

RESOLUTION NO. 7858-96

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GARDEN GROVE
MAKING APPLICATION FOR THE ESTABLISHMENT OF THE GARDEN
GROVE SANITARY DISTRICT AS A SUBSIDIARY DISTRICT OF THE CITY OF
GARDEN GROVE

WHEREAS, the City Council of the City of Garden Grove desires to initiate proceedings for the establishment of the Garden Grove Sanitary District as a subsidiary district to the City of Garden Grove, as may be determined in the course of said proceedings,

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Garden Grove that:

(1) Application and a proposal is hereby made to the Local Agency Formation Commission of the County of Orange for a change of organization as follows:

(a) This proposal is made pursuant to the Cortese-Knox Local Government Reorganization Act of 1985, commencing with Section 56000 of the California Code;

(b) The nature of the proposed change of organization and the name of the district for which any such change of organization is proposed is:

The establishment of the Garden Grove Sanitary District as a subsidiary district to the City of Garden Grove, the detachment of portions of the Garden Grove Sanitary District within the City of Westminster and their annexation to the Midway City Sanitary District, and the detachment of portions of the Midway City Sanitary District within the City of Garden Grove and their annexation to the Garden Grove Sanitary District, all within the County of Orange;

(c) It is desired that the establishment of a subsidiary district provide for and be made subject to the following conditions:

The designation of the subsidiary district as successor to the district for the purpose of succeeding to all rights, duties, obligations, assets, and equipment of the established subsidiary district as required by law.

The establishment of the subsidiary district is recognized as the first step towards the ultimate merger of the Garden Grove Sanitary District and the City of Garden Grove.

Other specified "Terms and Conditions" which have been documented in the proposed application for the establishment of a subsidiary district submitted to the Local Agency Formation Commission of the County of Orange by the City of Garden Grove;

(d) The reasons for this proposal are as follows:

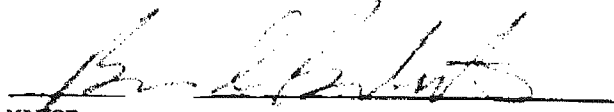
1. To avoid potential impacts of attempts by the State of California to further divert property tax revenues of special districts;
2. To consolidate all citywide trash collection and recycling and sewer system services, currently provided by two separate independent special districts, under one entity: the City of Garden Grove;
3. To pool the knowledge and experience of City and Sanitary District officials in the areas of personnel administration, fiscal control, and professional management and planning;
4. To eliminate the costs of duplication and obtain greater efficiencies, cost effectiveness, and public accountability in trash collection and recycling and sewer services for all City residents;
5. To provide better coordination with other municipal services, minimize legal problems of coordination, and provide on a general basis better overall City and Sanitary District planning;
6. To provide a central agency for the convenience of citizens in dealing with trash collection and recycling and sewer system services.

(e) It is hereby requested that proceedings be taken for establishment of a subsidiary district as hereinabove set forth.


NOW, THEREFORE, BE IT FURTHER RESOLVES as follows:

- (1) The City Clerk is hereby authorized and directed to file a certified copy of this Resolution of Application with the Executive Officer of the Local Agency Formation Commission of the County of Orange;
- (2) The City of Garden Grove hereby applies for the establishment of the Garden Grove Sanitary District as a subsidiary district of the City of Garden Grove;
- (3) A legal description of the boundaries of the affected territory, accompanied by a map showing the boundaries, are attached hereby as exhibits and are incorporated herein by this reference; and
- (4) This proposal is consistent with the sphere of influence of the City of Garden Grove as well as other governmental entities.

ADOPTED this 9th day of April, 1996.


MAYOR

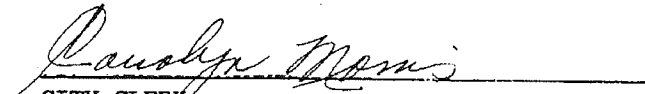
ATTEST:


CITY CLERK

STATE OF CALIFORNIA)
COUNTY OF ORANGE) SS:
CITY OF GARDEN GROVE)

I, CAROLYN MORRIS, CMC, City Clerk of the City of Garden Grove, do hereby certify that the foregoing Resolution was duly adopted by the Council of the City of Garden Grove, California, at a regular meeting held on the 9th day of April, 1996, by the following vote:

AYES: COUNCILMEMBERS: (3) CHUNG, INGEGNERI, BROADWATER
NOES: COUNCILMEMBERS: (1) DINSEN
ABSENT: COUNCILMEMBERS: (1) LEYES


CITY CLERK

EXHIBITS PREVIOUSLY SUBMITTED

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**RECORDING REQUESTED AND
RETURN BY INTEROFFICE MAIL TO:**
Local Agency Formation Commission
12 Civic Center Plaza, Room 235
Santa Ana, CA 92701
(714) 834-2556



No Fee

19970247738 4:06pm 05/29/97

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C18 89 7.00 264.00 0.00 0.00 0.00 0.00

CONFORM COPY

CERTIFICATE OF COMPLETION

Pursuant to Government Code Section 57200, this Certificate is issued by the Executive Officer of the Local Agency Formation Commission of Orange County, California.

1. The short-form designation, as determined by LAFCO, is Garden Grove Reorganization No. 141.
2. The name of each district or city involved in this change of organization or reorganization and the kind or type of change of organization ordered for each city or district are as follows:

<u>City or District</u>	<u>Type of Change of Organization</u>
Garden Grove Sanitary District	Annexation, Detachment & Dissolution
Midway City Sanitary District	Detachment & Annexation
City of Garden Grove	Annexation
City of Santa Ana (Wintersburg Church)	Annexation

3. The above listed cities and/or districts are located within the following county(ies): Orange.
4. A description of the boundaries of the above cited change of organization or reorganization is shown on the attached map and legal description, marked Exhibits A and B, and by reference incorporated herein.
5. The territory involved in this change of organization or reorganization is inhabited.
6. This change of organization or reorganization has been approved subject to the following terms and conditions, as indicated in the conducting authority resolution and attachments.
7. The attached resolution ordering this change of organization or reorganization without election, or confirming an order for this change after confirmation by the voters, was adopted on January 14, 1997 by the Board of Supervisors of the County of Orange.

I hereby certify that I have examined the above cited resolution, including any terms and conditions, and the map and legal description, and have found these documents to be in compliance with LAFCO Resolution No. 96-14 adopted on August 7, 1996.

Dated: May 29, 1997

Dana M. Smith, Executive Officer
Dana M. Smith, Executive Officer
Local Agency Formation Commission

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

August 7, 1996

On motion of Commissioner Steiner, duly seconded and carried, the following resolution was adopted:

WHEREAS, the proposed annexation designated as Garden Grove Reorganization (No. 141) in the County of Orange was heretofore filed by Resolution No. 7858-96 of the City of Garden Grove and accepted for filing on July 24, 1996 by the Executive Officer of this Local Agency Formation Commission pursuant to Title 5, Division 3, commencing with Section 56000 et seq of the Government Code; and

WHEREAS, the Executive Officer, pursuant to Government Code Section 56838 set June 17, 1996 as the hearing date of this proposal; and

WHEREAS, the hearing was continued to the August 7, 1996 LAFCO hearing; and

WHEREAS, the Executive Officer, pursuant to Government Code Section 56833 has reviewed this proposal and prepared reports, dated June 17, 1996 and August 7, 1996 (the "staff reports") including her recommendations thereon, and has furnished a copy of the reports to each person entitled to a copy; and

WHEREAS, this Commission on August 7, 1996 considered the proposal and the staff reports and considered the factors determined by the Commission to be relevant to this proposal, including, but not limited to, factors specified in Government Code Section 56841; and

WHEREAS, the Commission called for and held a public hearing on the proposal on June 17 and continued the hearing to August 7, 1996 and at the hearings, this Commission heard and received all oral and written protests, objections and evidence which were made, presented or filed, and all persons present were given an opportunity to hear and be heard with respect to this proposal and the report of the Executive Officer; and

WHEREAS, as recommended in the staff report at its August 7, 1996 hearing, the Commission modifies the proposal to include the following actions:

- a) Annexation of a 74 acre and 5 acre unincorporated "island" to the City of Garden Grove; and
- b) Annexation of a 7 acre unincorporated "island" to the City of Santa Ana and a 7 acre unincorporated "island" to the City of Garden Grove, known as the Wintersburg Presbyterian Church Reorganization.

