

TO: Library Board of Trustees  
FROM: Elizabeth D. Minter, Library Director *ed*  
DATE: January 13, 1992  
SUBJECT: Preparation of General Ledger of Office Accounts

BACKGROUND

It was recommended in the FY1990-91 Audit that the District develop a general ledger system reflecting all of the accounts held outside the supervision of the Orange County Auditor.

This includes three checking accounts, one savings account and four certificates of deposit at Sanwa Bank and one checking account and one savings account at Bank of America.

Since I was consulting on another financial matter with one of the principals of the accounting firm used by the District for its FY1991 Audit, I asked him if it would be possible for them to work on the ledger.

RECOMMENDATION

I recommend that the Board authorize the Library District and proceed with signing an agreement with Anderson, Lynn, Bezich, and Cronick of 1611 East Chapman Avenue, Fullerton to develop a general ledger system for the District's office accounts at an estimated cost of \$1,375. *Minter*



ANDERSON, LYNN, BEZICH, MUNSON & CRONICK  
ACCOUNTANCY CORPORATION  
1661 EAST CHAPMAN AVENUE  
FULLERTON, CALIFORNIA 92631-4097

Donald F. Lynn, CPA  
Kenneth M. Bezich, CPA  
Charles A. Munson, CPA  
Edward A. Cronick, CPA  
John E. Rose, CPA

Offices In:  
Fullerton  
(714) 525-3555  
FAX (714) 525-6260  
San Pedro  
(213) 833-1306

January 9, 1992

Board Of Directors  
Placentia Library District  
411 East Chapman Avenue  
Placentia, CA 92670  
Attn: Ms. Elizabeth Minter

Ladies and Gentlemen:

My associate Nancy Cronick, meet with Elizabeth Minter to discuss the accounting and automation needs of Placentia Library District. It was requested that we submit an engagement letter for providing accounting software selection services for your Organization. The purpose of this engagement letter is to set forth the engagement's objectives, document the procedures for conducting this engagement, identify your responsibilities, and provide an estimated target fee.

#### ENGAGEMENT OBJECTIVE

The engagement's objective is to select a microcomputer accounting system that will meet the present and anticipated future accounting and reporting needs of Placentia Library District. We will provide professional assistance with the evaluation of your needs and the selection of an appropriate software solution.

#### SCOPE OF SERVICES

##### Our Procedures

Our procedures will include analysis and documentation of the current accounting system through interviews with your staff, review of your accounting records, review of your reporting requirements, discussions with management, and other procedures that we may deem necessary under the circumstances.



ANDERSON, LYNN, BEZICH, MUNSON & CRONICK  
ACCOUNTANCY CORPORATION

During the course of our evaluation, we will document the organization's unique accounting system requirements for use as a basis for selecting an appropriate microcomputer accounting software package to meet your accounting and reporting needs.

Software Recommendation

We will evaluate the top microcomputer accounting software packages currently available by comparing the organization's specific needs to the features these accounting software products offer. Our selection process will also evaluate other factors, such as compatibility with existing hardware, growth potential, ease of use, vendor support, and any other factors that we consider important to this decision. Based on our evaluation, we will recommend a microcomputer accounting software package that, in our opinion, will best satisfy your needs.

**YOUR RESPONSIBILITIES**

The engagement's nature will require involvement by various personnel of Placentia Library District. The ultimate success of the engagement depends primarily on your personnel and the effort contributed toward identifying your needs. To select an appropriate software solution, it will be Placentia Library District's responsibility to perform the following:

- Document all weaknesses or deficiencies with the current accounting system. Document all desired improvements.
- Ensure that key personnel are available for interviews without interruption.
- Assemble examples of forms, reports, and statements used for tracking revenue and expense information. Indicate any desired improvements on these forms and reports.

**ENGAGEMENT BENEFITS**

When the engagement is complete, Placentia Library District will receive a requirements analysis report that includes an accounting software recommendation. The recommended system should improve the quality, quantity, and timeliness of information needed for internal management.



ANDERSON, LYNN, BEZICH, MUNSON & CRONICK  
ACCOUNTANCY CORPORATION

**PROFESSIONAL FEES**

We have established a target fee for this service of \$1,375.00. Our estimate is based on our standard charges for these services as summarized on the attached schedule excluding cost of selected software. These fees are effective provided that your accounting records are in good order and your staff has necessary accounting skills and available time to devote to the analysis and selection process. Any unusual disruption in the analysis and selection process may result in higher fees.

**WARRANTIES AND LIMITATIONS**

Warranties for the computer software products installed as a result of this engagement are provided by the manufacturer of those products. We offer no warranties, expressed or implied, regarding the functionality or capabilities of the software products recommended as part of this engagement.

**CLOSING**

We appreciate the opportunity to provide professional services. If the foregoing is in accordance with your understanding, please sign and return the copy of this letter. We are available to commence the engagement immediately upon your acceptance.

Sincerely,

ANDERSON, LYNN, BEZICH, MUNSON & CRONICK  
Accountancy Corporation

  
Charles A. Munson, CPA

Response:

This letter correctly sets forth the understanding of Placentia Library District.

Signature: \_\_\_\_\_

Title: \_\_\_\_\_ CLIENT'S COPY \_\_\_\_\_

Date: \_\_\_\_\_





ANDERSON, LYNN, BEZICH, MUNSON & CRONICK  
ACCOUNTANCY CORPORATION

January 9, 1992

Placentia Library District  
Placentia, CA

SCHEDULE OF ESTIMATED FEES

	<u>Time</u>	<u>Cost</u>
Initial meeting	1.0 hrs.	N/C
Analysis of current accounting records and procedures	2.0 hrs.	\$ 150
Discussion with management relative to information and internal reports needed	2.0 hrs.	150
Evaluation and comparison of available software	2.0 hrs.	150
Installation of selected software and set up of chart of accounts	3.0 hrs.	300
Entering of opening balances and staff training	3.0 hrs.	225
Review (Internal Quality Control Review)	2.0 hrs.	250
Follow up visit	2.0 hrs.	<u>150</u>

\$1,375

*Cronick*  
*1/10/92*



TO: Library Board of Trustees  
FROM: Sal Addotta, Assistant Library Director. *Sma*  
DATE: January 8, 1992  
SUBJECT: Medical Treatment of Work-Related Injuries

BACKGROUND

At its meeting of December 9, 1991 the Library Board delayed action regarding having a designated medical facility for treatment of work-related injuries for the first thirty (30) days from when an injury is reported.

A question arose concerning those who had chosen their personal physician for treatment of work-related injuries and that doctor being unavailable at the time of injury.

Could those employees transfer back to their personal physician once being treated by the Library's designated worker's compensation doctor before the first thirty (30) day period has elapsed?

According to Keenan and Associates, our worker's compensation carrier, the answer is yes, they can.

RECOMMENDATION

1. I recommend the Library adopt a policy statement regarding having a designated medical facility for treatment of work-related injuries. See attachment 1.
2. I further recommend that Express Medical Group, 1501 North Placentia Avenue, Placentia be designated the Library's medical facility for treatment of work-related injuries and that staff be directed to proceed with the necessary arrangements with Express Med, announcements to staff, etc. with a starting date of no later than February 1, 1992.



PLACENTIA LIBRARY DISTRICT

Policy Statement

Treatment of Work-Related Injuries

In an attempt to provide better service to employees who are injured at work and in an attempt to control the high cost of work-related injuries, the Library is changing procedures for the treatment of injuries. The Library is pleased to announce that immediate treatment will now be available for our employees.

The Library is permitted by statute to control medical treatment of work-related injuries for the first thirty (30) days from when the injury was reported and has now designated a treatment center(s) for the convenience of the employees.

Employees will be treated by: (name and address). Immediate care will be provided. If injuries occur at times other than normal office hours, the emergency rooms at Placentia Linda Hospital will be used. DOCTORS AT THESE FACILITIES SPECIALIZE IN THE TREATMENT OF INDUSTRIAL INJURIES.

*- can submit form*

EMPLOYEES, HOWEVER, WHO HAVE NOTIFIED THE DISTRICT IN WRITING PRIOR TO THE DATE OF INJURY, of the desire to be treated by a personal physician may be immediately treated by their own physician. (Labor Code Section 4600 defines personal physician as "...the employee's regular physician and surgeon...who has previously directed the medical treatment of the employee, and who retains the employee's medical records, including his or her medical history.")

IMPORTANT: UNLESS AN EMPLOYEE HAS ON FILE A REQUEST TO BE TREATED BY THEIR OWN PHYSICIAN, PAYMENT WILL NOT BE MADE OTHER THAN TO (LAST DESIGNATED FACILITY).

*LA portion of the criteria.*



TO: ALL EMPLOYEES

FROM: ELIZABETH D. MINTER, LIBRARY DIRECTOR

DATE: JANUARY 14, 1992

SUBJECT: TREATMENT OF WORK-RELATED INJURIES

The Library has been in the process of evaluating medical facilities for treatment of employees injured on the job. This process is now complete. Effective January 14, 1992, the Library's designated medical clinic will be:

EXPRESS MEDICAL GROUP  
1501 NORTH PLACENTIA AVE., (NORTH OF YORBA LINDA BLVD.)  
PLACENTIA, CA  
524-7333

This is a modern, well-staffed, general medical facility which is located nearby. If specialist medical treatment is needed, the Clinic will refer the employee to a qualified specialist in the area. Employees will find that they will receive excellent prompt treatment for on-the-job injuries.

As a general rule, EXPRESS MEDICAL GROUP is to be used by all employees for initial and follow-up treatment of all on-the-job injuries. There are three exceptions to this rule:

1. Life-threatening emergency - In the event of an on-the-job injury which is serious or life-threatening, the employee should, of course, be immediately transported to a local hospital for treatment and care. Follow-up treatment after release from the hospital should then be undertaken with Express Medical Group.
2. Injury during evening/weekend hours - Express Medical Group is open 8:00 a.m. to 8:00 p.m. Monday through Friday and Saturday 10:00 a.m. to 5:00 p.m. Employees injured on the job when the Clinic is closed should be treated at the emergency ward of Placentia Linda Hospital (or other hospital, if closer). Follow-up treatment should then be undertaken with Express Medical Group during their regular business hours.
3. Designation of private physician - Employees who have designated in writing, in advance, a local personal physician for treatment of on-the-job injuries may use that physician in lieu of Express Medical Group.

In each on-the-job injury situation, the employee's immediate supervisor will follow through to be sure appropriate medical treatment provisions are adhered to. As in the past, questions regarding procedures and/or unusual situations should be referred





TREATMENT FOR ON-THE-JOB INJURIES, 1-14-92

PAGE 2

to the Administrative Office.

The cooperation of all employees in adjusting to the new program of on-the-job injury medical treatment will be greatly appreciated.



PLACENTIA LIBRARY DISTRICT

INDUSTRIAL INJURY PHYSICIAN DESIGNATION FORM

TO: Placentia Library District

From: \_\_\_\_\_  
(EMPLOYEE NAME) (POSITION)

SUBJECT: PERSONAL PHYSICIAN DESIGNATION FORM

DATE: \_\_\_\_\_

I hereby request that I be treated by my personal physician in the event of any "on-the-job" work injury.

\_\_\_\_\_  
Physician's Name

\_\_\_\_\_  
Physician's Address

\_\_\_\_\_  
Physician's Phone Number

\_\_\_\_\_  
EMPLOYEE SIGNATURE

WAIVER

I waive my right to be treated by my personal physician in the event of an emergency or when my personal physician is not available.

\_\_\_\_\_  
EMPLOYEE SIGNATURE



TO: Library Board of Trustees  
FROM: Elizabeth D. Minter, Library Director  
DATE: January 13, 1992  
SUBJECT: Renewal of Trustee memberships in the California  
Association of Library Trustees and Commissioners  
(CALTAC)

BACKGROUND:

Several Trustees have requested a discussion of the payment of dues for CALTAC and the California Library Association.

RECOMMENDATION:

The Board of Directors of CALTAC is urging Trustees to belong to both organizations in order to maintain voting rights on CLA matters. The cost of full membership in both organizations is \$35.00 per year.



Dear CALTAC Members:

Renewal notices for membership in CLA (California Library Association) have recently gone out. This year is the beginning of their new structure and they now have various membership categories to choose from.

