

**2004-2005  
KINGS COUNTY  
GRAND JURY**



**FINAL REPORT**

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## **ARE CHILDREN “FIRST” IN KINGS COUNTY?**

### **SYNOPSIS:**

Kings County has received **\$13.7** million from the State of California’s “Proposition 10” tobacco tax money since 1998. Pursuant to the requirements of state statute, the County Board of Supervisors created the Kings County First 5 Commission (Board) as the agency responsible for management of the tobacco tax money. The Commission (Board) created a First 5 Organization.

The law requires the tobacco funds be spent on children ages 0-5 and their families. The County of Kings has a population of **10,800** children ages 0-5. During 2003-2004, the first full year of reporting for the Family Resource Centers, a total of **677** children ages 0-5 were provided services according to First 5’s own documents.

Since 1998, the First 5 Kings County Children & Families Commission has spent approximately **\$6,000,000**. As of June 30, 2004, **\$6,614,201** has not been dispersed according to an audit report produced by the audit firm of Borchardt, Corona & Faeth located in Fresno. A total of **\$713,771** was spent on consultant and evaluator fees. First 5 Kings County Children & Families Commission spent **\$56,019** on a contract for a nonfunctioning website. First 5 Kings County Children & Families Commission spent **\$31,688** for software installation and license fees.

The First 5 Kings County Children & Families Commission Annual Report indicates efforts to support mini and micro grants to daycare centers and up to **\$500,000** per building for the construction of buildings called Family Resource Centers. Recently the philosophy has expanded to include school readiness and teaching Spanish speaking parents, English.

In six and one-half years only three resource centers have become operational and six others are in some stage of development.

The First 5 Kings County Children & Families Commission (Board) authorized the creation of a fundraising organization a (501c3) called NetworKings to provide financial guidance and assistance to create sustainability for the Family Resource Centers when their funding cycle from First 5 expires. The First 5 Commission has funded the startup of NetworKings with \$ 301,900 over the past two years and has committed to fund the operation for one more year. NetworKings is currently providing grant resource assistance for the operational resource centers.

## **AUTHORITY:**

Our authority is pursuant to Section 925 of the California Penal Code that states, “The grand jury shall investigate and report on the operations, accounts and records of the officers, departments or functions of the county including those operations, accounts, and records of any special legislative district or other district in the county created pursuant to state law for which the officers of the county are serving in their ex officio capacity as officers of the districts”.

## **WHY THE GRAND JURY INVESTIGATED:**

Since its inception in 1998, First 5 Commission has not been investigated. On August 24, 2004, the Grand Jury visited four resource centers; Hand in Hand, Hanford Elementary School District (HESD), the Harris Street annex, and United Cerebral Palsy. We found HESD and Harris Street annex closed. After two interviews were conducted many questions were raised.

## **METHOD OF INVESTIGATION:**

Interviews were conducted and documents researched.

## **FINDINGS:**

### First 5 Organization

1. The Kings County First 5 Children & Families Commission established in 1998 is in its seventh year of operation. Its mission is to distribute approximately \$1.8 to \$2.2 million a year in tobacco tax money for services to approximately 10,800 children ages 0-5 and their families in Kings County.
2. To date the local commission has received a total of \$13.7 million from the California First 5 Children & Families Commission.
3. Funding comes from the State First 5 Commission to the Kings County First 5 Commission (Board) as a pass-through organization.
4. The First 5 Kings County Children & Families Commission then passes monies on to a selected number of community-based programs.
5. The First 5 State Children & Families Commission’s guideline indicates that the tobacco tax monies are to support programs and services designed to meet the local needs of children 0-5 and their families.
6. The intent of the tax distribution to counties is to support programs to fill gaps and assist children in reaching school healthy, both physically and emotionally, and ready educationally for academics.

7. In the beginning, funding efforts supported mini and micro grants to Daycare Centers, and the construction of Family Resource Centers. Recently the First 5 organization's funding expanded to include support for a School Readiness Initiative and teaching English to Spanish speaking parents.
8. The First 5 Kings County Children & Families Commission is comprised of seven directors. Guidelines from the Children & Families State Commission require the county commission to be appointed by the board of supervisors and consist of at least five but not more than nine members. The State First 5 guideline recommends community involvement. Only one member of the commission is from the public. Five of the seven directors are receiving First 5 funding for programs under their supervision.
9. The First 5 State Children & Families Commission guidelines for First 5 compliance are so general and vague that county commissioners have been given the freedom to spend millions of dollars as they see fit.
10. One whole generation of children 0-5 have been denied the benefit of receiving services in Kings County.
11. While First 5 Kings County Children & Families Commission provides no direct services to individuals, it holds the ultimate responsibility to ensure that when they provide money for services, the services are being utilized by children 0-5 and their families.
12. Finding local leadership interested in operating a Family Resource Center has been labor and time intensive resulting in years of delay.
13. From 1998 through June 30, 2004, only three centers existed. After six years and millions of dollars, six additional resource centers are in some stage of development and are struggling to become operational.
14. The 2004-2005 Scope of Work documents for the three original centers indicate the following:

	<u>Personnel/Operating Costs</u>	<u>Programs Costs</u>	<u>Indirect Costs</u>
United Cerebral Palsy	57%	33%	10%
Hand in Hand	90%	10%	
Hanford Elementary	92%	1%	7%

### Annual Report

1. The First 5 Kings County Children & Families Commission 2003-2004 annual report states on page (5) that "ALL KINGS COUNTY FAMILIES WITH CHILDREN 0-5 ARE SERVED, with a higher proportion of these families being served identified as low-income, Spanish-speaking, and in some communities, other minorities (Hmong, African American) served." After 7 months of investigation, the 2004-2005 Kings County Grand Jury was unable to substantiate the claim that all families with children 0-5 are served.

2. In twenty-nine pages of annual report (2003-2004), no mention is made of the amount of money spent or the number of children 0-5 or parents receiving services.
3. The First 5 Kings County Children & Families Commission annual report summary (2003-2004) contains inaccurate information. The report indicates that funding priorities are for the Child Health Initiative and yet no monies in the past two years have been spent on that initiative.
4. First 5 Kings County Children & Families Commission's own data from the Griot System (a data gathering and reporting system) indicates that for the same year (2003-2004) only **677** (out of 10,800) children 0-5 were recorded as receiving direct services for that year.
5. Reports indicate that the 677 children in the documents received duplicative services.

Funding/ Expenditures

1. Total funding received from the California First 5 Commission to Kings County First 5 Commission from 1998 through January 31, 2005:

FY	RECEIPTS
1998/1999	\$2,060,836.00
1999/2000	3,234,317.00
2000/2001	2,095,632.00
2991/2002	2,342,481.00
2002/2003	1,820,234.00
2003/2004	2,099,229.00
2004/2005	<u>1,031,694.00*</u>
*Partial Yr.	\$13,684,423.00

2. The First 5 accounting system is set up in such a convoluted and confusing way that it is impossible to state exactly how much money is being spent on each program. The system makes it difficult to identify overhead and administration costs associated with programs intended to provide services to the children of Kings County ages 0-5. Analyzing costs and expenses becomes even more difficult when the same expenses are found in different expense categories from one year to the next.
3. Since the establishment of First 5 Kings County Children & Families Commission, (Fiscal Year 1998-1999) no money has been spent on the Child Healthcare Initiative. The amount budgeted for this initiative was as follows:

	<u>Amount</u>	<u>Spent</u>
FY 2002/2003	\$100,000.00	0
FY 2003/2004	200,000.00	0
FY 2004/2005	<u>240,000.00</u>	<u>0</u>
**Total	\$540,000.00	0

\*\*Kings County's "FMS" fund account system.

