

AVEK... A Travesty

The theory of "one man, one vote" is supposed to give everyone a right to vote on issues pertaining to his general welfare, especially taxes. But, some legislation this so-called representative government dishes up to us every once in a while, even by our State Legislature, benefits only special interests to the detriment of the people which it is supposed to represent.

A glaring example of this, that is, a case in point is the Antelope Valley East Kern Water District, better known as AVEK.

AVEK was created by the State Legislature in the last few days of the 1959 legislative session in a climate of broken promises and political shenanigans without approval of the legislative counsel, without proper readings, or committee hearings.

The AVEK Bill was hurriedly passed by an uninformed State Legislature which act must forever be adjudged as a miscarriage of legislative procedure.

AVEK is an unlimited taxing agency — a malignant tax eating, cancerous bureaucracy — with many taxing tenacles which are constantly reaching into the taxpayers' pocket, for more money. It has the power to tax without the consent or approval of the voter, and having the "powers of a city" it need not give a financial statement to the people for money it spends.

Inasmuch as the legal time limit of the 1959 legislative session had elapsed when any new legislation could legally be placed in the "legislative hopper" Assemblyman Allen Miller subverted and abridged the State Constitution *1) when he tied an amendment to Senate Bill No. 1068 thereby creating AVEK without the general knowledge or the right of the people to voice any opposition. Three years later, Assemblyman Lanterman referred to this act as the, "CABOOSE LAW." *2) — .64.

Mr. Lanterman also stated, "The sculduggery which appears in this thing is that somebody got to the Governor's Office . . . So now they are stuck clear up to their eyeballs and can't get out of here unless we blast them out again with

another legislative action—and I think this simply—is the story of this kind of miscarriage of legislative procedure and never again will I agree as a member of a committee, to accept an amendment this big—which was an agency in itself." *2) — P. 41.

At this same Assembly Hearing, Mr. Skelton, AVEK's President stated "After some of the statements made here . . . it made me feel that maybe I'd better take inventory, that we're kind of a bunch of bad boys. I'm one of the seven directors that was appointed by 'Governor Brown.' *2) — P. 90 To which Assemblyman Lanterman replied:

"The question that I have raised about this at all times was the manner in which this (AVEK) was introduced at the last minute in the closing days of the session. We shouldn't have major legislation of the kind that created AVEK brought before us without the opportunity for everyone involved to have a hearing before their Legislature. This is one of the basic issues that I have made all along — that this was put in as an amendment on a Senate Bill without hearing or notice. There is no file notice (on amendments) required, Mr. Skelton, to alert people relating to their right to be heard on an amendment of this kind. That should not be permitted. The issue that I have raised is very simple; that any misunderstanding, any disagreement or any lack of equity that is involved in a matter of this kind should be rectified period!" *2)

To which Mr. Skelton replied, "I agree with you!" *2) — P. 91-92

Another Report stated, "Witnesses at the Bakersfield hearing reviewed the unusual circumstances under which AVEK was created WITHOUT A VOTE OF THE LOCAL RESIDENTS and through unusual legislative action. Senator Walter Stern, who represents the east Kern portion of the agency stated that the ACT creating AVEK did not go through normal legislative procedures. Senator Stern described what he called the 'bizarre way that this Bill bounced around before

it became enacted into law". *3) — P. 27

If the State Legislature had acted in good faith, and had applied the much vaunted democratic processes, and had not served special interests as it did, it would have submitted AVEK to a vote of the people and would not have arbitrarily foisted this monstrosity upon an unsuspecting populace. And, since AVEK was created without the knowledge or vote of the people, it is utterly "repugnant" to them. Consequently, AVEK should be dissolved — if not dissolved, then that portion overlapping Lancaster's Water District No. 4 should withdraw as well as any other populated area that has plenty of low cost water.

The truth of how utterly "repugnant" AVEK is, was proven several years ago when AVEK put a \$1,000,000 Flood Control Bond to a vote of the people which was an attempt to get a vote of confidence from the community. AVEK spent a barrel of money to prove we were all going to be flooded unless the ONE MILLION DOLLAR BOND was approved — and AVEK's Bond issue was soundly defeated two to one by a vote of the people.

