES, MORE OR LESS.

*For assessment purposes only. This description of land is not a legal property description as defined in the Subdivision Map Act and may not be used as the basis for an offer for sale of the land described.*

  
\_\_\_\_\_  
ANDREW G. KARYDES, PLS                      1/02/14  
DATE



# EXHIBIT "B"

SEC. 33  
T.16S., R.1W.  
S.B.B.M.

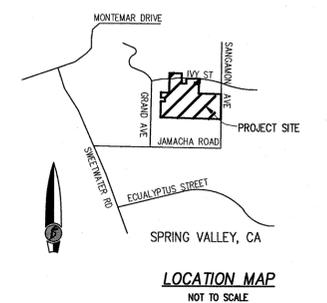
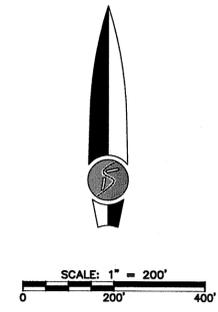


**COURSES:**

- 1 N89°40'36"E 631.20'
- 2 N89°40'36"E 908.25'
- 3 S1°09'20"W 395.86'
- 4 S88°44'07"E 303.13'
- 5 N1°07'59"E 404.26'
- 6 N89°40'36"E 813.94'
- 7 S89°09'48"E 176.13'
- 8 S0°50'12"W 46.00'
- 9 N89°09'48"W 175.66'
- 10 S89°40'36"W 182.24'
- 11 S1°10'35"W 119.26'
- 12 S88°22'01"E 303.18'
- 13 S1°09'50"W 685.65'
- 14 S88°22'29"E 1208.33'
- 15 S1°27'48"W 1815.88'
- 16 N88°24'52"W 3957.69'
- 17 N1°15'51"E 1170.94'
- 18 S88°23'18"E 303.53'
- 19 N1°14'31"E 274.20'
- 20 N88°45'29"W 25.00'
- 21 N88°22'48"W 253.42'
- 22 N88°44'09"W 25.00'
- 23 N1°15'51"E 373.86'
- 24 S88°22'25"E 606.57'
- 25 N1°13'13"E 788.18'

200.40 ACRES

POR. SEC. 5  
T.17S., R.1W.  
S.B.B.M.



**LEGEND:**  
 IMPROVEMENT DISTRICT 25  
 EXISTING OMD BOUNDARY

*Andrew G. Karydes*  
 ANDREW G. KARYDES, PLS      01/02/14      DATE



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ASSESSOR'S PARCEL NUMBER(S):	SEE MAP	ACREAGE	200.40	DATE	01/02/14	SCALE	1" = 200'
IMPROVEMENT DISTRICT NO. 25 BEING A PORTION OF SECTION 4, T.17S., R.1W., S.B.B.M. SAN DIEGO COUNTY				SAN DIEGO ENGINEERING, INC. 4407 MANCHESTER, SUITE 105 ENCINITAS, CA. 92024 PHONE: (760) 753-5525 CIVIL ENGINEERING • PLANNING LAND SURVEYING			

# AGENDA ITEM 5



## STAFF REPORT

TYPE MEETING:	Regular Board	MEETING DATE:	March 11, 2014
SUBMITTED BY:	Dan Martin Engineering Manager	PROJECT:	DIV. NO. All
APPROVED BY:	<input checked="" type="checkbox"/> Rod Posada, Chief, Engineering <input checked="" type="checkbox"/> German Alvarez, Assistant General Manager <input checked="" type="checkbox"/> Mark Watton, General Manager		
SUBJECT:	Adopt Ordinance No. 542 Amending Section 2.01, Authority of the General Manager of the District's Code of Ordinances		

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

That the Otay Water District (District) Board of Directors (Board) adopt Ordinance No. 542 amending Section 2.01, Authority of the General Manager of the District's Code of Ordinances.

### **COMMITTEE ACTION:**

See Attachment A.

### **PURPOSE:**

To delegate to the General Manager authority to approve certain agreements and amendments to agreements for the lease of District Real Property and/or space on District facilities to cellular companies and related entities for telecommunications purposes.

