

STRATFORD PUBLIC UTILITY DISTRICT

March 18, 2010

SYNOPSIS

The Grand Jury investigated and made determinations on a three-part complaint concerning Stratford Public Utility District (SPUD).

WHY THE GRAND JURY INVESTIGATED

A complaint was received against SPUD concerning Proposition 218, violations of the California Public Records Act and the Ralph M. Brown Act.

AUTHORITY

California Penal Code Section 933.5. The Grand Jury may at any time examine the books and records of any special-purpose assessing or taxing district in the County.

METHOD OF INVESTIGATION

A trip was made by the Grand Jury to Stratford to determine if SPUD's meeting agendas were properly posted in public places. Copies of the minutes and agendas of SPUD board meetings were received and reviewed by the Grand Jury.

BACK GROUND AND FACTS

SPUD was formed in 1930. It is governed by five directors who are elected at large with staggered terms. The district has two full-time employees: the district manager and the office manager. A part-time employee is hired to perform certain duties. Kings County acts as the district's treasurer. The district provides water service, sanitary service, garbage collection and maintains street lights for an average of 780-800 customers.

FINDINGS AND RECOMMENDATIONS

Finding 1 No violation of Proposition 218 was found.

Recommendation 1 None

Finding 2 No violation of the California Public Records Act was found

Recommendation 2 None

Finding 3 Pertaining to the Ralph M. Brown Act, the Grand Jury found that wording on the agenda items could be misleading.

Recommendation 3 Agendas should be clearly worded regarding action items.

COMMENTS

Agendas were properly posted. It was noted that wording on the agendas could be misleading. Often items were listed, followed by “no action required”, when indeed action was subsequently taken.

RESPONSE REQUIREMENT

Penal Code Section 933 requires that specific responses to both the finding and recommendation contained in this report be submitted to the Presiding Judge of the Superior Court of Kings County.

The Stratford Public Utility District Board of Directors has 90 days from the receipt of this report to respond.