Later it was revealed that the State Department of Highways already had active plans in the "hopper" to construct this Flood Control ditch along the AV Freeway — which it did — out of gas tax money already paid. Go take a look — at this ditch along the Freeway north of Avenue "I". The State also built a lake on Avenue "H" to trap the flood waters. AVEK was thwarted in its \$1 million power grab.

In retrospect then, it would seem that AVEK wanted to win this "sure-fire" Bond election to establish itself as a respectable and legitimate entity in our society, by taking credit for the large flood control system project constructed and paid for by the Division of Highways. The AVEK-Directors were fooled while the people were saved \$1 million in taxes.

To document the above we again quote from the Assembly Interim Committee on Water, "The agency was the prime sponsor of

a million dollar bond issue designed to finance a flood control improvement district. AVEK residents overwhelmingly voted to reject this . . . (at the) September 22, 1964 special election — almost 70 per cent voted against the bond issue." *3) — P. 31

The SWAN-SONG of Mr. Lunt, AVEK's former Director-Manager illustrates the snow job that was done when he said, "The measure (Bond issue) was supported by most service organizations and newspapers — yet the issue was soundly defeated." *4) — P. 11. Part 4. Indeed it was! — two to one. The bond issue failed in every precinct. And we must defeat it again — and we can if we all go vote "NO" February 16, 1971.

But, one thing appears quite certain, AVEK is a boon to special interests, especially to bond salesmen, land-speculators, contractors, and a whole generation of water engineers.

However, it is apparent that not all of the land-speculators are "outsiders" — some apparently are of a local vintage since certain individuals rushed out and purchased land in the "Buttes Area" west of Lancaster when it became known that AVEK was planning to spend some 12 to 15 million tax dollars for a lake. Some owners of this land were even serving on the AVEK Board of Directors thereby creating a definite "conflict of interest." To those who are guilty we say, "If the shoe fits — wear it!" Perhaps a grand jury investigation is in order. And, what's more to add insult to injury, the AVEK Directors have the audacity to pay themselves \$20 a meeting, three meetings a month for a total of \$60 a month, plus traveling expenses.

It should be further pointed out that an eminent geologist has stated, the plans which call for the construction of this lake west of Lancaster is astride an active earthquake fault — and this could end in tragedy if the dikes should break — it could flood the valley (if not indeed Lancaster) as it happened in Baldwin Hills a few years ago when the dam gave way flooding the homes below.

At one of the Legislature's Committee Hearings, Mr. Warner S. Briggs, (now deceased) Secretary Manager of El Dorado and West Side Park Mutual Water Companies, testified that he "did not agree that the Mutual Water Companies' service area would benefit from continued inclusion in AVEK because water levels in the companies' wells were dropping only from two to three feet a year" . . . "we'll be in good shape for a long, long time," Mr. Briggs said. *5) — P. 17. Accordingly, through the wisdom and foresight of Mr. Briggs, he succeeded in excluding his water companies comprising some several hundred acres from the AVEK area while the rest of us are stuck with it.

At an Assembly Interim Committee on Water, Mr. Lunt, AVEK's former Executive Director Manager was asked "Who are these people?" that is, who are behind AVEK? He replied, "They are a resident Committee in Lancaster, representing the (Lancaster) Chamber of Commerce Water Committee." *2) — P. 26.

Mr. Lunt also stated under questioning, "Now, with the destruction of the ground water basin . . . the banks were concerned about the future of this area . . ." *2) — P. 36

Parenthetically, it would seem then, that the Banking System would like to sell "income tax free" high interest bonds placing a further indebtedness on the poor, unsuspecting, victimized property owner.

To better understand the importance of "Bonds" read article by this writer titled, THAT BOND SALESMAN IS AT IT AGAIN.

By way of contrast to the above in an undated Bulletin, the Lancaster Chamber of Commerce quoted from a Report issued by Division Engineer James T. Rostrom of the Los Angeles County Water District No. 4 who said, "Lancaster's Water District No. 4 has a water system which is capable of meeting all demands imposed upon it and the water supply is entirely adequate for many years to come. The supply is obtained from deep wells drilled in-

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The supply is obtained
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to a very large ground wa-
ter basin known as the Lan-
caster Basin. The rate of
decline of the water table
is approximately six feet
per year, not an alarming
rate since the average
pumping level is about 200
feet below ground while
most of our wells are
drilled to a depth in excess
of 600 feet....