### **ANALYSIS:**

The District currently maintains thirty three (33) lease agreements with cellular communication companies that allow the cellular communication companies to operate and maintain unmanned wireless communication facilities that include panel antennas, equipment cabinets, and enclosures. The sites leased to these companies are typically located at the District's water reservoir sites which are located at higher elevations and are advantageous for the purposes of

transmitting cellular signals. Through lease agreements which are approved by the Board, the District is compensated by the cellular communication companies for the use of the lease areas. This funding is used to offset the cost of providing services to the District's customers. In Fiscal Year 2014 the cellular lease agreements are anticipated to generate approximately \$1.1 Million in revenue.

As technology changes, and the cellular communication companies seek to improve the services they deliver through the development of new sites or upgrades to their current infrastructure located on existing leased sites, the cellular communication companies approach the District with requests to implement their changes. These changes may involve additional lease space area or opportunities for the District to leverage the cellular company's facilities. In many cases, upgrades to existing sites trigger amendments to the current lease agreements held between the District and the cellular communication company. Additionally, new lease agreements that contain the District's most current lease provisions as approved by the Board are executed by the District and the cellular communication companies for new sites. Historically, these amendments and agreements have been brought before the Board for approval.

As part of the discussion regarding a lease amendment for a communications facility which was presented at the October 2, 2013 Board meeting, the Board requested that staff explore a greater delegation of authority for the General Manager to approve lease agreements or amendments that involve changes deemed to be administrative in nature such as:

- Minor changes to the lease area and corresponding lease rate
- Implementation of new cellular equipment in the lease area
- Revisions to existing leases to incorporate the District's most current lease provisions as approved by the Board
- Implementation of new lease sites using the most current Board approved lease provisions.

As a result of this direction by the Board, staff is proposing changes to Section 2.01, Authority of the General Manager of the District's Code of Ordinances, which would delegate to the General Manager authority to approve certain agreements and amendments to agreements for the lease of District Real Property and/or space on District facilities to cellular companies and related entities for telecommunications purposes as shown in Attachment C.

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

None.

**LEGAL IMPACT:**

The proposed amendments to Section 2.01, Authority of the General Manager of the District's Code of Ordinances, have been reviewed by District General Counsel.

**STRATEGIC GOAL:**

To improve business functionality by constantly improving the efficiency and effectiveness of important business processes.

DJM/RP:jf

P:\Public-s\STAFF REPORTS\2014\BD 3-11-2014\BD 3-11-2014 Staff Report, Proposed Delegation of Authority \_Cell Leases.doc

Attachments: Attachment A - Committee Action  
Attachment B - Ordinance No. 542  
Exhibit I - Strike-through Section 2.01  
Attachment C - Proposed Section 2.01



## ATTACHMENT A

<b>SUBJECT/PROJECT:</b>	Adopt Ordinance No. 542 Amending Section 2.01, Authority of the General Manager of the District's Code of Ordinances
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### **COMMITTEE ACTION:**

The Finance, Administration and Communications Committee reviewed this item at a meeting held on February 19, 2014. The Committee supported Staff's recommendation.

### **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.

ATTACHMENT B

ORDINANCE NO. 542

AN ORDINANCE OF THE BOARD OF DIRECTORS OF THE OTAY  
WATER DISTRICT AMENDING SECTION 2.01 AUTHORITY OF THE GENERAL MANAGER  
OF THE DISTRICT'S CODE OF ORDINANCES

BE IT ORDAINED by the Board of Directors of Otay Water  
District that the District's Code of Ordinances, Section 2.01,  
Authority of the General Manager be revised as per Attachment C.

NOW, THEREFORE, BE IT RESOLVED that the new proposed  
Section 2.01 of the Code of Ordinances shall become effective  
March 11, 2014.