WHEREAS, the Executive Officer determined the proposal identified as the Wintersburg

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1 Presbyterian Church Annexation, which will be heard concurrently with the Garden Grove Reorganization,
2 is categorically exempt from the provisions and requirements of the California Environmental Quality Act
3 as a change of organization that does not change the geographical area in which the affected agencies'
4 existing powers are exercised (Class 20, State CEQA Guidelines Section 15320); and

5 WHEREAS, the Commission certifies that it has reviewed and considered the information contained
6 in the Negative Declaration prepared by the City of Garden Grove.

7 NOW, THEREFORE, the Local Agency Formation Commission of the County of Orange DOES
8 HEREBY RESOLVE, DETERMINE and ORDER as follows:

9 Section 1. The Commission hereby adopts the findings set forth in the staff report and finds
10 pursuant to Government Code Section 56852 that:

- 11 a) The public services costs of the proposal are likely to be less or substantially
12 similar to the current costs of providing the service because both districts will
13 have the same ability to set rates and service levels.
- 14 b) The proposal will promote public access and accountability for community
15 service needs and financial resources by coordinating planning and capital
16 infrastructure improvement for services with one decision making body.

17 Section 2. The modifications to the proposal set forth above are hereby approved.

18 Section 3. The proposal, as modified, is approved subject to the terms and conditions as listed
19 in Attachment "B" and to include:

- 20 a) Upon reorganization, all right, title and interest of the County of Orange,
21 including the underlying fee where owned by the County, in any and all local
22 storm drains, local flood control channels and appurtenances, sidewalks,
23 trails, landscaped areas, open space, local parks, street and park lighting
24 systems and bridges within the reorganization area shall vest in the City,
25 except where specifically exempted by LAFCO.
- 26 b) The Orange County Flood Control District (OCFCD) shall retain ownership
27 of and maintenance responsibility for those regional flood control facilities
28 such as the Anaheim-Barber City Channel for which OCFCD has right-of-
way either in fee or in an easement for flood control purposes.
- c) The annexing City shall coordinate all development adjacent to existing and

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planned OCFCD facilities by submitting plans and specifications to OCFCD for review to ensure necessary flood control right-of-way and improvements are provided. Such improvements shall comply with OCFCD standards and engineering criteria.

d) The annexing City shall be responsible for flood plain zoning and administering the Federal Management Agency's regulations within the City's boundaries.

e) The annexing City shall accept and adopt the Master Plan of Drainage (MPD) in effect in the reorganization area. Any deviation from the MPD shall be submitted to OCFCD for review.

Section 4. The boundaries of the territory proposed to be reorganized are specifically described in the legal description attached hereto (Attachment A) and by this reference made a part hereof. Said territory is found to be in the County of Orange and is assigned the following distinctive short-form designation: Garden Grove Reorganization No. 141.

Section 5. The Commission adopts the Executive Officer's finding that the Wintersburg Presbyterian Church Annexation is a Class 20 categorical exemption under the California Environmental Quality Act and instructs staff to file a Notice of Exemption documenting this finding.

Section 6. The Commission finds that the environmental effects of the proposal are adequately documented in the Negative Declaration prepared by the City of Garden Grove and that no additional mitigation measures are necessary to lessen or avoid the environmental effects of this action and the Commission instructs staff to file a Notice of Determination documenting this finding.

Section 7. The County of Orange is designated as the conducting authority and is hereby directed to initiate reorganization proceedings.

Section 8. The Board of Supervisors of said conducting authority is authorized to reorganize said territory, pursuant to Section 56839.1 of the Government Code.

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Section 9. The Executive Officer is hereby authorized and directed to mail certified copies of this resolution as provided in Section 56853 of the Government Code.

AYES: COMMISSIONERS WILLIAM G. STEINER, RANDAL J. BRESSETTE, PHILIP L. ANTHONY, DAVID BORAN AND JOHN B. WITHERS

NOES: COMMISSIONERS JAMES W. SILVA AND JAMES H. FLORA

ABSENT: COMMISSIONERS ROBERT HUNTLEY

STATE OF CALIFORNIA)

ss

COUNTY OF ORANGE)

I, DANA M. SMITH, Executive Officer of the Local Agency Formation 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 7th day of August, 1996.

IN WITNESS WHEREOF, I have hereunto set my hand to this 7th day of August, 1996.