"In the Central Basin,
particularly in the com-
munity of Lancaster, we
can foresee no water short-
age for many years to
come, EVEN IF AN IM-
PORTED (AVEK) WATER
SUPPLY WAS NOT
AVAILABLE TO THE
AREA."*6)

The Chamber Bulletin
concluded by stating, "From
the above statistics it may
be seen that we have a com-
fortable factor of safety in
the capability of the water
system to meet all demands
that may be placed upon
it." *6

Now it seems quite ob-
vious that certain Land
Speculators and large land
developers in the outlying
areas whose land never did
have any water on it will
move heaven and earth and
the State Legislature to get
water—and if possible at
the expense of the taxpay-
ers in the Lancaster area
who have more water than
tax dollars.

And—if something isn't
done soon, the residents of
Lancaster will have neither
water nor money. Water is
already being piped out of
the Lancaster water basin
in at least two instances.

One thing no one can
deny, AVEK Directors have
taxed us out of millions of
dollars which we are so
short of, and they have not
given us one drop of water
to date.

However, if as Mr. Ros-
tron states, the average
pumping level is 200 feet
below ground, and the wells
are 600 feet deep, this still
leaves us with 400 feet of
water, which, being divided
by six feet equals 66 years
of water supply providing
we don't let Land Specula-
tors pump it out from under
us. And now the County
Water District has wells
1200 feet deep so we will
be able to pump water for
a hundred years or more.
By then, surely sea water
conversion will have been
perfected for the City of

Los Angeles thus releasing
the Owens River Water for
our use. In any event, by
then most of us now living
will have crossed over the
River Styx.

Moreover, the idea of sea
water conversion is not so
far-fetched. In a recent
news item we read, "A dual-
purpose nuclear-power wa-
ter desalting plant in the
Santa Barbara-Ventura
area of California has been
described as a distinct pos-
sibility.

"The Metropolitan Water
District of Southern Cali-
fornia submitted a state-
ment expressing continued
interest in building and
testing a large desalting
project at Bolsa Island by
the mid-1970's."*7)

In the opinion of this
writer, if the AVEK Direc-
tors don't understand these
very simple facts, it's time
they come back to earth
and become educated in the
realities of life.

Foot Notes:

(1) Article IV, Sec. 2 of
the 1959 State Constitution
states in part: "All general
sessions... shall continue
for 30 days; whereupon a
recess... must be taken
for 30 days. On re-assem-
bling of the Legislature, no

bill shall be introduced in
either house without the
consent of three-fourths of
the members thereof..."
The AVEK Bill was not in-
troduced within the Consti-
tutional limitation as to
time, and because the Con-
stitutional time limit had
expired it was not legally
admissible. And it was not
introduced by three-fourths
of either house making it
illegal on that score. More-
over, it could hardly be
called an amendment be-
cause it was in fact an en-
tirely new Bill as long or
longer than the Bill it was
tied to.

(2) Assembly Interim
Committee on Water. —
November 14, 1962.

(3) Assembly Committee
on Water, January 1965,
Vol. 26, No. 14.

(4) AVEK Report on Water
Importation and Resources
Development. — December
1965.

(5) A Report of the Assem-
bly Interim Committee on
Water. — Vol. 26, No. 6,
December 1962.

(6) The Rostron Report
dated May, 1964.

(7) Los Angeles Herald
Examiner, Saturday, April
26, 1969. — P. A.3.

Written by John N. England

THIS AD PAID FOR BY:

STOP COMMITTEE

I am enclosing \$..... to help
in the battle to STOP the AVEK \$49 Million
Bond, I have plenty of water and my taxes are
too high.

Name.....

PLEASE PRINT

Address.....

Town.....

PLEASE MAKE CHECKS TO:

TOP

STAXING

STOP

VERTAXED

PROPERTY

COMMITTEE, P.O. Box 152

LANCASTER, CALIF. 93534

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