

Monterey Park Tract Community Service District
Civil Grand Jury Case No. 09-14C
2008/2009

SUMMARY

The 2008/2009 Stanislaus County Civil Grand Jury received a complaint regarding the eligibility status of a board member on the Monterey Park Tract Community Service District.

The complaint alleges that the Vice President is not eligible to serve on the board due to the residency requirement.

BACKGROUND

- Monterey Park Tract Community Service District is a water district serving approximately 48 residences.
- All directors are required to be registered voters within the service district.

METHODS OF INVESTIGATION

- Conducted interviews with the complainant and two board members.
- Interviewed Special District Liaison for the Board of Supervisor of Stanislaus County.
- Obtained documentation regarding residency of board member in question from the County Voter Registrar Office.
- Reviewed "committee fact sheet" of the Monterey Park Tract Community Service District obtained from the Stanislaus County website.
- Pertinent information was received from the County Board of Supervisors.
- Reviewed Government Code Section 1780 that governs board member replacement.
- Consulted with the District Attorney's office.

FINDINGS

- The Vice President does not meet the residency requirements.
- It was determined that a vacancy has existed on the Monterey Park Tract Community Service District for several years.
- According to Government Code Section 1780 the vacancy position(s) should have been filled by the governing Service district or the County Board of Supervisors.
- County Special District Liaison acknowledged that filling special district vacancies is a recurring problem.
- Training for board members offered by Stanislaus County is not mandatory.

RECOMMENDATIONS

- The Civil Grand Jury recommends that the Vice President resign or be removed from office since he does not meet the residency requirement.
- Special District Liaison should take a more active role in the operations of Special Districts.
- Periodic training for Special District Board members be mandatory.
- The governing board for Monterey Park Tract Community Service District and the County Board of Supervisor take action to fill existing vacancies.
- If the Board is unable to fill vacancies, the County should consider absorbing the Monterey Park Tract Community Services District into an appropriate existing water district.

RESPONSE

Monterey Park Tract Community Service District
Stanislaus County Board of Supervisor, District 5
Special District Liaison for the Stanislaus County Board of Supervisors