WE ENCOURAGE YOU to choose the VOTING SUPPORTING category at the \$35 rate as you renew or join CLA.

This category will enable you, as a Trustee or Commissioner, to participate in subgroups and be fully active in this library organization.

CALTAC membership renewals are being sent out later this month.

CALTAC Board





# *Independent Special Districts of Orange County*

## TENTATIVE CALENDAR FOR 1992

January 8	(Wednesday)	7:00 AM	Executive Board
☛ January 29	(Wednesday)	7:30 PM	Regular Board Meeting - Speaker
February 12	(Wednesday)	7:00 AM	Executive Board
March 11	(Wednesday)	7:00 AM	Executive Board
April 8	(Wednesday)	7:00 AM	Executive Board
April 25 or May 2			Mini-Conference
May 3-5			Governmental Affairs Conference (Sacramento)
May 13	(Wednesday)	7:00 AM	Executive Board
June 10	(Wednesday)	7:00 AM	Executive Board
July 8	(Wednesday)	7:00 AM	Executive Board
☛ July 29	(Wednesday)	7:00 PM	Regular Board Meeting - Election of Officers - Speaker
August 12	(Wednesday)	7:00 AM	Executive Board
September 9	(Wednesday)	7:00 AM	Executive Board
September 9-12			CSDA Annual Conference (San Diego)
☛ September 30	(Wednesday)	7:30 PM	Regular Board Meeting - Speaker
October 14	(Wednesday)	7:00 AM	Executive Board
November 11	(Wednesday)	7:00 AM	Executive Board
☛ December 2	(Wednesday)	7:00 PM	Regular Board Meeting - Holiday meeting - Speaker
December 9	(Wednesday)	7:00 AM	Executive Board

**NOTE:** Regular Board Meetings are for all representatives of Independent Special Districts.

Pat Baur, Secretary

19812 Sienna Lane, Yorba Linda, California 92686 Telephone (714) 970-6714



# *Independent Special Districts of Orange County*

December 19, 1991

The Honorable Tom Umberg  
State Assemblyman, 72nd District  
State Capitol  
Sacramento, CA 95814

Attention: Ann Marie Piring, Field Representative

Dear Assemblyman,

The Independent Special Districts Association of Orange County is interested in continuing its efforts to obtain representation on the Local Agency Formation Commission in accordance with the provisions of the Knox-Cortese Act, which permits the enlargement of LAFCO by appointing two elected officials from Independent Special Districts in the County.

The Special Districts Association of Orange County has made repeated attempts to be seated on LAFCO, but to date without success.

Our first request was considered by the Orange County Local Agency Commission on September 10, 1986 and was summarily rejected. Our last request, on August 22, 1989, included resolutions requesting Special District representation on LAFCO from 29 of the 34 Independent Special Districts. This request was recommended for approval by the Executive Officer on September 13, 1989, but was continued the matter until November 1, and in the interim cities were encouraged to express their opposition. This led to the conclusion that LAFCO members already had preconceived notions to deny the request. At that time, nine LAFCOS in the State had seated Special Districts on their Commissions, including the Counties of San Bernardino, Riverside and San Diego.

On November 1, 1989 LAFCO disapproved the request, and the Independent Districts requested a statement of the reasons for denial. State law had just previously been changed to require LAFCOS to prepare such findings, if requested.

On December 6, the Commission approved five findings, briefly summarized below:

- Current members represent all Orange County citizens.
- Current members are experienced in special district functions.
- Special Districts are generally single purpose, which is dissimilar to analyzing the wide range of services and governmental structure.

Pat Baur, Secretary

19812 Sienna Lane, Yorba Linda, California 92686 Telephone (714) 970-6714

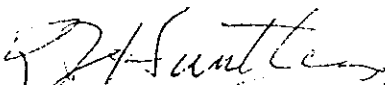
- The addition of special districts to the Commission would upset the delicate balance of interests and authority between the County and the cities.
- Special district representation could impede the consolidation or dissolution of special districts.

We are enclosing copies of documentation on the issues mentioned above to show why we are frustrated in our legitimate effort to participate in the process of improving local government.

We believe the time is right to mandate special district representation on the Local Agency Formation Commission.

Thank you for the opportunity to present this issue.

Sincerely,

  
Robert J. Huntley, President  
Special Districts Association  
of Orange County

## THE CASE FOR SPECIAL DISTRICT REPRESENTATION ON LAFCO

### THE CORTESE-KNOX ACT

The Cortese-Knox Local Government Reorganization Act (Cortese-Knox Act) is the framework within which proposed city annexations, incorporations, consolidations, and special district formations and dissolutions are considered. This law defines the Local Agency Formation Commission's (LAFCO) function in each county, empowering it to review, approve or deny boundary changes and incorporations for cities, counties, and special districts. Each LAFCO is made up of a public member and two elected officials each from the county and cities. Nine counties in California have taken advantage of a provision in the Cortese-Knox Act enlarging the Commission to seven members by appointing two elected officials from Independent Special Districts.

### LAFCO TO PROMOTE "WELL-ORDERED" DEVELOPMENT

Although each LAFCO operates independently of the state, it is expected to act within a set of State-mandated parameters encouraging "planned, well-ordered, efficient urban development patterns" and the "orderly formation and development of local agencies based upon local conditions and circumstances."

### WELL-ORDERED DEVELOPMENT REQUIRES DISTRICTS ON LAFCO

The phenomenal growth experienced by Orange County over the past twenty years forces all governments to work together to ensure adequate services are provided to a growing population, even as more and more limitations are placed on government's funding options. Special Districts, Cities and the County all must coordinate to ensure that the appropriate infrastructure and services expand as populations grow and shift.

### VIRTUALLY ALL DISTRICTS REQUEST REPRESENTATION

It is in this context that over 81 percent of the Independent Special Districts petitioned LAFCO to enlarge the Commission by two seats. Independent Special Districts are typically single-service, local governmental agencies formed under an enabling statute of California State law. Each District is governed by a Board of Directors elected by popular vote, and has a funding base of its own through taxing authority or fees. LAFCO has broad authority over Independent Special Districts' formation, dissolution, reorganization, boundary changes and changes in service. Cities and the County are currently represented on LAFCO, Independent Special Districts are not.

There are 197 elected directors of Independent Special Districts representing more than 860,000 voters and a population served of 1,653,638 people. Between them, Independent Special Districts represent over 660 square miles of Orange County. These are constituencies currently unrepresented on LAFCO. Districts on LAFCO would not be a duplication of representation any more than the County and Cities. The Cortese-Knox Act recognized this by allowing for Independent Special Districts to serve on LAFCO.

## FOCUS ON PARTICULAR SERVICES PROVIDES NEEDED PERSPECTIVE

Independent Special Districts are focused on providing particular services to defined populations, as opposed to Cities and the County which are diffused, multi-service governments. Districts' experience in governing efficiently and effectively, and expertise in specific forms of service will be valuable assets for LAFCO and the citizens of the County. The Independent Special Water Districts in Orange County are leaders statewide and worldwide on the critical issues of water supply, water quality, water reclamation and groundwater basin management. Other Districts are also leaders in their specialties. As it stands now, this expertise in self-government and service provision is unrepresented on LAFCO.

## DISTRICT CONSTITUENCIES ARE DISENFRANCHISED

Currently, LAFCO does not include members representing Independent Special Districts. With a recognized trend toward incorporations and consolidations in Orange County, Independent Special District representation on LAFCO will ensure that the purpose with which LAFCO is charged - to encourage "planned, well-ordered, efficient urban development" - is carried out through complete representation of the local agencies involved. Accountability and public acceptance of LAFCO's decisions can only be enhanced by including the local agencies that heretofore have been disenfranchised.

## SEATING DISTRICTS INCREASES LAFCO'S INFLUENCE

The intent of past attempts by Districts for LAFCO representation has been misconstrued that Districts seek to disrupt or stall the processes of LAFCO or to shift the balance of power between Cities and the County. Our goal is only to participate and contribute to the process. Decisions at LAFCO should always be based on merit according to the principles of the Cortese-Knox Act. Also, in requesting Special District seating on LAFCO, every one of the Districts that passed resolutions requested that LAFCO adopt rules and regulations governing the latent powers of Independent Special Districts. This will give LAFCO more control in reorganization and incorporation issues and assist in regulating "planned, well-ordered, efficient urban development". In enlarging the commission to seven, LAFCO will be increasing representation and increasing accountability. The public can only be served by such a move.

## STRONG PRECEDENT FOR EXPANDING LAFCO

Orange County LAFCO currently has appointed members of the general public and the County and Cities. As constituted, it may be classified as "indirect" government, since it's members are not directly elected to LAFCO. A clear trend in "indirect" government is the enlargement of Boards to include more representatives and, thus, more representation and accountability. The Orange County Transportation Commission, which evolved from a five-member Board to a seven-member Board in recent years, and the San Diego, Riverside and San Bernardino County LAFCOs which have all added Independent Special District members, are examples of this evolution toward broader-based, more representative regional governing agencies.

## STATE LEGISLATURE ENCOURAGES REPRESENTATION AND ACCOUNTABILITY

Thirty-one of 38 Independent Special Districts have formally requested, through adoption of a resolution by their Boards of Directors, that LAFCO enlarge the commission by two seats to include two Independent Special District representatives. The California State Legislature and the Governor have been responsive to Districts pleas for relief in regard to representation by Districts on LAFCO. It may be prudent to work with the forces in Sacramento who are working toward requiring Special District seating on LAFCO. Most Districts in this County, however, feel that it is too important for the future of this County and its tradition of self-government to wait for the Legislature to act to require Special District seating on LAFCO. Independent Special Districts of Orange County call on the sitting LAFCO commissioners to act now to improve the representation, accountability and capabilities of LAFCO by seating two new commissioners from Independent Special Districts.

October 21, 1989

07

LAFCO  County of Orange  
Local Agency Formation Commission

1200 N. MAIN STREET, SUITE 614  
SANTA ANA, CALIFORNIA 92701  
TELEPHONE: (714) 568-4181  
FAX: (714) 569-1173

December 6, 1989

CHAIRMAN  
EVELYN R. HART  
COUNCILWOMAN  
CITY OF  
NEWPORT BEACH

Local Agency Formation Commission  
1200 N. Main Street, Suite 614  
Santa Ana, California 92701

VICE-CHAIRMAN  
GADDI H. VASQUEZ  
SUPERVISOR  
THIRD DISTRICT

Honorable Chairman and Commissioners:

DON R. ROTH  
SUPERVISOR  
FOURTH DISTRICT

RE: Written Findings Regarding the Disapproval of  
Special District Representation on LAFCO

JAMES H. FLORA  
COUNCILMAN  
CITY OF LA HABRA

On November 1, 1989, your Commission disapproved the request from the Independent Special Districts of Orange County (ISDOC) for representation on LAFCO. Pursuant to Section 56455 of the California Government Code, your Commission must prepare written findings setting forth the reasons for the disapproval, if so requested.

DAVID BORAN  
REPRESENTATIVE OF  
GENERAL PUBLIC

On November 15, 1989, and again on November 20, 1989, LAFCO received requests for written findings (see attached letters).

ALTERNATE  
JOHN KANEL  
MAYOR PRO-TEM  
CITY OF CYPRESS

Attached for your review and consideration are draft findings prepared by staff.

ALTERNATE  
VERNON S. EVANS  
REPRESENTATIVE OF  
GENERAL PUBLIC

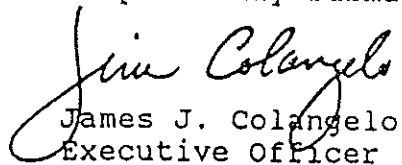
ALTERNATE  
SUPERVISOR  
VACANT

RECOMMENDED ACTION

JAMES J. COLANGELO  
EXECUTIVE OFFICER

1. Review and adopt, with or without amendment, the attached written findings setting forth the reasons for the disapproval of special district representation on LAFCO.