4. First 5 applied to a private foundation, California Health Care Foundation, for \$50,000.00 and received the additional child healthcare funding, while its own funding for the Child Health Care Initiative goes unspent.
5. Since inception, (1998-1999), no money has been spent (or even budgeted) on tobacco education.
6. \$31,688 has been spent for software installation and license fees for grantees of Family Resource Center contracts.
7. Kings Community Action Organization (KCAO), offered free office space, equipment and furniture to First 5 Kings County Children & Families Commission. The offer was declined.
8. First Five contracted with a company called Trilogy Integrated to provide a Web-based Resource Directory. Since 2002, First 5 has paid \$56,019 for services of a website that was never fully operational for use by parents of children 0-5. The contract with Trilogy Integrated was cancelled in December 2004.

### Consultants

1. For the past seven years, First 5 Kings County Children & Families Commission has contracted with consultants and evaluators to provide guidance and direction to the Executive Director.
2. First 5 records show that in seven years of operation, First 5 has paid a total of \$713,771 in fees to outside consultants.

### Family Resource Centers

#### Hanford Elementary

1. Hanford Elementary School District began accepting funds from First 5 Kings County Children & Families Commission in 2003 to create a Family Resource Center.
2. Several different funding streams constitute the budget used by the Family Resource Center and this is known as “braiding” of funds.
3. In 2003 the Hanford Elementary Resource Center has received **\$301,900** from First 5 funding and **\$157,026** from First 5’s School Readiness fund for Pre-School activities. The third source of funding used at the center is from the State of California’s migrant funding. The School Readiness funds are matched by other funds from the State.
4. First 5 Resource Center and School readiness funding for Hanford Elementary is not being used for all children 0-5 in the district. The funding is for **only those that “qualify” as migrant and low income**. A mandate for First 5 is

that **ALL** children 0-5 receive services. The number of children receiving services at the Hanford Elementary Resource Center presently totals **114**.

5. The District is using First 5 Funding to cover one-third of the salaries of personnel assigned to Hanford Elementary Family Resource Center.
6. The staff personnel for the Hanford Elementary Family Resource Center, listed on the contract with First 5, are the following:
  - Assistant Superintendent
  - Administrative Secretary
  - Custodian
  - Translator

### **RECOMMENDATIONS:**

1. There should only be a minimal amount of unspent funds. The First 5 Commission should spend 95% of money received, on services for children 0-5 per year.
2. Use First 5 money to fund the Child Health Initiative. Provide every child in Kings County ages 0-5 with Health and /or Dental Insurance.
3. Focus on a single project such as Child Health Initiative instead of trying to be “everything to everybody” and ending up doing “very little for just a few”!
4. Provide tobacco education to families of children 0-5 with the assistance of Kings County Health Department.
5. NetworKings should become self-sustaining by the end of the contract (2005-2006).
6. The Kings County Board of Supervisors change the makeup of the board to include a better representation of private citizens, eliminating the appearances of impropriety between county department heads whose departments receive First 5 funding.

### **CONCLUDING REMARKS:**

The 2004-2005 Grand Jury believes that a gross amount of money has been spent for a minimal amount of services rendered. When Proposition 10 was authored very little consideration was truly given to the children of the State of California. The children of California were used as an excuse to create yet another bureaucracy that is running rampant and out of control.

The Kings County Board of Supervisors, to the extent of their ability, assures the community that the distribution of Proposition 10 funds reach a majority of Kings County children ages 0-5.

**One whole generation of children 0-5 has been denied services in Kings County.**

NOTE: Over the last few months First 5 has taken positive steps, including the following:

- Child Health Initiative Community Forum
- Restructuring of accounting systems
- The marketing of community awareness

***This Grand Jury appreciates the direction First 5 has taken.***

## **BUS ISSUE**

### **SYNOPSIS:**

It was brought to the attention of the 2004-2005 Kings County Grand Jury on August 25, 2004, that a major problem existed with the transportation of special education students by the Kings Schools Transportation Authority (hereinafter referred to as the "Authority"). The Authority had been formed in 2004 to provide such transportation services, and it had subsequently contracted with Student Transportation of America (hereinafter referred to as the "Company"), a national bus transportation company, to provide the services. Based on the information provided, the Grand Jury was concerned about the ability of the Authority and the Company to effectively and efficiently transport special education students. Documented facts show that some children being transported were on buses for up to four hours. The concerns of the Grand Jury are as follows:

The safety of special needs children of Kings County, the well being of the students and the ability of the Authority and the Company to meet their school transportation needs.

The Kings County school districts' cancellation of the bus contract with the Kings County Office of Education (KCOE) resulted in the termination of the bus drivers.

An additional concern involved the development of the Authority and a \$100,000 budget savings projected by the school districts.

The Grand Jury examined the complaints and interviewed several witnesses. The conclusion of the findings indicate sloppy mishandling of transportation of Kings County special education students and the rushed development of the Authority, which failed to provide the transportation needs of these students.

### **WHY THE GRAND JURY INVESTIGATED:**

Major transportation problems existed on the opening day of school and continue to exist.

### **AUTHORITY:**

The Grand Jury exercises its authority under Penal Code 925(a), as to the investigation of joint powers agencies.

## **BACKGROUND:**

On August 25, 2004, the Grand Jury was informed that on the first day of school, August 23, 2004, there were problems transporting special needs students with multiple physical, mental and emotional challenges to and from school. Compounding the transportation issue, several of these students are classified as “non-verbal”.

Prior to August 23, 2004, the Kings County Office of Education had provided transportation for an estimated 500 special needs children county-wide.

Since August 23, 2004, transportation services are being provided by the Company as the contractor for the Authority.

Some special needs students were picked up late at home and arrived an hour or more late to school.

Three special needs students were delivered to wrong school sites.

Special needs students were delivered home up to four hours late.

Under the direction of Tom Lasek, former Kings County Superintendent of Schools, a subcommittee of the Kings County Education Council was formed to study the issue. Subsequently the subcommittee recommended the formation of a joint powers authority. The contract between KCOE and the school districts was terminated, and a joint powers authority made up of all fourteen Kings County School Districts was created.

The joint powers agreement states that it was entered into for the purpose of creating the Authority to provide for safe, efficient and cost-effective transportation services.

The Grand Jury interviewed Lemoore Elementary Superintendent Ron Meade, Kings County Superintendent of Schools John Stankovich and Hanford Elementary Superintendent Becky Presley. Becky Presley stated on behalf of the Authority that estimated savings of \$100,000 would be realized by outsourcing the transportation services. During the interview the Grand Jury was told that the reason for the development of the Authority was to realize a cost savings of \$100,000 to the fourteen school districts in Kings County. John Stankovich stated that he turned over the fleet of nineteen buses to the Authority. It was stated by Authority representatives that they intend to retain ownership of the fleet of nineteen buses. The Authority contracted with the Company to provide for transportation needs.

## **METHOD OF INVESTIGATION:**

Our efforts to identify actions and behaviors that led to the complaints against the Authority, the Company and Shelley Baird School involved conducting extensive interviews and examining numerous documents. We conducted six interviews in the Grand Jury chambers, each lasting from one to four hours.

Interviewees included the complainants, the Superintendent of Schools for Kings County, the Company's Manager, Hanford Elementary School District Superintendent, an administrative secretary and the chairperson for the Authority.

A minimum of fifteen Grand Jury members participated in each interview, although there were typically all nineteen members present. When information in this report is derived from public information the source is indicated. The issues that surfaced in the course of this investigation resulted in two areas of focus that are listed in this report. We have identified findings and recommendations for each of the two focus areas as well as concluding remarks.

### **Part 1**

#### **AUTHORITY FORMATION - KCOE CONTRACT CANCELLED**

##### **FINDINGS:**

1. The first of April 2004, the Office of Education bus employees were notified that the transportation contract between the school districts in Kings County and the Office of Education would be cancelled at the end of summer school. As a result of the cancelled contract, the bus drivers employment would be terminated.
2. The Kings County Education Council representatives estimated that a savings of \$100,000 would be realized by outsourcing transportation services.
3. In June 2004, the school districts were authorized by their respective school boards to form the Authority.
4. On July 15, 2004, the Authority signed a contract with the Company to provide transportation services to the special needs students of Kings County.

