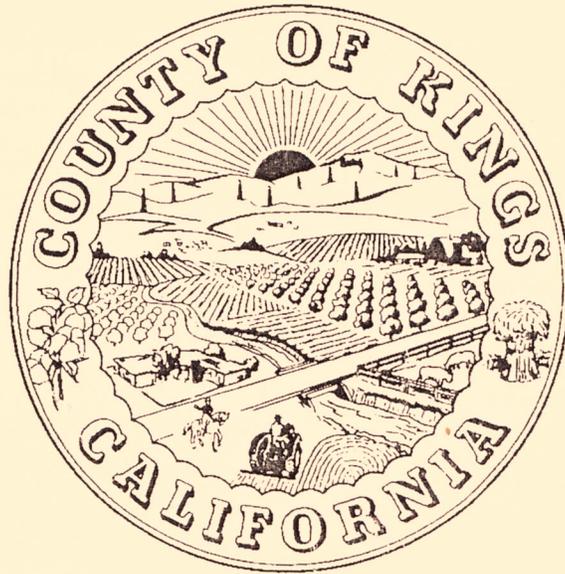


**KINGS COUNTY
GRAND JURY**



**FINAL REPORT
2010-2011**

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Responses to 2009-2010 Report



Office of the Court Executive
Superior Court of the State of California
County of Kings

George L. Orndoff
Presiding Judge

June 16, 2011

To: Kings County Grand Jury and Affected Governmental Agencies and Officers

The 2010– 2011 Kings County Grand Jury has submitted the enclosed reports to the Presiding Judge and/or his designee of the Superior Court in accordance with Section 933 of the California Penal Code. The enclosed reports were submitted and are hereby accepted as the final reports of the Grand Jury concerning these areas of inquiry.

The agencies and elected officials who are affected by the enclosed reports are each hereby notified that they are required to comment to the Presiding Judge and/or his designee concerning these findings and recommendations as they pertain to the subject agency or elected official. Comments are due on behalf of each elected county officer or agency head that has responsibility for the agencies and functions described in these reports within 60 days from this date. The governing bodies of the public agencies affected by the reports have a 90 day time limit within which to submit comments pursuant to Penal Code Section 933 (c). In addition, a copy of each response shall be placed on file with the clerk of the public agency on whose behalf the response is made.

Those having questions concerning their responsibilities to respond to the Grand Jury's recommendations should contact County Counsel or their agency's general counsel.

The Judges of the Superior Court wish to express our sincere appreciation of the long hours of service given by members of the 2010 – 2011 Grand Jury, with special thanks to their Foreperson, Donald Wilcox. Selfless dedication to public service such as that demonstrated by this Grand Jury is crucial to the survival of the institution of the Grand Jury, which is itself an important part of the checks and balances necessary for our democracy to function.

Sincerely,

George L. Orndoff
Judge of the Superior court



COUNTY OF KINGS
GRAND JURY
County of Government Center
1400 W. Lacey Blvd.
Hanford, CA 93230
Tel. No. (559) 582-3211 ext. 2892
Fax No. (559) 587-9502

June 15, 2011

Honorable George Orndoff
Superior Court of the State of California
Advising Judge to the Kings County Grand Jury
Hanford, California 93230

Dear Judge Orndoff,

On behalf of the 2010/2011 Kings County Grand Jury, it is our privilege to submit our Final Report for your consideration. After exhaustive deliberation and consideration of all information provided, this report is determined by the Grand Jury to be ready for publication.

This year's Grand Jury worked hard and long on these reports and we hope that they will benefit Kings County. Some of the best minds in Kings County were on this jury and it has been a pleasure working with them. Their dedication to the internal workings of the Grand Jury, as citizens called to do a job, is unique. This Grand Jury started out as strangers, but leave as family. They worked together as a team and all contributed in the success of the 2010/2011 year.

We thank you, Judge Orndoff, for allowing us to release our reports early and our special thanks to Colleen Carlson, County Counsel, for her advice and direction.

We also extend our appreciation to one of our Grand Jurors, Jack Schwartz, for his unique wisdom, wealth of information and guidance.

Sincerely,

Don Wilcox, 2010-2011 Kings County Grand Jury Foreman

Eldora Trigueiro, 2010-2011 Kings County Grand Jury Pro Tem

Grand Jury

The Kings County Grand Jury consists of nineteen qualified county citizens chosen by lottery from a list of 30 prepared by the presiding Judge of the Superior Court. The Judge may reappoint as many as 10 jurors from the sitting jury, but no one can serve more than two consecutive terms. The Judge chooses the Grand Jury Foreperson.

The civil or "watchdog" responsibilities of the grand jury include the examination of all aspects of city and county governments, including special districts, to ensure the entities are functioning honestly and efficiently, and public moneys are being handled appropriately. The grand jury is required by law to inquire into the conditions and management of public jails within the county.

Grand Jury Members

Shirley Bearden	Snack Master
Walter (Walt) Buehler	Sergeant at Arms
A.F. (Jerry) Carter	
Anthony (Tony) Collins	Chair: Law & Public Safety
Bill Cooley	Co-Chair: Health & Education
Jim Christian	
Peter D. Farrington	Co-Chair: Final Report
Larry Hill	Chair: Health & Education
Sumner (Curly) Keyes	Treasurer & Co Chair: Local Gov
Roger Lynn	Chair: Local Government
Georgia Mattos	Chair: Social
Maria Perez	Co-Chair: Law & Public Safety
Doyle Rogers	Chair: County Governmen
Jack Schwartz	Chair: Final Report
Joe Silva	
Elizabeth Anne Sutton	Recording & Correspondence Sec
Eldora Trigueiro	Foreperson Pro Tem
Don Wilcox	Foreperson
Sandra Willcoxson	