Respectfully submitted,

  
James J. Colangelo  
Executive Officer



LOCAL AGENCY FORMATION COMMISSION  
OF ORANGE COUNTY

COMMISSION FINDINGS SETTING FORTH THE REASONS  
FOR THE DISAPPROVAL OF  
SPECIAL DISTRICT REPRESENTATION ON LAFCO

1. The current composition of the Commission, consisting of two County Supervisors, two City Councilmembers, and one public member, adequately represents all of the citizens of Orange County.
2. Current Commissioners are experienced in the provision of water, sewer, park and recreation, landscape maintenance, and other local services provided by special districts through their responsibilities as County Supervisors and City Councilmembers, and being Directors on dependent special district Boards, such as County Service Areas and County Sanitation Districts.
3. Independent special districts are generally single purpose districts or have responsibility for a limited range of services, which is dissimilar to LAFCO's purpose of analyzing the entire range of service provision issues and determining the appropriate structure of governmental agencies.
4. The current composition of the Commission provides a delicate balance of interests, authority, and responsibility between the County and the cities. The addition of special district members would affect that equality of power, and could create an imbalance.
5. The legislative findings and legislative intent in creating local agency formation commissions emphasize the need for the orderly formation and structure of local government agencies, which often necessitates the consolidation or dissolution of special districts. Special district representation on LAFCO could impede this process.

**ISDOC EFFORT TO BE SEATED ON LAFCO  
NOTES AND RECOMMENDATIONS**

November 16, 1989

Approximately one year has elapsed in our effort to be secure Independent Special District Representation on the Orange County Local Agency Formation Commission (LAFCO). Following is a brief review of the specific actions undertaken by ISDOC and its agents to lobby for a vote by LAFCO in our favor.

A team was assembled to strategize for the effort. This team consisted of Mario Durante (ISDOC President), Joan Finnegan (ISDOC Secretary, Art Holmes (ISDOC V.P.), Mark Leyes (Past ISDOC V.P.), and Russell Behrens, attorney with McKormick, Kidman & Behrens. The services of Lyle Overby were retained toward the end of the effort, to assist in strategy planning.

Meetings were arranged with Cypress City Councilman John Kanel (LAFCO alternate city member), and Supervisors Don Roth and Gaddi Vasquez prior to the LAFCO meeting of September 13, 1989 where seating Districts was first discussed. Councilman Kanel expressed support for our position. (Kanel did not vote at either LAFCO meeting because both city members were in attendance at both meetings). Supervisor Roth expressed some sympathy for our position, but made no commitment. Supervisor Vasquez was very non-committal.

The action at the LAFCO meeting on September 13 was to "continue" the public hearing until the LAFCO meeting of December 1, 1989, in order to allow interested parties (particularly cities) more time to respond and take positions. Between September 13 and December 1, the ISDOC team coordinated a letter-writing campaign by Districts, lobbied selected cities for favorable positions, produced a "White Paper" outlining our case for seating, met with or contacted directly LAFCO commissioners and prepared testimony for the hearing on December 1.

Several Districts wrote follow-up letters to their resolutions urging adoption of our request. Of the cities lobbied, only one, Garden Grove, took a position of support, while several took no position. The "White Paper" was drafted and signed by several prominent Independent Special District Directors, and distributed to all District Directors, all District managers, all City managers and all Mayors, as well as the LAFCO commissioners and alternates.

We met again with Supervisor Roth and Vasquez and with Newport Beach City Councilwoman Evelyn Hart (LAFCO Chairman). Councilwoman Hart was not convinced at our meeting, however, and indicated she would probably vote against us. Roth again expressed sympathy but would not commit. Vasquez expressed that

he felt Districts already had adequate representation through the County Supervisors, especially himself.

On <sup>Nov</sup> December 1, 1989, LAFCO voted 5-0 to deny the District's application. Even though the vote was unanimous, some qualifications should be made. Both alternates were leaning toward approval. Supervisor Roth was the closest to being convinced among the other commissioners. The White Paper we produced is a good document for further discussion at the District, County and State level. And it must be remembered that LAFCO voted against its own staff recommendation in denying our request. In large part because we were willing to work closely with staff on the issue, the Executive Director of LAFCO concluded that the additional perspective that Districts would have provided to LAFCO would be an overall advantage to the commission.

Even though we may be frustrated by the continuing denial of our legitimate role in governing and serving Orange County, we have an excellent story to tell in Sacramento. Several legislators were watching what was happening here in Orange County this time. We made a very serious and completely legal application to be seated on LAFCO. We have evidence and documentation of all the steps we took to try and secure seating. By doing everything right in applying to LAFCO, we have a great case to make in Sacramento that the only way we will ever be seated on LAFCO (in Orange County anyway) is by a change in State law. That case will be made with the help of California Special Districts Association and their lobbyist.

There are some other potential actions ISDOC may want to pursue in addition to and in conjunction with pursuing legislation. There are also some variations on legislation that we may want to explore.

MCCORMICK, KIDMAN & BEHRENS

LAWYERS

A PARTNERSHIP OF PROFESSIONAL CORPORATIONS

3100 BRISTOL STREET

SUITE 290

COSTA MESA, CALIFORNIA 92626-3038

OF COUNSEL  
WARREN FINLEY

TELEPHONE (714) 755-3100

FAX (714) 755-3110

H. L. (MIKE) MCCORMICK\*  
ARTHUR G. KIDMAN\*  
RUSSELL G. BEHRENS\*  
WILLIAM B. HANLEY\*  
SUZANNE M. TAGUE\*  
MICHAEL D. MICHAELS  
JANET R. MORNINGSTAR  
DOUGLAS J. EVERTZ  
ERIC T. SMITH

\*A PROFESSIONAL CORPORATION

November 16, 1989

#51000.027

RECEIVED

NOV 21 1989

Independent Special Districts  
of Orange County  
258 Sherwood Street  
Costa Mesa, CA 92627

MWDOC

ATTN: Board of Directors

Re: Independent Special Districts' Request for Representation  
on LAFCO

Gentlemen:

This letter explores some thoughts concerning independent special district representation on LAFCO. I believe the manner in which ISDOC approached the issue of representation on LAFCO was good. You will recall that there was considerable debate on the approach to securing representation. ISDOC considered going directly to Sacramento with a minimal local effort, but decided first to proceed with a concerted effort at the local level and, if unsuccessful, to use the information gained to form a better foundation for presenting our case in Sacramento. The exercise was somewhat time-consuming, but it resulted in the formulation of basic principals for independent special districts to follow in their future programs. We also learned much about the issues and challenges that confront us. When all is considered, the exercise was worthwhile, instructive and of assistance.

It became apparent, while lobbying the LAFCO Commissioners, that the City, County and public members already had preconceived notions that independent special districts should not be seated on LAFCO. The preconceived notions solidified even more during the period between September 13, 1989 and November 1, 1989 when the cities were encouraged to express their opposition to special district representation. It is clear that there is a "political cartel"<sup>1</sup> between the cities, the County and the public member. Apparently, the public member's background makes him sympathetic

<sup>1</sup> ("Cartel" is defined in Webster's as a combination of political groups for common action; a written agreement between belligerent nations; a combination of independent commercial enterprises designed to limit competition.)

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November 7, 1989  
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to the city/County position and he does not appear to be objective as a member of the general public in evaluating independent special district requests.

Although independent special districts have expertise and experience to offer on the substantive LAFCO issues, it does not appear that the Commission feels the special districts' perspective is important enough to overcome the politics of maintaining power over LAFCO. In short, LAFCO will become a more powerful agency as time goes on and the competition for service areas will increase. In a political sense, a seat on LAFCO could become a very powerful position. Politically, the concentration of power is a desirable objective. This reality is something that must be dealt with if independent special districts expect to gain representation on LAFCO.

Special districts have not really exercised their political clout in order to become a real player at the political level. Until that political muscle is exercised, the chances of overcoming the cartel are slim. It may be that Sacramento would be willing to provide the relief required in that, as I understand it, CALAFCO is taking a serious look at the benefits of requiring independent special district representation. A combination of "good government advocates" between the Legislature and CALAFCO might be enough to overcome the local political resistance to expansion.

If independent special districts choose to continue this battle, a lot of attention will be focused on the "inadequacies of independent special districts", whether real or perceived. The cartel will begin to scrutinize the value of independent special districts and whether or not they should continue to exist alongside and overlapping cities. Cities and counties will begin to look at whether or not independent special districts' governing boards should be independently elected or be appointed by the affected city councils and the County, i.e., set up like LAFCO with appointed city, County and public members. Those districts which are performing services which could just as well be handled by a city will be vulnerable to attack and be held up as examples of why independent special districts should not be represented on LAFCO.

This creates a dilemma for independent special districts. The districts are pursuing representation on LAFCO on the grounds that it will promote "good government". In the process, special districts will be judged on the basis of good government and some may become casualties, targets for dissolution. On the other hand, if this issue is not pursued vigorously, it is obvious from the manner in which the Orange County LAFCO conducts its business that the existence of independent special districts is threatened anyway. The question then becomes which is the lesser of two

Independent Special Districts

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evils? Or, to put it another way, regardless of the evils, which is the best for Orange County and its citizens?

I believe the materials prepared for the LAFCO presentation on November 1, 1989 form a good foundation for the creation of an action plan. The principles contained in those materials get at the heart of the substantive issues and constitute districts' "statement of the case". ISDOC should consider strengthening its case in preparation for the second phase of a strategy for securing representation. The second phase is to pursue legislation.

The legislative effort in 1987-88 to require LAFCO to provide "a statement of reasons for denying representation" illustrates that although there is some support for amendments directed toward good government, the political side of the issue prevails in turning down stronger measures favoring special districts (e.g., making special district representation mandatory on a majority vote of special districts). If LAFCO is currently looking at the benefits of independent special district representation, they should be approached to determine what common grounds exist for a joint effort in the Legislature. I believe that between now and next session, cooperation with CALAFCO should be explored vigorously. In addition to working with CALAFCO, there should also be a serious political analysis made to determine exactly which legislators would be willing to support such a measure and what chances legislation for mandatory representation would have.

The third step that should be carefully evaluated is examining ways to increase the political clout of independent special districts. Since special districts represent almost a million voters in the County and almost twice as many customers and because many special districts mail periodic bills to all of their customers, careful consideration should be given to the use of that medium to inform the public of special districts' programs, the need for LAFCO representation, the actions of LAFCO to date and other pertinent information that will educate the public in a constructive way. As part of this program, I believe it is necessary for each district to engage in a very strong program of self-examination in order to maximize the good points and to correct the weak points. This exercise, of course, would be beneficial not only for purposes of getting LAFCO representation, but also for the consumer.

## Independent Special Districts

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The fourth step is to examine the present make-up of LAFCO. There are some members of the Commission that seem not to be capable of making an objective analysis or decision. The first person to come to mind is the public-at-large member, Mr. Boran. His comments at the November 1, 1989 hearing contained several inaccuracies and were gauged to justify the decision not to admit special districts as representatives on LAFCO. His statement about the lack of evidence that special district representation was working on other LAFCOs as well as other statements were contrary to the staff report and were not supported by facts showing why the staff report was incorrect or the conclusions unsound. The alternate public, Vern Evans, is a much more qualified and objective person than Commissioner Boran. In addition, as I understand it, the alternate member for the City representatives is also more objective with respect to independent special districts.

The County Supervisor members historically have had problems with service on LAFCO in that it presents potential conflict of interest problems with respect to campaign contributions from major developers throughout the County. Because the proposals presented to LAFCO from time to time often affect development, it is difficult for a County member to be able to vote on developer issues that come before the Board of Supervisors. A careful analysis of the Commission make-up should be done to determine whether some concerted local effort should be undertaken to change the current members on LAFCO.

Last, I think ISDOC and other independent special districts in Orange County should seriously consider putting together a committee and consultant team to thoroughly examine the issues and make a coordinated and comprehensive effort to evaluate the present circumstances and come up with some long-range recommendations to follow for the next decade. As ISDOC pointed out to the Commission, the problem is not going to be resolved overnight. It will take some time for the remaining unincorporated areas of the County to become incorporated and that process will involve a lot of serious public debate. If independent special districts are going to be major players in that process, homework needs to be done and it needs to be done now. We are beginning to see legislation concerning transportation commissions, air quality commissions which are going to be agencies made up of appointed officials of cities and counties. To date, special districts have not been seriously considered as being members of those regional planning and decision-making agencies. Unless the impact of this new trend is carefully evaluated and factored into independent special district plans, districts will not be included in these decision-making bodies and their position with LAFCO may be further eroded.

