

All containers of tomatoes shall bear upon them in plain sight and in plain letters on one outside end, side or top: the name of the person who authorized the packing of the tomatoes together with a sufficiently explicit address to permit ready location of such person; and on one outside end, when wrapped and packed, numerical description of the pack in the top layer. If a bridge pack is used the designation "bridge pack" shall be imprinted in plain letters one inch in height and in plain sight on the lid of the container.

The designation "bridge pack" shall not be required to be marked on containers of tomatoes packed by the double-wrap method.

SEC. 2. Section 820.1 is added to said code, to read:

820.1. All tomatoes shall be in standard containers numbers 22C, 53, 54, 55, 56, or 57, except tomatoes which are green and wrapped, or vine-ripened tomatoes may be in other size containers.

SEC. 3. Section 828.81 is added to said code, to read:

828.81. Tomato Lug 53_____11-15/16 x 11-15/16 x 18-3/4
 Tomato Lug 54_____10-5/8 x 10-5/8 x 17-3/16
 Tomato Lug 55_____10 to 11 x 11-3/8 x 18-1/2
 Tomato
 Lug 56_____9-1/8 to 10 x 11-3/8 x 18 to 18-1/2
 Tomato
 Lug 57___10-1/4 to 11-1/4 x 10-11/16 x 16-3/8

CHAPTER 1808

An act to add Chapter 6.6 (commencing with Section 54775) to Part 1, Division 2, Title 5 of the Government Code, relating to the formation of cities and districts.

[Approved by Governor July 17, 1963 Filed with
 Secretary of State July 19, 1963]

The people of the State of California do enact as follows:

SECTION 1. Chapter 6.6 (commencing with Section 54775) is added to Part 1, Division 2, Title 5 of the Government Code, to read:

CHAPTER 6.6. LOCAL AGENCY FORMATION COMMISSION

54775. As used in this chapter:

(a) "Commission" means a local agency formation commission.

(b) "Special district" means an agency of the State for the local performance of governmental or proprietary functions within limited boundaries. "Special district" does not include the State, a city, a county, or a school district. "Special district" does not include a special assessment district formed

under the Improvement Act of 1911, the Municipal Improvement Act of 1913, the Street Opening Act of 1903, the Vehicle Parking District Law of 1943, the Parking District Law of 1951, the Pedestrian Mall Law of 1960, or similar assessment law, or similar procedural ordinance adopted by a chartered city. "Special district" does not include an improvement district or zone formed for the sole purpose of designating an area which is to bear a special tax or assessment for an improvement benefiting that area.

(c) "Local agency" means city or special district.

54775.1. As used in Sections 54776, 54776.1, 54776.2, 54776.3, and 54779:

(a) "County officer" means:

- (1) Member of the board of supervisors.
- (2) County clerk.
- (3) County auditor or county controller.
- (4) County assessor.
- (5) County surveyor or county engineer.
- (6) County registrar of voters.

(b) "City officer" means mayor or member of a city council or legislative body of the city.

54776. There is hereby created in each county of the State a local agency formation commission.

Except as provided in Sections 54776.1 and 54776.2, the commission shall consist of five members, selected as follows:

(a) Two representing the county, each of whom shall be a county officer, appointed by the board of supervisors.

(b) Two representing the cities in the county, each of whom shall be a city officer, appointed by the city selection committee.

(c) One representing the general public, appointed by the other four members of the commission.

54776.1. If there is no city in the county, the commission shall consist of five members, selected as follows:

(a) Three representing the county, each of whom shall be a county officer, appointed by the board of supervisors.

(b) Two representing the general public, appointed by the other three members of the commission.

54776.2. If there is only one city in the county, the commission shall consist of five members, selected as follows:

(a) Two representing the county, each of whom shall be a county officer, appointed by the board of supervisors.

(b) One representing the city, who shall be a city officer, appointed by the legislative body of the city.

(c) Two representing the general public, appointed by the other three members of the commission.

54776.3. A city or county officer may serve as a member of the commission while holding office as a city or county officer.