**THE HONORABLE SUPERIOR COURT JUDGES
and the
2010 – 2011 KINGS COUNTY GRAND JURY**

JUDGE George L. Orndoff	JUDGE Thomas DeSantos	JUDGE Donna L. Tarter	Commissioner Julienne Rynda	JUDGE Lynn C. Atkinson	JUDGE James LaPorte	JUDGE Steven Barnes	JUDGE Robert S. Burns
Tony Collins	Bill Cooley	Peter Farrington	Walt Buehler Sgt. at Arms	Roger Lynn	Doyle Rogers	Sumner Keys Treasurer	Larry Hill
Elizabeth Sutton Secretary	Sandra Willcoxson	Shirley Bearden Snack Master	Maria E. Perez	Joe Silva	A.F. "Jerry" Carter	Eldora Trigueiro Pro Tem	Jack Schwartz



Don Wilcox
Foreperson:

Not Pictured:
Georgia Mattos Social
Jim Christian

CORCORAN DISTRICT HOSPITAL (CDH)

SYNOPSIS

Measure C was an 18 million dollar bond passed by the citizens of Corcoran to construct a new hospital. To date, approximately 12.6 million dollars have been spent, but construction of a new hospital building has not even started.

WHY THE GRAND JURY INVESTIGATED

The Grand Jury received a citizen complaint on June 1, 2010, concerning the expenditure of Measure C money and related real estate acquisitions. The complaint also included two other items over which the Grand Jury has no jurisdiction.

AUTHORITY

California Penal Code Section 933.5 provides that a 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

The Grand Jury interviewed witnesses, attended board meetings, examined available documents, and toured the CDH.

BACKGROUND AND FACTS

According to the argument in favor of Measure C on the sample ballot, the 2005 resolution of Measure C, as approved by Corcoran voters, was to “provide new facilities and services..., Construct additional medical/surgical support facilities..., Construct a new acute care facility..., Build a new emergency department..., Provide new obstetrics/gynecological and Intensive Care Units...” It also was to “be used only to improve our hospital facilities – not to pay administrative or employee salaries.”

The CDH has been in existence since 1950. It serves the city of Corcoran and surrounding areas, as well as the Corcoran State Prison, the California Substance Abuse Treatment Facility and other state prisons when necessary. The Board of Directors is responsible for all of the financial and subsequent actions of the

hospital district. The Chairperson of the Board provides the general supervision, direction and control of the affairs of the District and oversight of all contracts. The CDH bylaws require the Board to meet regularly and to direct the Chief Executive Officer (CEO). The members of the Board receive no compensation, but are reimbursed for travel and incidental expenses. From 1998 to the present, the CDH has had eight CEO's.

In the early 1990's earthquake safety legislation required that the existing hospital be retrofitted or rebuilt to meet the new standards. The infrastructure of the hospital had also deteriorated and needed to be upgraded.

Plans were developed to build a new hospital and use the old building for office and storage space and other medical services. On June 7, 2005, Bond Measure C was passed to provide funds for the implementation of that plan.

A financial oversight committee was formed in about 2003, however that committee was eventually abandoned. Since 2009, a new financial oversight committee has been formed and is composed of two CDH Board of Director members and all of the upper CDH administrators.

A ten-acre parcel of land was offered as a donation for the purpose of building a new hospital. Architectural plans for the infrastructure and improvements were developed in 2005 at the cost of \$80,000. After community discussion, it was decided to develop the area around the existing building for a new acute care hospital rather than use the proposed donated property.

Further architectural fees were spent for the expansion of the existing site allowing the builder to own the facility and lease it back to the hospital. That plan was abandoned in favor of the current plan which is to build a community owned facility. To date the total architectural expenditures are approximately \$5,000,000.

The acquisition in 2008 of two lots near the existing hospital was questioned by citizens and lead to a complaint to the Kings County Grand Jury about a conflict of interest due to the involvement of a hospital employee. It appears to the Grand Jury that this allegation has merit. While examining the CDH Board minutes, the Grand Jury found that the minutes were incomplete in some cases, nonexistent in others, and no approval for the acquisition of properties was found. Interviews with Board members also indicated that there was no Board approval in the acquisition of the properties although required by their bylaws.

A number of lots were purchased from 2005 to 2009, without Board approval. There seems to have been a less than thorough evaluation process employed in the property purchase without the Board's involvement.

The purchase price of a number of properties were evaluated by market analysis and drive-by appraisals, as opposed to formal appraisals. Further, mention of payment for historical value appraisals was made at the April 2011 Board

meeting though the results of those appraisals have not been made public. It is the Grand Jury's opinion that the amounts paid for the properties were highly inflated.

The Grand Jury noted that the minutes of March 7, 2007, Board meeting stated:

“Approval of Authority;

1. The expenditure of \$10,000 or more for the lease or purchase of any unbudgeted item shall be approved by the Board.”

In attendance, at that meeting, were all five board members, the CEO, Chief Financial Officer, Chief Nursing Officer, two doctors, a unit manager, the Director of Facilities, and seven other named persons. No information, in any form, has been revealed to the Grand Jury that this “Approval of Authority” was ever revoked, and appears to have been ignored with respect to the property purchases in question.

The Grand Jury found that in March 2006 and again in June 2006 a combined total of \$291,000 was spent on operating expenses for the CDH. This appears to be in conflict with the intent of Measure C as those funds are to “be used only to improve our hospital facilities – not to pay administrative or employee salaries.” The Chairman of the Board of Directors of the CDH and four others signed the sample ballot which was made available to the voters.

In the course of the investigation the Grand Jury found that some of the CDH employees received substantial salary increases during the time of Measure C expenditures. In examining the Board minutes that were made available to the Grand Jury by the CDH, no mention of those increases was documented as an approved action item. The Attorney General's pamphlet on the Ralph M. Brown Act (Brown Act) requires that public employees' salaries must be set in open session and are, therefore, public information.

A nine million dollar United States Department of Agriculture loan is pending for an outpatient facility.