5. In August 2004, the Office of Education stopped providing transportation services to special needs students.
6. On August 16, 2004, the Authority caused a notice of the joint powers agreement to be filed with the Secretary of State, as is required under the provisions of Government Code section 6503.5.

## **CONCLUSION:**

Kings County School Districts rushed into the development of the Authority and the providing of school bus transportation services without adequate research and planning.

The Grand Jury has found no evidence of \$100,000 savings to the school districts.

There is no evidence that Kings County school boards ever challenged their superintendents to demonstrate how a savings of \$100,000 would be realized before signing off on the formation of the Authority.

The Kings County Education Council and the Authority compromised the handling of Kings County special needs students when they focused on a minimal one-time budgetary savings to the districts.

Due to all the costly transportation problems realized during the first few months of the new contract, it is not evident to the Grand Jury that any cost savings will be realized this year, or any years in the future.

## **RECOMMENDATION:**

The Kings County Grand Jury 2004-2005 recommends that the Authority should retain possession of the fleet of nineteen buses in the event the contract relationship with the Company continues to be unsatisfactory.

## Part 2

### **TRANSPORTATION PROBLEMS WITH THE AUTHORITY TRANSPORTATION SERVICES**

#### **FINDINGS:**

1. On the first day of the 2004-2005 school year special needs students, transported by bus, were picked up late and arrived an hour or more late at school sites.
2. On August 23, 2004, one child was inadvertently transported from Hanford to Avenal and did not arrive at home in Hanford until 7 PM. Some special needs students were delivered home up to four hours late.
3. Two special needs students who should have been transported to Shelly Baird School in Hanford were transported to Lemoore Elementary School and left there all day.
4. A representative from the Company stated they were given incomplete and inaccurate student information, which was necessary to pick-up and deliver students.
5. School staff stated that at least three address lists were given to the Company before the beginning of school. It was also stated the address lists were current and accurate.
6. During the first week of school, the school staff reported that many children were not arriving at school on time, up to 35 minutes late, resulting in lost educational time.
7. According to school officials, bus drivers laid off by the Office of Education refused employment with the Company because of lower wages and fewer benefits. The Company was not prepared to hire such a large number of new drivers. The Company had problems recruiting and licensing newly hired drivers from the Hanford area. As a result, the Company had to temporarily relocate licensed drivers from as far away as Santa Barbara.
8. The temporary drivers were unfamiliar with the area and the bus routes. The Company gave the drivers one to three days to learn the area and their routes.
9. Kings County Superintendent of Schools John Stankovich believes that after a rough start the Company is now properly transporting children.

10. On-site staff reports difficulties are continuing with the transportation services (i.e. improperly secured wheelchairs, unattended children, late school arrivals, driver language difficulties, and drivers that are poorly trained to meet the needs of students, etc.).
11. School staff indicated that students' parents are transporting more children this year as compared to last year.

### **CONCLUSION:**

The 2004-2005 Kings County Grand Jury feels that the special needs students of Kings County deserve better treatment than they receive from the Authority and its contractor.

As a national student transportation company, the Company's past experiences should have provided them with the expertise to have prevented many of the problems that occurred and continue to occur.

The students and parents are still experiencing frustration and confusion with temporary and new drivers.

The bus service continues to have multiple problems with pick-up and delivery.

### **RECOMMENDATION:**

The Authority shall continue to monitor the provision of bus transportation services under its contract with the Company to ensure that the students of Kings County are provided with safe, efficient and cost-effective transportation to and from school. The 2005-2006 Grand Jury will be requested to conduct a follow-up investigation of these matters and to provide a comprehensive report thereon.

### **RESPONSE REQUIREMENT:**

Pursuant to California § Penal Code Section 933 (c) the following agency is required to respond to the findings & recommendations contained in this report.

- Kings Schools Transportation Authority

## **PUBLIC GUARDIAN**

### **SYNOPSIS:**

On October 24, 2004, the 2004-2005 Kings County Grand Jury received a request to investigate the Public Guardian's Office, which may have been incorrectly calculating interest on funds held for persons on conservatorship. After careful consideration, the Grand Jury determined that sufficient evidence existed to investigate the Public Guardian's Office and its accounting procedures. The Grand Jury conducted numerous interviews, reviewed financial records and other documents related to the Public Guardian's Office. The Grand Jury determined that prior to August 2004, interest on all conservatorship accounts was calculated by using average interest rates and was not paid at the highest rate available as specified by the Probate Code 7642 Interest or Dividends. (a). As of August 2004, the procedure for calculating interest rates was corrected. The Public Guardian's Office is randomly reimbursing accounts, but has no specific plan to remedy errors made on all accounts.

### **WHY THE GRAND JURY INVESTIGATED:**

Requests from several concerned citizens were received by the Grand Jury with questions about the Public Guardian's Office. It was brought to the attention of the Grand Jury on October 24, 2004, that a major problem existed in the calculation of interest on conservatees' monies entrusted to the Public Guardian's Office as directed by the court.

### **AUTHORITY:**

The Grand Jury exercises its authority under Penal Code 925, "The Grand Jury shall investigate and report on the operations, accounts, and records of the officers, departments, or functions of the county including those operations, accounts, and records of any special legislative district or other district in the county created pursuant to state law for which the officers of the county are serving in their ex officio capacity as officers of the districts".

## **METHOD OF INVESTIGATION:**

The Grand Jury interviewed in the Grand Jury Chambers, the Public Guardian Office personnel, Kings County Treasurer, an independent lawyer and the County Counsel of Kings County. The Grand Jury researched court documents and reviewed probate code law.

## **FINDINGS:**

1. In 1985, the California Attorney General's Office issued a ruling, which specified the method of calculating interest to be paid on all accounts under the control of the Public Guardian's Office. According to Probate Code 7642 Interest or Dividends. (a), "The public administrator shall credit each estate with the highest rate of interest or dividends that the estate would have received if the funds available for deposit had been individually and separately deposited".
2. Until August 2004, the Public Guardian's Office was calculating interest on a quarterly basis and using average interest rates, which were applied retroactively to the previous quarter.
3. The effect of using an incorrect method of calculating interest resulted in an error of an undetermined amount of interest paid on each account.
4. In August 2004, any amount over \$100,000, from each and every account, was transferred to the control of the Kings County Treasurer.
5. In August 2004, the Public Guardian's Office came into compliance with the Attorney General's ruling.
6. According to Vee-Jay Brann, Kings County Treasurer, Kings County does not have adequate personnel to conduct departmental audits.

## **RECOMMENDATIONS:**

1. The Public Guardian's Office should go back and recalculate interest to compensate all conservatees who have been affected by the ruling of the California Attorney General's Office, at no cost to the conservatees.
2. The Public Guardian's Office should remain current on probate law.
3. An independent audit should be done to review procedures and finances of the Public Guardian's Office.
4. The Kings County Treasurer should control all funds administrated by the Public Guardian's Office.

## **CONCLUSIONS:**

It is the conclusion of the 2004-2005 Grand Jury, that if a ruling by Kings County Superior Court had not been made, the Kings County Public Guardian's Office and the Kings County Counsel would have continued to be out of compliance with the 1985 California Attorney General's Office ruling. The ruling states that the method of calculating interest will be, "The public administrator shall credit each estate with the highest rate of interest or dividends that the estate would have received if the funds available for deposit had been individually and separately deposited".

The Public Guardian of Kings County is a California registered public guardian. He was President of the California Public Guardian's Association and has his own public guardian business for Tulare and Kings County. The Grand Jury believes that he should have had knowledge of the law. There is no excuse for what has happened for the past nineteen years.

There are currently accounts that were paid an incorrect amount of interest prior to August 2004, and no specific plan is in place to correct the error.

## **RESPONSE REQUIREMENT:**

Pursuant to California § Penal Code Section 933 (c) the following agency is required to respond to the findings & recommendations contained in this report.

- Public Guardian's Office
- Kings Co. Treasurer's Office

## **JURY PARKING PROBLEM**

### **SYNOPSIS:**

On September 10, 2004, the Kings County Grand Jury received a Request for Investigation about a longstanding parking problem experienced by jurors reporting to the courts. A survey was conducted that established the complaint was valid. Recommendations were made to the county and city governments to expedite a change in the parking situation for jurors.

