



TULARE COUNTY LOCAL AGENCY FORMATION COMMISSION

210 N. Church Street, Suite B, Visalia 93291 Phone: (559) 623-0450 FAX: (559) 733-6720

COMMISSIONERS:
Richard Feder, Chair
Maribel Reynosa, V-Chair
Pete Vander Poel
Dennis Mederos
Dennis Townsend

LAFCO MEETING AGENDA
October 9, 2024 @ 2:00 P.M.
BOARD OF SUPERVISORS CHAMBERS
COUNTY ADMINISTRATIVE BUILDING
2800 West Burrel Avenue
Visalia, CA 93291

ALTERNATES:
Larry Micari
Fred Sheriff
Steve Harrell

EXECUTIVE OFFICER:
Ben Giuliani

ADDENDUM

NOTE: This meeting will allow members of the public to participate, observe, and provide public comments during the meeting via Teleconference.

The toll free call-in number for this meeting is: 888-475-4499 | Meeting ID: 876 2737 6776 | Passcode: 399803
Although members of the public are able to participate via teleconference, Commissioners and LAFCo Staff will participate in person. LAFCo has designated the physical location noted above for any persons wishing to participate in person.

IV. Action Items and Presentations

- 7. Protest Hearing for the formation of Consolidated Water District, Case 1585 (Pages 01-04)
[Public Hearing]..... Recommended Action: Order to Election or Terminate

The proposed formation will be ordered to election if landowner-voters representing less than 50% of the land value within the proposed district file protests. The proposed formation will be terminated if landowner-voters representing 50% or greater of the land value within the proposed district file protests.

NOTE: Persons wishing to speak on any of the agenda items who have made a political contribution of more than \$250 to any commissioner in the last twelve months must indicate this when speaking.
In compliance with the Americans with Disabilities Act, if you need special assistance to participate in this meeting please contact LAFCO Staff at 559-623-0450. Documents related to the items on this Agenda submitted to the Board after distribution of the Agenda packet are available for public inspection at 210 N Church Ste. B Visalia CA 93291

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**TULARE COUNTY LOCAL AGENCY FORMATION COMMISSION
PROTEST HEARING REPORT**

October 9, 2024

Case 1585 Consolidated Water District Formation

- PROPOSAL:** On September 4, 2024, the Commission approved a request submitted by landowner petition sponsored by the Consolidated People's Ditch Company in association with the Farmer's, Persian and Watson Ditch Companies for the formation of the Consolidated Water District.
- LOCATION:** The proposed boundaries of the Consolidated Water District (CWD) is located within Tulare County roughly bounded by the Kaweah River to the North, Road 196 to the East, The Tule River to the South, and the Cities of Visalia, and Tulare on the West. *(Figure 1)*
- SIZE:** The formation consists of approximately 80,000 acres.
- CONSENT:** The formation area was determined to be inhabited and 100% consent was not received. Therefore, as a landowner-voter district, the protest rules set forth in Government Code (GC) Section 57078(c) shall apply.
- NOTICE:** The protest hearing was noticed in accordance with GC §57025.

DISCUSSION:

A protest hearing is required before the proposed formation of the Consolidated Water District can be ordered to an election. The following applies for protest thresholds pursuant to GC §57078(c):

In the case of any reorganization or change of organization, a majority protest shall be deemed to exist and the proposed change of organization or reorganization shall be terminated if the commission finds that written protests filed and not withdrawn prior to the close of the hearing represent the following:

In the case of a landowner-voter district, 50 percent or more of the voting power of the voters entitled to vote as a result of owning land within the district.

For landowner-voter districts land value (without improvements) is the basis for voting (\$1 = 1 vote). The total land value within the proposed district is \$922,325,159. No protests have yet been received.

RECOMMENDATION:

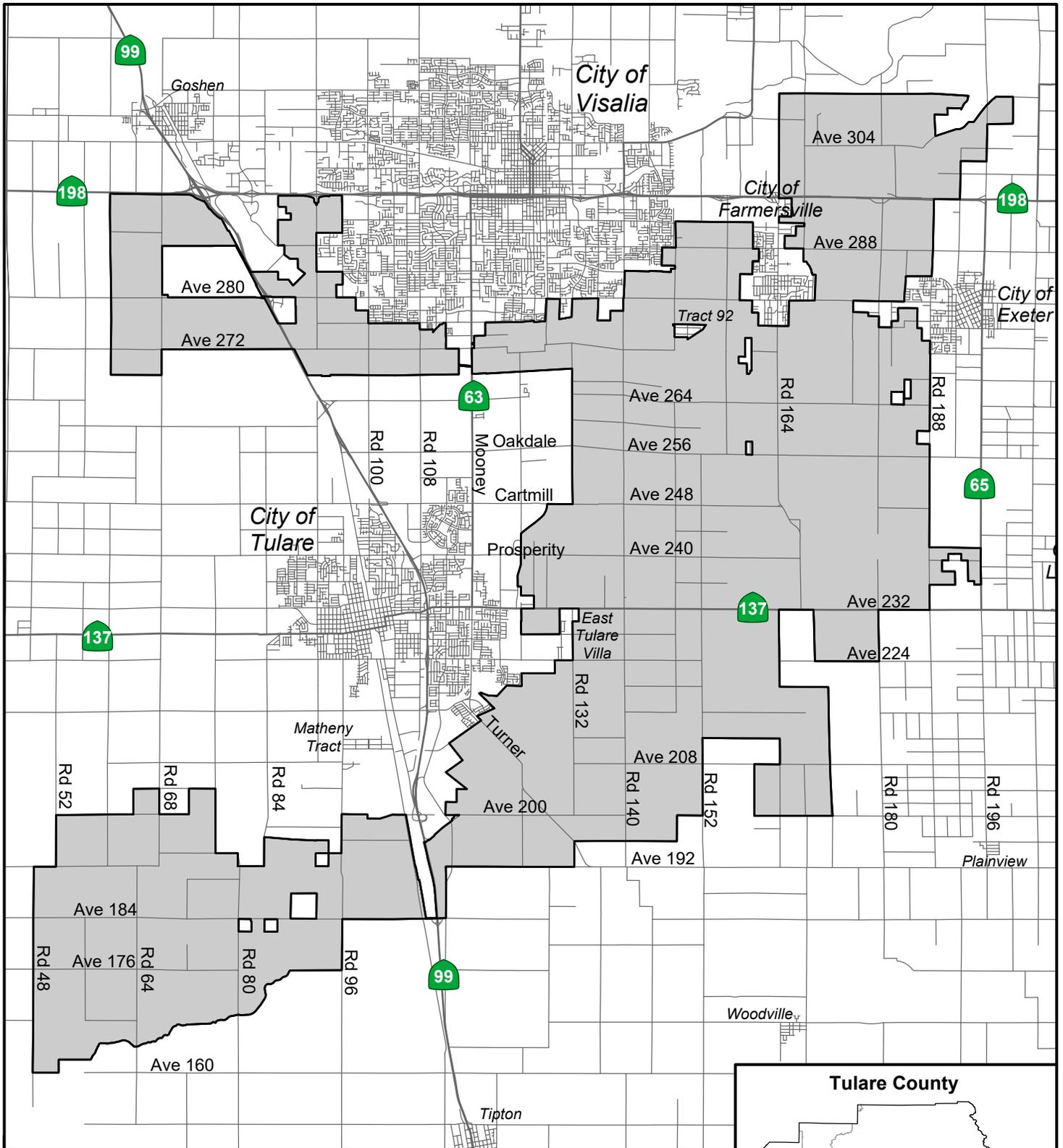
In accordance with GC §57078(c), the Commission must now adopt a resolution making a finding regarding the value of written protests filed and not withdrawn by landowners within the proposed district boundaries and take one the following actions:

- 1) Order the consolidation subject to an election if the value of written protests are less than 50% of the of the total land value within the affected territory.
- 2) Order the consolidation as terminated if the value of written protests are 50% or greater than the of the total land value within the affected territory.

ATTACHMENTS:

Figure 1 – Site Location
Figure 2 – Resolution

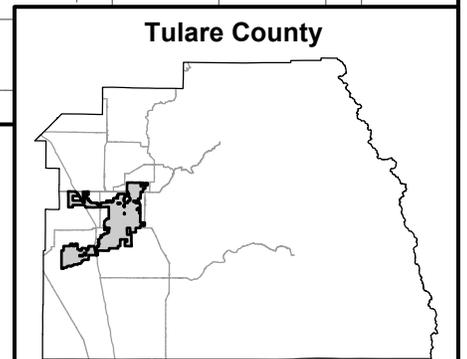
LAFCO Case 1585 (Proposed Consolidated Water District)



 Site Location
 Roads



The proposed Sphere of Influence is coterminous with the proposed district boundaries.



BEFORE THE LOCAL AGENCY FORMATION COMMISSION
OF THE
COUNTY OF TULARE, STATE OF CALIFORNIA

In the Matter of the Protest Hearing for LAFCO)

Case No. 1585 Consolidated Water District) **RESOLUTION NO. 24-0##**

WHEREAS, this action is being taken pursuant to the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 (Government Code Sections 56000 et seq.); and,

WHEREAS, the Local Agency Formation Commission of County of Tulare adopted Resolution No. 24-013 on September 4, 2024, making determinations and approving the proposed change of organization described in Exhibit "A" attached hereto and by this reference incorporated herein; and

WHEREAS, the formation was determined to be inhabited, meaning that there are 12 or more registered voters residing in the territory of the district and that the formation is for a landowner-voter district. Therefore, the protest rules set forth in Government Code Section 57078(c) shall apply; and

WHEREAS, a public hearing for the protest of this formation was called for and held by the Executive Officer of this Commission on October 9, 2024 at the time and place for which notice was given; and

WHEREAS, written protests were filed and not withdrawn by landowner-voters representing less than 50% *<or 50% or greater than>* of the total land value within the formation area; and

WHEREAS, if written protests have been filed and not withdrawn by landowner-voters representing less than 50% of the total land value within the affected territory

pursuant to GC §57078(c), the Commission shall order the formation subject to the approval by the voters pursuant to Water Code §34400. *<OR: if written protests have been filed and not withdrawn by landowner-voters representing 50% or more of the total land value within the affected territory pursuant to GC §57078(c), the Commission shall order the formation terminated>*

NOW, THEREFORE, BE IT RESOLVED, DETERMINED AND ORDERED as follows:

1. The change of organization referred to as LAFCO Case No. 1585 Consolidated Water District Formation is hereby ordered subject to the approval by the voters. *<or: terminated>*

The foregoing resolution was adopted upon motion of Commissioner xxxx and seconded by Commissioner xxxxx, at a regular meeting held on this 9th day of October, 2024, by the following vote:

AYES:

NOES:

ABSTAIN:

PRESENT:

ABSENT:

Benjamin Giuliani, Executive Officer