FINDINGS AND RECOMMENDATIONS

Finding 1

Open and closed session minutes were inadequate, sporadic and inconsistent, and at times not signed by the Board Chairperson or Board Secretary.

Recommendation 1

Detailed minutes should be taken consistently at all open Board meetings, signed by the Board Chairperson or Board Secretary, and made available to the public. Closed session minutes should also be taken consistently and actions required by

the Brown Act to be reported out of closed session should be contained in the regular minutes of the Board.

Finding 2

No written approvals of property purchases were found. In only one instance was it noted that the CEO was directed by the Board to only inquire into the purchase of a property. That property and other properties were subsequently purchased without evidence of Board discussion or approval found in the minutes from 2005 to 2008.

Recommendation 2

The CDH needs to adhere to its adopted bylaws, as presented to the Grand Jury during this investigation. Said bylaws state that the purchase of CDH property, “requires authorization of the Board of Directors and the written signatures of both the Chairperson and the Secretary.”

Finding 3

According to the Board minutes of March 7, 2007, all purchases over \$10,000 must be approved by the Board.

Recommendation 3

The Board should abide by its own directives.

Finding 4

The Grand Jury questions the CEOs’ and Board’s knowledge of and adherence to the Brown Act, their by-laws, and Local Hospital District Law.

Recommendation 4

New Board members need to be properly instructed on the Brown Act and current Board members should receive Brown Act refresher courses on a regular basis. The CDH by-laws should be adhered to. Local Hospital District Law (Health and Safety Code 32000-32492) should be studied by the Board and the hospital administration in consultation with legal counsel.

Finding 5

Money from Measure C may have been spent contrary to the intent of the measure. It seems clear to the Grand Jury that there was not adequate oversight protecting the interests of the citizens of Corcoran. The CDH Board of Directors apparently did not fulfill their obligation to the hospital and to the community.

Recommendation 5

The CDH Board of Directors should adhere to its policies and established by-laws regarding procedures for financial oversight. A majority of the financial

oversight committee should consist of Corcoran citizens, not affiliated with CDH. It should be in place to provide direction for the expenditure of Measure C money and any further funds allocated to the CDH.

Finding 6

The salaries of the hospital employees were increased in 2007. Those increases have not been made public and were not discussed and adopted in accordance with Brown Act requirements.

Recommendation 6

The Brown Act should be followed.

COMMENTS

In the course of the investigation, the Grand Jury received sworn testimony from some witnesses contrary to other witnesses' statements and in direct conflict to documented evidence received by the Grand Jury.

Specific requested documents, even under subpoena, were often not received in a timely manner, were sometimes incomplete and, in the case of some records, not at all.

Subsequent to the filing of the citizen complaint to the Grand Jury, a majority (three of five) of the CDH Board have been newly elected.

The current Kings County Grand Jury recommends that the 2011/2012 Grand Jury continue with the investigation of CDH.

RESPONSE REQUIREMENT

Penal Code Sections 933 and 933.05 require that specific responses to both the findings and recommendations contained in this report be submitted to the Presiding Judge of the Superior Court of Kings County within 90 days.

AVENAL STATE PRISON

SYNOPSIS

On September 28, 2010, the Grand Jury toured the Avenal State Prison (ASP). The primary mission of ASP is to provide control, care, and treatment of inmates committed to the California Department of Corrections and Rehabilitation by the courts. ASP is designated as a low to medium security institution providing cubicle housing (open dorm) and programming needs for approximately 6,300 general population inmates.

WHY THE GRAND JURY INVESTIGATED

The Grand Jury is required to visit/tour county jails and State prisons in the county.

AUTHORITY

California Penal Code 919(b): The Grand Jury shall inquire into the condition and management of public prisons in the county.

METHOD OF INVESTIGATION

The Grand Jury interviewed administrative staff, correctional officer dog handlers of the K-9 unit, building 310 correctional officer, medical staff, and Prison Industries Authority Supervisors from the furniture factory.

BACKGROUND AND FACTS

The Grand Jury was greeted by the staff of ASP just inside the entrance of the administrative building. The Grand Jury had made prior contact with ASP and arranged for the tour of the prison. After a brief introduction, the Grand Jury was invited to the Warden's Conference Room where all the prison's executive staff was assembled. All the department heads were introduced and gave a brief overview of the areas in the prison they represented.

The Grand Jury was then escorted to the Facility III visiting area by staff. There, the correctional officer dog handlers of the K-9 Unit were waiting with two Belgian Shepherds.

The two Belgian Shepherds assigned to ASP live in the homes of their handlers. One dog is trained for narcotic discovery and the other is trained in finding cell phones smuggled into the institution. An impressive demonstration of the dogs' searching abilities was conducted for the Grand Jury. As of September, more than 900 illegal cell phones have been discovered in 2010.

The Associate Warden (AW) then escorted the Grand Jury to Building 310, an open cubicle housing unit. There were fifteen bunk beds in each cubicle and about

twenty cubicles in the building divided between two floors. Approximately ten additional bunk beds were positioned outside the cubicle on the lower floor due to overcrowding. There was a minimal amount of inmates present in the housing unit who were medically excused from their work assignments.

Following the tour of Building 310 the Grand Jury was escorted to the ASP medical facility which was recently constructed. The medical staff met with the Grand Jury and explained the functions of this treatment facility. All inmates were registered and processed through a security check by correctional staff upon entering or exiting the area. There was a large waiting room with benches where the inmates were triaged for the level of medical seriousness prior to being seen.

There, the inmates have access to medical doctors and psychiatric care. The treatment area rooms and offices were in a secure area separate from the waiting room. The facility and equipment appeared to be new and in good condition. Upon leaving the ASP medical facility, the Grand Jury boarded a bus. The AW directed the driver to tour the inner perimeter road. He pointed out the conjugal visiting area where inmates can stay overnight with their families

The Grand Jury also noticed and asked about what appeared to be a grave-yard for golf carts. The AW said, due to the economy and budget cuts the carts had fallen into disrepair and were being stripped for parts to keep some carts operational. He said the bicycle repair and landscaping training programs were also cut or scrapped due to the economy.