### **WHY THE GRAND JURY INVESTIGATED:**

The 2004-2005 Kings County Grand Jury received a Request for Investigation on behalf of jurors reporting parking problems.

### **AUTHORITY:**

Our authority is pursuant to Section 925 of the California Penal Code that states, "The grand jury shall investigate and report on the operations, accounts and records of the officers, departments or functions of the county".

### **METHOD OF INVESTIGATION:**

1. Interviews
2. Parking Survey
3. Research Report
4. Previous Grand Jury Reports

### **FACTS:**

Superior Court jurors' parking is inadequate to support the large number of individuals required to appear.

### **FINDINGS:**

In July 2004, on any given day, between 133-158 jurors were called for jury duty for the start of nine trials. In August 2004, between 113-158 jurors were called for 14 trials. During both months several of the trials were held on the same day.

Jurors attempt to park in three primary Government Center parking lots. The Mather and South Drive Lot has a posted Juror Parking sign. The Mather and South Drive Lot has 149 spaces of which four are handicap spaces. Kings Community Action Organization vehicles utilize 25 spaces designated for jury parking. Public car poolers utilize 10-15 spaces in the Mather and South Drive Lot. This only leaves approximately 109-114 spaces for staff, jury and public parking.

Court administrators primarily use the Superior Court Front Lot. This lot has one handicap space.

The Court and District Attorney personnel primarily utilize the Court Back Lot. There are three handicap spaces in this lot.

Recently the City of Hanford removed the "No Parking" signs on Kings County Drive, adjacent to the Superior Court Front and Back Lots, adding more available parking spaces.

The County of Kings Telephone Directory indicates there are approximately 402 employees working in close proximity to the three primary parking lots. A survey of the three primary parking lots indicates that there are only 306 parking spaces.

The majority of jurors indicated on their post survey that the LACK OF PARKING was the biggest problem they incurred.

It was reported to the Grand Jury that during the first week of September 2004, an elderly woman reporting for jury duty was forced to park in the Health and Human Services Parking Lot, near Campus Drive, and walk to the Superior Court Building. Because of the long walk, she required medical assistance and then was transported back to her car by a Sheriff's Deputy.

## **CONCLUSION:**

Parking within the Kings County Government Center is grossly inadequate.

## **RECOMMENDATIONS:**

1. Kings Community Action Organization should find another location for their vehicles.
2. Hanford City Public Works, Street Department, should paint parallel parking spaces along Kings County Drive.

3. The letter to jurors should specify parking locations.
4. County of Kings should find ways to increase the number of parking spaces for jurors as well as staff.

**COMMENTS:**

As the 2004-2005 Kings County Grand Jury explored the Request for Investigation on the parking issue, we found it has been an unresolved issue for years.

**RESPONSE REQUIREMENT:**

Pursuant to California § Penal Code Section 933 (c) the following agency is required to respond to the findings & recommendations contained in this report.

- County Public Works
- City of Hanford
- Kings Community Action Organization

## **SHERIFF'S FORFEITURE FUND #2213**

### **SYNOPSIS:**

The 2004-2005 Grand Jury received an anonymous citizen's Request for Investigation on September 11, 2004. The request stated "a possible misuse of county/taxpayer property". According to the request, it was the understanding of the complainant, the Sheriff's Office purchased a "stock trailer" for use by the Animal Control Department but the department did not have access to it. The trailer was being stored on the property of former Sheriff Ken Marvin. The Grand Jury examined the County financial records and determined that the trailer was purchased by the Sheriff's Office on January 20, 1999 for \$6,000 with funds from the Sheriff's Asset Forfeiture Account. During the time the trailer was allegedly being used by the former sheriff, the Animal Control Department contracted with 20/20 Livestock Hauling when they needed to haul large animals.

When the problem was brought to the attention of the current sheriff he arranged to have the trailer moved back to county property.

The Grand Jury found no intentional wrongdoing on the part of current or former sheriff office staff.

### **WHY THE GRAND JURY INVESTIGATED:**

The Grand Jury received an anonymous complaint that would normally not have been pursued. In this case there were several allegations of wrong doing on the part of county employees that warranted investigation.

### **BACKGROUND:**

The complaint received by the Grand Jury noted that "the Sheriff's Department purchased a stock trailer for use by the Animal Control Department, it has not been used by the Animal Control Department."

## **AUTHORITY:**

Our authority is pursuant to Section 925 of the California Penal Code that states, "The grand jury shall investigate and report on the operations, accounts and records of the officers, departments or functions of the county."

## **METHODS OF INVESTIGATION:**

Interviews were conducted, county financial documents researched, and a site visit made.

## **FINDINGS:**

On September 23, 2004 the Grand Jury Foreperson, and Pro Tem went to the Auditor's Office to establish the purchase and ownership of the stock trailer.

1. Former Sheriff Ken Marvin purchased the trailer on January 20, 1999 with funds from the Sheriff's Asset Forfeiture Fund # 2213.  
The Asset Forfeiture Fund comes from assets
2. The purchase price of the trailer was \$6,000.
3. Graphic designs for the trailer cost \$162.00.
4. Purchases through the Sheriff's Asset Forfeiture Fund #2213 are not covered in the Kings County Policies and Procedures Manual.
5. During an interview with Sheriff McClain, he indicated the trailer was not for the use of any particular department within the Sheriff's Office. When asked if he was currently in possession of the trailer and he stated, "No".
6. Sheriff McClain stated, " I notified Animal Control that they had access to the trailer at any time." When the Grand Jury interviewed staff from Animal Control, two staff members were unaware of the stock trailer's existence, and one staff person was aware it existed but was unaware of its location.
7. Animal Control staff told the Grand Jury that when they need a large stock trailer they contract out the services. After further investigation, it was determined that Animal Control contracted with 20/20 Hauling Services on three occasions within the past year.

8. When Sheriff McClain was asked where it was currently located, he first said it was either at Animal Control or in the parking lot. He was told by the Grand Jury that it was in neither location. He then said the trailer was parked on former Sheriff Ken Marvin's property. He went on to say "Ken used the trailer to carry his horse to parades, representing the Kings County Sheriff's Posse." The Grand Jury asked if the Sheriff's Posse was a part of the Kings County Sheriff's Department. Sheriff McClain stated, "No, they are an independent organization, they are not a part of the Kings County Sheriff's Department."
9. During an interview with Ken Marvin, former sheriff, he stated that the trailer was placed on his property while he was still sheriff. When Ken Marvin retired he stated, "I asked Sheriff McClain three or four times to pick-up the trailer."
10. Sheriff McClain assured the Grand Jury that the trailer would be returned to county property that very day, September 23, 2004. The stock trailer was returned to county property on September 23, 2004.

### **CONCLUSIONS:**

The former sheriff with the knowledge and consent of county administrators used Kings County property to transport his personal horse to Sheriff's Posse events to benefit public relations of the Sheriff's Department.

Employees in the County's Animal Control Department were unaware of the trailer and/or its location causing the department to hire 20/20 Livestock Hauling for transporting large animals on at least three occasions.

### **RECOMMENDATIONS:**

1. The Sheriff's Office conduct an inventory of county property under its jurisdiction.
2. The Sheriff's Office store the stock trailer in a location accessible by multiple departments under the jurisdiction of the Sheriff's Office.
3. A county policy and procedure be created for the Sheriff's Asset Forfeiture Fund #2213 expenditures and the disposition of those expenditures.

### **RESPONSE REQUIREMENT:**

Pursuant to California § Penal Code Section 933 (c) the following agency is required to respond to the findings & recommendations contained in this report.

- Kings County Sheriff's Office

## **CITY OF HANFORD NOISE ISSUE**

### **SYNOPSIS:**

The Grand Jury was asked to assist in finding a resolution to a problem of noise in a commercially zoned area of Hanford. According to the “Request for Investigation”, attempts have been made to resolve this issue with both the City of Hanford and the business responsible for the excessive noise. It was brought to our attention that there continues to be no resolution to the problem of excessive noise on the 600 block of West Sixth Street in Hanford.