Independent Special Districts

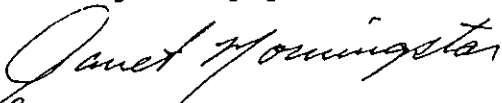
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I hope this letter gives you some food for thought. I would be happy to meet with you and discuss these issues at any time.

Very truly yours,

  
For Russell G. Behrens

RGB:ggg  
isdoc.ltr/mwdoc2/ltrs



# MCCORMICK, KIDMAN & BEHRENS

LAWYERS

A PARTNERSHIP OF PROFESSIONAL CORPORATIONS

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November 1, 1989

## THE REASONS FOR SEATING SPECIAL DISTRICTS ON LAFCO

Once again, the Independent Special Districts of Orange County have requested representation on LAFCO. This same request has been previously denied on two separate occasions in 1982 and 1986. As a result of this most recent request by independent special districts, the Commission instructed the LAFCO Directors to inform the cities and the League of Cities of the request and to express their position on the admission of independent special districts to sit on LAFCO. Out of the 29 cities in Orange County, 13 of them oppose such a measure. A majority of cities do not oppose the expansion. In substance, their opposition is based on parochial grounds that their control of LAFCO will be eroded. The cities' key reason to oppose is apparently based on a feeling that in the past they have not received the results from LAFCO they expected and, therefore, they feel that any erosion of control is not in their best interests.

It is apparent from the responses from the cities and discussions that several key elements to LAFCO's mission, as defined by the Act, are being overlooked. The first is the historical perspective, the second is the fiscal perspective, the third is the dimension of time, and the fourth is first-hand participation..

Independent special districts were authorized by legislative action at the turn of the century in 1900. These districts were formed by the local citizens to provide specified services for water, sewer, parks, power, irrigation, library, and flood facilities that were not provided by the County or by a city or as a result of local preference. Many of these special districts pre-existed the formation of cities and have had local voter support for many, many years. The fact that those agencies have long enjoyed local support from their citizens indicates that those citizens deserve to have the local independent district represented on the Commission that can make profound decisions about their local agency and operation.

In order to perform their functions, the independent districts have publicly financed millions upon millions of dollars worth of public infrastructure as authorized by their local constituents, and millions of dollars of assets, investment, and debt exist today that relate to the services provided by these local independent special districts to their residents and landowners. A lot of hard work, study and expertise has been developed by the special district boards and their staffs in putting together the programs that use these facilities, and that provide these services to their citizens. These millions of dollars have also been invested in people's knowledge about the facilities, as well as the services, and in the hardware. Such an investment dictates that the special districts should be represented on the Commission to provide the Commission with more expert advice on the particular service as choices and decisions are made.

The dimension of time has also been overlooked. MORGA and Knox-Nisbet were enacted in 1965. In 1985, those two Acts were consolidated into the present Cortese-Knox Act. These Acts were adopted 24 years ago to alleviate annexation problems and the haphazard manner of establishing service priorities for utilities and services to citizens by cities, counties and independent special districts. Although some action has occurred concerning incorporation, detachments and dissolutions since 1965, it is anticipated that the bulk of the needed action will occur in the future concerning incorporating the balance of County territory. For purposes of planning, it should be safe to estimate that it will take at least an additional 25-30 years to resolve the major service issues in the County.

The issue of incorporation of territory is a complex one and involves the citizens of the affected territories. As seen in past incorporation efforts, the citizens are heavily involved in those issues and, on occasion, advisory votes are requested by LAFCO and the citizens have rejected proposed incorporation. On other occasions, the citizens have accepted the proposed incorporation. One important lesson to recognize from the incorporation exercises are that all forms of government are imperfect and each form is not the exclusive way to address the provision of service and utilities to the citizens. There is a lot of room for a difference of opinion on how and when those services should be provided. The manner of providing services can vary from territory to territory and the local preference must be taken into consideration in that those people in the affected territory have ultimate say in whether or not an incorporation occurs.

The Cortese-Knox Act recognizes the importance of independent special district participation on LAFCO by providing protest hearings and elections with the districts on LAFCO issues affecting them as well as representation. The cities who oppose the expansion misinterpret the Act. The Act clearly does not indicate that independent special districts are a disfavored form of

government and that they should be extinguished. The Legislature, in Section 56001 of the Act, states as follows:

"The Legislature finds and declares that a single governmental agency, rather than several limited purpose agencies, is in many cases better able to assess and be accountable for community service needs and financial resources and, therefore, is the best mechanism for establishing community services priorities."

What the Act recognizes is that there are some cases in which independent special districts are the appropriate agency to serve. The Act also is formulated in such a way to allow for changes and to reassess priorities over time. In most situations, the need for services arises well in advance of the voters accepting the idea of incorporating a city. During that interim period of time, services need to be continued and provided and a vehicle needs to be created to communicate with the local citizens in the special district and the County on the best manner of providing those services pending incorporation and thereafter. With special district representation, LAFCO could become a better vehicle for communicating with the affected citizens.

If independent special districts were not doing a good job in providing their service, it would not take long for them to be dissolved and taken over by other local agencies or cities. The decisions relating to incorporation, detachment, reorganization and dissolution of special districts are not easy questions to resolve and, historically, have been drawn out and expensive. The constituents of the County, cities and the independent special districts have definite and real concerns about which choices should be made in providing services. There are no right or wrong answers, just intelligent choices. Special district representation should help to cut down resolution time.

As indicated in your staff report and in the materials provided to you by the Independent Special Districts of Orange County, the seven counties that have seated independent special districts have all had positive reports on LAFCO functions with expanded special district representation. The statement by the opposing cities that independent special districts will tend to vote against incorporation is not accurate and unfounded. There are specific examples: In the Fallbrook incorporation case, the special district representative on LAFCO in San Diego voted against the Fallbrook Sanitation District which objected to being made a subsidiary of the new city as part of the incorporation election. (When the matter came up for a vote, the citizens of Fallbrook voted against the incorporation.) The City of Mission Viejo was formed and the local special district did not oppose its incorporation. The City of Dana Point was formed and the local

independent special district did not oppose its incorporation. The City of Laguna Niguel is being put to a vote next Tuesday and the independent special districts in that area have not opposed the incorporation of the City. The Cortese-Knox Act provides that incorporation of a city does not need to affect independent special districts' functions and, therefore, if incorporation is handled properly, there is no reason for special districts to object. Actual experience and history indicate that special districts' directors and representatives are responsible government officials who will vote on what is right for their citizens and constituency and will not vote for selfish, parochial interests as alleged by some cities. After it was clear that the issues were thoroughly aired in the Stanton County Water District dissolution and the MWD0C-3 City detachment and the Trabuco Water District matter, those agencies acceded to LAFCO's decision.

Once a city is incorporated, there may be overlapping of service and choices for elimination, coordination and prioritizing the service needs between the agencies. When those decisions are to be made, the special district perspective should be considered at the same level of effectiveness as the city and County level, i.e., through a participating special district Commissioner and not filtered through a representative without that special perspective.

Some comments have been made that there already exists adequate representation through the County, city or public member of the Commission because of the overlap of territory. That perception ignores the fact that each Commissioner from the County has a conflict of interests in representing the County, the local cities and the local independent special district. The cities obviously have the same conflict of interests that is accentuated even more than the Supervisors. The Cortese-Knox Act recognizes that problem and provides for special district representation. To assume that a Supervisor or city councilman with a second-hand perception about special districts will be just as dedicated and convincing during the decision-making debate as the special district representative would have is unsound. That position also overlooks the need for the perception that all affected interests are represented in order to garner the respect for the decision when made. The fact that 33 out of 38 agencies request representation is strong evidence that there is a concern about the present LAFCO's process because the independent special districts are not represented. Statements have been made that special districts have not been treated badly in LAFCO's actions. The fact that LAFCO granted a detachment from MWD0C and cost a director in Metropolitan Water District indicates a lack of appreciation for the value of special districts in providing water to the County; bad treatment of special districts is not the crux of the issue. As the staff report indicates, the addition of the special district perspective on making LAFCO decisions is what is important. Without that perspective, LAFCO should ask what options are we overlooking; what solutions or alternatives have we missed because

we do not have the special district perspective.

There is a long road ahead and independent special districts' boards will continue to be elected by the same people that elect city councilmen and Boards of Supervisors. LAFCO decisions are complex ones and are not made on the basis of what is right or wrong, but the best choices for each circumstance that arises. Given the fact that LAFCO must deal with these important issues over the next 25-30 years and that 33 out of 38 districts have requested representation, it is not reasonable to conclude that independent special districts should not be allowed to be included as a part of that decision-making process.

The special districts recognize their responsibility to make this a better community and by petitioning LAFCO for admission, they are buying into the Cortese-Knox Act, they are buying into the policy of the Act that indicates that, in many cases, cities are better able to assess and be accountable for community service needs; they buy into the establishment of rules governing their exercise of latent powers; they buy into being governed by majority vote of LAFCO on special district issues as well as city incorporation issues; they buy into working more closely with the County and with the cities; and they buy into doing the best job possible for the people they serve. Independent special districts desire that the Commission consider the broader picture rather than the short-sighted, parochial view of some cities that to seat independent special districts means they will lose control of LAFCO. Seating independent special districts will enhance the quality of LAFCO's decisions, promote cooperation and facilitate earlier resolution of problems that will create a stronger public perception of the validity of LAFCO decisions.

There are a lot of well-qualified, experienced decision-makers from independent special districts who are eligible to sit as LAFCO Commissioners. The position paper presented to you and endorsed by some of the leaders of independent special districts is only a portion of the many more well-qualified directors and officers who would be qualified to sit. Unless you expand the Commission to seat independent special districts' representatives, you are not allowing yourselves to play with a full deck of cards in dealing with the service and facility priority decisions to be made in the future for the benefit of Orange County citizens.

Russell G. Behrens

RGB:ggg  
lafcol.mem  
November 1, 1989

INDEPENDENT SPECIAL DISTRICTS OF ORANGE COUNTY  
c/o 19812 Sienna Lane  
Yorba Linda, CA 92686

September 14, 1989

Dear <sup>STAN</sup>~~District Manager~~,

On September 13, 1989, the Orange County Local Agency Formation Commission (LAFCO) voted to continue the public hearing regarding the seating of Independent Special Districts. The continued hearing will be held Wednesday, November 1, 1989, in the Board of Supervisors Meeting Room. The reason expressed by the LAFCO commissioners for the continuance was to give the Cities more of an opportunity to respond to the issue.

This also presents a great opportunity for Special Districts to respond as well, by communicating in writing with the LAFCO commissioners. (A list is attached.) Our goal is to have the commissioners receive more letters from Districts than from Cities. Remember, Districts outnumber Cities in Orange County.

When you are writing to LAFCO as a whole, address your letters to Chairwoman Hart with copies (cc:) to the other commissioners and alternates and to the Executive Director of LAFCO.

If your District overlaps at all with the Supervisorial district of Don Roth or Gaddi Vasquez, be sure to write them individually. Specific letters to commissioners that are known to you and/or your Board Members should also receive a personal letter. If you do not personally know any commissioner, letters should still be written. Your input is important and necessary. In your letters, outline the reasons for Special District representation on LAFCO and your endorsement of the LAFCO staff report (also attached). You might also include a brief history and description of your District (i.e. Brochure or Annual Report).

Each member of the Commission should receive a minimum of 50 letters from Special Districts. Please make sure your District is one of those. This must be accomplished by October 13, 1989, so please agendize this item as soon as possible.

Signed,

Executive Committee,  
Independent Special Districts of Orange County (ISDOC)

P.S. Please send copies (cc:) of all letters to ISDOC (at the above address) and to the Executive Director of LAFCO.

cc: President of the Board  
enclosures

**LAFCO**  County of Orange  
Local Agency Formation Commission

1200 N. MAIN STREET, SUITE 614  
SANTA ANA, CALIFORNIA 92701  
TELEPHONE (714) 568-4181  
FAX (714) 569-1173

September 13, 1989

Local Agency Formation Commission  
1200 N. Main Street, Suite 614  
Santa Ana, CA 92701

CHAIRMAN  
EVELYN R. HART  
COUNCILWOMAN  
CITY OF  
NEWPORT BEACH

Honorable Chairman and Commissioners:

VICE CHAIRMAN  
GADDI H. VASQUEZ  
SUPERVISOR  
THIRD DISTRICT

IN RE: Request for Representation of Special Districts upon  
LAFCO

DOH R. ROTH  
SUPERVISOR  
FOURTH DISTRICT

On August 22, 1989, the Independent Special Districts of Orange County (ISDOC) presented LAFCO with resolutions adopted by 29 of the 38 independent special districts in Orange County requesting representation of special districts on LAFCO. (A copy of a representative resolution is attached, while the entire set of resolutions will be available for review at the hearing.)

