

Item 34
Ref: Item G

DEC/23 1976
(Signature)

RESOLUTION OF THE LOCAL AGENCY FORMATION COMMISSION
DETERMINING THAT THE SAN DIEGO COUNTY WATER AUTHORITY
IS NOT A "DISTRICT" WITHIN THE MEANING OF THE DISTRICT
REORGANIZATION ACT OF 1965

On motion of Commissioner Chapman, seconded by
Commissioner Gerston, the following resolution is
adopted:

WHEREAS, pursuant to Government Code Sections 56039(m),
56015 and 56016, the Board of Directors of the San Diego
County Water Authority on November 11, 1976, adopted
Resolution No. 76-50 making application to the Local Agency
Formation Commission requesting a determination that the
Authority is not a "District" within the meaning of the
District Reorganization Act of 1965; and

WHEREAS, the Acting Executive Officer of this Commission
gave the Board of Directors of the San Diego County Water
Authority mailed notice of the time and place at which such
application would be presented to this Commission, as required
by Government Code Section 56015; and

WHEREAS, the application was presented to the Commission
at its December 6, 1976 regular meeting; NOW THEREFORE

IT IS RESOLVED, FOUND, ORDERED AND DETERMINED as follows:

1. The San Diego County Water Authority is a county
water authority formed pursuant to the County Water Authority
Act (Stats. 1943, Ch. 545), and is situated within the County
of San Diego.

2. The Commission finds that the San Diego County Water
Authority is not engaged:

(a) In the distribution and sale for any purpose,
other than for the purpose of resale, of water or of gas,
or electricity for light, heat or power;

(b) In furnishing sanitary sewer service or garbage
and refuse collection service to the ultimate users
thereof;

(c) In providing fire or police protection; or

(d) In the acquisition, construction, maintenance,
lighting or operation of streets and highways, street and
highway improvements or park and recreation facilities,
except as an incident to the exercise of other lawful
powers of the Authority.

IMPORTANT NOTICE
Sec. 56002, et seq. Gov't Code
requires a city or district to file
this statement of situation of boundary with
the County Assessor and the State
Board of Equalization on or
January 1, together with a

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3. The Commission determines that the San Diego County Water Authority is an authority enumerated in subdivision (m) of Section 56039 of the Government Code, that the San Diego County Water Authority is not a "district" within the meaning of Division 1, Title 6 of said Government Code (the District Reorganization Act of 1965), that none of the provisions of said Division shall apply to the changes of organization of the San Diego County Water Authority and that proceedings for such changes of organization shall be taken under and pursuant to the principal act of the Authority, to wit: The County Water Authority Act.

4. The Clerk of the Commission is directed to transmit a certified copy of this resolution to the San Diego County Water Authority.

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PASSED AND ADOPTED by the Local Agency Formation Commission of the County of San Diego this 6th day of December, 1976, by the following vote:

AYES: Commissioners Mihalek, Chapman, Gorton, Karn, Morgan and Taylor

NAYS: None

ABSENT: Commissioner Walsh

ABSTAINING: None

* * * * *

STATE OF CALIFORNIA)
)
COUNTY OF SAN DIEGO)

I, MICHAEL J. GOTCH, Executive Officer (Acting) of the Local Agency Formation Commission of the County of San Diego, State of California, hereby certify that I have compared the foregoing copy with the original resolution adopted by said Commission at its regular meeting on December 6, 1976, which original resolution is now on file in my office; that same contains a full, true and correct transcript therefrom and of the whole thereof.

Witness my hand and seal this 6th day of December, 1976.



MICHAEL J. GOTCH
Executive Officer (Acting)
Local Agency Formation Commission