### **WHY THE GRAND JURY INVESTIGATED:**

On December 9, 2004, the Grand Jury received a “Request for Investigation” asking the Grand Jury to assist in finding information and a resolution regarding noise and/or a noise ordinance in the City of Hanford.

### **AUTHORITY:**

Our authority is pursuant to Section 925a of the California Penal Code that states, “The grand jury may at any time examine the books and records of any incorporated city or joint powers agency located in the county”.

### **BACKGROUND:**

The “Request for Investigation” stated an auto machine and transmissions shop recently began engaging in a new activity of testing racecar engines. Reportedly, the noise produced by this activity is “deafening” and “hurts the ears and hearing of those in the vicinity”. Some of the complaints reported include ears ringing, children being scared by the noise and trouble hearing for hours after the test has been completed. Reportedly, complaints have been addressed to the business and to the City of Hanford without resolution.

## **METHOD OF INVESTIGATION:**

Initial investigation began with contacting the Code Enforcement Officer for the City of Hanford. The Grand Jury was referred to Tom Haglund, Assistant City Manager of Hanford. An interview was conducted with Mr. Haglund. Numerous documents related to city ordinances, noise elements and zoning were reviewed.

## **FINDINGS:**

1. An auto machine and transmissions shop is located in Hanford, CA and performs testing on racecar engines.
2. Officials from the City of Hanford were notified of complaints of excessive noise produced by this activity.
3. City Code Enforcement staff contacted the manager of the auto machine shop on or about July 19, 2004 and discussed this issue.
4. Reportedly, the manager told city officials new mufflers would be installed for noise reduction.
5. New mufflers were installed after December 20, 2004.
6. Noise reduction with new mufflers is minimal and noise continues to be a problem.
7. The City of Hanford General Plan “allows for certain decibel levels as those levels affect specific uses. Accordingly, the allowed decibel level at the site of a specific use can be different depending upon the type of use”, according to Tom Haglund.
8. As of January 2005, no specific decibel level has been determined at or near this site.
9. Decibel level limitation is determined after the following:
  - a. A complaint is generated.
  - b. The city is unable to reach a resolution between the complainant and the noise source establishment at a “perceived noise” standard.
  - c. The city collaborates with Kings County Environmental Health to determine the actual decibel level at the site and determines if the noise level is in violation of the city’s General Plan or if the noise violates the Zoning Codes Nuisance Provisions.

## **RECOMMENDATIONS:**

The Grand Jury recommends the City of Hanford establish specific decibel level limitations for this and all commercial service areas of Hanford.

## **CONCLUSIONS:**

1. There is an unresolved issue regarding complaints of excessive noise being generated by the auto machine and transmissions shop.
2. The City of Hanford General Plan has specifications that are vague in nature and do not specify decibel levels in this area of Hanford.
3. The City of Hanford officials are aware of this issue and are actively working to resolve the situation.
4. The Grand Jury will conduct a follow-up interview with Tom Haglund to assess the progress of resolution.

## **RESPONSE REQUIREMENT:**

Pursuant to California § Penal Code Section 933 (c) the following agency is required to respond to the findings & recommendations contained in this report.

- City of Hanford

## **KINGS COUNTY BRANCH JAIL**

### **SYNOPSIS:**

The Kings County Sheriff's Office Branch Jail is located at 690 East Drive in the City of Hanford. The jail was built in 1984 with the aid of a federal grant. It was originally a minimum-security facility. After an increase in the need for maximum-security accommodations, a new addition was built to house the most violent offenders. This addition opened in 1999 and was designed to meet the future needs of juvenile offenders. It is planned that when a new jail is built, the Branch Jail will become the Kings County Juvenile Center.

The Branch Jail is staffed with 23 sheriff's personnel. The jail has a present population of 143 inmates. The Branch Jail is designed to house 155 inmates that may be incarcerated. The Branch Jail is made up of eight dorms, a multi-purpose room, kitchen, cafeteria/visiting room, laundry, administration offices and a monitoring control room. One of the dorms, the violent offender unit, has a capacity of 22 inmates. Another dorm houses a total of 32 females. The remaining six dorms are for the less violent male offenders.

### **AUTHORITY FOR THE INQUIRY:**

Penal code SB 925 states, "The Grand Jury shall investigate and report on the operations, and records of the officers, departments or functions of the county."

### **METHOD OF INQUIRY:**

The Grand Jury toured the Branch Jail on August 19, 2004.

### **OBSERVATIONS:**

While touring the jail, the Grand Jury was told that the kitchen employs four cooks and one senior cook. The senior cook has worked in the kitchen of the Branch Jail since 1984. The staff works three shifts per day beginning at 3:00 a.m. and ending at 6:00 p.m. In addition to the paid staff, the senior cook supervises 16 minimum-security inmates who assist with cooking and clean up in each of the two kitchen

facilities. All of the food is cooked at the Branch Jail Kitchen and then transported to the Main Jail Kitchen for serving.

The senior cook is responsible for competitive bidding on food, placing the food orders, accounting, budgeting and projecting costs.

The Grand Jury saw a clean and well-run facility. The staff at the Branch Jail should be proud of a job well done.

**RESPONSE:**

**This is an informational report. No formal response to this 2004-2005 Grand Jury report is required from this agency.**

## **CORCORAN STATE PRISON & CALIFORNIA SUBSTANCE ABUSE TREATMENT FACILITY**

### **SYNOPSIS:**

California Substance Abuse Treatment Facility and State Prison, Corcoran (CSATF) is located in the city of Corcoran, across the street from California State Prison, Corcoran. It was the 33<sup>rd</sup> prison built in California. Activation of CSATF took place August 4, 1997. The CSATF building design is set up in four clusters, each with a central hub that allows for greater security. Each cluster has group meeting rooms, counselor offices, classrooms and two separate tiers of six four-man dormitories.

CSATF is the largest substance abuse treatment facility in the world. Inmates are confined to three levels of security, levels two, three and four. The facility currently holds approximately 6,800 inmates and has a staff of approximately 1,730 employees.

### **AUTHORITY FOR THE INQUIRY:**

The California Penal Code 919(b) establishes the authority for this inquiry as follows: “The Grand Jury shall inquire into the condition and management of the public prisons within the county.”

### **METHOD:**

We obtained the information reported here through document review, and a visit to the prison. Members of the jury toured CSATF on October 7, 2004.

### **INFORMATIONAL DESCRIPTION AND OBSERVATIONS:**

We met with staff and learned that two private contractors provide the drug and substance abuse treatment: Walden House, Inc. and Phoenix House of California. Counseling is available seven days a week in various areas of treatment. CSATF provides a 6 to 18-month comprehensive program. This counseling is available to all inmates and requires a minimum of 20 hours of treatment per week.

Additionally, inmates are required to work four hours a day to complete the full eight-hour workday requirement.

CSATF has a new Administrative Segregation Unit. It has a 40-bed correctional treatment center with 20 designated beds for mental health and 20 designated as crisis beds. The general population units consist of dorms and cell settings consistent with the level of security for the unit.

CSATF provides vocational training to the general population inmates in the following areas: mechanics, auto repair, air conditioning, upholstery, furniture upholstery and bicycle repair. Wal-Mart, police departments and citizens donate old bikes and parts. The refurbished bikes are donated to underprivileged children in the county.

**RESPONSE:**

**This is an informational report. No formal response to the 2004-2005 Grand Jury report is required from this agency.**

## **AVENAL STATE PRISON**

### **SYNOPSIS:**

Avenal State Prison (ASP) is located in the city limits of Avenal on Highway 33. ASP was the first institution constructed during the prison era of the 1980's and 1990's. It was the first all-new prison built in California in 20 years and was originally known as Kings County State Prison. On February 22, 1988 it was officially named Avenal State Prison.