JAMES H. FLORA  
COUNCILMAN  
CITY OF LA HABRA

DAVID BORAN  
REPRESENTATIVE OF  
GENERAL PUBLIC

Section 56455 of the California Government Code specifies your Commission's responsibilities in this matter, and states in part:

ALTERNATE  
JOHN KANEL  
MAYOR PRO-TEM  
CITY OF CYPRESS

*"...Upon receipt of those resolutions from a majority of independent special districts within a county, the commission, at its next regular meeting, shall, by majority vote of those present and voting on the issue, either approve or disapprove special district representation on the commission."*

ALTERNATE  
VERNON S. EVANS  
REPRESENTATIVE OF  
GENERAL PUBLIC

ALTERNATE  
SUPERVISOR  
VACANT

JAMES J. COLANGELO  
EXECUTIVE OFFICER

Section 56455 also requires that LAFCO give notice of the meeting at which it intends to vote by posting, publication, and mailing to the clerk of each local agency within the county. LAFCO staff has met the notice requirements of this section.

In requesting representation on LAFCO, the independent special districts must also request the adoption of regulations affecting the functions and services of special districts within the county. The regulations may do any of the following:

-Classify the various types of service which customarily are, or can be, provided within a single function of a special district.

-Require existing districts to file written statements with the commission specifying the functions or classes of services provided by those districts.

-Establish the nature, location, and extent of any functions or classes of service provided by existing

districts.

-Determine that no new or different function or class of service shall be provided by any existing district.

If approved by your Commission, a special district selection committee would be formed to select two special district representatives to become regular members of LAFCO with the same privileges and responsibilities as the current Commissioners. In addition, an alternate special district member would be selected.

Currently, nine of the 57 LAFCOs have special district representation on their Commissions. Among the nine, are the Counties of San Diego, San Bernardino, Riverside and Sacramento.

#### IMPACTS

The addition of special district members on LAFCO would have several impacts affecting various areas of the LAFCO operation. Among the most important of these impacts would be the change in voting power of any single Commissioner. Under the current format each Commissioner represents twenty percent of the voting power of the entire Commission. The addition of two special district members would reduce the individual voting power of each Commissioner to 14 percent. Obviously, the voting power would be spread over a larger number of Commissioners.

This can be perceived as spreading the voting power to a broader representation of the County, or conversely, appropriating a portion of the voting power to limited purpose special district members with narrowly focused service provision experience. LAFCOs which currently seat special district members generally feel that the special district members have provided the Commission with a perspective and expertise that have been beneficial to the decision making process.

Special district representation would provide the Commission with valuable knowledge and expertise in matters dealing with the operation and administration of special districts. The unique perspective of independent special district members, whose organizations are often single service agencies, could provide valuable input into decisions regarding complex reorganizations between districts, and other proposals.

Operationally, the addition of two members to LAFCO could create logistical problems for our public hearings. The Board of Supervisors hearing room provides regular seating for only five Commissioners. If the Commission were expanded to seven regular members, the two new Commissioners could be seated in the chairs currently occupied by the LAFCO Executive Officer and LAFCO Counsel, with these two individuals moving to the staff table with the alternate Commissioners. Alternatively, another hearing room could be used for LAFCO hearings. The Planning Commission hearing room, located directly adjacent to the Board hearing room, would accommodate the additional Commissioners. However, this room is



currently unavailable on Wednesday afternoons. The Planning Commission hearing room is only available on Monday mornings and Thursday and Friday afternoons. Clearly, this could create scheduling problems for individual Commissioners.

Financially, the addition of two regular members and one alternate member would increase expenditures in the LAFCO budget by approximately \$10,000 to \$15,000 per year. These figures account for Commissioner per diems, mileage expense, conference reimbursement, and additional duplication costs associated with staff reports and other materials.

Finally, the addition of special district members would broaden LAFCO's authority to include jurisdiction over districts' latent powers as discussed above. Authority in this area can prevent the unnecessary and inefficient duplication of services between local agencies. However, in these times of limited revenues for local agencies, few districts would be willing to expand their range of services without a transfer of revenues from the agency already providing the service. No such transfer could occur without LAFCO's approval of a boundary adjustment. In this regard, LAFCO's added authority would not have a major impact on the Commission's deliberations.

#### LEGISLATION

Since this issue was last considered by this LAFCO, several pieces of legislation have been proposed that would make special district representation on LAFCO mandatory throughout the State. These proposals have included bills calling solely for the representation of special districts and bills with broad, far-reaching impacts which also contain language requiring the added representation. Although none of the single-purpose bills have passed, and the more comprehensive bills have either died or been amended to exclude mention of special district representation, it is anticipated that efforts will continue to require the seating of special district members.

#### PROCEDURES

Under current State law, if your Commission denies special district representation, it must prepare written findings regarding such denial if requested within 45 days of your action. Such a request is very likely.

If your Commission chooses to approve the seating of special district representatives on LAFCO, it would be necessary to adopt the attached resolution directing the formation of a special district advisory committee to select special district members for LAFCO, and to study, report, and recommend to your Commission procedures for regulating special district latent powers.

#### COMMENTS FROM AFFECTED AGENCIES

Although notice of this hearing has been sent to the County, all cities, all special districts and the League of Cities, LAFCO has not received any comments at this time. This is most likely due to the

relatively short review period that was a result of the California Government Code requirements regarding your Commission's consideration of this matter.

#### CONCLUSIONS

The independent special districts within Orange County have made several attempts at being seated on LAFCO since the enabling legislation was adopted in 1971. Each time they have been denied.

The Orange County LAFCO currently contains, and has previously contained, Commissioners who represent the interests of all Orange County residents, and bring to the Commission a wealth of experience, commitment and dedication. Because of these factors, past Commissions have not felt the need to alter the Commission's membership. Although no specific need has been cited by the special districts at this time, the changing nature of LAFCO's issues warrants serious consideration of this issue. As more and more of the unincorporated area becomes incorporated, LAFCO's responsibilities will increasingly turn toward the role of special districts in a predominantly incorporated County.

The addition of special district members on LAFCO could provide a new and unique perspective that could be valuable to the Commission's deliberations.

The Commission could benefit by the addition of special district members who are concerned and committed to the task of ensuring the most efficient and economical provision of local government services, whether that be by single service special districts, full service cities, or the County. The LAFCOs in San Diego, San Bernardino, Riverside, and Sacramento Counties have received a substantial benefit from the representation of special district members on those Commissions.

Special district representation would have a limited financial impact, and could present operational difficulties regarding the Commission's hearings. However, staff does not feel that these shortcomings outweigh the potential benefits that special district representation could deliver.

#### RECOMMENDED ACTION

1. Approve special district representation on the Orange County LAFCO, and adopt the attached resolution of intention referring the proposal to a special district advisory committee.

Respectfully submitted,

  
James J. Colangelo  
Executive Officer

cc: Mark Leyes, ISDOC  
Russ Behrens  
Bob Dunek, OC League of Cities

1 RESOLUTION OF THE LOCAL AGENCY FORMATION COMMISSION  
2 OF ORANGE COUNTY, CALIFORNIA

3 September 13, 1989

4 On motion of Commissioner \_\_\_\_\_ duly seconded and carried, the following  
5 resolution was adopted:

6 WHEREAS, Section 56332 of the California Government Code authorizes  
7 representation of special districts on LAFCO; and

8 WHEREAS, resolutions requesting special district representation have been  
9 adopted and submitted to LAFCO by the independent special districts listed on  
10 Attachment A; and

11 WHEREAS, these resolutions represent 29 of the 38 independent special  
12 districts in Orange County; and

13 WHEREAS, the Commission on September 13, 1989, considered the request for  
14 special district representation and heard from interested persons; and

15 WHEREAS, this Commission proposes to refer the proposal to a special  
16 district advisory committee.

17 NOW, THEREFORE, IT IS HEREBY RESOLVED that this resolution of intent to  
18 allow special district representation on LAFCO is approved and the proposal is  
19 ordered to be referred to a special district advisory committee pursuant to Section  
20 56461 of the California Government Code.

21 AYES: COMMISSIONERS

22 NOES: COMMISSIONERS

23 ABSENT: COMMISSIONERS

24 STATE OF CALIFORNIA

25 ss

26 COUNTY OF Orange

27 I, JAMES J. COLANGELO, Executive Officer of the Local Agency Formation  
28 Commission of Orange County, California, hereby certify that the above and foregoing  
resolution was duly and regularly adopted by said Commission at a regular meeting  
thereof, held on the 13th day of September, 1989.

IN WITNESS WHEREOF, I have hereunto set my hand this 13th day of September,  
1989.

JAMES J. COLANGELO  
Executive Officer of the  
Local Agency Formation Commission  
of Orange County, California

By \_\_\_\_\_  
Secretary

List of Independent Special Districts  
Which Have Submitted Resolutions to LAFCO  
Requesting Special District Representation

Buena Park Library District  
Capistrano Bay Community Services District  
Capistrano Bay Park & Recreation District  
Capistrano Beach County Water District  
Capistrano Beach Sanitary District  
Carpenter Irrigation District  
Coastal Municipal Water District  
Costa Mesa Sanitary District  
Dana Point Sanitary District  
El Toro Water District  
Garden Grove Sanitary District  
Laguna Beach County Water District  
Laguna Niguel Community Services District  
Los Alamitos County Water District  
Los Alisos Water District  
Mesa Consolidated Water District  
Midway City Sanitary District  
Moulton Niguel Water District  
Municipal Water District of Orange County  
Placentia Library District  
Rossmoor Community Services District  
Santa Margarita Water District  
Serrano Irrigation District  
Sunset Beach Sanitary District  
Surfside Colony Community Services District  
Surfside Colony Storm Water Protection Distri  
Trabuco Canyon Water District  
Tri-Cities Municipal Water District  
Yorba Linda Water District

RECEIVED  
AUG 22 1939

RESOLUTION NO. 3386

LOCAL AGENCY FORMATION COMMISSION

A RESOLUTION OF GARDEN GROVE SANITARY DISTRICT  
PROPOSING REPRESENTATION OF INDEPENDENT SPECIAL  
DISTRICTS ON THE LOCAL AGENCY FORMATION COMMISSION  
OF ORANGE COUNTY AND THE ADOPTION OF REGULATIONS  
GOVERNING SPECIAL DISTRICTS WITHIN THE COUNTY

WHEREAS, Sections 56450 and 56453 (a) of the California Government Code permit the legislative body of any independent special district within a county to adopt a resolution initiating proceedings for the expansion of the Local Agency Formation Commission of that county ("Commission") to seat representatives of special districts on the Commission; and

WHEREAS, Section 56332 of the California Government Code permits the Commission to order representation of independent special districts upon the Commission by enlarging the Commission to seven (7) members, two (2) of which shall be appointed by an independent special district selection committee in accordance with Section 56332 (b) and (c); and

WHEREAS, the Commission has the ability to significantly affect the activities and functions of independent special districts; and

WHEREAS, independent special district representation on the Orange County Local Agency Formation Commission, along with the representation of the County, cities, and the public, is in the best interests of the residents of Orange County and such special district representation will contribute significantly to the effectiveness of local government in Orange County; and

WHEREAS, Section 56453 (a) of the California Government Code requires that any resolution proposing representation of independent special districts upon the Commission also request the adoption of regulations as designated in Section 56451 of the California Government Code concerning the functions and services of special districts within the county;

NOW, THEREFORE, BE IT RESOLVED that Garden Grove Sanitary District requests that the Orange County Local Agency Formation Commission order the representation of independent special districts upon the Commission, pursuant to the provisions of Section 56332 and Sections 56450 et seq. of the California Government Code.

BE IT FURTHER RESOLVED, that Garden Grove Sanitary District further requests that the Orange County Local Agency Formation Commission adopt regulations pursuant to Section 56453 (a) of the California Government Code affecting the functions and services of special districts within Orange County.