PASSED, APPROVED AND ADOPTED by the Board of Directors of  
the Otay Water District at a regular meeting duly held this 11<sup>th</sup>  
day of March, 2014, by the following roll call vote:

AYES:  
NOES:  
ABSENT:  
ABSTAIN:

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President

ATTEST:

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District Secretary

CHAPTER 2 ADMINISTRATION OF THE DISTRICT

SECTION 2 MANAGEMENT OF THE DISTRICT

2.01 AUTHORITY OF THE GENERAL MANAGER

Pursuant to Sections 71362 and 71363 of the California Water Code, and other applicable laws of the State of California, the General Manager shall, subject to the approval and direction of the Board of Directors, operate and manage the affairs of the District. The General Manager shall have the following specifically enumerated powers and authority:

A. To control the administration, maintenance, operation and construction of the water and sewer systems and facilities of the District in an efficient manner.

B. To employ and discharge all employees and assistants, other than those referred to in Section 71340 of the California Water Code, and to prescribe their duties and promulgate specific rules and regulations for such employees and assistants.

C. To promulgate policies and procedures necessary to enhance the security of the District and increase the transparency of District operations, including provisions for the disclosure of conflicts of interest by employees.

D. To establish the terms and conditions for collection of receivables, thereby facilitating the efficient administration of the District's receivables. The General Manager or designee is given this authority as well as the authority to waive, adjust, or reduce any receivable for amounts up to \$10,000.

E. To execute agreements, contracts, other documents, or commitments on behalf of the District where the amount involved does not exceed \$50,000, provided that Public Works Contracts shall be awarded in compliance with applicable laws.

F. To approve change orders to agreements, contracts, or other commitments on behalf of the District. If the underlying contract is awarded by the General Manager pursuant to paragraph 2.01-E above, the cumulative value of the approved change orders and the underlying agreement, contract, or commitment shall not exceed the General Manager's signatory authority established above. If the underlying contract is awarded by the Board, the General Manager may approve change orders thereto in an aggregate amount not exceeding the General Manager's signatory authority established above.

G. To approve plans, specifications, maps and agreements, and any other documents involving land development projects within the District.

H. To authorize the use of District Real Property by third parties if all the following conditions are met: (a) the consideration is less than the General Manager's authority; and (b) the proposed use consists of an easement, license, access permit or other use of a portion of the District Real Property that will not interfere with the existing or anticipated uses of the District Real Property for District purposes; and (c) either (i) the term of the proposed use is 10 years or less, or (ii) the entity proposing to use the District Real Property is a regulated utility, governmental entity or not-for profit organization. All uses of District Real Property not contemplated herein or specifically authorized in other sections of this Code of Ordinance shall be presented to the Board of Directors for consideration.

1. The General Manager may establish terms and conditions for the use of and access to District Real Property contemplated herein, including administrative charges.

2. The use of any District Real Property shall require consideration satisfactory to the General Manager, which may be monetary compensation in an amount equal to the fair market value of the proposed use plus an administrative charge or may be in the form of a real property interest or other equivalent compensation or use.

3. "District real property" means and includes real property and interests thereon, such as fee interests, easements, licenses and other such interests acquired for various District purposes including but not limited to the construction, operation, access or maintenance of pipelines or other facilities necessary or convenient to the full exercise of the District's powers.

I. To declare an emergency and, in such event, to have the additional powers specified in the District's emergency management plan, referred to as the National Incident Management System (NIMS), and below, pursuant to California Contract Code Section 22050. An emergency is a sudden, unexpected occurrence that poses a clear and imminent danger, requiring immediate action to prevent and mitigate the loss or impairment of life, health, property, or essential public services.

1. In a declared emergency, the General Manager may direct employees, take action to continue or restore service capability, and execute any contracts for necessary equipment, services, or supplies directly related and required by the emergency. Notwithstanding the limits imposed in the prior paragraphs of this Section 2.01, or by any other policy or guideline of the District, in

an emergency, the General Manager may award and execute contracts for goods, services, work, facility or improvement, without bidding and without regard to said limits, provided that the goods, services, work, facilities or improvements acquired or contracted for are of an urgent nature, directly and immediately required by the emergency. Any contract for goods or services with a value of more than \$250,000 shall be subject to ratification by the Board at its first regularly scheduled meeting following the declaration of the emergency to which the contract relates. Any contract for work, facilities or improvements with a value of more than \$500,000 shall be subject to ratification by the Board at its first regularly scheduled meeting following the declaration of the emergency to which the contract relates.

