

**A RESOLUTION OF APPLICATION BY THE
CITY COUNCIL OF THE CITY OF VICTORVILLE
REQUESTING THE LOCAL AGENCY FORMATION COMMISSION TO
INITIATE PROCEEDING FOR THE CONSOLIDATION OF DISTRICTS AND
ESTABLISHMENT OF THE SUCCESSOR DISTRICT AS A
SUBSIDIARY DISTRICT OF THE CITY OF VICTORVILLE**

BE IT RESOLVED by the City Council of the City of Victorville, that:

WHEREAS, the City of Victorville desires to initiate proceedings pursuant to the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000, commencing with Section 56000 of the California Government Code, for a reorganization which would concurrently consolidate the Baldy Mesa Water District and Victor Valley Water District and establish the successor district as a subsidiary district of the City of Victorville; and

WHEREAS, the principal reasons for the proposed reorganization are: (1) to eliminate the duplication of administrative services currently provided by the City of Victorville, Baldy Mesa Water District and Victor Valley Water District; (2) to reduce the cost of providing water service and conservation programs within and around the City of Victorville; and

WHEREAS, the following agency or agencies would be affected by the proposed jurisdictional changes:

| <u>Agency</u> | <u>Nature of Change</u> |
|------------------------------|---|
| Baldy Mesa Water District | Consolidation with Victor Valley Water District |
| Victor Valley Water District | Consolidation with Baldy Mesa Water District |
| City of Victorville | Establish successor district as subsidiary |

WHEREAS, the territory proposed to be reorganized is inhabited, and a map and description of the boundaries of the territory are attached hereto as Exhibits A and B, respectively, and, by this reference, are incorporated herein; and

WHEREAS, this proposal is consistent with the adopted spheres of influence for all of the local agencies that would be affected by reorganization; and,

WHEREAS, it is desired that the proposed dissolution be subject to the following terms and conditions:

1. The name of the consolidated district shall be the Victorville Water District.
2. The Victorville Water District shall be the successor agency to all rights, responsibilities, properties, contracts, assets and liabilities, and functions of the Victor Valley Water District and Baldy Mesa Water District. Professional service agreements and individual employment contracts will be evaluated consistent with the provisions of paragraph 3 below.
3. All full-time employees of the Victor Valley Water District and Baldy Mesa Water District shall become full-time employees of the successor agency with retention of salaries, seniority rights, vacation/sick leave accruals and accrual rates, retirement and other employee benefits applicable to the Districts. Contract employees and professional service agreements will be evaluated, at the sole and exclusive discretion of the governing body of the newly formed Victorville Water District, to determine whether they are essential to the ongoing operation of the District.
4. The successor agency shall function under and carry out all authorized duties and responsibilities assigned to a County Water District as outlined in the California Water Code, Section 30000 et seq. and other applicable laws.
5. Upon consolidation, the successor agency succeeds to all properties, rights, contracts, obligations of each of the two (2) Districts; and any funds to which it succeeds may be expended

and properly disposed of as provided by Water Code Sections 30000 et seq. County Water District Law.

6. All income from taxes or any other source which has been a continuing right to tax distribution, or historical distribution or allocation of funds to either of the Districts to be consolidated shall continue to be distributed to the successor consolidated district.

7. The appropriation limit of the consolidated District shall be the aggregate appropriation limit of the two consolidating districts.

8. All previously authorized charges, fees, assessments, and/or taxes currently in effect, now levied or collected by either District, including improvement or assessment districts thereof, shall continue to be levied and collected by the successor agency.

9. Indebtedness of either District shall remain the legal obligation of only the lands and areas which incurred such indebtedness; however, the outstanding indebtedness of either District at the time of consolidation shall remain the obligation of the consolidated District.

10. The consolidation shall not change the rights of the lands in the respective District as they existed immediately prior to the consolidation.

11. Standard terms and conditions.

WHEREAS, this City Council finds that the proposed reorganization is categorically exempt from the requirements of the California Environmental Quality Act under Section 15320 of Title 14 of the California Code of Regulations because it involves the consolidation of two districts having identical powers, the establishment of a subsidiary district, and the proposed reorganization will not change the geographical area in which previously existing powers were exercised.

NOW, THEREFORE, this Resolution of Application is hereby adopted and approved by the City Council of the City of Victorville and the Local Agency Formation Commission of San Bernardino County is hereby requested to take proceedings for the proposed reorganization as authorized and in the manner provided by the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000.

PASSED, APPROVED AND ADOPTED this 19th day of April, 2005.

