

## **RESOLUTION NO. 2025-062**

### **A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHINO, CALIFORNIA, CONDITIONALLY APPROVING A COVENANT AGREEMENT TO ANNEX FOR SANITARY SEWER SERVICE AND REQUEST APPROVAL FROM LAFCO (ASSESSOR PARCEL NUMBER 1013-501-05)**

**WHEREAS**, the City of Chino received a request to provide sanitary sewer service to a property outside of its jurisdictional boundaries but within its sphere of influence, located at 12058 Roswell Avenue (previously 12054 Roswell), Chino, CA 91710 (APN 1013-501-05) ("Property"); and

**WHEREAS**, pursuant to Resolution No. 2025-021, the City's policy is to only allow new or existing developments located outside of the City's jurisdictional boundaries but within its sphere of influence to connect to the City's sanitary sewer system in accordance with the following requirements:

(1) If the parcel is not contiguous to the City boundary, the owner of the parcel must execute and file an irrevocable agreement to annex to the City at such time as sufficient parcels can be assembled and qualify for annexation in accordance with Local Agency Formation Commission ("**LAFCO**") policy pertaining to such annexations.

(2) If the parcel is contiguous to a City boundary, the owner will be required to annex the parcel to the City, or, if this is determined to be infeasible, to execute an irrevocable agreement to annex.

(3) Finally, all parcels requesting sewer service must be developed in accordance with the City's General Plan and in conformance with all City codes and standards; and

**WHEREAS**, the Property is contiguous to the City boundary, but annexation has been determined to be infeasible at this time and the owner of the Property has executed an irrevocable agreement to annex; and

**WHEREAS**, pursuant to Government Code Section 56133, the City may only provide new or extended services by agreement outside of its jurisdictional boundary if it first requests and receives written approval from LAFCO.

**NOW, THEREFORE, BE IT RESOLVED**, that the City of Chino does hereby determine, find, resolve, and order as follows:

**SECTION 1.** The City Manager or designee is authorized to execute the San Bernardino LAFCO Application for Extension of Service by Contract (attached to this Resolution as Exhibit A) and to submit the Application to the San Bernardino County LAFCO.

**SECTION 2.** The Covenant Agreement to Annex for Sanitary Sewer Service ("**Agreement**") (attached to this Resolution as Exhibit B) is approved, conditioned on (i) approval by LAFCO, and (ii) reimbursement by the applicant of all application fees and other costs incurred by the City in

preparing, submitting, and processing a request to LAFCO to extend sewer service to the Property pursuant to Government Code Section 56133 ("**Reimbursement**"). The City Manager is authorized to execute the Agreement on behalf of the City following notification by LAFCO that the City's request to extend services to the Property has been approved and following Reimbursement by the applicant. If the City's request to extend service to the Property is not approved by LAFCO or if applicant does not submit a full Reimbursement to the City, the Agreement shall not be executed by the City.

APPROVED AND ADOPTED THIS 16<sup>th</sup> DAY OF SEPTEMBER 2025.

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EUNICE M. ULLOA, MAYOR

ATTEST:

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NATALIE GONZAGA, CITY CLERK

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