2. The General Manager shall report to the Board not later than 48 hours after the emergency action or at the next regularly scheduled meeting, whichever is earlier. The report shall include the details of the emergency and reasons justifying the actions taken, and provide an accounting of the funds expended or yet to be expended in connection with the emergency.

3. If the emergency action continues for seven days and a regularly scheduled meeting will not occur within 14 days from the day the emergency action was taken, the General Manager shall request that the Board review the emergency action and determine by formal action if the need to take emergency action continues.

4. At each regularly scheduled meeting following the declaration of an emergency the Board may, by formal action and pursuant to a vote as required by Section 22050 of the Public Contract Code, determine if there is a need to continue the emergency action. If the Board does not determine that the emergency continues, the power to operate under emergency conditions will terminate and any new work, goods or services not yet procured shall be contracted or acquired in accordance with applicable provisions of this Code.

J. In addition to the authority for the use of District Real Property enumerated in subsection H above, to approve the following types of agreements and amendments to agreements for the lease of District Real Property and/or space on District facilities to cellular companies and related entities for telecommunications purposes, provided such agreements and amendments are substantially in compliance with the District's standard contract terms and provisions and have been reviewed and approved by General Counsel:

1. A reduction of the lease rate of not more than 25%.
2. Any increase in the lease rate.
3. Allowance of new equipment on the leased space, provided proper land use permits are acquired by the lessee from the appropriate entities.

4. Administrative changes to the lease, including amending leases to the District's most current form as approved by the Board.

5. Entering into a lease that contains the District's most current form as approved by the Board with a new entity on a new site or a site that has been vacated.

## 2.02 ORDER OF SUCCESSION

When the General Manager is going to be absent from the District, the General Manager is authorized to designate an Asst. General Manager to act on his behalf and said person shall have the same authority as the General Manager. Any long-term vacancies (over 30 days) shall be filled by vote of the majority of the Board.

## ATTACHMENT C

### CHAPTER 2 ADMINISTRATION OF THE DISTRICT

#### SECTION 2 MANAGEMENT OF THE DISTRICT

##### 2.01 AUTHORITY OF THE GENERAL MANAGER

Pursuant to Sections 71362 and 71363 of the California Water Code, and other applicable laws of the State of California, the General Manager shall, subject to the approval and direction of the Board of Directors, operate and manage the affairs of the District. The General Manager shall have the following specifically enumerated powers and authority:

A. To control the administration, maintenance, operation and construction of the water and sewer systems and facilities of the District in an efficient manner.

B. To employ and discharge all employees and assistants, other than those referred to in Section 71340 of the California Water Code, and to prescribe their duties and promulgate specific rules and regulations for such employees and assistants.

C. To promulgate policies and procedures necessary to enhance the security of the District and increase the transparency of District operations, including provisions for the disclosure of conflicts of interest by employees.

D. To establish the terms and conditions for collection of receivables, thereby facilitating the efficient administration of the District's receivables. The General Manager or designee is given this authority as well as the authority to waive, adjust, or reduce any receivable for amounts up to \$10,000.

E. To execute agreements, contracts, other documents, or commitments on behalf of the District where the amount involved does not exceed \$50,000, provided that Public Works Contracts shall be awarded in compliance with applicable laws.

F. To approve change orders to agreements, contracts, or other commitments on behalf of the District. If the underlying contract is awarded by the General Manager pursuant to paragraph 2.01-E above, the cumulative value of the approved change orders and the underlying agreement, contract, or commitment shall not exceed the General Manager's signatory authority established above. If the underlying contract is awarded by the Board, the General Manager may approve change orders thereto in an aggregate amount not exceeding the General Manager's signatory authority established above.