Mike Rothschild

MAYOR OF THE CITY OF VICTORVILLE

ATTEST:

Carolee Bates

CITY CLERK

APPROVED AS TO FORM:

Alfred Rothschild

CITY ATTORNEY

I, CAROLEE BATES, City Clerk of the City of Victorville and ex-officio Clerk to the City Council of said City, DO HEREBY CERTIFY that the foregoing is a true and correct copy of Resolution No. 05-71 which was adopted at a meeting held on the 19th day of April, 2005, by the following roll call vote, to wit:

AYES: Councilmembers Almond, Cabriales, Caldwell, Hunter and Rothschild

NOES: None

ABSENT: None

ABSTAIN: None

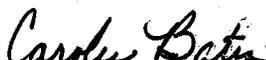
Carolee Bates

CITY CLERK OF THE CITY OF VICTORVILLE

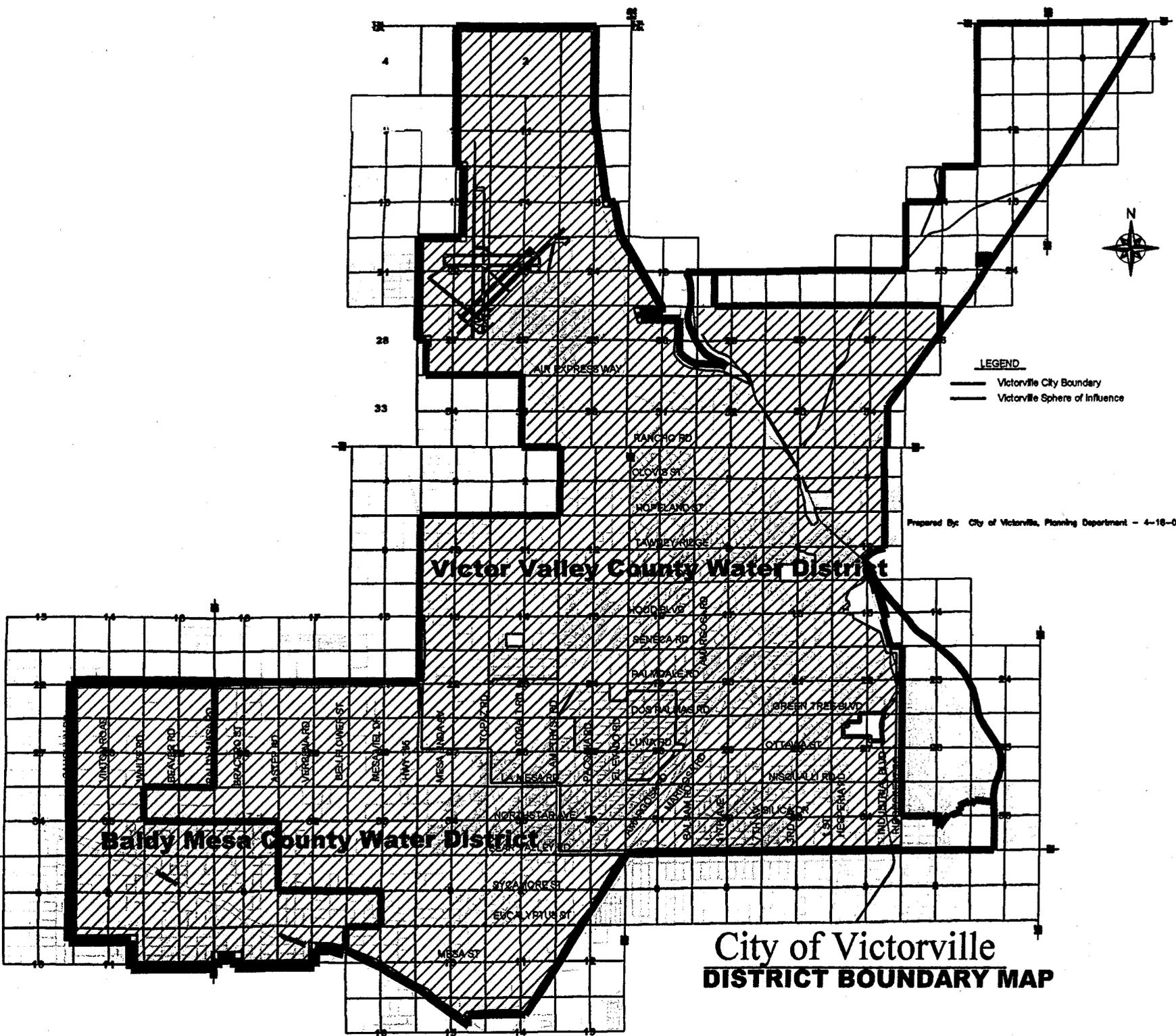
CERTIFICATION

I, CAROLEE BATES, City Clerk of the City of Victorville, DO HEREBY CERTIFY that the foregoing is a true and correct copy of Resolution No. 05-71 which was adopted by the City Council of the City of Victorville at their regular meeting held April 19, 2005, the original of which is on file in the office of the City Clerk of the City of Victorville.

DATED: May 12, 2005



CAROLEE BATES
CITY CLERK



LEGEND
 — Victorville City Boundary
 — Victorville Sphere of Influence

Prepared By: City of Victorville, Planning Department - 4-18-06

**City of Victorville
 DISTRICT BOUNDARY MAP**