DANA M. SMITH
Executive Officer of the
Local Agency Formation Commission

By: *Laura P. Sims*
Commission Clerk

Certified As
Original

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**RECOMMENDED
TERMS AND CONDITIONS**

1. The City Council of Garden Grove, acting as the future Board of Directors for the Garden Grove Subsidiary District, shall submit a plan to LAFCO for the establishment of a Sanitary District Advisory Commission. The five member commission shall advise the Board of Directors of the District concerning administrative, legal, operational, maintenance, and financial matters. The Board of Directors of the Garden Grove Sanitary District (GGSD), seated at the time the certificate of completion for this reorganization is issued, shall be offered the opportunity to become members of the new advisory commission. Their appointment shall run until their existing GGSD terms expire. The advisory commission shall include one resident of the unincorporated area and one member appointed by the Second District County Supervisor. In addition to these two appointments, one alternate for each position shall also be appointed [G.C. 56844(k)(v)].
2. The GGSD, as a subsidiary district of the City of Garden Grove, shall assume a proportionate share of the bonded indebtedness associated with the acquisition of capital equipment of the Midway City Sanitary District (MCSD) which is to be rendered surplus to MCSD by this reorganization. The City of Garden Grove's newly created subsidiary district will take, in kind, the surplus equipment. The City of Garden Grove and Midway City Sanitary District shall file an agreement with LAFCO, which describes the disposition of the surplus equipment and certificate of participation funding. Notice that the agreement for equipment funding has been reviewed by the bond counsel shall be submitted to LAFCO by the City of Garden Grove, acting as successor agency [G.C. 56844(c)].
3. The GGSD, as a subsidiary district of the City of Garden Grove, shall accept all system facilities transferred from MCSD in an "as is" condition, without any payment or repair obligation from MCSD [G.C. 56844(h)].
4. The City Council of Garden Grove, acting as the future Board of Directors for the Garden Grove Subsidiary District, shall execute an agreement with the Midway City Sanitary District, to upgrade the GGSD sewer line in Brookhurst Street between Hazard Avenue and the pump station to the trunk line in Bolsa Avenue, at their sole cost and discretion. The agreement shall provide that the upgrading be completed no later than 5 years from the effective date of this reorganization or as mutually agreed by the two parties. Any maintenance and repair incurred before replacement of these facilities shall be at the City of Garden Grove's Subsidiary District's expense. The upgraded facilities shall remain the property of the City of Garden Grove's Subsidiary District. Upon replacement of these facilities, operation and maintenance expenses will be shared per the agreement of the two districts [G.C. 56844(h)].
5. The City Council of Garden Grove, acting as the future Board of Directors for the Garden Grove Subsidiary District, shall execute a maintenance, operation and capacity rights agreement with the Midway City Sanitary District for the use of the sewer lines serving

Terms & Conditions
Garden Grove Reorganization No. 141
August 26, 1996

- parcel 4E and for correction of capacity problems in those lines within 5 years or as mutually agreed upon by both agencies. Both agencies shall also include in the agreement a provision that the costs of construction shall be based upon the proportionate amount of sewage being generated by each respective agency. Garden Grove's Subsidiary District agrees to set aside funding each year in a restricted account for its share of the costs. If construction of a sanitary diversion line to the Orange County Sanitation District trunk line in Magnolia Street is less expensive than other alternative, then both parties may mutually agree to select this alternative at the time the decision is made to construct the relief line [G.C. 56844(h)].
6. The GGSD, as a subsidiary district of the City of Garden Grove, shall assume all joint use flow agreements and maintenance agreements [G.C. 56844(j)(r)].
 7. Agreement shall be reached between MCSD and the City Council of Garden Grove, acting as the future Board of Directors for the Garden Grove Subsidiary District, to continue sewer service to Parcels 4C and 4D within the City of Garden Grove [G.C. 56844(r)(v)].
 8. The City Council of Garden Grove, acting as the future Board of Directors for the Garden Grove Subsidiary District, shall execute amendments of existing agreements with the respective contract solid waste franchisees serving the areas to be reorganized, and shall be completed to address those changes in service areas [G.C. 56844(r)(v)].
 9. An agreement shall be reached between the City Council of Garden Grove, acting as the future Board of Directors for the Garden Grove Subsidiary District, and the Midway City Sanitary District which provides that the City's subsidiary district shall be responsible for costs incurred by MCSD for public information efforts taken by MCSD to advise the affected residents of the changes in billing process, the cost of trash collection, and other service changes. Such costs shall not exceed \$5,000. As an alternative, Garden Grove may, in lieu of payment, provide notice in a form which is acceptable to MCSD [G.C. 56844(v)].
 10. The City Council shall file a notice with LAFCO that the reorganization shall not adversely affect or impair the status of any employee of the District or City. As of the effective date of this reorganization, all employees of the Garden Grove Sanitary District shall become City employees. Current rates of pay, accrued vacation and sick leave, vacation and sick leave accrual rates, employee rights, seniority rights, insurance, retirement benefits, and all other benefits and programs now provided them shall continue at a level not less than that currently enjoyed [G.C.56844(l)].
 11. All lands, buildings, real and personal property, and appurtenances held by the Midway City Sanitary District and within the City of Garden Grove served by the Midway City Sanitary District, as of the effective date of this reorganization, shall be transferred to the subsidiary district [G.C. 56844(h)].