VOTE POLLED

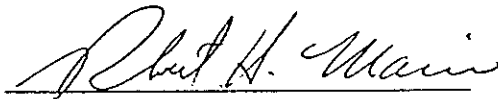
BOARD MEMBERS: Barker, Culver, Main,  
Perry, Singer

AYES UNANIMOUS

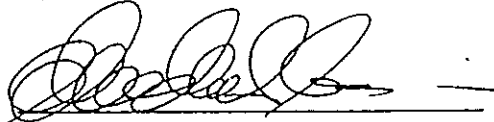
NOES NONE

ABSENT NONE

ADOPTED AND SIGNED THIS 7th day of June, 1989.



PRESIDENT - Robert H. Main



SECRETARY - Sheldon S. Singer

ATTEST:

I HEREBY CERTIFY that the above and foregoing Resolution was passed and adopted by the Sanitary Board of the Garden Grove Sanitary District of Orange County, California, on the 17th day of May, 1989.



SECRETARY OF GARDEN GROVE SANITARY  
DISTRICT OF ORANGE COUNTY, CALIFORNIA

ACTION CALENDAR

Date: August 2, 1989  
 Prepared by: Lorraine Cross  
 Submitted and  
 Approved by: Intergovernmental Relations Committee  
 (Director Witt\* & Director Hartge)

SUBJECT: REPRESENTATION OF INDEPENDENT SPECIAL DISTRICTS  
 ON THE LOCAL AGENCY FORMATION COMMISSION OF  
 ORANGE COUNTY

SUMMARY

ISDOC (Independent Special Districts of Orange County) is requesting that the independent special districts in Orange County adopt a resolution proposing that the Local Agency Formation Commission of Orange County (LAFCO) order the representation of two members upon the Commission, to be appointed by an independent special district selection committee.

In March 1986, MWDOC adopted a resolution supporting special district representation on LAFCO. Because of legislative changes in the interim, ISDOC has prepared a revised resolution for consideration by the agencies.

The Intergovernmental Relations Committee reviewed and recommends approval of this request. Attached is a analysis of the related Government Code sections and a proposed resolution.

RECOMMENDED MOTION

Adopt a resolution proposing representation of independent special districts on the Local Agency Formation Commission of Orange County and the adoption of regulations governing special districts within the County as presented.

RESOLUTION NO. \_\_\_\_\_

Committee Reviewed Above Information On: 7/24/89  
 Previous Relevant Information to or Action by the Board: March and September 1986  
 Program/Project: 1010 Budgeted: N/A Yes \_\_\_\_\_ No \_\_\_\_\_  
 Transfer: \_\_\_\_\_ Augmentation: \_\_\_\_\_ Amount \$ \_\_\_\_\_  
 From Program: \_\_\_\_\_ To Program: \_\_\_\_\_  
 Other: \_\_\_\_\_

MUNICIPAL WATER DISTRICT OF ORANGE COUNTY

RESOLUTION NO. \_\_\_\_\_

A RESOLUTION OF THE BOARD OF DIRECTORS  
MUNICIPAL WATER DISTRICT OF ORANGE COUNTY  
PROPOSING REPRESENTATION OF  
INDEPENDENT SPECIAL DISTRICTS ON THE  
LOCAL AGENCY FORMATION COMMISSION OF ORANGE COUNTY  
AND THE ADOPTION OF REGULATIONS GOVERNING  
SPECIAL DISTRICTS WITHIN THE COUNTY

WHEREAS, Sections 56450 and 56453(a) of the California Government Code permit the legislative body of any independent special district within a county to adopt a resolution initiating proceedings for the expansion of the Local Agency Formation Commission of that county ("Commission") to seat representatives of special districts on the Commission; and

WHEREAS, Section 56322 of the California Government Code permits the Commission to order representation of independent special districts upon the Commission by enlarging the Commission to seven (7) members, two (2) of which shall be appointed by an independent special district selection committee in accordance with Section 56332(b) and (c); and

WHEREAS, the Commission has the ability to significantly affect the activities and functions of independent special districts; and

WHEREAS, independent special district representation on the Orange County Local Agency Formation Commission, along with the representation of the County, cities and the public, is in the best interests of the residents of Orange County and such special district representation will contribute significantly to the effectiveness of local government in Orange County; and

WHEREAS, Section 56453(a) of the California Government Code requires that any resolution proposing representation of independent special districts upon the Commission also request the adoption of regulations as designated in Section 56451 of the California Government Code concerning the functions and services of special districts within the county.

NOW, THEREFORE, BE IT RESOLVED that the Municipal Water District of Orange County requests that the Orange County Local Agency Formation Commission order the representation of independent special districts upon the Commission, pursuant to the provisions of Section 56332 and Sections 56450 et seq. of the California Government Code.



BE IT FURTHER RESOLVED, that the Municipal Water District of Orange County further requests that the Orange County Local Agency Formation Commission adopt regulations pursuant to Section 56453(a) of the California Government Code affecting the functions and services of special districts within Orange County.

Said resolution was adopted, on roll call, by the following vote:

AYES:  
NOES:  
ABSENT:  
ABSTAIN:

I hereby certify that the foregoing is a full, true and correct copy of Resolution No. \_\_\_\_\_, adopted by the Board of Directors of Municipal Water District of Orange County at its meeting held on August 2, 1989.

---

LORRAINE M. CROSS, Secretary  
Municipal Water District of  
Orange County

BEHRENS, RECHT, FINLEY, HANLEY & HOLFORD

RUSSELL G. BEHRENS  
ORVILLE F. RECHT  
WARREN FINLEY  
WILLIAM B. HANLEY  
GARY A. HOLFORD  
SUZANNE M. TAGUE  
JANET R. MORNINGSTAR  
ERIC T. SMITH  
RICHARD R. THERRIEN

A LAW CORPORATION  
1800 N. BROADWAY, SUITE 200  
SANTA ANA, CALIFORNIA 92706-2656  
TELEPHONE (714) 547-9600

FAX  
(714) 543-0205  
ELECTRONIC MAIL  
(714) 547-5867

May 18, 1989

#2391.062

Independent Special Districts of Orange County  
258 Sherwood Street  
Costa Mesa, CA 92627

ATTN: Mario Durante and Executive Committee

Gentlemen:

Enclosed you will find a form resolution for Orange County independent special districts to use in securing representation on the Orange County Local Agency Formation Commission. This resolution was drafted in consultation with Art Kidman of McCormick & Kidman and Lois Jeffrey of Rourke & Woodruff. The resolution contains the technical requirements specified by Government Code §§56450 and 56453(a). It is important to point out that this resolution does not include a request to adopt specific regulations governing the functions and services of independent special districts in the County as a part of the request for representation. Section 56451 of the Government Code requires that the resolution for representation contain a request that regulations be adopted. We feel that in order to be successful, it is more appropriate to work with the LAFCO staff in drafting the regulations after LAFCO has acted upon the request for representation. We have obtained, with the help of ISDOC, copies of the rules and regulations from the nine counties in the State of California that have independent special district representation. These rules and regulations can be used by a committee as a basis for formulating a set of rules and regulations that would be appropriate for Orange County independent special districts and LAFCO. The input of the special districts for the proposed rules and regulations can be gathered at the time the resolution is being circulated.

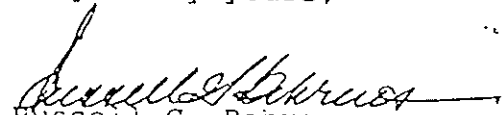
In the past, there has been concern that independent special district representation on LAFCO would impair exercise of latent powers. There is no question that the Cortese-Knox Act, especially Sections 56451 and 56452 of the Government Code, would affect the ability of an independent special district to exercise latent powers. Therefore, it is important that the independent special districts describe their functions as broadly as possible and try to anticipate future services which they might be called upon to provide in defining their functions.

ISDOC  
May 18, 1989  
Page 2

There are many problems that are facing Orange County in the near term that bear upon the relationship between the County, the cities and all of the independent special districts. Because of the interrelationship between the various districts, cities and the County, problems of the future will become more complex and the need to sort out the priorities and levels of services will require that independent special districts have adequate representation on LAFCO to assure that the best choices are made in order to provide efficient and adequate service to the residents of Orange County. In that regard, it is important to note that recent amendments to the Cortese-Knox Act now require that if independent special district representation is denied, LAFCO must specify the reasons for such denial in writing.

We suggest that each district in the County consult with its legal counsel with respect to questions regarding the resolution. We will be happy to respond to any questions that may arise. We look forward to working with ISDOC and the independent special districts in Orange County in this project.

Very truly yours,

  
Russell G. Benrens

RGB:ggg  
Enclosure  
isdocl.ltr

ITEM NO. 6

INDEPENDENT SPECIAL DISTRICTS OF ORANGE COUNTY  
c/o PAT BAUR  
19812 SIENNA LANE  
YORBA LINDA, CA 92686

RECEIVED

MAY 30 1989

May 3, 1989

MWDOC

Mr. Stanley E. Sprague  
General Manager  
Municipal Water District of Orange County  
P. O. Box 15229  
Santa Ana, CA 92705

Dear Mr. Sprague:

Please find enclosed a resolution proposing representation of Independent Special Districts on the Local Agency Formation Commission of Orange County and a cover letter from Russ Behrens, an attorney who represents special districts, explaining the resolution and the regulations governing Independent Special Districts within the County.

Many of you approved a resolution late last year. This resolution lacked some required specific language and may have been deficient in other areas. Your actions were appreciated, but, in order to make our request legally correct, we are asking that you approve the new resolution.

Russ Behrens prepared the enclosed resolution. He has contacted legal counsel of other districts and has received their approval of the resolution. Mr. Behrens will represent the Independent Special Districts of Orange County at the public hearing when our request is considered. Sincere appreciation is extended to Mr. Behrens for his activities on our behalf.

Please consider this resolution as soon as possible. When approved, send to:

Pat Baur/ISDOC  
19812 Sienna Lane  
Yorba Linda, CA 92686

It is hoped that all resolutions will be approved and received on or before July 1, 1989. Questions should be directed to Art Holmes, (714) 498-1280.

The ISDOC Committee believes that we have an excellent opportunity to be seated on LAFCO. At the very least, we will be given a hearing and, if denied, a written explanation of the reasons for denial is now required by law. Thank you for your

Page 2

efforts in making this project a success.

Sincerely,



Mario Durante  
President, ISDOC



Art Holmes  
Chairman

MD/AH:ggg  
Enclosure  
isdoc.ltr

Independent Special Districts of Orange County

RECEIVED

AUG 25 1986

AGENDA ITEM.....AGENDA ITEM.....AGENDA ITEM.....AGENDA ITEM.....  
18 9 5 4

SUBJECT: LAFCO HEARING FOR INDEPENDENT SPECIAL DISTRICTS  
DATE: SEPTEMBER 10, 1986 2:00 P.M.  
LOCATION: COUNTY HALL OF ADMINISTRATION  
BOARD OF SUPERVISORS HEARING ROOM

Enclosed is a copy of Supervisor Roger Stanton's reply to the ISDOC request of August 13, 1986.

Please note that this will not be a public hearing. However, according to Supervisor Stanton, we may have the opportunity to address the LAFCo Members.

Comments and letters should be sent to Dick Turner, Executive Officer of LAFCo. Now is the time to get our written material in the Commissioner's hands. The help that ISDOC needs NOW is a statement from your District giving your reasons for Independent Special Districts to be a part of LAFCo.

Please note that the members of the Commission are listed on the letterhead. If you know any of these members please contact them. If you don't know any of them now is the time to make a phone call and get to know them. Let them know why we believe it is a necessity for Independent Special Districts to be represented on LAFCO.

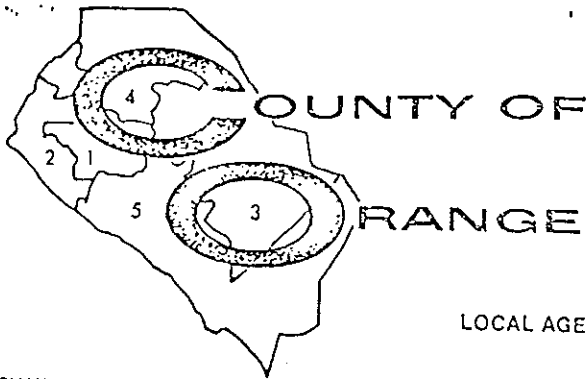
Time is short but with your help, our "Day in Court" will be a success.