The quality of the furniture manufactured in the prison impressed everyone who saw it. The furniture cannot be sold to the public. All of the furniture produced by the Prison Industries Authority is sold to California government funded schools and agencies.

FINDINGS AND RECOMMENDATIONS

None

COMMENTS

None

RESPONSE REQUIREMENT

None

CALIFORNIA SUBSTANCE ABUSE TREATMENT FACILITY AND STATE PRISON, CSP-CORCORAN (CSATF/SP)

SYNOPSIS

On September 14, 2010, the Grand Jury met with the Chief Deputy Warden and staff of California Substance Abuse Treatment Facility (CSATF/SP) and State Prison at Corcoran for orientation. There was a briefing with a question and answer session prior to a tour of the facilities.

WHY THE GRAND JURY INVESTIGATED

Required by California Penal Code Section 919(b)

AUTHORITY

California Penal Code Section 919(b): The Grand Jury shall inquire into the condition and management of public jails and prisons within the County.

METHOD OF INVESTIGATION

The Grand Jury met with prison administrative staff and toured CSATF/SP. The Chief Deputy Warden and Public Information Officer escorted the Grand Jury on a tour of the facility grounds, a medical clinic, an educational facility, an exercise yard, and a housing unit.

BACKGROUND AND FACTS

There are approximately 6,600 inmates at CSATF/SP Corcoran. The all male facility provides 19 beds for dialysis patients. The state provides educational, vocational, re-entry, and self-help programs that are current by society standards. Programs provide inmates life and work skills which can be used in support of their efforts at reintegration into society. There are programs that provide educational and vocational opportunities and have provided inmates with 75 high school diplomas, 250 General Educational Diplomas (GED's) and 13 vocational trade certificates which are honored nationally. CSATF/SP has also developed a program providing refurbished bicycles to non profit organizations.

FINDINGS AND RECOMMENDATIONS

None

REPLY REQUIRED

None

THE CITY OF AVENAL

WHY THE GRAND JURY INVESTIGATED

Public Interest.

AUTHORITY

California Penal Code Section 925a. The Grand Jury may at any time investigate and report on the operations of any incorporated city in the county.

METHOD OF INVESTIGATION

The Grand Jury toured the refurbished Veterans Hall, the reconstructed Avenal Theater, newly built Avenal Animal Control Facility, and the new Avenal Police Department which had been refurbished from the old Avenal Hospital.

BACKGROUND AND FACTS

The Veterans Hall, which is utilized for the city's Senior Nutrition Program, has been remodeled to include some new appliances as well as older, usable appliances for the storage and preparation of meals. The facility was observed to be clean and attractive, and it provides a valuable service for the community. The newly revamped Avenal Theater is truly the showcase of the downtown area. Reconstructed to replicate the original building which had been destroyed by fire, this theater reflects times of old when Avenal was a booming oil town. Boasting two theater screens, this theater shows some of the most recent movie releases and additionally serves to host monthly city council meetings. Banquet and meeting facilities are available with full amenities. The recent creation of the Avenal

Police Department required a new station for police services. Reconstruction of the old Avenal Hospital serves to accommodate this need. The facility has been updated with some of the latest in law enforcement technology and equipment. The desire of the new Avenal Animal Control Center is to be a no kill facility. Animals are now afforded a clean, temperature controlled environment in which to thrive until adoption can be arranged for them. The facility was constructed to accommodate the appropriate segregation of species as well as meeting standards for their humane treatment and appropriate quarantine of infectious disease cases.

COMMENTS

The Grand Jury was impressed that all of the aforementioned facilities were constructed and/or refurbished to serve the community commensurate with it's size, and within it's fiscal abilities. The City of Avenal is observed to have made these improvements by making the most of limited resources.

RESPONSE REOUIREMENT

None required

KINGS COUNTY BEHAVIORAL HEALTH

SYNOPSIS

Kings County Behavioral Health Administration and the Kings View facility build programs that empower individuals and their families to achieve sustained well-being from mental illness and addiction.

WHY THE GRAND JURY INVESTIGATED

Public Interest

AUTHORITY

California Penal Code 925 The Grand Jury may investigate and report on the operations, accounts and records of the officers, departments or functions of the county.

METHOD OF INVESTIGATION

The Grand jury toured the Kings View outpatient counseling facility and interviewed various administrators of the Kings County Behavioral Health Department.

BACKGROUND AND FACTS

The Kings County Behavioral Health Department offers a variety of services to the residents of Kings County.

The Kings View facility is operated by a Fresno based corporation which has a contract with Kings County to provide outpatient mental health services and counseling to the citizens of Kings County.

Kings View has three clinics in the County which are located in Hanford, Avenal, and Corcoran.

During the Grand Jury tour of the Hanford facility it was noted that there were a number of qualified counselors available to meet with the consumers. These counselors range from psychiatrists to clinicians. There is one part-time physician assistant, a nurse practitioner and three full time psychiatric technicians. There are also three part-time psychiatrists assigned to Hanford, and sent, as needed to Avenal and Corcoran.

In fiscal year 2009/2010 they opened 1885 cases for mental health services and currently have 2235 open cases.

Some of the crisis response services offered include veteran services, addiction, wellness and recovery, mental illness and emergency room referrals as required. At the time the consumer enters the clinic, there is a sign-up system in place, with up to 250 consumers per day entering the facility.

At the conclusion of the intake assessment the following will occur: Medical necessity will be determined, an initial treatment diagnosis will be established, a

plan of care will be created, required Department of Mental Health consents will be obtained, and referrals to the most appropriate treatment teams will be made. Kings View provides the Oak Wellness Center which is a consumer run, membership driven, meeting place for adults to socialize, support each other through self-help groups, engage in numerous activities, and learn from each other. The program allows for consumer and citizen volunteers.

