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WHEREAS, AIGGRE Cedar Avenue Investor, LLC, a California Limited Liability Company, (the “Owner”), represents it holds lawful title to the industrially-zoned property located at the 18750 Orange Street, Bloomington, on the northeast corner of Cedar Avenue and Orange Street,, identified by Assessor Parcel Number 0253-211-56, (the “Property”) which is located outside the incorporated boundaries of the City of Rialto, (the “City”); and

WHEREAS, San Bernardino County does not currently provide wastewater service to the Property; and

WHEREAS, Owner desires to, and pursuant to the terms of an Extraterritorial Wastewater Service Agreement, has committed to, or will commit to provide, at Owner's cost, a sewer mainline extensions and lateral with connections from the building drain to the sewer main, including all road cuts, patching, permits and inspections; and

WHEREAS, City owns and operates the sewer main running along and within Larch Avenue; and any other related and/or additional facilities used for the conveyance, treatment or disposal of wastewater originating in the Service Area and any extensions, expansions or replacements of any of the above being hereinafter referred to as the “Rialto Disposal System”; and

1 **WHEREAS**, City has defined and established by Council Resolution a policy and
2 administrative guidelines to provide for wastewater service outside the City's corporate
3 boundaries; and

4 **WHEREAS**, in order to accommodate the conveyance, treatment and disposal of
5 wastewater originating in the Service Area, City has agreed to maintain and/or construct the
6 Rialto Disposal System and such related and/or additional facilities as may be necessary to
7 adequately provide such service for the Service Area in perpetuity; and

8 **WHEREAS**, in consideration of City's agreement to provide adequate conveyance,
9 treatment and disposal services to the Service Area, Owner has agreed to make payments
10 described in an Extraterritorial Wastewater Service Agreement with respect to wastewater
11 from the Property discharged into the Rialto Disposal System (such wastewater being
12 "Service Area Wastewater") calculated at one point three (1.3) times the monthly rates
13 charged by City to customers within Rialto, all on terms and conditions more fully set forth
14 therein.

15 **NOW, THEREFORE, THE UTILITY AUTHORITY OF THE CITY OF RIALTO DOES**
16 **HEREBY FIND, DETERMINE, AND RESOLVE AS FOLLOWS:**

17 **Section 1:** Resolution No. 7397 is hereby rescinded.

18 **Section 2:** An Extraterritorial Wastewater Service Agreement (the "Agreement")
19 authorizing wastewater service to the commercial property located at 18750 Orange Street,
20 Bloomington, which is at the Northeast Corner of Cedar Avenue and Orange Street,
21 Bloomington, San Bernardino County, identified by Assessor's Parcel Number 0253-211-56, is
22 hereby approved as submitted to the City Council concurrently with its adoption of this
23 Resolution.

24 \\\

WHEREFORE, this Resolution is passed, approved and adopted this 8th day of January, 2019.

DEBORAH ROBERTSON, Mayor

ATTEST:

BARBARA A. McGEE, City Clerk

APPROVED AS TO FORM:

FRED GALANTE, Esq., City Attorney

1 **STATE OF CALIFORNIA**)
2 **COUNTY OF SAN BERNARDINO**) ss
3 **CITY OF RIALTO**)

4 I, Barbara A. McGee, City Clerk of the City of Rialto, do hereby certify that the
5 foregoing Resolution No. _____ was duly passed and adopted at a regular meeting of
6 the City Council of the City of Rialto held on the 8th day of January, 2019.

7 Upon motion of Councilmember _____, seconded by Councilmember
8 _____, the foregoing Resolution No. _____ was duly passed and
9 adopted.

10 Vote on the motion:

11 AYES:

12 NOES:

13 ABSENT:

14 IN WITNESS WHEREOF, I have hereunto set my hand and the Official Seal of
15 the City of Rialto this _____ day of _____, 2019.

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18 _____
19 BARBARA A. MCGEE, CITY CLERK
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