54777. Except as provided in this section, the term of office of each member shall be four years and until the first appointment and qualification of his successor. The first mem-

bers of the commission shall classify themselves by lot so that the term of office of one member is one year, of one member is two years, of two members is three years and of one member is four years. The power which originally appointed a member whose term has expired shall appoint his successor for full term of four years. Any member may be removed by the power appointing him.

Any vacancy in the membership of the commission shall be filled for the unexpired term by appointment by the power which originally appointed the member whose position has become vacant.

The chairman of the commission shall be selected by the members thereof.

Commission members shall serve without compensation but shall be reimbursed the actual amounts of their reasonable and necessary expenses incurred in attending meetings and in performing the duties of their office.

54778. For the purposes of this chapter there shall be a city selection committee for each county. The membership of such committees shall consist of the mayor of each city within such county, or, where there is no mayor, the chairman or president of the city council.

A majority of the members of each city selection committee shall constitute a quorum.

The city selection committee of each county shall meet within 60 days after the effective date of this chapter for the purpose of making the first appointments to the commission. The committee of each county shall thereafter meet on the second Monday in May of each year that it is necessary to make succeeding appointments to the commission.

54779. If a member ceases to be an officer of the entity he was appointed to represent on the commission, his membership on the commission shall thereafter be considered vacant.

54780. The commission shall have the following powers and duties subject to the limitations upon its jurisdiction herein set forth:

(1) To review and approve or disapprove with or without amendment, wholly, partially or conditionally, the following:

- (a) Proposals for the incorporation of cities.
- (b) Proposals for the creation of special districts.

(2) To adopt standards and procedures for the evaluation of proposals for the creation of cities or special districts.

54781. (a) Before a notice of intention to circulate a petition seeking the incorporation of a new city may be filed the proponents shall file a notice of intention to form the new city with the commission. The notice shall contain the specific boundaries of the territory proposed to be incorporated.

(b) After the provisions of Section 34303.5 have been complied with, and within 10 days after the date the clerk of the board of supervisors certifies, pursuant to Section 34306 of

the Government Code, that a petition is properly signed and correctly describes the boundaries of the proposed city, the clerk shall notify the commission of such action. No further action shall be taken concerning the proposed incorporation until the commission has rendered its decision as provided in Section 54787.

54782. (a) Before proceedings are initiated to form a special district the proponents of the creation of such district shall file a notice of intention to form the special district with the commission. The notice shall contain the specific boundaries of the proposed district and a description of the kind of district proposed to be formed. For the purpose of this subdivision proceedings to initiate the formation of a special district mean:

(1) The circulation of a petition to form a special district or the filing of notice to circulate such a petition if such notice is required.

(2) The adoption of a resolution or ordinance by the board of supervisors initiating the formation of a special district.

(b) After the provisions, if any, of law requiring the submission of the boundaries of the proposed special district to the county boundary commission for review have been complied with, and within 10 days after the determination by the appropriate officer or body as to the sufficiency of the petition, or, if proceedings have not been initiated by petition, within 10 days after the boundaries of the proposed district have been finally determined by the agency having the power to make such determination, the officer, body, or agency making such determination shall notify the commission of such action. No further action shall be taken concerning the proposed formation until the commission has rendered its decision as provided in Section 54787.

54784. Following receipt of the notice prescribed by subdivision (b) of Section 54781 or subdivision (b) of Section 54782, the commission shall set the date, time, and place for a public hearing on the proposal. The date of the hearing shall not be more than 60 days following receipt by the commission of the notice heretofore described in this section. The commission shall notify the governing body of each city or special district having jurisdiction within the boundaries of the proposed city or district, the governing body of each city within three miles of the exterior boundaries of the proposed city or district, any interested party who has filed a written request with the executive officer of the commission for such notice, and the proponents of the formation petition, of the date, time, and place of the public hearing, at least 15 days prior to the date fixed for the hearing. In addition, notice of the hearing shall be published pursuant to Section 6061 in a newspaper of general circulation in each city or special district within the boundaries of the proposed city or district at least 15 days prior to the date fixed for the hearing. The hearing shall be

held at the county seat of the county or one of the counties in which the city or district is proposed to be formed, or in a city or other place in the county designated by the commission.