G. To approve plans, specifications, maps and agreements, and any other documents involving land development projects within the District.

H. To authorize the use of District Real Property by third parties if all the following conditions are met: (a) the consideration is less than the General Manager's authority; and (b) the proposed use consists of an easement, license, access permit or other use of a portion of the District Real Property that will not interfere with the existing or anticipated uses of the District Real Property for District purposes; and (c) either (i) the term of the proposed use is 10 years or less, or (ii) the entity proposing to use the District Real Property is a regulated utility, governmental entity or not-for profit organization. All uses of District Real Property not contemplated herein or specifically authorized in other sections of this Code of Ordinance shall be presented to the Board of Directors for consideration.

1. The General Manager may establish terms and conditions for the use of and access to District Real Property contemplated herein, including administrative charges.

2. The use of any District Real Property shall require consideration satisfactory to the General Manager, which may be monetary compensation in an amount equal to the fair market value of the proposed use plus an administrative charge or may be in the form of a real property interest or other equivalent compensation or use.

3. "District real property" means and includes real property and interests thereon, such as fee interests, easements, licenses and other such interests acquired for various District purposes including but not limited to the construction, operation, access or maintenance of pipelines or other facilities necessary or convenient to the full exercise of the District's powers.

I. To declare an emergency and, in such event, to have the additional powers specified in the District's emergency management plan, referred to as the National Incident Management System (NIMS), and below, pursuant to California Contract Code Section 22050. An emergency is a sudden, unexpected occurrence that poses a clear and imminent danger, requiring immediate action to prevent and mitigate the loss or impairment of life, health, property, or essential public services.

1. In a declared emergency, the General Manager may direct employees, take action to continue or restore service capability, and execute any contracts for necessary equipment, services, or supplies directly related and required by the emergency. Notwithstanding the limits imposed in the prior paragraphs of this Section 2.01, or by any other policy or guideline of the District, in an emergency, the General Manager may award and execute contracts for goods, services, work, facility or improvement, without bidding and without regard to said limits, provided that the goods, services,

work, facilities or improvements acquired or contracted for are of an urgent nature, directly and immediately required by the emergency. Any contract for goods or services with a value of more than \$250,000 shall be subject to ratification by the Board at its first regularly scheduled meeting following the declaration of the emergency to which the contract relates. Any contract for work, facilities or improvements with a value of more than \$500,000 shall be subject to ratification by the Board at its first regularly scheduled meeting following the declaration of the emergency to which the contract relates.

2. The General Manager shall report to the Board not later than 48 hours after the emergency action or at the next regularly scheduled meeting, whichever is earlier. The report shall include the details of the emergency and reasons justifying the actions taken, and provide an accounting of the funds expended or yet to be expended in connection with the emergency.

3. If the emergency action continues for seven days and a regularly scheduled meeting will not occur within 14 days from the day the emergency action was taken, the General Manager shall request that the Board review the emergency action and determine by formal action if the need to take emergency action continues.

4. At each regularly scheduled meeting following the declaration of an emergency the Board may, by formal action and pursuant to a vote as required by Section 22050 of the Public Contract Code, determine if there is a need to continue the emergency action. If the Board does not determine that the emergency continues, the power to operate under emergency conditions will terminate and any new work, goods or services not yet procured shall be contracted or acquired in accordance with applicable provisions of this Code.

J. In addition to the authority for the use of District Real Property enumerated in subsection H above, to approve the following types of agreements or amendments to agreements for the lease of District Real Property and/or space on District facilities to cellular companies and related entities for telecommunications purposes, provided such agreements or amendments are substantially in compliance with the District's standard contract terms and provisions and have been reviewed and approved by General Counsel:

1. A reduction of the lease rate of not more than 25%.
2. Any increase in the lease rate.
3. Allowance of new equipment on the leased space, provided proper land use permits are acquired by the lessee from the appropriate entities.
4. Administrative changes to the lease, including amending leases to the District's most current form as approved by the Board.

5. Entering into a lease that contains the District's most current form as approved by the Board with a new entity on a new site or a site that has been vacated.