FINDINGS AND RECOMMENDATIONS

Finding

Persons walking through the door are not required to sign in at the intake desk. However, any consumers desiring services are required to sign in to trigger the intake assessment process.

Recommendation

The Grand Jury recommends that a sign be placed in a conspicuous place stating, "Persons who wish to be seen must sign in."

RESPONSE REQUIREMENT

California Penal Code Sections 933 and 933.05 require that specific responses to both the findings and recommendations contained in this report be submitted to the Presiding Judge of the Superior Court of Kings County 90 days from the receipt of the report.

THE LEMOORE POLICE DEPARTMENT

WHY THE GRAND JURY INVESTIGATED

The Grand Jury reviewed a citizen's complaint regarding the Lemoore Police Department. This complaint was received during the 2009/2010 Grand Jury term and was forwarded to the 2010/2011 Grand Jury for review.

AUTHORITY

California Penal Code Section 925a. The Grand Jury may at any time investigate and report on the operations of any incorporated city in the county.

METHOD OF INVESTIGATION

The Grand Jury reviewed documents and interviewed the complainant and others.

BACKGROUND AND FACTS

Grand Jury review of the documents and interviews revealed no evidence to substantiate the complaint.

FINDINGS AND RECOMMENDATIONS

Based on the foregoing, it was determined by the Grand Jury that the complaint was unfounded.

COMMENTS

None

RESPONSE REOUIREMENT

None required

PROBATION-JUVENILE-BOOT CAMP

SYNOPSIS

On March 22, 2011, the Grand Jury visited the Kings County Probation Department and toured Juvenile Hall and Boot Camp.

WHY THE GRAND JURY INVESTIGATED

Public Interest.

AUTHORITY

California Penal Code Section 919(b). The Grand Jury shall inquire into the condition and management of the public prisons within the County.

METHOD OF INVESTIGATION

The Grand Jury met with the Chief Probation Officer and Deputy Chief Probation Officer, who provided a guided tour of the Juvenile Hall and Boot Camp facilities.

BACKGROUND AND FACTS

The Kings County Probation Department, encompasses Probation, Juvenile Hall and Boot Camp, and operates with a staff of approximately 140. The Kings County Juvenile Hall is rated to house 45 juveniles up to 18 years of age with a staffing ratio of one officer per 10 juveniles. Detained juveniles are schooled 240 minutes per day, up to 12th grade level, Monday through Friday, meeting all educational requirements including special needs and providing outside activities. The average stay is 30-45 days, depending on the court's calendar to complete the due process proceedings. The disposition of a juvenile's case is then decided by the judge.

The appearance of the facility was satisfactory and the staff was forthcoming with all inquiries made by the Grand Jury.

Parents or guardians are responsible for the \$15.00 per day fee that is charged for their minor dependent's incarceration.

BOOT CAMP

The Grand Jury toured the Kings County Boot Camp facility. Boot Camp is a physically and psychologically challenging program fashioned after military style training for boys. There is a positive focus on individual development of life skills. The stay in Boot Camp is ninety days to one year for ages 14 to 18. A Judge can sentence a juvenile to Juvenile Hall or Boot Camp. Additionally, Juvenile Hall staff determines which juvenile earns the privilege to be accepted to Boot Camp

and appointments are made when space is available. Juveniles in Boot Camp have been active with community volunteer work such as graffiti clean up when supervision is available. They also officiate at various Hanford sports programs when properly trained and again depending on supervision availability. Boot Camp juveniles are housed in separate barracks and are responsible for the cleanliness of the facility.

FINDINGS AND RECOMMENDATIONS

None

COMMENTS

Kings County Probation Department is under staffed due to the economy.

RESPONSE REQUIREMENT

None

**“ARE YOU OKAY”
(RUOK)**

WHY THE GRAND JURY INVESTIGATED

Public interest

AUTHORITY

California Penal Code Section 925. The Grand Jury shall investigate and report on the operation, accounts and records of the officers, departments or functions of the County.

METHOD OF INVESTIGATION

Grand Jury members visited the Sheriff’s Dispatch Center facility and conducted on-site interviews. A question and answer session was held with staff members.

BACKGROUND AND FACTS

The Kings County Sheriff’s Office (KCSO) Dispatch Center is the birth place of Are You Okay (RUOK). The RUOK program is a stand alone computer system which automatically calls 55-60 recipients daily. This program is available to senior citizens or anyone of any age who is disabled or homebound. The system automatically calls participants up to three times, in approximately nine minutes, in their homes at a designated time set by the users. If there is no answer or there is a busy signal, the computer sends an alert to the dispatcher that action needs to be taken. The dispatcher attempts to contact the participant or a designee. If they are unable to reach the participant or a designee, a Sheriff’s Deputy or a City Officer, depending on the location of the user, is dispatched to check their welfare.

FINDINGS AND RECOMMENDATIONS

None

COMMENTS

The RUOK program is an asset provided to the residents of Kings County. The staff in the dispatch office at the Sheriff’s Department are dedicated employees that should be commended for making RUOK an effective and unique program.

RESPONSE REQUIREMENT

None

SEX OFFENDERS REPORT

SYNOPSIS

The Kings County Sheriff's Office (KCSO) maintains a Sex Offender Registry as a public service tool. The registry is designed to increase community safety and awareness.

WHY THE GRAND JURY INVESTIGATED

Public interest

AUTHORITY

California Penal Code Section 925. 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

The Grand Jury interviewed KCSO Offender Watch staff, and reviewed program documents. Interviews included the assigned Detective and Office Assistant II who work closely to track offenders for compliance with reporting requirements.

BACKGROUND AND FACTS

California Megan's Law requires each jurisdiction to update the State database of registered sex offenders. Kings County also maintains a local database of registered sex offenders as a public service.

Individuals listed on the registry have been convicted of a sexual offense that requires them to meet a number of mandates including annual registration for life, except for special circumstances.