ASP is a Level II institution that originally had 17 dormitory housing units for general population inmates. The institution was designed for a capacity of 2,320 inmates. The large influx of convicted felons committed to the California Department of Corrections contributes to the current capacity of 7,258. A few years ago, (6) two hundred bed dormitories were built one on each facility, to alleviate overcrowding. ASP has a total staffing of approximately 1500. The institution is comprised of six separate, semi-autonomous facilities, an administration segregation unit, and a 10-bed firehouse, that is located outside the fence. Each facility has its own support services and 4 housing units. The main infirmary is located in the center of the institution.

### **AUTHORITY FOR THE INQUIRY:**

The California Penal Code 919 (b) establishes the authority for the inquiry as follows: "The Grand Jury shall inquire into the condition and management of the public prisons within the county."

### **METHOD:**

We obtained the information reported here through document review, and a visit to the prison on November 4, 2004. The Warden's Administrative Assistant S. Pennywell conducted the tour.

### **DESCRIPTION AND OBSERVATIONS:**

Our visit to ASP included a tour of inmate housing units, education facilities, employment and the perimeter security fence.

## Housing:

Inmates are assigned to a facility based on many factors (security, educational, work experience or medical).

Each facility has 4 housing units that are dorm setting (no cells). Even from our brief tour, it was clear that the housing conditions are adequate but crowded. ASP has retrofitted the dormitory, which houses the handicapped, in such a manner that all amenities are readily accessible.

## Educational and Vocational Programs:

The education department offers English as a second language (ESL), Adult Basis Education (ABE), Levels II, and III, Pre-Vocational, Pre-Release and General Education Development (GED) to inmates at ASP. In addition, ASP is a testing center for the GED test. Approximately 70 inmates pass the GED per quarter. The education department provides compensatory education to inmates under the age of 21 through Improving Americas Act (IASA).

ASP has the following vocational programs to offer inmates.

1. Janitorial
2. Carpentry
3. Plumbing
4. Small engine repair
5. Welding
6. Landscape/Gardening
7. Office machine repair
8. Machine shop
9. Refrigeration/Air Conditioning
10. Mill and Cabinet
11. Electronics
12. Auto Body and fender repair
13. Dry cleaning
14. Auto mechanics
15. Computer and related technology
16. Upholstery
17. Mechanical drawing

### Employment:

During our visit it is explained how Prison Industry Authority (PIA) provides jobs for inmates in the production of goods and services used both inside and outside of the prison system. We toured the PIA Egg Production Enterprise. This enterprise has multiple barns of egg laying hens and produces shell eggs, frozen egg product and liquid fresh product for C.D.C. institutions. It operates on one shift, seven days a week. Other PIA enterprises are laundry, general fabrication/metal products, maintenance department, warehouse, and furniture factory.

In addition to PIA, prisoners may be assigned to other work programs, such as food services, office clerks, janitorial duties, gardening and many others. ASP inmates who are in the Disability Placement Program (DPP) are expected to participate in the work incentive program and no exceptions are made for mobility-impaired inmates, inmates who are confined to wheelchairs or other wise handicapped, everyone works.

### Perimeter Security Fence:

ASP perimeter fences are chain link with razor wire. A lethal electrified perimeter fence is secured between the two perimeter fences. Both fences are interrupted by 2 sally ports. Each are staffed by armed tower personnel.

### **REQUIRED RESPONSES:**

**This is an informational report. No formal response to the 2004-2005 Grand Jury report is required from this agency.**

## **CALIFORNIA STATE PRISON-CORCORAN**

### **SYNOPSIS:**

California State Prison-Corcoran (CSP-Corcoran) is located in the south area of the City of Corcoran. The prison grounds cover 942 acres, with 63 acres fenced. It is built on what was once Tulare Lake, home of the Tachi Indians.

Like other modern California State prisons, CSP-Corcoran is circular in design, so that if problems with inmate arise, security personnel can respond quickly. The electrified fences at CSP-Corcoran are powerful enough to deter any attempt to escape over the fence.

CSP-Corcoran is a complex, multi-mission institution comprised of the following facilities: Levels I, III, IV, Security Housing Unit, (SHU), Prison Industry Authority and a fully licensed Acute Care Hospital.

### **AUTHORITY FOR THE INQUIRY:**

The California Penal Code section 919(b) establishes the authority for this inquiry as follows: “The Grand Jury shall inquire into the condition and management of the public prisons within the county.”

### **METHOD:**

We obtained the information reported here through document review and a visit to the prison. Members of the Grand Jury toured CSP-Corcoran on October 28, 2004.

### **DESCRIPTION AND OBSERVATIONS:**

Our visit to CSP-Corcoran included a tour of the Security Housing Unit (SHU), Administrative Segregation Unit (ASU) and the Acute Care Hospital.

#### **Security Housing Unit:**

The Jury toured the SHU facility. This unit houses inmates requiring maximum custodial constraints. The Jury could see that this is security at its highest.

Acute Care Hospital:

CSP-Corcoran has a 96-bed, acute care hospital with two emergency rooms and two operating rooms. It covers 65,000 square feet and cost \$20 million to build. The Jury was very impressed with the acute facility.

Administrative Segregation Unit (ASU):

In 2003, CSP-Corcoran opened a new ASU. When an inmate's presence in an institution's inmate general population presents an immediate threat to the safety of the inmate or others, endangers institution security or jeopardizes the integrity of an investigation for an alleged serious misconduct of criminal activity, the inmate is immediately removed from general population and placed in ASU. The Jury was impressed with the staff's attention to security detail while touring the facility.

**RESPONSE:**

**This is an informational report. No formal response to this 2004-2005 Grand Jury report is required from this agency.**

## **KINGS COUNTY MAIN JAIL**

### **SYNOPSIS:**

The Main Jail is located at 1444 W. Lacey Blvd. in the City of Hanford. The Main Jail is operated by the Kings County Sheriff's Office. It was built in 1964 with an original capacity of 290 inmates, but due to a court decision, the capacity has been reduced to 150 inmates. Based on a court order the sheriff has authority to grant early releases due to overcrowding conditions. A multitude of inmates with less serious crimes have been granted early releases.

### **AUTHORITY FOR THE INQUIRY:**

Penal Code 925 states, "The Grand Jury shall investigate and report on the operations, accounts, and records of the offices, departments or functions of the county."

### **METHOD OF INQUIRY:**

The Grand Jury toured the Main Jail on September 23, 2004. We met with the commander and a senior deputy, who gave us a very informative tour.

### **INFORMATIONAL DESCRIPTION AND OBSERVATIONS:**

The format of the tour allowed questions and interaction with all staff. The Jury learned the Main Jail houses offenders awaiting their trial process and some completing their jail sentences. If their sentence calls for state prison time, then transportation is arranged, and they are taken to the designated reception center.

The Main Jail is made up of various capacity cells, holding, visiting area, kitchen/cafeteria, laundry, administration offices and a monitoring control room. It has a secure perimeter and an exercise yard. Prisoners are classified before they are placed into a cell and allowed to the exercise yard. There are only four female cells.

While touring the facilities of the Main Jail, it was obvious the facilities are deteriorating to a point where making the necessary repairs are not economically feasible. The inmate living quarters, staff offices and visiting areas are cramped and overcrowded. Also, the Jury saw that the jail was dirty, the floors were sticky,

and the walls had what appeared to be dried fecal matter on them. The Grand Jury feels that the conditions at the Jail are unsanitary and unfit living conditions.

**RECOMMENDATIONS:**

The Grand Jury strongly recommends that the Sheriff's Department, within 30 days, clean and sanitize the facility.

**RESPONSE REQUIREMENT:**

Pursuant to California § Penal Code Section 933 (c) the following agency is required to respond to the findings & recommendations contained in this report.

- Kings County Sheriff's Office

**STATEMENT OF CLARIFICATION  
TO KINGS COUNTY MAIN JAIL FINAL REPORT**

The Kings County Department of Health is mandated to perform county health inspections on an annual basis.

An inspection by the Health Department on November 23, 2004 noted several areas in need of repair or cleaning. Two items noted on prior reports were again noted on the 2004 report.