2.02 ORDER OF SUCCESSION

When the General Manager is going to be absent from the District, the General Manager is authorized to designate an Asst. General Manager to act on his behalf and said person shall have the same authority as the General Manager. Any long-term vacancies (over 30 days) shall be filled by vote of the majority of the Board.

# AGENDA ITEM 6



## STAFF REPORT

TYPE MEETING:	Regular Board	MEETING DATE:	March 11, 2014
		PROJECT:	DIV. NO. All
SUBMITTED BY:	Alicia Mendez-Schomer, Customer Service 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:	Declare a Water Shortage Response Level 1 - Supply Watch Condition		

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

That the Board declare a Water Shortage Response Level 1 - Supply Watch Condition which calls for voluntary conservation measures and to instruct staff to educate customers of these recommendations via bill inserts, the District's website and any other applicable means.

### **COMMITTEE ACTION:**

See Attachment A.

### **PURPOSE:**

To align the District with the San Diego County Water Authority's (CWA) recommendation to adopt voluntary conservation measures.

### **ANALYSIS:**

California is experiencing an unprecedented drought due to two years of lower than anticipated rainfall which is continuing into the third year. The Department of Water Resources' survey in late January showed snowpack water content levels at 12 percent of normal for this time of year. In response, Governor Brown declared a statewide drought emergency on January 17<sup>th</sup>. This action opened the door to provide federal aid for communities in Northern and Central California that are facing immediate shortages.

The San Diego region is not as impacted by the drought as much as other parts of the state since San Diegans have already invested heavily in conservation, infrastructure improvements, and water supply diversification. As an example, per capita water use has declined from more than 200 gallons per person per day to approximately 150 gallons over the past decade. Total potable water use in our region was also less in 2013 than it was in 1990, despite an increase in population of around 30 percent. Additionally, CWA has invested \$2 billion over the past decade in new large-scale water infrastructure projects that are contributing to a more reliable water supply.

In a special meeting on February 13, 2014, the San Diego County Water Authority notified all member agencies that the region is at a Level 1 Drought Watch of the Model Drought Response Ordinance. In response to this call for action, staff is recommending the District declare a Water Shortage Response, Level 1 - Supply Watch Condition. The Level 1 water shortage response condition practices are voluntary and will be reinforced through local and regional public education and awareness measures.

Periodic drought is a fact of life in Southern California. San Diegans have risen to the challenge before and the District is confident that our customers will continue to do their part to conserve and remain mindful of wasting water. The District encourages everyone to take advantage of money saving tips and rebates found on the District's website.

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

No increases to programmatic costs will occur. There is the potential for reductions in revenues if measurable conservation occurs. However, unlike the last drought, this one is not occurring coincident with an economic crisis, the call for conservation is not extreme, and there are not significant pricing changes to promote high levels of conservation.

**STRATEGIC GOAL:**

Actively manage water supply and demand.

**LEGAL IMPACT:**

None.

Attachments:

Attachment A - Committee Action



## ATTACHMENT A

<b>SUBJECT/PROJECT:</b>	Declare a Water Shortage Response Level 1 - Supply Watch Condition
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### **COMMITTEE ACTION:**

The Finance, Administration and Communications Committee recommends that the Board declare a Water Shortage Response Level 1 - Supply Watch Condition which calls for voluntary conservation measures and to instruct staff to educate customers of these recommendations via bill inserts, the District's website and any other applicable means.

### **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.

# AGENDA ITEM 7



## STAFF REPORT

TYPE MEETING:	Regular Board	MEETING DATE:	March 11, 2014
		PROJECT:	Various DIV.NO. ALL
SUBMITTED BY:	Geoff Stevens, Chief Information Officer		
APPROVED BY:	<input checked="" type="checkbox"/> German Alvarez, Assistant General Manager <input checked="" type="checkbox"/> Mark Watton, General Manager		
SUBJECT:	STATUS UPDATE ON 2015 - 2017 DISTRICT STRATEGIC PLAN		

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

This is an informational item. No Board action is required.

