

RESOLUTION NO. 2024-193

**RESOLUTION OF THE MAYOR AND CITY COUNCIL OF
THE CITY OF SAN BERNARDINO, CALIFORNIA,
APPROVING THE APPLICATION TO THE LOCAL
AGENCY FORMATION COMMISSION TO PROVIDE CITY
SEWER SERVICES TO A PROPERTY LOCATED AT 2210
OGDEN STREET, SAN BERNARDINO, CALIFORNIA,
WITHIN THE UNINCORPORATED COUNTY OF SAN
BERNARDINO TERRITORY OF MUSCOY; AND
AUTHORIZING THE CITY MANAGER TO EXECUTE AN
IRREVOCABLE AGREEMENT TO ANNEX**

WHEREAS, Cobra 28 No. 5, a California Limited Partnership, the owner of the property located at 2210 Ogden Street, San Bernardino, California, in the unincorporated area known as Muscoy, also known as Assessor's Parcel Number 0267-091-17, has requested connection to the City of San Bernardino's sewage system; and

WHEREAS, said Property is located within the City's Sphere of Influences; and

WHEREAS, pursuant to Section 2.28.030 (Service outside City Limits) of the San Bernardino Municipal Code, the Mayor and City Council must approve any water and sewer service outside the corporate limits of the City of San Bernardino; and

WHEREAS, pursuant to California Government Code Section 56133, a city or district may provide new or extended services by contract or agreement outside its jurisdictional boundaries subject to approval from the Local Agency Formation Commission (LAFCO); and

WHEREAS, pursuant to Resolution No. 97-275 the property owner is requesting connection to the City's sewage system must pay all applicable fees required by the City, San Bernardino Municipal Water District, and LAFCO.

**BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF
SAN BERNARDINO AS FOLLOWS:**

SECTION 1. The above recitals are true and correct and are incorporated herein by this reference.

SECTION 2. The Mayor and City Council of the City of San Bernardino hereby authorize an application to the LAFCO for the connection to the City's sewage system for property located at 2210 Ogden Street, Assessor's Parcel Number 0267-091-17, more fully described as follows:

The East ½ of Lot 469 of Tract No. 2324, County
of San Bernardino, State of California, as per Map
recorded in Book 33, Page 63-65 of Maps, in the

Office of the County Recorder of said County.
Excepting therefrom the North 210 feet
APN: 0267-091-17-0000

SECTION 3. The City Manager is hereby authorized to execute an Irrevocable Agreement to Annex No. 2024-379, a copy of which is attached as Exhibit “A”.

SECTION 4. The City Clerk of said City is hereby authorized and directed to file, or cause to be filed, a certified copy of this resolution with the Executive Officer of the LAFCO.

SECTION 5. The Mayor and City Council finds this Resolution is not subject to the California Environmental Quality Act (CEQA) in that the activity is covered by the general rule that CEQA applies only to projects which have the potential for causing a significant effect on the environment. Where it can be seen with certainty, as in this case, that there is no possibility that the activity in question may have a significant effect on the environment, the activity is not subject to CEQA.

SECTION 6. Severability. If any provision of this Resolution or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications, and to this end the provisions of this Resolution are declared to be severable.

SECTION 7. Effective Date. This Resolution shall become effective immediately.

APPROVED and **ADOPTED** by the City Council and signed by the Mayor and attested by the City Clerk this 4th day of September 2024.

Helen Tran, Mayor
City of San Bernardino

Attest:

Genoveva Rocha, CMC, City Clerk

Approved as to form:

Sonia Carvalho, City Attorney

CERTIFICATION

STATE OF CALIFORNIA)
COUNTY OF SAN BERNARDINO) ss
CITY OF SAN BERNARDINO)

I, Genoveva Rocha, CMC, City Clerk, hereby certify that the attached is a true copy of Resolution No. 2024-193, adopted at a regular meeting held on the 4th day of Septmber 2024 by the following vote:

<u>Council Members:</u>	<u>AYES</u>	<u>NAYS</u>	<u>ABSTAIN</u>	<u>ABSENT</u>
SANCHEZ	_____	_____	_____	_____
IBARRA	_____	_____	_____	_____
FIGUEROA	_____	_____	_____	_____
SHORETT	_____	_____	_____	_____
REYNOSO	_____	_____	_____	_____
CALVIN	_____	_____	_____	_____
ALEXANDER	_____	_____	_____	_____

WITNESS my hand and official seal of the City of San Bernardino this ____ day of _____ 2024.

Genoveva Rocha, CMC, City Clerk