

## RESOLUTION NO. 2024-2-2

### **A RESOLUTION OF APPLICATION BY THE CUCAMONGA VALLEY WATER DISTRICT REQUESTING THE LOCAL AGENCY FORMATION COMMISSION FOR SAN BERNARDINO COUNTY TO INITIATE PROCEEDINGS FOR THE ANNEXATION OF A PORTION OF ITS SOUTHEASTERN SPHERE OF INFLUENCE**

**WHEREAS**, Cucamonga Valley Water District (CVWD) desires to initiate proceedings pursuant to the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000, commencing with Section 56000 of the California Government Code, for the annexation of approximately 383 acres of property ("annexation property") to CVWD's service area ; and

**WHEREAS**, a description of the area proposed to be annexed to CVWD is attached hereto as Exhibit "A", attached hereto and by this reference incorporated herein; and

**WHEREAS**, the proposed annexation area is consistent with CVWD's sphere of influence; and

**WHEREAS**, the annexation area lies within the City of Rancho Cucamonga's City boundary and is designated as industrial land use category under the City's general plan; and

**WHEREAS**, the City has received development applications from developers interested in developing within the annexation area, which will need water and sewer service from CVWD; and

**WHEREAS**, only the area proposed for annexation west of Etiwanda Avenue will require water service from CVWD since the area east of Etiwanda Avenue is served by the Fontana Water Company; and

**WHEREAS**, the entire annexation area will require sewer service from CVWD as there is no preexisting agency providing sewer service; and

**WHEREAS**, the Plan of Service study, which is required to be submitted with the annexation application to LAFCO, demonstrates CVWD's capability of providing water and sewer service to the annexation area; and

**WHEREAS**, CVWD has entered into a Advance Deposit and Reimbursement Agreement with three (3) developers within the proposed annexation area which requires advance payment of \$20,000 from each developer to fully cover the cost of the annexation including the Plan of Service consultant fees, annexation fees, and LAFCO fees; and

**WHEREAS**, San Bernardino County Local Agency Formation Commission ("LAFCO") is the responsible agency that oversees the establishment, expansion, governance, and dissolution of local government agencies and their service areas to meet current and future community needs; and

**WHEREAS**, CVWD will submit the annexation application, along with this Board approved Resolution, to LAFCO who has the jurisdiction of approving or disapproving of the annexation proposal with or without conditions.

**NOW THEREFORE BE IT RESOLVED** by the Board of Directors as follows:

- I. This Resolution of Annexation Application Submission to LAFCO is hereby approved and

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adopted by the Board of Directors of the Cucamonga Valley Water District, and the Local Agency Formation Commission for San Bernardino County is hereby requested to take proceedings for the annexation of property as described in Exhibit "A", in the manner provided by the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000.

2. The Cucamonga Valley Water District acknowledges and agrees to the Local Agency Formation Commission for San Bernardino County's requirement for imposing legal indemnification as outlined in Policy 3 of Chapter 2 of the Accounting and Financial Section of its Policy and Procedure Manual.

3. The General Manager of the Cucamonga Valley Water District is hereby directed and authorized to execute, on behalf of the District, the justification for proposal and supplemental form for the annexation which includes the preparation and certifying of the Plan for Service Study, copies of which are on file in the District office.

4. That the Secretary to the Board of Directors shall certify to the passage and adoption of this resolution and is hereby authorized and directed to file, or cause to be filed, a certified copy of this Resolution with the Executive Officer of the Local Agency Formation Commission for San Bernardino County.

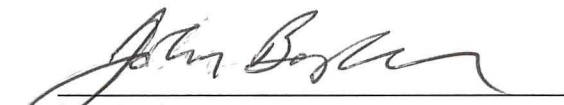
5. This Resolution shall be effective as of the date of adoption.

**PASSED AND ADOPTED** this 27th day of February, 2024:



\_\_\_\_\_  
Randall James Reed  
President

ATTEST:



\_\_\_\_\_  
John Bosler  
Secretary

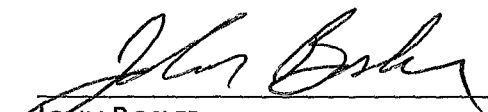
STATE OF CALIFORNIA                    )  
COUNTY OF SAN BERNARDINO ) <sup>ss.</sup>

I, **JOHN BOSLER**, Secretary of the Board of Directors of Cucamonga Valley Water District, do hereby certify that the foregoing **Resolution No. 2024-2-2** was adopted by the Board of Directors of said District at a regular board meeting held on February 27, 2024. A recorded vote of the Board is as follows:

AYES: Curatalo, Gibboney, Kenley, Moffatt, Reed

NOES: \_\_\_\_\_

ABSENT: \_\_\_\_\_

  
\_\_\_\_\_  
JOHN BOSLER  
Cucamonga Valley Water District  
and the Board of Directors thereof