The Grand Jury has determined that there is a gap in accountability as to who will ensure that State codes are adhered to.

After conducting interviews, it was discovered that the county has no provisions for follow-up inspections to ensure that violations are corrected.

The California State Board of Corrections informed the grand jury that they're only required to inspect the structure and capacity and not the cleanliness of the facility.

**NO ADDITIONAL RESPONSE REQUIRED**

**AREA OF INQUIRY:**

**Kings Mosquito  
Abatement District  
10871 Bonney View Lane  
Hanford, CA 93230  
(559) 594-3326**

**REPORTING COMMITTEE:**

**County Government**

**PURPOSE OF INQUIRY:**

**Informational Tour  
August 9, 2004  
Interview  
August 16, 2004**

**INTRODUCTION:**

The Kings Mosquito Abatement District (KMAD) was formed 60 years ago and covers 551 square miles, which includes 31 square miles in Tulare County. The KMAD is governed by a seven member Board of Trustees with a \$1.3 million budget. Depending on workload the District has 11 permanent and 10 to 14 seasonal employees. By choice Avenal and Kettleman City are not included in the District. Avenal State Prison and Lemoore Naval Air Station are serviced under contract with KMAD.

**FINDINGS:**

The Committee met with Mrs. Lue Casey, District Manager, at the KMAD conference room. The primary purpose of our visit was to determine what is being done to combat West Nile Virus (WNV). This virus has been detected in Kings County. Further discoveries have been made in surrounding areas. All dead birds and other animals suspected of carrying WNV are picked up and sent to U.C. Davis for testing. Response time takes approximately three weeks. This virus is carried by mosquitoes and in "host" animals, primarily birds, although other animals can also host WNV. Mosquitoes carry the virus and infect humans and animals by their bite. The time between the mosquito bite and the onset of illness, known as the incubation period, range from 5 to 15 days in humans.

The KMAD has tagged 2563 active sources in the county where mosquito breeding can occur. These sources are treated every 5 to 15 days either with chemicals or by placing mosquitofish in standing water, ponds, ditches and sloughs. To insure total coverage, all sources are monitored by computer. Members of the public can obtain these mosquitofish at no charge by bringing a

container to the Mosquito Abatement Office. The public is encouraged to use this treatment in any standing water, pond, pool or tank.

The Committee learned that all ponds at county golf courses and parks are stocked with the mosquitofish. One other area of concern to the Committee is the slough at Hidden Valley Park. We were assured it is well stocked with mosquitofish. Service technicians periodically deposit mosquitofish where needed and in areas where it is not easily accessible for chemical spraying (the South Fork of the Kings River which has standing water primarily due to the surface water table).

The KMAD works with cities having standing water by placing Altodic Briquettes in ponds and storm gutters. They also work closely with the dairies in Kings County to insure adequate mosquito control. The Committee was shown the mosquitofish tanks and was impressed with the overall facilities. The KMAD manager said they would be glad to talk to any group requesting more information about WNV and the program for control of mosquitoes.

The Committee met with Mr. Keith Winkler, Deputy Director of the Kings County Environmental Health Service (KCEHS), on August 16, 2004 in the Grand Jury Room. This division consists of 11 personnel, 2 are clerical and 9 are Environmental Health Officers. This division works with the KMAD regarding WNV. The objective of KCEHS is to ensure that domestic water supplies are safe at all times. This is accomplished through periodic inspection, evaluation, surveillance and sampling of public water systems.

With regards to WNV, the State Health Service has implemented a statewide plan for controlling mosquitoes and educating the public. The KCEHS works with the Mosquito Abatement District in tracking and controlling WNV and any other communicable disease. A recent article for the public was published in the Hanford Sentinel on June 3, 2004 outlining the preparation Kings County is making to combat WNV.

**RECOMMENDATIONS:** None

**COMMENTS:**

The Grand Jury is aware of the effort being made to educate the public and to control WNV. It is reassuring to know that there is an emergency action plan in place to combat emergencies and to learn of the open working relationship between KMAD and KCEHS.

**RESPONSE:**

**This is an informational report. No formal response to this 2004-2005 Grand Jury report is required from this agency.**

**AREA OF INQUIRY:**

**Hidden Valley Park  
11<sup>th</sup> Ave and Cortner St  
Hanford, CA 93230**

**REPORTING COMMITTEE:**

**Local Government**

**PURPOSE OF INQUIRY:**

**Follow-up Tour  
July 30, 2004  
Interview  
October 19, 2004**

**INTRODUCTION:**

The Hanford Parks and Recreation Department is responsible for the upkeep and maintenance of all city parks. The 2003-2004 Grand Jury toured Hidden Valley Park on July 25, 2003 and made nine recommendations. The 2004-2005 Grand Jury conducted a follow-up tour to ensure those recommendations had been addressed. Due to the finding of West Nile Virus in Kings County, the Committee also investigated mosquito control and areas of standing water on the park grounds and in the slough. Gordon McGowan, Parks Superintendent, was interviewed on October 19, 2004.

The recommendations from 2003-2004 Grand Jury were as follows:

1. Eradicate squirrels and gophers and fill the holes
2. Repair the fence at the Emma Lee Lane pump station
3. Install a grating at well 38
4. Replace the control valve cover
5. Replace the “No Swimming” sign in the duck pond with a legible one and install a similar sign in the slough
6. Install additional lights at the back of the park
7. Remove bushy undergrowth, dead or fallen trees, all trash and clean the slough
8. Control watering time to avoid standing water
9. Relocate the flagpole

## **FINDINGS:**

The Committee took a walking tour of the entire park and found the recommendations from the 2003-2004 Grand Jury have been partially addressed.

1. The population of squirrels and gophers has been greatly reduced. There is an ongoing effort being made to fill the holes.
2. The fence at Emma Lee Lane pump station has been repaired.
3. The drainpipe at well 38 was modified on September 30, 2003.
4. The control valve cover west of the picnic pavilion has been replaced.
5. The “No Swimming” sign in the duck pond is still not legible. New signs have been installed at both entrances of the bridge near the slough.
6. Security lights were reportedly installed in the late 1980’s and seemed to satisfy the concerns of the residents and police staff. The Public Works Department will investigate the potential of additional light installation.
7. Some dead tree removal has occurred. Reportedly, efforts have been made to alleviate growth in the slough. The north area of the slough near Cortner St. remains dirty and slimy with various articles of trash, dead tree limbs and aluminum cans scattered throughout.
8. There are still areas of over-watering and broken sprinkler heads. Reportedly, maintenance is ongoing and several efforts have been made to improve irrigation; including main-line repairs, clock repairs and replacement, valve and valve wiring repairs and sprinkler head replacement.
9. The flag pole issue has been sufficiently addressed.

In addition to the above findings, there is an area of fence at the south side of the park that has graffiti spray painted on it. The restrooms are in need of repair. The men’s restroom has a leak in the plumbing located in the wall at the urinals. The faucets and the trap under the sink are leaking and need repair. Toilet maintenance needs more attention. The women’s restroom has no soap or paper towels. One of the two sinks in the women’s restroom has been removed and there are pipes sticking out of the wall where the sink used to be. Outside of the restroom area, the drinking fountains are dirty and not functioning properly. There is a large hole in the ground, at the north end of the bridge, which needs to be filled. A large cement block is located by the playground area on the west end of the park, south of the pond, which poses a safety hazard for children playing in the area. The issue of mosquito control and possible West Nile Virus exposure is adequately being addressed by Kings Mosquito Abatement by monthly spraying and stocking the pond and slough with mosquito fish.

Gordon McGowan, Parks Superintendent, was receptive to the Committee and is committed to addressing the above concerns. According to McGowan, Hidden Valley Park was designed to represent a natural habitat. The slough in the park is a portion of a natural drainage system belonging to the City of Hanford. New efforts will be made by the parks department to drain and clean the slough near Cortner St.