54785. At the hearing, the commission shall hear any interested parties having made formal request to appear and be heard, and the report of the commission's staff. The commission and its presiding officer shall have the power to make and enforce such rules and regulations as will provide for orderly and fair conduct of the hearings.

54786. Factors to be considered in the review of a proposal for the creation of a proposed city or district shall include but not be limited to:

(1) Population; population density; land area and land uses; per capita assessed valuation; topography, natural boundaries, and drainage basins; proximity to other populated areas; the likelihood of significant growth in the area, and in adjacent incorporated and unincorporated areas, during the next 10 years.

(2) Need for organized community services; the present cost and adequacy of governmental services and controls in the area; probable future needs for such services and controls; probable effect of the proposed formation and of alternative courses of action on the cost and adequacy of services and controls in the area and adjacent areas.

(3) The effect of the proposed formation, and of alternative actions, on adjacent areas, on mutual social and economic interests and on the local governmental structure of the county.

54787. Upon conclusion of the hearing, the commission may take the matter under consideration and shall, within 30 days following conclusion of the hearing, present its determination. The commission may also adjourn a hearing from time to time, but not to exceed a total of 60 days.

If the commission approves the formation of the proposed city or district, proceedings for its formation may be continued as otherwise provided by the governing law. If the commission disapproves the proposed formation, further proceedings to form the city or district shall terminate. If the commission approves the proposed formation with modifications or conditions, further proceedings for the formation may be continued only in compliance with such modifications or conditions.

54788. The board of supervisors shall furnish the commission with necessary quarters, equipment, and supplies, and the usual and necessary operating expenses incurred by the commission shall be a county charge.

54789. If the commission disapproves the formation of the proposed city, no notice of intention to form a new city composed of the same or substantially the same territory may be filed with the commission for at least one year after the date of disapproval.

If the commission disapproves the formation of the proposed special district, no notice of intention to form a special district, under the same provisions of law providing for the formation of the special district which was disapproved, which is composed of the same or substantially the same territory may be filed with the commission for at least one year after the date of disapproval.

54790. The county boundary commission shall render advisory services to the local agency formation commission upon its request. The staff of each member of the county boundary commission shall be available to the local agency formation commission to assist it in carrying out its functions under this chapter.

54791. The commission may appoint an executive officer who shall conduct and perform the day-to-day business of the commission. If the commission does not appoint an executive officer, the county administrator, or, if there is none, the county clerk, shall act as executive officer for the commission.

To the extent that the assistance rendered to the commission under Section 54790 is insufficient for its needs, the commission may appoint and assign staff personnel necessary for the performance of its duties and functions and the commission may employ or contract for professional or consulting services to carry out and effect the functions specified in this chapter.

The commission may also incur usual and necessary expenses for the accomplishment of its functions.

SEC. 2. If this bill and Senate Bill No. 861 are both enacted at the 1963 Regular Session of the Legislature, a local agency formation commission shall be formed in each county pursuant to Chapter 6.6 (commencing with Section 54775) of Part 1, Division 2, Title 5 of the Government Code and no local agency annexation commission shall be formed in any county pursuant to Chapter 6.5 (commencing with Section 54750) of said part. In such case, the local agency formation commission shall have all of the powers vested in the commission by said Chapter 6.6 and, in addition, shall in each county, notwithstanding Government Code Section 54751, have all the powers vested by said Chapter 6.5 in a local agency annexation commission and said Chapter 6.5 shall apply in every county in the State.

SEC. 3. This act shall not apply to proceedings to form a city or special district which are initiated prior to the time when the first members of the commission created by this act are selected in the county in which lies the territory to be included in the proposed city or special district.

In the case of proceedings to form a new city proceedings are initiated for the purposes of the section by the filing of a notice of intention to circulate a petition seeking the incorporation of a new city.