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12. All lands, buildings, real and personal property, and appurtenances held by the Garden Grove Sanitary District and within the City of Westminster served by the Garden Grove Sanitary District, as of the effective date of this reorganization, shall be transferred to the Midway City Sanitary District [G.C. 56844(h)].
13. The City Council of Garden Grove, acting as the future Board of Directors for the Garden Grove Subsidiary District, is authorized but not required to continue to impose and collect all charges, fees, assessments and/or taxes previously authorized and imposed by the Midway City Sanitary District in the territory which is to be detached from Midway City Sanitary District annexed to the Garden Grove Subsidiary District. Nothing in this provision shall be deemed to limit the discretion of the Board of Directors of the Garden Grove Subsidiary District to establish and levy charges, fees, assessments and/or taxes as it determines to be necessary and appropriate [G.C. 56844(t)].
14. The Midway City Sanitary District is authorized but not required to continue to impose and collect all charges, fees, assessments and/or taxes previously authorized and imposed by the Garden Grove Sanitary District in the territory which is to be detached from the Garden Grove Sanitary District and annexed to the Midway City Sanitary. Nothing in this provision shall be deemed to limit the discretion of the Board of Directors of the Midway City Sanitary District to establish and levy charges, fees, assessments and/or taxes as it determines to be necessary and appropriate [G.C. 56844(t)].
15. The City Council of Garden Grove, acting as the future Board of Directors for the Garden Grove Subsidiary District, and Midway City Sanitary District shall provide evidence to LAFCO that all sewer flow agreements affected by this reorganization have been modified to consider the reorganized boundaries, as appropriate [G.C. 56844(j)(r)].
16. The City of Garden Grove shall assist the two surplus MCSDD automated trash collection truck operators to obtain employment with the subsidiary district's private trash hauler [G.C. 56844(l)(v)].
17. Areas being annexed to the City of Garden Grove shall be subject to the City of Garden Grove's Paramedic Property Tax Override and shall become part of the Garden Grove Landscaping and Lighting Assessment District [G.C. 56844(t)].
18. The formation of Improvement District No. 1 within the Garden Grove Sanitary District is to include all territory annexing into Garden Grove Sanitary District and detaching from the Midway City Sanitary District. These areas are shown as Parcels 4 A-F on the map referenced in the LAFCO staff report. The Improvement District shall continue the existing rate structure from the Midway City Sanitary District [G.C.56844(e)].
19. The effective date of this reorganization shall be the date of recordation. In any case the effective date shall not be later than nine months after the date of the election, if required, in which a majority voted in favor of the reorganization [G.C. 56844(p) and 57202(2)].

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August 26, 1996

20. A pro rata share of the reserve funds/cash balance contained in the Recycling Reserve, Contingency Reserve, Automated Equipment Fund and Capital Reserve Fund of the Midway City Sanitary District, reflecting a balance not less than that contained in those accounts on May 31, 1996 plus any additional funds collected in the transferred areas for these funds, shall be placed in an escrow account and used for repair/upgrading of the Newland and Brookhurst lines or held in reserve for debt service. The pro rata share shall be determined by multiplying the applicable fund balances by the ratio of net transferred residential trash accounts to the total of such accounts in the Midway City Sanitary District. The ratio is approximately 17% and the amount to be transferred is approximately \$415,000. The final ratio and amount will be determined by LAFCO prior to the recordation date [G.C. 56884(I)].
21. The City Council of Garden Grove agrees to defend, indemnify and hold harmless LAFCO and/or its agents, officers or employees from any claim, action or proceeding against LAFCO and/or its agents, officers and employees to attack, set aside, void or annul the approval of LAFCO concerning the proposal or any action relating to or arising out of such approval when such action is brought within the applicable statute of limitations [G.C. 56884(o)].
22. The Local Agency Formation Commission shall retain jurisdiction prior to issuance of the certificate of completion to hear and amend, if necessary, any term or condition that requires agreement between parties.