### **COMMITTEE ACTION:**

See "Attachment A".

### **PURPOSE:**

To brief the Board on the progress in the development of the 2015 to 2017 District Strategic Plan.

### **Background**

Each year, the District updates the Strategic Plan and it is reviewed every three years to take an in-depth look at what will be required to meet coming challenges. This year requires the in-depth analysis as the Strategic Plan is at the end of the 2012-2014 plan and actively drafting the 2015 to 2017 plan.

### Activities to Date:

The Senior Team began discussing the plan in October 2013. The following activities have taken place over the last four months:

- Review of other Districts' Strategic Plan;
- Review of industry trends;
- Review of Strategic Planning methodology;
- Engagement of consulting assistance to validate process;
- Development of a Strategy Map for the District;
- Senior Team discussion of Mission, Vision and Values;
- Reaffirmation of Balanced Scorecard as methodology of choice;
- Development of Primary Goals for Balanced Scorecard;
- Development of a more targeted **key challenge**;
- Engagement meetings with all departments including the General Manager and Assistant General Manager;
- Development of individual department objectives and measures (ongoing);
- Employee communications meeting both at the section and the group level.

### Current Status

The Senior Team is pleased with the Strategic Plan progress to date. This is a critical review point in the process where the General Manager has asked staff to present and seek the Board's affirmation of the District's stated Mission, Vision, and Values. Staff would like to present the **key challenge**, which is more targeted, than in the last plan, to highlight efficiency, effectiveness, and measurement. Finally, staff has drafted the high level strategies and goals that are in alignment with the balanced scorecard.

## **MISSION**

*To provide quality water and wastewater services to the customers of the Otay Water District, in a professional, effective and efficient manner.*

## **VISION**

*A District that is innovative in providing water services at competitive rates, with a reputation for outstanding customer service.*

## STATEMENT OF VALUES

As Otay Water District employees, we dedicate ourselves to:

### **CUSTOMERS:**

We take pride that our commitment to customer-centered service is our highest priority.

### **EXCELLENCE:**

We strive to provide the highest quality and value in all that we do.

### **INTEGRITY:**

We commit ourselves to doing the right thing. Ethical behavior, trustworthiness and accountability are the District's foundation.

### **TEAMWORK:**

We promote mutual trust by sharing information, knowledge and ideas to reach our common goals.

### **EMPLOYEES:**

We see each individual as unique and important. We value diversity and open communication to promote fairness, dignity and respect.

### **PROPOSED KEY CHALLENGE**

Our key challenge, as the staff of this District, responsible for delivering our stated mission, vision, and values, is to quantify and demonstrate our commitment and ability to execute how we will utilize the optimum mix of resources, business processes, and technology to achieve our goals. As a team and at all levels we accept the requirement to regularly assess and document how our decisions and work practices are adapting to meet this strategic challenge.

## Balanced Scorecard Strategies and Goals

### **Customer:**

*Deliver high quality services that meet regulatory standards and delivers best business processes which increase confidence of the customer in the value the District provides.*

- A. Goal: "Maintain high customer satisfaction by expanding and improving communications and providing water services."**

### **Financial:**

*Provide enhanced value by directing and managing the financial issues that are critical to the District.*

- A. Goal: "Improve financial information and systems."**
- B. Goal: "Maintain District financial strength."**

### **Business Processes:**

*Improve business functionality by constantly reviewing and maximize efficiency and effectiveness of all business processes.*

- A. Goal: "Actively manage water supply as well as demand and sewer services."**
- B. Goal: "Identify and evaluate improvements to enterprise and departmental business processes."**

### **Learning and Growth:**

*Provide the leadership, tools, and management commitment to improve all business practices.*

- A. Goal: "Results-oriented workforce."**
- B. Goal: "Flexible, lean and highly-skilled workforce."**

## Next Steps

Individual meetings with the Management Team of each department are underway. The General Manager and Assistant General Manager are very involved in this process. Each team is meeting a minimum of four times to develop customized objectives and measures that are in alignment with the proposed key challenge and mission.