There are eight officers of the cities and county monitoring sex offenders within Kings County for compliance. Each city is responsible for monitoring the sex offenders residing within their boundaries. Citizen awareness is accomplished by KCSO through school presentations and community events.

FINDINGS AND RECOMMENDATIONS

Within five working days of release from State custody convicted offenders are required by law to register with law enforcement in the city and/or county they move into.

COMMENTS

KCSO Sex Offender staff and associated county law enforcement officers are dedicated, caring and maintain high standards of professionalism and positive interaction with other counties.

RESPONSE REQUIREMENT

None required



COUNTY OF KINGS
GRAND JURY
County of Government Center
1400 W. Lacey Blvd.
Hanford, CA 93230
Tel. No. (559) 582-3211 ext. 2892
Fax No. (559) 587-9502

March 22, 2011

David Robinson, Sheriff
Kings County Sheriff's Office
P. O. Box 986
Hanford, CA 93202

On February 15, 2011, the Kings County Grand Jury toured the old jail, tunnel and new jail facilities.

The Grand Jury's tour of the old county jail was conducted by a well-informed sergeant. The facility is kept clean, thanks to the dedicated deputies assigned to the old jail.

While touring the tunnel, the sergeant explained all procedures and systems in place for security such as the color coded uniforms worn by the inmates and answered all questions in a professional manner. The tour concluded, the sergeant arranged transportation for the Grand Jury to the Kings County Jail.

The Grand Jury was met by the Detentions Sergeant. She explained all procedures regarding receiving inmates to the jail. The Grand Jury toured and viewed all of the ground floor facilities which were secure, clean and in good condition. The Detentions Sergeant and her staff's presentations were knowledgeable and professional. All questions were answered without reservation. Again drivers were available to transport the Grand Jury.

Sheriff Robinson, the Grand Jury would like to commend all of your deputies that we encountered. The Grand Jury feels confident that the Kings County Sheriff's Department is truly dedicated to the citizen's safety in Kings County

Sincerely,

Donald E. Wilcox, Foreperson
Kings County Grand Jury, 2010/2011



COUNTY OF KINGS
GRAND JURY

County of Government Center
1400 W. Lacey Blvd.
Hanford, CA 93230

Tel. No. (559) 582-3211 ext. 2892
Fax No. (559) 587-9502

April 28, 2011

James Hartley, Warden
Avenal State Prison
#1 Kings Way
Avenal, California 93204

RE: Grand Jury Tour, ASP Firehouse

Dear Warden Hartley,

On Tuesday, March 29, 2011, The Kings County Grand Jury toured the Avenal State Prison (ASP) Firehouse as part of a public interest observation of fire departments within Kings County. Specifically, the Grand Jury was interested in learning about the opportunities provided for inmates in the field of fire science, as well as the responsibilities of a corrections fire department as they relate to prison fire protection, and mutual response within the surrounding community.

Based on all prior contact with ASP staff, the Grand Jury anticipated a first rate response to their request and was not disappointed in this instance. Upon our arrival, it became immediately clear that your staff was well prepared as evidenced by their warm welcome, expert anticipation of the areas in which the Grand Jury would be interested, and professional demonstration of fire department duties and responsibilities. Inmate firefighters showed the same professional pride and competence as they conducted several complicated training exercises for the benefit of the Grand Jury. It is the observation of the Grand Jury that the combined efforts of staff and inmate firefighters serves to ensure that ASP, the City of Avenal, and surrounding community receive the kind of services that continue to provide for the safety and emergency response for it's citizens that are commensurate with any top notch fire and emergency response agency. Additionally, it is clear that your program for Inmate firefighters serves to provide an additional leg up for those men who desire to continue with a career in fire science upon their release from state custody. This is evidenced in the enthusiastic praise that the Grand Jury has witnessed from the County and local fire departments who continue to work along side these men in the community.

Please convey our gratitude to all of the staff and inmates of ASP who made our tour and study a success.

Sincerely,

Don Wilcox, Foreman
Kings County Grand Jury



COUNTY OF KINGS
GRAND JURY
County of Government Center
1400 W. Lacey Blvd.
Hanford, CA 93230
Tel. No. (559) 582-3211 ext. 2892
Fax No. (559) 587-9502

April 28, 2011

Chief Tim Ironimo
Hanford City Fire Department
Station #2
10553 Houston Ave.
Hanford, Ca 93230

RE: Grand Jury Tour, City Fire Station #2

Chief Ironimo:

On Tuesday, April 5, 2011, The Kings County Grand Jury toured the Hanford City Fire Station #2 as part of a public interest observation of various fire departments within Kings County. The Grand Jury was particularly interested in learning about the responsibilities of the Hanford City Fire Department as it relates to fire protection, and mutual response within the surrounding community.

City firefighting staff displayed competence and professionalism while explaining the entire City program, as well as the hiring process. It was clear that your staff was well prepared as evidenced by their warm welcome, expert anticipation of the areas in which the Grand Jury would be interested, and professional demonstration of fire department duties and responsibilities. The Grand Jury was especially impressed with a review of the Portable Command Unit, shared by the Hanford Fire and Police Departments. Hanford citizens have every reason to be proud of the services provided by their City Fire Department.

Please convey our gratitude to all of the staff who made our tour and study a success.

Sincerely,

Don Wilcox, Foreman
Kings County Grand Jury



COUNTY OF KINGS
GRAND JURY
County of Government Center
1400 W. Lacey Blvd.
Hanford, CA 93230
Tel. No. (559) 582-3211 ext. 2892
Fax No. (559) 587-9502

April 28, 2011

Jim Kilner, Chief
Kings County Fire Department
280 N Campus Drive
Hanford, Ca 93230

RE: Grand Jury Tour, Fire Station #4

Dear Chief Kilner,

On Monday, April 4, 2011, The Kings County Grand Jury toured County Fire Station #4 as part of a public interest observation of various fire departments within Kings County. The Grand Jury was particularly interested in learning about the Medical Evacuation Helicopter (Medivac) operations located at Station #4, as well as the responsibilities of the fire department as it relates to fire protection, and mutual response within the surrounding community.