ADOPTION OF RESOLUTION TO INITIATE DETACHMENT PROCEEDINGS WITH RESPECT TO THAT LAND AREA PROPOSED TO BE ANNEXED BY THE CITY OF ANAHEIM AS DESCRIBED IN LAFCO RESOLUTION RO 05-14
(F: S-28.1) (XR: 23.13)

The General Manager commented that since the posting of this agenda a request was received from LAFCO for the Garden Grove Sanitary District to adopt the Resolution that is before you.

It was moved by Member Rosen, seconded by Member Leyes, and carried by unanimous vote, that the Resolution be brought forward for discussion.

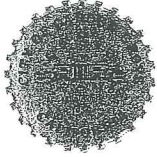
The General Manager noted that the City of Anaheim and the County of Orange are involved in an annexation process. Anaheim did not include a provision to transfer the sewer services that are currently provided by the Garden Grove Sanitary District to the City of Anaheim. He indicated that when Garden Grove became aware of the proceedings, it was requested that a condition be included in the proposed resolution that Anaheim would present a signed MOU on how this transfer would take place. At the hearing, a LAFCO Board member requested that this condition be removed. The Board approved the resolution without this condition. Garden Grove submitted a request for reconsideration of its request. This resolution would commence a process to have the proposed area detached from the Garden Grove Sanitary District and transferred to the City of Anaheim.

RESOLUTION NO. 3685

It was moved by Member Leyes, seconded by Member Rosen, and carried by unanimous vote, that full reading of Resolution No. 3685 be waived, and said Resolution entitled A RESOLUTION OF THE GARDEN GROVE SANITARY DISTRICT, A RESOLUTION OF THE BOARD OF DIRECTORS OF AUTHORIZING DISTRICT STAFF TO INITIATE DETACHMENT PROCEEDINGS WITH RESPECT TO THAT LAND AREA PROPOSED TO BE ANNEXED BY THE CITY OF ANAHEIM AS DESCRIBED IN LAFCO RESOLUTION RO 05-14, be and hereby is adopted.

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CITY OF GARDEN GROVE



William J. Dalton
Mayor
Mark Rosen
Mayor Pro Tem
Harry J. Krebs
Council Member
Mark Leyes
Council Member
Janet Nguyen
Council Member

(714) 741-5100

March 21, 2005

Ms. Joyce Crosthwaite
Executive Director
Orange County LAFCO
12 Civic Center Plaza, Room 235
Santa Ana, CA 92701

Dear Ms. Crosthwaite:

I am writing to request a determination from LAFCO that Condition number 1 of Reorganization No. 141 has been fully met, and that any future action regarding the Commission mentioned in Condition number 1 is at the sole discretion of the Board of Directors of the Garden Grove Sanitary District.

Condition number 1 of Reorganization No. 141 requires the submission of a plan for the formation of an advisory commission. The described commission was established by Resolution 7960-97 on April 14, 1997. Letters were sent on April 15, 1997, inviting each of the members of the Sanitary District Board to serve on the advisory commission. All of these members declined to participate.

The advisory commission was inserted into the terms and conditions to ensure that those outside of the City of Garden Grove, but within the district, would have a forum in the event that the City chose to treat those areas in a discriminatory or otherwise inequitable manner.

During the nearly eight years that the City has operated the Sanitary District as a subsidiary district, we have treated all areas of the district in the same manner, regardless of where they lie relative to the City's boundaries. The District is treated as a unified system, rather than as a "city" system and an "unincorporated" system, and is operated under a set of business principles in a professionally sound manner.

In addition to discipline of the overriding business principles adopted in operation of the District, new, strict regulations for sanitary sewers adopted by the Santa Ana Regional Water Quality Control Board make any deviation from a purely professional treatment of the portions of the District outside of the City a legally and financial hazardous proposition. Because the District is treated in a unitary manner for regulatory purposes, it would be impossible to treat any portion of the