I, John J. Mura, do hereby certify that this is a true and correct copy of the record.

JOHN J. MURA, Secretary to the Board
East Valley Water District

RESOLUTION NO. 2018.01

A RESOLUTION OF APPLICATION BY THE BOARD OF DIRECTORS OF THE EAST VALLEY WATER DISTRICT, REQUESTING THE LOCAL AGENCY FORMATION COMMISSION TO INITIATE PROCEEDINGS FOR THE REORGANIZATION TO INCLUDE ACTIVATION OF AUTHORIZED SERVICES TO INCLUDE WASTEWATER TREATMENT, RECLAMATION, DISPOSAL, AND RECHARGE OF RECYCLED WATER AND EXEMPTION PURSUANT TO GOVERNMENT CODE SECTION 56133(e) FOR CONTRACT BETWEEN THE EAST VALLEY WATER DISTRICT AND CITY OF SAN BERNARDINO MUNICIPAL WATER DEPARTMENT FOR EXCHANGE OF WASTEWATER SERVICE AS MORE SPECIFICALLY DESCRIBED BELOW

WHEREAS, the East Valley Water District (District) is a county water district organized and operating pursuant to California Water Code Section 30000 et seq; and

WHEREAS, , the Board of Directors of the East 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 reorganization to include activation of its wastewater authority for the provision of treatment, reclamation, disposal, and recharge of recycled water and the authorization of an exemption under Section 56133(e) for the exchange of wastewater service between the East Valley Water District and the City of San Bernardino Municipal Water Department pursuant to the terms of the Settlement Agreement entered into November 2017; and,

WHEREAS, descriptions and maps of the area proposed to be reorganized and the contractual area for service exchange are attached hereto as Exhibits "A", "A-1", "B" and "B-1" and by this reference incorporated herein; and,

WHEREAS, the proposed reorganization for activation of wastewater function and services as described do not conflict with any sphere of influence of an affected agency; and

WHEREAS, the East Valley Water District desires that the proposed reorganization to include activation be subject to the standard terms and conditions imposed by the Local Agency Formation Commission along with the following:

1. The District shall assume all rights, duties, and responsibilities related to sewer treatment, except as otherwise outlined in the Conditions of Approval by Local Agency Formation Commission (LAFCO); and
2. The Plan for Service included with the application outlines the general approach and parameters for delivering sewer treatment services to the District's service area. The District will assume responsibility for providing sustainable service to the residents and businesses as a condition of activation and for providing the personnel, facilities, equipment and oversight necessary to do so on an ongoing basis; and
3. All previously authorized charges, fees, and assessments currently in effect, now levied or collected on behalf of the San Bernardino Municipal Water Department

related to sewer treatment shall continue to be levied and collected by the District until transition of service is completed; and

WHEREAS, the reasons for the proposed activation of sewer function and service are to provide wastewater treatment, water conservation, groundwater recharge and cost effective recycled water; and,

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

Section 1. This Resolution of Application is hereby adopted and approved by the Board of Directors of the East Valley Water District, and the Local Agency Formation Commission for San Bernardino County is hereby requested to take proceedings for the activation of the function and service and approval of exemption for contract between the District and City of San Bernardino Municipal Water Department as described above, according to the terms and conditions stated above and in the manner provided by the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000.

Section 2. The East Valley Water District Board of Directors 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.

Section 3. The East Valley Water District hereby directs and authorizes its General Manager to execute, on behalf of the District, the Justification for Proposal and Supplemental form for the Activation of Function/Service which includes the preparation and certifying of the Plan for Service and Fiscal Impact Analysis, copies of which are on file in the District office.

Section 4. That the General Manager of the East Valley Water District 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.

PASSED AND ADOPTED by the Board of Directors of the East Valley Water District at a regular meeting held on this 14th day of February 2018, by the following vote:

AYES: Director's: Carrillo, Coats, Morales, Smith
NOES: None
ABSTAIN: None
ABSENT: None

Chris Carrillo,
Board President

February 14, 2018

I HEREBY CERTIFY that the foregoing is a full, true and correct copy of Resolution No. 2018.01 adopted by the Board of Directors of East Valley Water District at its Regular Meeting held February 14, 2018.

ATTEST:

John Mura
Board Secretary