The Medivac flight crew displayed exceptional competence while explaining the entire program. It was clear that your staff was well prepared as evidenced by their warm welcome, expert anticipation of the areas in which the Grand Jury would be interested, and professional demonstration of fire department duties and responsibilities. The Grand Jury was impressed to learn that Kings County Fire Services provide a unique opportunity for former inmate firefighters released from state custody to compete for vacant positions should they prove to meet the professional standards for these positions. These are men who, through individual focused efforts, have proven themselves to be worthy of the trust placed in them while returning and integrating back into society. Equally impressive is the extent of volunteer forces within the county for staffing fire stations. This, too, provides an opportunity for citizens in the community to obtain extensive training and upward mobility within their community fire services programs. Kings County citizens have every reason to be proud of the services provided by the County fire department.

Please convey our gratitude to all of the staff who made our tour and study a success.

Sincerely,

Don Wilcox, Foreman
Kings County Grand Jury



COUNTY OF KINGS
GRAND JURY
County of Government Center
1400 W. Lacey Blvd.
Hanford, CA 93230
Tel. No.(559) 582-3211 ext. 2892
Fax No. (559)587-9502

June 6, 2011

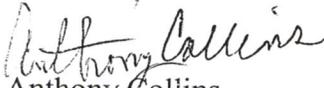
Honorable George Orndoff
Kings County Superior
1427 South Drive
Hanford, CA 93230

Judge Orndoff:

The Kings County Grand Jury would like to thank you for the opportunity to sit in your court room on May 31, 2011 and observe proceedings of the Kings County Juvenile Court. The experience that the Grand jury received was most rewarding, in the fact that many positive choices are available to our youth and the fact that some decline these life changing alternatives, is disappointing.

Your Honor, the Grand Jury would also like to thank your staff for their time and efforts in arranging the schedules to meet the Grand Jury's time line. They are to be applauded for a job well done.

Thank you,


Anthony Collins

Chairperson
Law & Public Safety Committee

CITY OF HANFORD CONSULTANT

SYNOPSIS

The City of Hanford hired a financial consultant to assist the City in changing from a bi-annual budget to an annual budget. The consultant was also to help with the development and implementation of the City's 2012-2016 five year Capital Improvement Plan and Review. The Finance Department's business processes, operations, and other tasks specified in the proposed scope of work, were also to be assessed.

WHY THE GRAND JURY INVESTIGATED

On September 8, 2010, the Grand Jury received a complaint alleging that the Hanford City Council violated portions of the Ralph M. Brown Act while hiring a financial consultant, as well as using improper practices in the hiring process. The complaint also alleged subterfuge and fraud on the part of the Mayor, the City Manager, and the City Council regarding the hiring of the financial consultant.

AUTHORITY

Penal Code Section 925a: The Grand Jury may at any time examine the books and records of any incorporated city in the county.

METHOD OF INVESTIGATION

The Grand Jury heard testimony from the complainant and several members of the City of Hanford staff. Documents relating to the issue were also examined.

BACKGROUND AND FACTS

The August 17, 2010, City of Hanford Council meeting had on its consent calendar portion of its agenda, an item to hire a financial consultant as follows: Item (4e) "Approval of Agreement for Financial and Management Services for an amount not to exceed \$70,000 and amend the FY 2011 budget to appropriate fund balances to fund the Agreement." Section 4 of the Agenda provides "All items listed under the Consent Calendar are considered routine and will be enacted by one motion (Roll Call Vote required). For discussion of an item on the Consent Calendar, it will be removed at the request of any member of the City Council or any person in the audience and made a part of the regular agenda." At the meeting a member of the audience complained that the item should be removed from the consent calendar, as it was not a routine matter. The item was promptly removed and became a matter of public discussion.

During the public discussion, it was questioned why the City needed a consultant when it had an experienced financial staff. It was also questioned why the City did not seek a request for proposals (RFP) for the consulting work.

The City Manager stated that the Council had given him a short deadline to accomplish some changes in the method of budgeting, hence the reason for no RFP. The City Attorney stated that, while an RFP was usual, it was not a legal requirement. After lengthy discussion the item was approved by the Council with one vote in dissent.

The California Government Code (Section 37103) provides general powers to cities including the following: “The legislative body may contract with any specially trained and experienced person, firm or corporation for special services and advice in financial, economic, engineering, legal, or administrative matters. It may pay such compensation to these experts as it deems proper.”

While being questioned by the Grand Jury the complainant alleged that the Council violated the Brown Act by having serial meetings on the subject, stating that there were witnesses. Under oath, the complainant made conflicting comments and did not substantiate the allegations, so that portion of the testimony was rejected by the Grand Jury.

FINDINGS

Finding #1

The Grand Jury found no evidence to substantiate the allegation of serial meetings.

Finding #2

The Brown Act requires a general description of the matters to be discussed. Item 4e of the agenda properly described the intent to hire a financial consultant.

Finding #3

The agenda clearly states that the public may ask for discussion of a consent item.

Finding #4

The Financial Consultant item was removed from the Consent Calendar and discussed as part of the regular agenda.

Finding #5

The City of Hanford hired a financial consultant without using an RFP although the usual practice for the City of Hanford has been to use an RFP.

Finding #6

California Government Code (Section 37103) authorizes the hiring and payment of accounting professionals without the need for an RFP process.

Finding #7

No Brown act violations were discovered.

RECOMMENDATIONS

None

COMMENT

The question of the item to hire a financial consultant should not have been placed on the consent calendar. The process of moving that item to the regular calendar was done properly.

RESPONSE REQUIREMENT

None Required

HANFORD REDEVELOPMENT AGENCY

SYNOPSIS

Redevelopment is a financial tool to assist local agencies in improving blighted areas. California Redevelopment is contained in the Health and Safety Code from Section 33020 to Section 33039. It is in the Health and Safety Code because blight can cause unsafe and unhealthful living conditions.

