



# City of Rialto

## Legislation Details (With Text)

| <b>File #:</b>        | CC-19-005  | <b>Version:</b>      | 1      | <b>Name:</b>                          |        |
|-----------------------|--|----------------------|--------|---------------------------------------|--------|
| <b>Type:</b>          | Agenda Item  | <b>Status:</b>       |        | Agenda Ready                          |        |
| <b>File created:</b>  | 12/11/2018   | <b>In control:</b>   |        | City Council/Rialto Utility Authority |        |
| <b>On agenda:</b>     | 1/8/2019   | <b>Final action:</b> |        |                                       |        |
| <b>Title:</b>         | Request City Council Adopt Resolution No. 7440 and Rialto Utility Authority Board Adopt RUA Resolution No. 02-19, Approving an Extraterritorial Wastewater Service Agreement with AIGGRE Cedar Avenue Investor, LLC, for the Cedar Avenue Technology Park warehouse located at 18750 Orange Street, Bloomington, Assessor's Parcel Number 0253-211-56. |                      |        |                                       |        |
| <b>Sponsors:</b>      | Susanne Wilcox   |                      |        |                                       |        |
| <b>Indexes:</b>       |  |                      |        |                                       |        |
| <b>Code sections:</b> |  |                      |        |                                       |        |
| <b>Attachments:</b>   | 1. ET Agreement 12-6-2018, 2. City Council Resolution - Cedar Ave Tech Park, 3. RUA Resolution - Cedar Ave Tech Park   |                      |        |                                       |        |
| Date                  | Ver.   | Action By            | Action |                                       | Result |

For City Council Meeting and Rialto Utility Authority [January 8, 2019]

TO: Honorable Mayor and City Council

APPROVAL: Ahmad R. Ansari, Interim City Administrator  
Sean Grayson, Interim City Administrator

FROM: Thomas J. Crowley, P.E., Utilities Manager

Request City Council Adopt **Resolution No. 7440** and Rialto Utility Authority Board Adopt **RUA Resolution No. 02-19**, Approving an Extraterritorial Wastewater Service Agreement with AIGGRE Cedar Avenue Investor, LLC, for the Cedar Avenue Technology Park warehouse located at 18750 Orange Street, Bloomington, Assessor's Parcel Number 0253-211-56.

### **BACKGROUND:**

AIGGRE Cedar Avenue Investor, LLC submitted an application for sewer service to the City of Rialto for a warehouse at 18750 Orange Street. The property is in the Bloomington area of the County of San Bernardino and not served by a sewer system.

In accordance with the City Council policy established by Resolutions No. 4746 and 6209, the provision of extraterritorial sewer service requires City Council/Rialto Utility Authority (RUA) Board approval.

### **ANALYSIS/DISCUSSION:**

This item was initially presented to the Water Subcommittee on August 29, 2018, which directed staff to proceed. The Agreement was then presented at the September 18, 2018, Utilities Commission meeting where it was recommended for Council approval. On September 25, 2018, the proposed

agreement was presented to the City Council/Rialto Utility Authority, which approved the agreement.

As required by California Government Code 56133, the project and Extraterritorial Agreement was submitted to the San Bernardino County Local Agency Formation Commission (LAFCO). Two Assessor's Parcel Numbers (APNs) were provided for the development project. During the quality assurance review with LAFCO, it was discovered that one of the APNs provided was incorrect. The agreement should have only listed one APN. The correct APN is 0253-211-56.

To correct the error, staff is requesting the City Council/Rialto Utility Authority Board, rescind Resolution No. 7397 and adopt the proposed City and RUA resolutions, as well as approve the corrected Extraterritorial Agreement.

### **ENVIRONMENTAL IMPACT:**

The request is not a "Project" as defined by the California Environmental Quality Act (CEQA). Pursuant to Section 15378(a), a "Project" means the whole of an action, which has a potential for resulting in either a direct physical change in the environment, or a reasonably foreseeable indirect physical change in the environment. The proposed agreements to connect the properties to the City's sanitary sewer system will not result in a direct or indirect physical change in the environment because the system has sufficient capacity and, as such, the action is not a "Project" as defined under CEQA.

### **GENERAL PLAN CONSISTENCY:**

Public utility infrastructure, although often invisible, is an essential physical support system that enables us to live healthy, productive lives. These include reliable water supply systems, effective sewage collection and treatment facilities, storm water control, and energy and telecommunications systems.

The City of Rialto owns, operates, and maintains the local public sanitary sewer system, which includes a wastewater collection system and treatment plant that serve most properties within the City limits.

### **Goal 3-6: Require that all developed areas within Rialto are adequately served with essential public services and infrastructure.**

Policy 3-6.1: Coordinate all development proposals with other affected public entities to ensure the provision of adequate public facilities and infrastructure services.

### **Goal 3-9: Upgrade and maintain an improved wastewater system with adequate plant efficiency and capacity to protect the health and safety of all Rialto residents, businesses, and institutions.**

Policy 3-9.1: Require that all new development or expansion of existing facilities bear the cost of expanding the wastewater disposal system to handle the increased loads which they are expected to generate.

Policy 3-9.2: Evaluate the wastewater disposal system routinely to ensure its adequacy to meet changes in demand and changes in types of waste.

**LEGAL REVIEW:**

The City Attorney has reviewed and approved the staff report

**FINANCIAL IMPACT:**

There is no financial impact from the requested action.

**Operating Budget Impact**

There is no Operating Budget impact from the requested action.

**Capital Improvement Budget Impact**

There is no Capital Improvement Budget impact from the requested action.

**RECOMMENDATION:**

Staff recommends that the City Council adopt a Resolution and Rialto Utility Authority a Resolution, approving an Extraterritorial Wastewater Service Agreement with AIGGRE Cedar Avenue Investor, LLC, for a warehouse located at 18750 Orange Street, Bloomington, Assessor's Parcel Number 0253-211-56.