

April 8, 2013

TO: Local Agency Formation Commission

FROM: Executive Officer
Assistant Executive Officer

SUBJECT: Compensation for Ex-Officio Service on Dependent Special District

At the March 4, 2012 LAFCO meeting, Commissioner Pocklington inquired whether local ex officio officials of dependent special districts receive compensation for their service. A dependent district is: *...any special district that has a legislative body that consists, in whole or part, of ex officio members who are officers of a county or another local agency, or who are appointees of those officers, and who are not appointed to fixed terms* (Govt. Code § 56032.5). A subsidiary district, which is *dependent* to a City, has additional requirements that at least 70 percent of district territory and 70 percent of district registered voters must be within the city boundary (Govt. Code § 57105).

Eighteen of the 80 special districts in San Diego County are dependent. Eleven of the 18 are County Service Areas (CSA) under the jurisdiction of the Board of Supervisors; the San Diego County Sanitation District is also dependent to the Board of Supervisors. Four districts—Carlsbad Municipal Water District, Oceanside Small Craft Harbor District, San Dieguito Water District, and San Marcos Fire Protection District—are subsidiary to cities. The remaining two districts—Buena Sanitation and Lemon Grove Sanitation are dependent to cities—but either do not meet, or have not applied for, subsidiary status.

Your staff conducted an informal survey of the dependent agencies and found that five jurisdictions offer compensation for attendance at dependent district meetings. **Table 1** reviews the independent/dependent status of all special districts in San Diego County and lists compensation for ex officio service. Information about meeting frequency and whether related compensation is declined was not gathered.

Respectfully Submitted,

MICHAEL D. OTT
Executive Officer

SHIRLEY ANDERSON
Asst. Executive Officer

MDO:SA:ra

Table 1

	I N D E P E N D E N T		D E P E N D E N T		
	Elected Board	Appointed to <i>fixed-term</i>	Ex officio members	Subsidiary to City	Compensation offered
1. Alpine Fire Protection District	5				
2. Bonita-Sunnyside Fire Protection District	3				
3. Borrego Springs Fire Protection District	5				
4. Borrego (California) Water District	5				
5. Buena (County) Sanitation District	5		^a 5/Vista		\$147.75 per meeting
6. Canebrake County Water District	5				
7. Carlsbad Municipal Water District	5			5/Carlsbad	\$100.00 per meeting
8. Coachella Valley (County) Water District	No service in San Diego County; territory is in uninhabited Anza Borrego State Park with no assessed valuation.				
9. CSA No. 17 (San Dieguito Paramedic)			5/B of Sups		No compensation
10. CSA No. 26 (Rancho San Diego)			5/B of Sups		No compensation
11. CSA No. 69 (Heartland Paramedic)			5/B of Sups		No compensation
12. CSA No. 81 (Fallbrook Local Parks)			5/B of Sups		No compensation
13. CSA 83 (San Dieguito Local Parks)			5/B of Sups		No compensation
14. CSA No.107 (Elfin Forest)			5/B of Sups		No compensation
15. CSA No. 115 (Pepper Drive)			5/B of Sups		No compensation
16. CSA No. 122 (Otay Mesa East)			5/B of Sups		No compensation
17. CSA No. 128 (San Miguel)			5/B of Sups		No compensation
18. CSA No.135 (Comm/Fire)			5/B of Sups		No compensation
19. CSA No.136 (Sundance Detention Basin)			5/B of Sups		No compensation
20. Cuyamaca (California) Water District	5				
21. Deer Springs Fire Protection District	5				
22. Descanso Water (Community Services)	5				
23. Fairbanks Ranch CSD	5				
24. Fallbrook Health Care District	5				
25. Fallbrook Public Utility District	5				
26. Grossmont Health Care District	5				
27. Helix (irrigation) District	5				
28. Jacumba Community Services District	5				
29. Julian Community Services District	5				
30. Julian-Cuyamaca Fire Protection District	5				
31. Lake Cuyamaca Rec and Park District		7			