The entire Management Team is very active in making suggestions that are in alignment with our strategy. Below are some examples of the ideas that are being considered for inclusion:

### Examples from Finance, Administration and IT

- INVESTIGATION OF WEB BASED OR PORTAL BASED PURCHASING METHODOLOGIES
- FURTHER LEVERAGE CLOUD BASED ARCHITECTURES FOR SECURITY, AND DISASTER RECOVERY
- CHANGING PROCESS FOR DEVELOPERS TO INSTALL METERS
- ANALYSIS OF REVENUES AND IMPACTS OF THE SEWER SYSTEM REALIGNMENT OR CONSOLIDATION
- SECURITY SYSTEM UPGRADES AND CONSOLIDATION
- STREAMLINING COMMUNICATIONS TO CUSTOMERS - WEB BASED, SOCIAL MEDIA, MOBILE
- EVALUATE CITIZEN SERVICES THROUGH EDEN - ONLINE SUBMITTALS
- CALL CENTER INTEGRATION AMONG DEPARTMENTS
- EXPLORING ADDITIONAL USES OF THE AUTOMATED DIALER FOR CUSTOMER CONTACT
- EXPANDING EMAIL OR RELATED COMMUNICATIONS SERVICES
- REDUCING HEADCOUNT BY REVIEW OF ATTRITION RELATED VACANCIES
- MODIFICATION OF RESERVE ACCOUNTING
- EXPLORATION OF NEW BILLING SYSTEMS
- HAVE DEVELOPERS DO NEW METER SETS
- ENSURE FULL COST RECOVERY OF SERVICES PROVIDED

## Examples from Engineering and Operations

- DEVELOPMENT OF PLAN VERSUS ACTUAL TIME ALLOCATION PER TASK
- MEASUREMENT OF UNIT COSTING FOR ROUTINE PROCESSES
- LEVERAGE SCADA AND WORK ORDER SYSTEM - PROCESS IMPROVEMENTS
- SUPPORT OF THE DESALINATION PROJECT
- NEGOTIATIONS WITH PARTNER CITIES FOR BETTER AGREEMENTS
- ADDITIONAL USE OF ASSET MANAGEMENT
- RECAPTURE COSTS WHEN SURVEY IS REQUIRED TO CHANGE EASEMENTS
- RECOVER COST OF DIG ALERTS FROM ROUTINE TRAFFIC ACCIDENTS
- EVALUATION OF COST BENEFIT OF LEAK REDUCTION HARDWARE
- ANALYSIS OF SEWER BUSINESS
- NORTH - SOUTH INTERCONNECT
- STREAMLINE RFP PROCESS (COMBINE PLAN, DESIGN, BUILD BIDS)
- EVALUATE BIM (BUILDING INFORMATION MANAGEMENT) FOR PIPELINES
- EVALUATE COST RECOVERY FOR CERTAIN TYPES OF MARK OUT
- EVALUATE COST RECOVERY FOR ENCROACHMENT PERMITS

The above, along with many other ideas, are on the table and being evaluated. The emphasis, where possible, will be to develop specific objectives and performance measures that can provide a quantifiable proof of improvement. Measurements always require a subtle approach, and it will take time to finalize and test the proposed new measures. The intent of the plan, however, is clear in that staff desires to find ways to achieve and demonstrate how this District is being run efficiently and effectively for our customers and in alignment with the General Manager's and the Board's direction.

### **STRATEGIC GOAL:**

These items are in support of the updating the District's Strategic Plan.

### **LEGAL IMPACT:**

None.

Attachments: Attachment A - Committee Action



**ATTACHMENT A**

<b>SUBJECT/PROJECT:</b>	STATUS UPDATE ON 2015 - 2017 DISTRICT STRATEGIC PLAN
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**COMMITTEE ACTION:**

The Finance, Administration and Communications Committee reviewed this item at a meeting held on February 19, 2014. The Engineering, Operations and Water Resources Committee reviewed this item at a meeting held on February 18, 2014.

**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.