

PLACER COUNTY WATER AGENCY RESIDENCY ISSUE OF ELECTED BOARD MEMBER COMPLAINT 99A-06

Summary

Early in 1999, two members of the public addressed the Board of Directors of the Placer County Water Agency (PCWA) and questioned whether the Director of District #4 resided within his district. PCWA by-laws require that directors reside continuously in the district they represent. The Board elected to refer the matter to the Placer County Grand Jury for investigation.

The Grand Jury interviewed a number of witnesses and searched public records in both Placer and Sacramento County. It was possible to document, with one minor exception, where the Director lived from the time he was elected to serve on the PCWA board to the present. Whether or not the Director fulfilled PCWA's residence requirements is subject to legal interpretation and a matter for PCWA Board of Directors to decide, as the Grand Jury recommendation will indicate.

Discussion

The Grand Jury has completed a thorough and comprehensive investigation of the various residences of the PCWA Director for District #4, including the time period during which he was a candidate for the position on the Board of Directors, as well as the period he has served on this Board, up to the present. The Grand Jury interviewed several witnesses and searched public records in Placer and Sacramento Counties.

As late as January 20, 2000, Department of Motor Vehicles (DMV) records show that the Director's address was Eastern Avenue in Sacramento.

According to documents and testimony to the Grand Jury, the address on the Director's financial records, including bank statements and tax records, is Eastern Avenue in Sacramento. Records show that the Director owns the house on Eastern Avenue, which is occupied by his mother.

In 1971 the Director registered to vote in Sacramento County with an address on Eastern Avenue in Sacramento.

In September 1982, the Director purchased a house on Magnolia Avenue in Loomis, which is within District 4 and moved into that house with his wife and children.

In August 1990, the Director registered to vote in Placer County changing his address on the voter registration form from Eastern Avenue in Sacramento to Magnolia Avenue in Loomis.

On August 5, 1996, the Director filed Candidate Worksheet for PCWA District 4 election. The address listed on the worksheet was Magnolia Avenue, Loomis.

On May 27, 1997, the Director separated from his wife and moved out of the home on Magnolia Avenue.

On October 1, 1997, the Director rented and occupied an apartment in Rocklin. The address is within District 4.

The Grand Jury received conflicting testimony and was unable to determine where the Director lived from May 27, 1997 to October 1, 1997. The Director stated that he resided at the home on Magnolia Avenue but was traveling during that time.

On May 7, 1998, the Director purchased and occupied a home on Montclair Circle in Rocklin. That address is within District 4.

On August 17, 1999, the Director changed the address on his Placer County Voter Registration Form from Magnolia Avenue, Loomis to Montclair Circle, Rocklin.

Finding 1

With the possible exception of a four-month period in 1997, the Director has lived within the district he represents while serving on the PCWA Board of Directors. The Director has declared an address in Sacramento County as his residence on various documents including bank records, tax records and DMV registration.

Recommendation 1

After compiling this information, the Placer County Grand Jury has turned its findings over to the PCWA Board of Directors. We believe that armed with this information, they can make the appropriate decision in this matter.

Respondents

None