PLEASE MAKE SURE THIS ITEM IS INCLUDED ON YOUR NEXT AGENDA.

Art Holmes, Chairman

86.1576

LOCAL AGENCY FORMATION COMMISSION  
CROCKER BANK BUILDING  
1200 N. MAIN STREET, SUITE 215  
SANTA ANA, CALIFORNIA 92701  
TELEPHONE: (714) 834-2239



LOCAL AGENCY FORMATION COMMISSION

CHAIRMAN  
ROGER R STANTON  
SUPERVISOR  
FIRST DISTRICT

VICE CHAIRMAN  
PHILLIP R. SCHWARTZ  
MAYOR  
CITY OF  
SAN JUAN CAPISTRANO

DONALD J. SALTARELLI  
COUNCILMAN  
CITY OF TUSTIN

RALPH B. CLARK  
SUPERVISOR  
FOURTH DISTRICT

DONALD A. HOLT, JR.  
REPRESENTATIVE OF  
GENERAL PUBLIC

ALTERNATE  
EVELYN R. HART  
COUNCILWOMAN  
CITY OF  
NEWPORT BEACH

ALTERNATE  
DAVID BORAN  
REPRESENTATIVE OF  
GENERAL PUBLIC

ALTERNATE  
THOMAS F. RILEY  
SUPERVISOR  
FIFTH DISTRICT

RICHARD T. TURNER  
EXECUTIVE OFFICER

August 15, 1986

Mr. Art Holmes  
Independent Special Districts of Orange County  
Post Office Box 121  
San Clemente, CA 92672

Dear Mr. Holmes:

I have received your August 13, 1986 request for Orange County LAFCO consideration of enlarging the Commission to include two independent special district representatives.

I have discussed this matter with our Executive Officer, Dick Turner, and the matter will be placed on the next Commission agenda (September 10 at 2:00 PM in the County Hall of Administration, Board of Supervisors hearing room) as a Commission discussion item. This will not be a noticed public hearing. However, the Commission may or may not elect to grant a representative of your organization an opportunity to address the Commission. In the meantime, any letters or other written documents which offer substantiate reasons as to why the Commission might want to give favorable consideration to your proposal may be forwarded to the Commission in advance of the September 10 meeting through our Executive Officer.

Sincerely,

Roger B. Stanton  
Chairman, LAFCO  
Supervisor, First District

RRS:smd

cc: Commissioners and Alternate Commissioners  
Dick Turner, LAFCO Executive Officer

DRAFT 8/27/86

Mr. Richard Turner, Executive Officer  
County of Orange  
Local Agency Formation Commission  
1200 North Main Street, Suite 125  
Santa Ana, CA 92705

Dear Mr. Turner:

The Municipal Water District of Orange County's Board of Directors are pleased to offer the following letter of support on the matter of the Independent Special Districts of Orange County's (ISDOC) request for special district representation on the Orange County Local Agency Formation Commission (OCLAFCO)

The Board strongly concurs with the concept of active participation by special districts in OCLAFCO matters for the following reasons:

- o The District Reorganization Act, the Knox-Nisbet Act and the Municipal Organization Act were recently amended to incorporate all three Acts into one body of law. This was done in order to facilitate an understanding and a better procedural atmosphere to handle the problems of coordinating the spheres of influence and activities of cities, counties and special districts. By having special district representation on LAFCO---as has been requested by the majority of independent special district members of ISDOC---this will tend to foster better understanding, improved communications, and a better spirit of cooperation among all units of local government.
- o Where there are a substantial number of special districts which carry out important and significant functions within a county---where there are also many cities involved in those types of functions and the LAFCO is comprised of only city and county representatives---there is a lack of understanding or perception of the needs and concerns of special districts in rendering decisions involving reorganization activities between cities and special districts and their impact on the citizens.



With the dominant city and county representation on LAFCOs, a lot of the discussion and information exchange takes place outside of the LAFCO process. Specifically, supervisory members are more responsive and involved with city politics since their constituents are from the cities. Thus, where meetings take place for example at League of City meetings or between the individual supervisors and their city constituents, there is a tendency for liaison, communication and understanding to take place at that level---without appropriate input from the special district point of view.

LAFCO's are only one of a few select governmental entities in California charged with the responsibility of addressing all aspects of local governance. With a few exceptions, most LAFCO's are structurally incomplete at the present time; participation by special districts would provide LAFCO's with a more balanced approach and insight in evaluating local government issues.

- o Since special districts are not in the normal city/county loop---where perceptions and concepts are developed concerning government organization within the counties---there is a perception that the LAFCO process is ultimately not fair which then creates a resistance to the LAFCO and, a lack of trust for the LAFCO process. This lack of trust can create a "chilling" effect vis-a-vis the candor and cooperation vital to the resolution of complex issues.

As a consequence, a breakdown occurs preventing a fair and objective analysis of the real and substantive problems that LAFCO seeks to resolve in an equitable manner. Decisions are then made on the basis of city/district politics rather than on substantive grounds. That is not to say that political overtones do not have a place in the LAFCO decision-making process. Rather, if the emphasis is shifted to the substantive issues---thereby allowing LAFCO to have a more balanced view of the problem---it will promote a better analysis of the problem before LAFCO makes its decision which may or may not have political overtones.

- o The number of special district proposals---compared with municipal proposals---that come before OCLAFCO have consistently been in the majority. Table 1 summarizes the total proposals by level of government and year which have been considered by OCLAFCO since 1982:

TABLE 1  
COMPARISON OF SPECIAL DISTRICT VS.  
MUNICIPAL PROPOSALS REVIEWED BY OCLAFCO

Level of Government	Year (Number/Percentage of Total)				
	1982	1983	1984	1985	1986*
Cities	36/44%	14/35%	18/39%	8/42%	17/46%
Districts	45/55%	26/65%	28/61%	11/58%	20/54%
Total	81/100%	40/100%	46/100%	19/100%	37/100%

Source: Orange County Local Agency Formation Commission, 1986

\*NOTE: Figures compiled for 1986 reflect proposals submitted to OCLAFCO through August 25, 1986.

It is interesting to note that since the passage of Proposition 13, quantitative analyses have indicated that the number of special districts in California have more than doubled since 1978. Data collected by the California Special Districts Association, Rand Corporation, and various universities suggest that the rapid growth of special district government in the post-Proposition 13 era can be traced in part to the inability of city and county agencies in providing requisite community services due to the fiscal restraints induced by Proposition 13.

- o Many LAFCO decisions involve a consideration of fees, levies, or charges associated with a particular issue which are imposed upon special districts without the benefit of how these fees or charges will directly or indirectly impact District operations. Special district representation on OCLAFCO would encourage a more in-depth analysis of the institutional implications of fiscal matters. Special district representation would complement and enhance the Commission's expertise in fiscal and budgetary issues unique to special districts.

It is important to note that districts differ significantly from cities and counties as fiscal institutions (e.g., a key fiscal distinction is whether services provided by a district are enterprise or nonenterprise activities). In a number of instances, districts have taken a leadership role in devising financial programs that show a more direct relationship between the cost of a given service and those members of the public who will benefit by that service.

Additionally, special districts engage in services that are the most capital intensive of any level of local government, and utilize a variety of creative financing techniques (which are either not utilized at all, or at best on an infrequent basis by

either municipalities or county governments). For example, lease-back non-profit corporations, standby charges, user fees (first developed by special districts for general benefit type services), connection charges, joint powers authorities, etc., represent a few of the fiscal options employed by districts to finance capital operations.

It would appear that local government issues involving special districts in Orange County will continue to come before the OCLAFCO--- particularly in the near future as south Orange County becomes increasingly urbanized. The passage of AB 1155 in 1971, allowing special district representation on LAFCO's, has shown special district participation to be invaluable in addressing local government problems. Specific examples of expanded LAFCO's presently operating in California include San Diego, San Bernardino, Riverside, Sacramento, Butte, Humboldt, Mono and Nevada counties.

The MWDOC Board of Directors requests favorable consideration of ISDOC's request for special district representation on Orange County LAFCO, and is prepared to provide additional input, as appropriate, at the September 10, 1986 meeting.

Sincerely

Wayne A. Clark  
President  
Board of Directors

xc: All MWDOC Member Agencies  
Art Holmes, Chairman/ISDOC

RESOLUTION NO. 1288

A RESOLUTION OF THE MUNICIPAL WATER DISTRICT OF ORANGE COUNTY  
REQUESTING THE LOCAL AGENCY FORMATION COMMISSION  
OF ORANGE COUNTY, CALIFORNIA  
TO ORDER REPRESENTATION OF INDEPENDENT SPECIAL DISTRICTS  
UPON THE COMMISSION

WHEREAS, the Cortese-Knox Local Government Reorganization Act of 1985 (California Government Code Section 56000 et seq.) authorizes the Local Agency Formation Commission to affect boundaries, territory, organization, reorganization, merger and dissolution of special districts; and

WHEREAS, Section 56332 et seq. of the California Government Code permits the Local Agency Formation Commission to order representation of Independent Special Districts upon the Commission by enlarging the Commission to seven (7) members, two (2) of which are to be appointed by an Independent Special Districts selection Committee; and

WHEREAS, Government Code Sections 56039, 56127 and 56128 provide a procedure by which certain enumerated classes of special districts may elect to be excluded from the provisions of the Cortese-Knox Local Government Reorganization Act of 1985 and the jurisdiction of the Local Agency Formation Commission for purposes of certain proposals for change of organization or reorganization and elect to be included for purposes of other proposals; and

WHEREAS, Municipal Water District of Orange County has elected to be excluded from the jurisdiction of the Local Agency Formation Commission and the Act with respect to the proposals of the Cities of Santa Ana, Anaheim and Fullerton

direct the Executive Officer to establish an Independent Special Districts selection Committee.

5. Municipal Water District of Orange County does not by this action intend to abrogate the right of itself and those other agencies enumerated in Government Code Section 56039(c)(1) to elect to be excluded from the application of the Cortese Local Government Reorganization Act of 1985 or its predecessor or from the jurisdiction of the Local Agency Formation Commission for purposes of any proposal for change of organization or reorganization affecting said agency.

6. The Independent Special Districts of Orange County are hereby authorized and directed to file a certified copy of this resolution with the Local Agency Formation Commission for the County of Orange.

ADOPTED by the following roll call vote:

AYES: Directors Clark, Davenport, Hartge, Price, Witt

NOES: None

ABSENT: None

ABSTAIN: None

IN WITNESS WHEREOF, I have hereunto set my hand and seal this 26th day of March, 1986.

By Lorraine M. Cross  
LORRAINE M. CROSS, SECRETARY  
MUNICIPAL WATER DISTRICT OF  
ORANGE COUNTY

for detachment, the legal propriety of which is currently on appeal and will be decided at some time in the future; and

WHEREAS, the Local Agency Formation Commission of Orange County has not previously taken action to allow special district representation on LAFCO pursuant to Government Code Section 56332 et seq.

NOW, THEREFORE, BE IT RESOLVED as follows:

1. Representation of Independent Special Districts upon the Local Agency Formation Commission for the County of Orange will be in the best interests of the inhabitants and the beneficial use of lands within Municipal Water District of Orange County and the County of Orange.

2. Representation of Independent Special Districts upon the Local Agency Formation Commission will contribute significantly to the effectiveness of local government in Orange County.

3. The Municipal Water District of Orange County does hereby propose representation of Independent Special Districts upon the Local Agency Formation Commission for the County of Orange pursuant to the provisions of Section 56332 et seq. of the California Government Code.

4. The Municipal Water District of Orange County does hereby request that the Local Agency Formation Commission for the County of Orange take all steps necessary for the expansion of the Commission to seven (7) members in accordance with Section 56332 et seq. of the California Government Code, including adoption of rules and regulations and



**Baker, Thomsen Associates**

RECEIVED  
DEC 17 1991

December 11, 1991

Elizabeth Mintor  
Placentia Library  
411 E. Chapman Avenue  
Placentia, CA 92670

Dear Ms. Mintor:

As you know, Executive Life has sent a 1991 billing for the Placentia Library Pension Plan life insurance policies. Since Executive Life has still not released the cash values or allowed the surrender of these policies, you are now faced with a decision in regards to payment of the 12/91 annual premiums. Executive Life is currently requiring policyholders to keep their insurance in-force, regardless of whether they need or desire the coverage. Executive Life is currently using the Non-forfeiture provision in the life insurance policies to keep all coverage in-force.