**RECOMMENDATIONS:**

1. Replace the “No Swimming” sign in the pond with a larger more legible sign and add additional signs to the outer perimeter of the pond.
2. Place at least two additional “No Swimming” signs near the slough on the north side of the park near Cortner St.
3. Fill the large hole and raise the sprinkler located near the “No Swimming” sign at the north entrance of the bridge by the slough.
4. Repair the plumbing in the men’s restroom.
5. Repair the plumbing in the women’s restroom.
6. Provide soap and paper towels for washing and drying hands in the restrooms.
7. The restrooms need more continual maintenance.
8. Repair and clean the water fountains near restrooms.
9. Remove graffiti from the fence west of Emma Lee Lane.
10. Remove the large cement block near the playground.

**COMMENTS:** None

**RESPONSE REQUIREMENT:**

Pursuant to California § Penal Code Section 933 (c) the following agency is required to respond to the findings & recommendations contained in this report.

- City of Hanford

**AREA OF INQUIRY:**

**John C. Fremont School  
1900 Bell Ave  
Corcoran, CA 93212  
(559) 992-4102**

**REPORTING COMMITTEE:**

**Local Government**

**PURPOSE OF INQUIRY:**

**Follow-up Tour  
September 17, 2004  
Interview  
September 24, 2004**

**INTRODUCTION:**

John C. Fremont School was visited by the 2003-2004 Grand Jury on October 21, 2003. The recommendation made as a result of that visit was as follows: Explore ways to communicate with the City of Corcoran to get school zone signs, crosswalks and curbs painted to ensure student safety while coming to and from school.

**FINDINGS:**

The Committee toured the perimeter of the school on September 17, 2004 to inspect the areas of collaboration and participation by the City of Corcoran. The Committee also met with and interviewed Steven P. Kroeker, Public Works Director, on September 24, 2004.

The recommendation has been partially completed. The following changes were reportedly made:

1. Four stop signs were added to a corner adjacent to the school.
2. Two crosswalks were added to the front of the school along with repainted crosswalks at the intersections.
3. The west front curb was painted yellow for student loading.

There are still areas of concern. Posting signs and curb markings in school zones would make the area a safer place for the children walking to and from school.

There is a lack of consistency with posted upright signs and signs painted on the streets to notify the public entering the school zone. Another area of concern is the fact that red curb markings near crosswalks is inconsistent and is a potential hazard for children using the crosswalks.

Mr. Kroeker stated there are very few regulations specifically governing school zone curb markings and signs. The City of Corcoran Public Works Department is willing to work with the Grand Jury to ensure the safety of the children. The City of Corcoran is sensitive to residents in the area and their needs for parking.

**RECOMMENDATIONS:**

1. Paint curbs three feet each way from all “safe route to school” crosswalks surrounding/approaching Fremont School.
2. Install school zone signs on all streets approaching Fremont School.
3. In addition, paint “SLOW-SCHOOL XING” in the streets approaching the school. See Vehicle Code section 21368 Crosswalks Near Schools for item #2 and #3.

**COMMENTS:** None

**RESPONSE REQUIREMENT:**

Pursuant to California § Penal Code Section 933 (c) the following agency is required to respond to the findings & recommendations contained in this report.

- City of Corcoran
- Fremont School

**AREA OF INQUIRY:**

**Kings County Shop  
Equipment and Repair  
Maintenance  
11827 11<sup>th</sup> Ave  
Hanford, CA 93230  
(559) 582-9207**

**REPORTING COMMITTEE:**

**County Government**

**PURPOSE OF INQUIRY:**

**Informational Tour  
and Follow-up Visit  
August 23, 2004**

**INTRODUCTION:**

The Kings County Shop is located on 11<sup>th</sup> Ave. The shop is responsible for repairing and maintaining most county equipment including over 600 vehicles belonging to Kings County. This includes Sheriff's Department vehicles and heavy equipment of the Kings County Road Department. The shop consists of a long metal building divided into several work areas. These areas include a warehouse, parts room, two offices, small training area, bays for working on vehicles and heavy equipment and vehicle washing area. There is a natural gas fueling station on the premises, which is used to fuel the 60 natural gas-powered vehicles owned by Kings County. Kings County also owns one hybrid-powered automobile.

The shop employs seven full-time employees. These employees are as follows: three certified master mechanics, one service technician, one service writer, one parts manager and one motor pool attendant. These employees are overseen by the Fleet Service Manager.

**FINDINGS:**

The committee met with Roger Wilson, Fleet Service Manager, on the premises of the Kings County Shop. The actions taken on the 2003-2004 Grand Jury recommendations are as follows:

No action has been taken on evaluating the possibility of the County Shop resuming the maintenance of fire department vehicles and equipment.

The recommended awning to protect lubricant and antifreeze containers from the outside environment is not in place, despite the response received by the Grand Jury stating the awning was to be installed.

It was observed during our tour air hoses hanging above the service bays had no

take-up reels. The hoses snake across the floor of the service bays and create a work safety hazard for all employees.

The Committee was given a complete and courteous tour of all facilities by the Fleet Service Manager. He takes obvious pride in the work of his employees and his department. He gave us a complete tour and answered all our questions.

**RECOMMENDATIONS:**

1. This Grand Jury **strongly** recommends the awning over lubricant and anti-freeze containers should be installed. The Grand Jury views the uncovered containers as an environmental hazard.
2. All air hoses should be equipped with take-up reels.

**COMMENTS:**

The Grand Jury thanks Mr. Wilson and his staff for making our visit informative and enjoyable. They are to be commended for running a fine operation.

**RESPONSE REQUIREMENT:**

Pursuant to California § Penal Code Section 933 (c) the following agency is required to respond to the findings & recommendations contained in this report.

- Kings County Shop

**AREA OF INQUIRY:**

**Hanford Wastewater  
Treatment Plant  
1055 Houston Ave  
Hanford, CA 93230  
(559) 585-2576**

**REPORTING COMMITTEE:**

**Local Government**

**PURPOSE OF INQUIRY:**

**Follow-up and  
Informational Tour  
August 13, 2004**

**INTRODUCTION:**

The Hanford Wastewater Treatment Plant is situated on 320 acres south of Hanford. The facility sits on 60 acres, 75 acres are used for storage for irrigation and 185 acres are disposal and storage ponds. The facility was expanded in 2003. The Committee toured the newly expanded facility.

**FINDINGS:**

The Committee was met at the new office by Richard Magnia, Waste Management Division Senior Operator. Before the tour he described the new facilities, which were completed in April 2004. Waste Disposal Manager, Robert A. Sisneroz, showed us on computer screen diagrams how the new process works. Since the expansion in 2003, the facility treatment capacity has been increased to 8.3 million gallons per day from 5.5 million gallons per day. It is currently treating 5 million gallons per day.

There are two processing plants. One is a two-stage treatment process and the new one is an oxidation process. Four sewage lines, located in 10th Ave., 10 1/2 Ave., 11th Ave. and 12th Ave, feed the dual plants. The facility is automated and monitored by operators 24 hours a day. In case of any problems, required personnel can quickly respond.

Currently, there are ten permanent employees and one vacancy to be filled. All operational personnel are certified for their positions. Two laboratory technicians have degrees in microbiology. Testing is done every day for input and output of

water and to make sure the facility meets California Central Valley Regional Water Quality Control standards. Periodically, test samples are sent to private laboratories to confirm the Hanford findings. Every month a report goes to the California Regional Water Quality Review Board. The California Central Valley Regional Water Quality Control Board inspects the facility every two years. The final treatment of water is chlorination. Treated water is released from the facility to a pipeline to the Lakeside irrigation ditch.

The Hanford facility produces sludge that meets or exceeds current state requirements. The City currently pays McCarthy Farms \$30 per ton to take sludge for agricultural use.

When the facility reaches a use level of 75% of capacity, officials must begin the design of an expansion. The current facility is based on a growth pattern of 15 years.

**RECOMMENDATIONS:** None

**COMMENTS:** None

**RESPONSE:**

**This is an informational report. No formal response to this 2004-2005 Grand Jury report is required from this agency.**