	I N D E P E N D E N T		D E P E N D E N T		
	Elected Board	Appointed to <i>fixed-term</i>	Ex officio members	Subsidiary to City	Compensation offered
32. Lakeside Fire Protection District	5				
33. Lakeside Water(Irrigation) District	5				
34. Lemon Grove Sanitation District	5		b 5/ Lemon Grove		No compensation
35. Leucadia Wastewater (County Water)	5				
36. Lower Sweetwater FPD	5				
37. Majestic Pines CSD	5				
38. Mission Resource Conservation District		5			
39. Mootamai Municipal Water District	5				
40. Morro Hills Community Services District	5				
41. North County Cemetery District		5			
42. North County Fire Protection District	5				
43. Oceanside Small Craft Harbor District				5/Oceanside	\$50; not to exceed \$200
44. Olivenhain Municipal Water District	5				
45. Otay (Municipal) Water District	5				
46. Padre Dam Municipal Water District	5				
47. Palomar Health (Care District)	7				
48. Pauma Municipal Water District	5				
49. Pauma Valley CSD	5				
50. Pine Valley Fire (Protection) Department	5				
51. Pomerado Cemetery District		3			
52. Questhaven Municipal Water District	5				
53. Rainbow Municipal Water District	5				
54. Ramona Cemetery District		3			
55. Ramona Municipal Water District	5				
56. Rancho Santa Fe CSD	5				
57. Rancho Santa Fe Fire Protection District	5				
58. RCD of Greater San Diego County		7			
59. Rincon del Diablo MWD	5				
60. Rincon Ranch CSD	5				
61. San Diego County Sanitation District	5		5/B of Sups		No compensation
62. San Diego Rural Fire Protection District	5				
63. San Dieguito Water District	5			5/Encinitas	\$100 Board; \$50Committee

	I N D E P E N D E N T		D E P E N D E N T		
	Elected Board	Appointed to <i>fixed-term</i>	Ex officio members	Subsidiary to City	Compensation offered
64. San Luis Rey Municipal Water District	5				
65. San Marcos Fire Protection District	5			5/San Marcos	\$50 per meeting
66. San Miguel Con. Fire Protection District	5				
67. Santa Fe Irrigation District	5				
68. South Bay Irrigation District	5				
69. Tri-City Health Care District	5				
70. Upper San Luis Rey RCD		5			
71. Vallecitos (County) Water District	5				
72. Valley Center Cemetery District		5			
73. Valley Center (CSD) Park, Rec. District	5				
74. Valley Center Fire Protection District	5				
75. Valley Center (Municipal) Water District	5				
76. Vista Fire Protection District	5				
77. Vista Irrigation District	5				
78. Whispering Palms CSD	5				
79. Wynola (California) Water District	5				
80. Yuima Municipal Water District	5				

^a **The Buena Sanitation District** was formed in 1960 as a county-dependent district and initially governed by the Board of Supervisors. In 1963, when the City of Vista incorporated, the new city included territory that was served by the Buena SD. In successive years, district-served territory annexed to the City until a substantial portion of the District was within the City of Vista.

In 1983, the District Board of Directors was restructured to accommodate one member of the Vista City Council. The Board was further modified in 1990 to increase city representation to two members and reduce county representation to a single seat. In 1998, County Supervisors withdrew from the District Board and designated the Vista City Council as the Buena SD Board of Directors under Health and Safety Code § 4730; however the District does not meet the 70 percent thresholds for a subsidiary district.

^b **The Lemon Grove Sanitation District** was formed in 1947 as a county-dependent district and was initially governed by the Board of Supervisors. The Lemon Grove and Spring Valley Sanitation Districts shared responsibility for providing wastewater service within the unincorporated community of Spring Valley and both Districts retained their service territory following the 1977 incorporation of the City of Lemon Grove. Both Districts continued to provide service within the City and surrounding unincorporated areas until a reorganization in 1982 assigned all city territory to the Lemon Grove SD.

Reorganization did not convert the Lemon Grove SD into a subsidiary of the City; nevertheless, the Lemon Grove City Council was designated the District Board of Directors under Health and Safety Code § 4730, which permits County Supervisors to designate a city council as a district board of directors if city population accounts for more than one-half of the total district population. Currently, the district boundary includes minimal amounts of territory beyond the City of Lemon Gove and the District most likely would meet requirements for establishing a subsidiary district; however, It is unclear what additional benefits would follow conversion.