

3219

RESOLUTION NO. 2017-3 -4

A RESOLUTION OF APPLICATION BY THE BOARD OF DIRECTORS OF THE CUCAMONGA VALLEY WATER DISTRICT REQUESTING THE LOCAL AGENCY FORMATION COMMISSION TO INITIATE PROCEEDINGS FOR DETACHMENT OF TERRITORY FROM THE CUCAMONGA VALLEY WATER DISTRICT, AS MORE SPECIFICALLY DESCRIBED BELOW

WHEREAS, the Board of Directors of the Cucamonga Valley Water District 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 detachment of three separate areas totaling approximately 1,137.44 acres from the District; and

WHEREAS, a description of the areas proposed for detachment from the District is attached hereto as Exhibit "A," which sets forth the legal descriptions of the areas to be detached, and Exhibit "A-1," which sets forth the map of the areas to be detached. Exhibits "A" and "A-1" are incorporated herein by reference; and

WHEREAS, the District's proposed change of organization is consistent with the sphere of influence assigned to the District; and

WHEREAS, the District desires that the proposed detachment be subject to the standard terms and conditions imposed by the Local Agency Formation Commission; and

WHEREAS, the reason for the proposed detachment is that the subject areas, located within the city limits of the City of Ontario, are not served by the District for water and sewer service. Proposed detachment areas will continue to receive water and sewer service from the City of Ontario; and

WHEREAS, certain areas are to be excluded from the proposed detachment and will remain within the boundaries of the District. Said properties are already developed with 33 homes and a mobile home park and are currently receiving water service from the District. Said exclusion areas are referred to as AREA A – Exclusion Area #1 and #2, as more particularly described in Exhibit "A."

NOW THEREFORE BE IT RESOLVED BY THE BOARD OF DIRECTORS OF THE CUCAMONGA VALLEY WATER DISTRICT AS FOLLOWS:

SECTION 1. This Resolution of Application is hereby adopted and approved by the Board of Directors of the District, and the Local Agency Formation Commission for San Bernardino County is hereby requested to take proceedings for the change of organization as described above, according to the terms and conditions stated above and in the manner provided by Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000.

SECTION 2. The District acknowledges and agrees to the Local Agency Formation Commission of 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.

RESOLUTION NO. 2017-3 -4

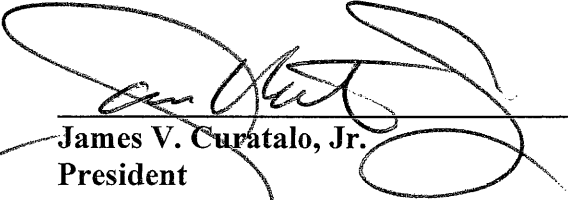
SECTION 3. The General Manager of the District is hereby directed and authorized to execute, on behalf of the District, the application forms which include the certified Plan for Service and Fiscal Impact Analysis, copies of which are on file in the District's offices.

SECTION 4. That the Secretary to the Board 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.

SECTION 5. All of the foregoing Recitals are true and correct and the Board so finds and determines. The Recitals set forth above are incorporated herein and made an operative part of this Resolution.

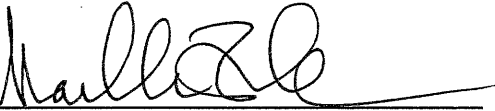
SECTION 6. If any section, subsection, clause or phrase in this Resolution is for any reason held invalid, the validity of the remainder of this Resolution shall not be affected thereby. The Board hereby declares that it would have passed this Resolution and each section, subsection, sentence, clause, or phrase thereof, irrespective of the fact that one or more sections, subsections, sentences, clauses or phrases or the application thereof be held invalid.

PASSED AND ADOPTED this 14th day of March, 2017.



James V. Curatalo, Jr.
President

ATTEST:

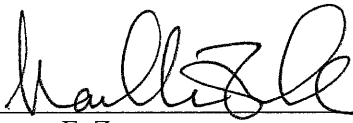


Martin E. Zvirbulis
Secretary

STATE OF CALIFORNIA)
COUNTY OF SAN BERNARDINO) ss.

I, **MARTIN E. ZVIRBULIS**, Secretary of the Board of Directors of Cucamonga Valley Water District, do hereby certify that the foregoing **Resolution No. 2017-3-4** was adopted by the Board of Directors of said District at a regular board meeting held on March 14, 2017. A recorded vote of the Board is as follows:

AYES: Directors Curatalo, Cetina, Gonzalez, Reed, and Tiegs
NOES: Directors _____
ABSENT: Directors _____



MARTIN E. ZVIRBULIS
Cucamonga Valley Water District
and the Board of Directors thereof