What this means in English, is that a person with \$10,000 in their Executive Life cash value account, and a premium due has two choices: They can pay the premium in cash, or Executive will process an Automatic Premium Loan (APL) for the annual premium amount in order to keep the coverage in-force. For example, if the annual premium were \$1,000, \$1,000 of the cash value would be borrowed to pay the annual premium. However, since the premium amount (less mortality charges expenses, and loan interest) is credited to the cash value, an increase in cash value offsets the \$1,000 loan amount, leaving the policy with roughly \$9,500.

Because the best estimates of Executive Life rehabilitation plans assume that policy owners would not have access to cash value for at least five years, and the option of Automatic Premium Loan will not be available during the rehabilitation period, Placentia Library will have to make a substantial investment to recover cash values.

If the Pension Plan wishes to pay the premiums each year until cash values are released, the policy values might be preserved. However, this requires additional investment into Executive Life, and at the present time, no time-frame for release of the cash values, or any specific level of cash value to be returned has been confirmed.

As indicated from the description above, the actual cash value of these Executive Life policies is an unknown amount, and may not be available for some time. In addition, it will require further premium outlays to keep the insurance in-force until the cash value can be surrendered.

In the absence of any more definite information, you might consider letting the policies APL (no cash payments) this year, and wait to see if an Executive Life rehabilitation plan seems viable next year. At that time, you could re-pay the premium loan, and/or invest the required premiums in order to preserve the maximum cash values for each insured.

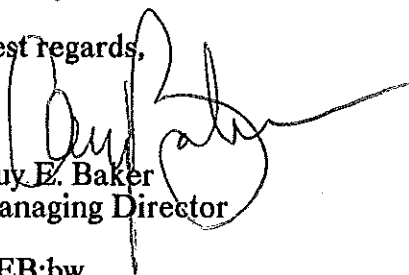




Elizabeth Mintor  
December 11, 1991  
Page Two

Because there are still no specific agreements on what will happen to Executive Life, it is difficult to advise you on whether to allow the Executive Life policies to APL, or to pay premiums to keep them in-force and conserve the assets. However, we wanted you to be as aware as we are of the current situation, so that you can make the best decision for all those involved in the Placentia Library Pension Plan.

Best regards,

  
Guy E. Baker  
Managing Director

GEB:bw

cc: Jo Ann Jordan, First American Trust  
Susie Wiley, National Associates



TO: Elizabeth D. Minter, Library Director  
FROM: Jeannine Walters  
SUBJECT: Sav-On Drug Purchase Reimbursements  
DATE: January 7, 1992

On September 6, 1991, I made purchases for the Gulf State exhibit totaling \$25.46. I have not been reimbursed for these purchases.

Attached are photocopies of the carbon copies of the checks that I wrote for these purchases.



JEANNINE WALTERS  
1239 W. ONTARIO AVE. 714-735-6919  
CORONA, CA 91720

1942

TAX DEDUCTIBLE ITEM

90-7483/3222

*Sept 6*



AMERICAN  
BAPTIST  
CREDIT UNION

101 S. Barranca Ave., Covina, CA 91722

PAYABLE AT Security Pacific National Bank  
Headquarters Office C.U.S. B3-32  
Los Angeles, CA 90071

BAL. FOR'D	
THIS PAYMENT	17.99
BALANCE	
OTHER	
BAL. FOR'D	

⑆32227483⑆ 00015571919 1942

NOT NEGOTIABLE

JEANNINE WALTERS  
1239 W. ONTARIO AVE. 714-735-6919  
CORONA, CA 91720

1943

TAX DEDUCTIBLE ITEM

90-7483/3222

*Sept 6*



AMERICAN  
BAPTIST  
CREDIT UNION

101 S. Barranca Ave., Covina, CA 91722

PAYABLE AT Security Pacific National Bank  
Headquarters Office C.U.S. B3-32  
Los Angeles, CA 90071

BAL. FOR'D	
THIS PAYMENT	7.49
BALANCE	
OTHER	
BAL. FOR'D	

⑆32227483⑆ 00015571919 1943

NOT NEGOTIABLE



TO: Library Board of Trustees  
FROM: Elizabeth D. Minter, Library Director *edms*  
DATE: January 13, 1992  
SUBJECT: Establishment of temporary job classification and rate of pay

BACKGROUND:

Since the beginning of the extended absence of the Administrative Assistant on December 26, 1991, the part time clerk I assigned to the Administration Office has been working full time performing most of the duties normally assigned to the Administrative Assistant. He current rate of pay is \$8.37 per hour.

In recognition of the increased responsibility of learning the payroll system and preparing several payrolls, preparing the accounts payable records and assisting with the revision of procedures for that activity, and assisting the Library Director with locating records and files with which neither of us had any prior experience, I am recommending that she be granted a temporary classification of Acting Administrative Assistant with a rate of pay of \$12.23 per hour. This rate is the entry level rate established by the Library Board of Trustees for the Administrative Assistant position for fiscal year 1991-1992.

RECOMMENDATION:

I recommend the establishment of a temporary job classification of Acting Administrative Assistant effective December 26, 1991, and continuing until the Administrative Assistant returns to duty, that the salary be set at \$12.23 per hour retroactive to December 26, 1991; and that the appointment of Julianne George to that position be ratified.

*Edms / St...*





TO: Elizabeth D. Miter, Library Director  
FROM: Sal Addotta, Assistant Library Director *Sma*  
DATE: December 13, 1992  
SUBJECT: Homework Assistance and Parent Education Centers Status Report

Two sets of the 1992 World Book Encyclopedia have arrived for placement in the La Jolla and Atwood Homework Assistance and Parent Education Centers.



PLACENTIA LIBRARY DISTRICT  
INTER OFFICE MEMO

TO: Elizabeth Mintor  
FROM: Kay Schneider  
DATE: January 7, 1992.  
SUBJECT: Grandparents and Books

I am happy to report that our obligations to the State Library concerning the GAB grant have been fulfilled. Bessie Egan, our consultant at the State Library for this grant, has been very helpful during this process and she assures me that all of the reports needed have been recieved by her office.

Now on to the fun of implementing this intergenerational reading program. Barbara and I are both looking forward to seeing this exciting program grow and are happy to have 14 applications from older adults who want to volunteer.

Our next step will be the volunteer training session at the end of this month. The purpose of this session will be:

- to achieve & maintain quality in the way children are read to by setting standards.
- to communicate the philosophy of GAB as a program that introduces the pleasures of reading (as opposed to tutoring).
- to introduce the variety of books and techniques that can be used in reading to children.
- to provide opportunity for practice and a comfort level with materials.
- to serve as a screening process for potential problem volunteers.
- to prepare them for the variety of children's reactions and some behaviorial aspects associated with different age levels.
- to become familiar and comfortable with the Placentia Library and our staff.

There will be "Grandparents" reading aloud to children in the library after school for 1 1/2 to 2 hours each Tuesday. Each volunteer will spend 30 - 45 minutes reading aloud - or as much as they are comfortable with doing. If we recruit more volunteers we may expand to include more days per week.



CHILDREN'S DEPARTMENT  
MONTHLY REPORT  
DECEMBER 1991

Agenda Item 27  
Attachment 1

Total number of books received from ANC for December was 31

Total number of questions answered for December was 671

<u>TYPE OF PROGRAM</u>	<u>AGE</u>	<u>NUMBER ATTENDING</u>	<u>NUMBER OF PROGRAMS</u>
School Visits	6-up	86	4
Storytime	2-3	55	4
Storytime	3-5	136	7
Storytime	6-9	48	3
Brownie Tour	6-up	9	1
<u>TOTALS</u>		<u>334</u>	<u>18</u>



PLACENTIA LIBRARY DISTRICT  
INTEROFFICE MEMO

AGENDA ITEM 28

TO: Elizabeth Minter, Library Director

FROM: *Gwen Joseph*  
Gwen Joseph, Family Literacy Coordinator

DATE: January 8, 1992

SUBJECT: Status Report on Families for Literacy

#### HEADSTART PROGRAM STATUS

Our last meeting was a Christmas party on December 13 here at the Library. As stated in my last report Kay started the morning with a story time and then we had several family craft activities relating to reading readiness skills. We ended with cake and a visit from a bilingual Santa provided by the Placentia Parks and Recreation Department. We had over 50 people in attendance and wonderful time!

Our families now number 28 and we continue to have new families showing up at each meeting. Headstart provides support to the program in any and all ways possible.

Sylvia Macaluso has joined me as a Spanish translator and has made a tremendous difference to the program. She is able to work with the parents unable to participate in our group discussions in English so that all the parents can maximize their learning in the areas of teaching and reading with their children.

#### MATERIALS

A teacher made book "Orange is a Carrot" was given to parents December 5 in preparation for our work in January which will show parents how to make their own books with their children.

December 12 all parents were taken to California State Book Fairs Inc. and given a \$10.00 credit to purchase books of their choice for their children. By utilizing the 50 cent book bins parents were able to buy up to 20 books to supplement their family home library. These books were gift wrapped and presented to the children by Santa Claus at our Christmas party.

#### PARTICIPATION OF LIBRARY STAFF

Kay Schneider attended two Friday activity days one at Headstart and then leading the storytime here at the library. She will be doing monthly storytimes for the program beginning in January. She has been a constant support and resource.

Melanie Daniels has been vital in helping me get testers and in trying to recruit more tutors. I attended the Tutor Training session on January 6 and presented my program as an option to the new trainees. One gentleman signed up on the spot and two others expressed a strong interest in participating. All those interested will begin tutoring work at the program site on Thursdays upon completion of their training.

#### OVERALL EVALUATION

I continue to feel positive about the program and the growth I see with the parents. I look forward to the new tutors participation so that we can give the parents more individual attention.





TO: Elizabeth D. Minter, Library Director  
FROM: Cindy McClain, Reference Librarian <sup>CME</sup>  
DATE: January 11, 1992  
SUBJECT: Santiago Library System

The SLS Administrative Council met January 9, 1992, at the Sunkist branch of the Anaheim Public Library.

They approved the allocation of local reserves for the printing of 53 full color 11" X 17" posters for the 1992 Children's Reading Program.

Moved to approve the proposed Request for Proposals for 1992-93 reference service, as presented. Deadline for the receipt of proposals is February 28, 1992. The recommendation will come up for approval at the April 9, 1992 session.

Adopted the nondiscrimination statement for the Bylaws addition. Instead of the word "handicapped," Al Milo suggested "Americans with Disabilities."

Proposed redesign of "Find Orange County" software. The new design would ensure 4000 records in 95 categories. This matter will go before the reference committee on January 14, 1992.

Discussed one workshop of three full day sessions.

Heard MCLS's multitype library cooperative program proposal: METRONET. METRONET would divide Orange County into one to three clusters. Each cluster consists of an academic library, public libraries and special libraries. Each cluster has a printed directory. There is a kickoff with tours and orientation for potential libraries.

Discussed Legislative Day in May 1992. Al Milo and Karen Leo formed a committee to make recommendations for a Legislative Day in Sacramento or a Legislative Day in Orange County to meet with local legislators.



TO: Library Board of Trustees

FROM: Peggy D. Burkich, Circulation Supervisor **PDB**

DATE: January 6, 1992

SUBJECT: Cash Register for Check-Out Desk

The cash register for the check-out desk arrived on December 20, 1991.

Staff has made a successful transition to the new cash register at the check-out desk and report that quite a few patrons have expressed appreciation for the receipt. Patrons also appreciate the fact that they do not have to make special trips to check-in desk to pay for A/V materials, fines or reserves. This also eases much pressure at the check-in desk on staff. There is a much better balance between the check-in desk and the check-out desk.



TO: Elizabeth D. Minter, Library Director  
FROM: Sal Addotta, Assistant Library Director *Sma*  
DATE: January 13, 1992  
SUBJECT: California Room Update

The initial step of reevaluation, the inventory of non-cataloged items, is completed.

Pat Irot and I discussed the next step and decided that she would visit local history rooms at Anaheim, Fullerton, and other public libraries in Orange County.

Contact with Placentia historical groups will be made also.

A staff progress report will be presented at the March 1992 Library Board meeting.

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