WHY THE GRAND JURY INVESTIGATED

Public interest

AUTHORITY

California Penal Code Section 933.1. The Grand Jury may at any time examine the books and records of any redevelopment agency.

METHOD OF INVESTIGATION

The Grand Jury invited the Hanford City Manager to discuss and explain the Hanford Redevelopment Agency. Subsequent to a general description review, the Grand Jury heard a detailed presentation by the Hanford Economic Development Manager directly involved with the redevelopment work in the city.

BACKGROUND AND FACTS

The Health and Safety Code, cited above, contain all the details of operation of a Redevelopment Agency. Typically, and in this instance, the Redevelopment Agency Governing Board consists of the same persons as the City Council. Blight is the key word of redevelopment. The definition of a blighted area is rather complex, but in general consists of an area that is a serious physical and economic burden on the city. According to California Code Section 33031, conditions that cause blight are:

1. Buildings that are unsafe or unhealthy
2. Conditions that prevent or substantially hinder the viable use or capacity of buildings
3. Adjacent or nearby incompatible land uses
4. Depreciated or stagnant land values
5. Abnormally high business vacancies

Hanford's first redevelopment area was in the Industrial Park. It was adopted in 1975. It first consisted of 182 acres, but has been expanded to 1100 acres.

In 2004 the Downtown Enhancement Project Area was adopted. It included 333 acres generally located between 11th Avenue on the west to 9 ¼ Avenue on the east, and from 10th Street to Highway 198. Originally the area proposed extended to Ivy Street on the north, but was scaled back after citizen protests at a public hearing that single family housing areas should not be included.

The Redevelopment Agency has the power of eminent domain, but the city has opted to not use it for housing areas.

The Downtown Enhancement Project Area #1 is currently being studied.

Redevelopment is funded by tax increments in the redevelopment area. State law requires that 20% of the tax increment must be used to increase and preserve affordable housing in the city. The city uses this 20% to assist first time home buyers with down payments, and to assist with home repairs.

FINDINGS AND RECOMMENDATIONS

The City of Hanford appears to be using the Redevelopment Program properly. There are no recommendations.

RESPONSE REQUIREMENT

None

HANFORD SOLID WASTE

SYNOPSIS

In the last 50 years, the disposal of municipal and other solid waste has changed from “dump it anywhere” to a highly managed system for the control of atmospheric and underground water pollution. Currently over 50% of the solid waste is recycled, and the balance is placed in plastic lined sites at the Waste Management site facility in the Kettleman Hills.

WHY THE GRAND JURY INVESTIGATED

Public interest

AUTHORITY

Penal Code Section 925a: The Grand Jury may, at any time, examine the books and records of any incorporated city in the county.

METHOD OF INVESTIGATION

The Grand Jury heard testimony from Hanford’s public works director and visited the sites of the Kings Waste and Recycling Authority and the Waste Management disposal site in the Kettleman Hills.

BACKGROUND AND FACTS

Disposal of solid waste has been a problem since people have lived in large communities. In Kings County, as little as 50 years ago, the City of Hanford dumped its solid waste at a burning dump at the corner of Houston and 11th Avenue, creating a nuisance and health issue. A task force consisting of engineers from the county and the cities of Lemoore, Corcoran and Hanford was created to investigate and make recommendations to improve the situation. Many sites were visited at each city, including the possibility of a joint site somewhere in the Kettleman Hills. A site in the Kettleman Hills would require a collection station so that the waste could be consolidated before being transported that distance. Sites were selected in each of the three cities. Using a site already existing in Avenal, which at the time was not an incorporated city, was also considered. The site selected for Hanford has been filled, but is still in use by the Kings Waste and Recycling Authority.

Senate Bill 5 (SB5) was passed in 1972 and established the Solid Waste Management Board. A string of laws governing waste disposal followed, each making more stringent regulations in order to improve air and groundwater quality. The Integrated Waste Management Act of 1989 (AB939) established the Waste Management Board and required local jurisdictions to recycle 25% of their waste by 1995 and 50% by 2000. This was why Kings County formed the Kings Waste and Recycling Authority.

SB20, in 2006, established E-waste recycling laws, requiring special handling of electronic waste such as computers, television sets and cell phones.

The City of Hanford refuse service is operated as an enterprise and provides refuse service to residential areas by requiring the use of three containers, which are picked up weekly by side loading trucks:

1. The blue container is used for material that can be recycled (cans, bottles, paper, plastics, etc)
2. The green container is for waste that can be composted (grass, leaves, tree trimmings, etc)
3. The black container is for material that will be taken to the dump (wet garbage, etc)

The city also provides commercial service, using rear loading trucks which pick up one, two and three cubic yards containers. Larger containers such as those used on construction sites are furnished by commercial vendors, not by the city.

Recycle material is sorted by hand into different categories and then compacted and sold. Green waste is sold to another company for composting. All material picked up by the city is taken to the Kings Waste and Recycling site. The black container material is combined with that from the other two cities, then compacted and taken to the Waste Management site in Kettleman Hills.

The Kettleman Hills Waste Management site is located on the Kettleman anticline and positioned in such a manner, that should any leakage occur, it flows away from all populated areas. Material is dumped in excavated areas that are lined with a system that is designed to prevent contamination to the ground water. Waste Management is making a continuing effort to protect the environment in the area and is maintaining a close relationship with the Kettleman City community.

FINDINGS AND RECOMMENDATIONS

Finding #1

The city is complying with all laws pertaining to solid waste disposal and is providing excellent service.

RECOMMENDATION

None

RESPONSE REQUIREMENT

None

REPLY REQUIRED

None

LEMOORE PARKS & RECREATION

SYNOPSIS

The Lemoore Parks and Recreation Department offers a variety of services and activities to the citizens of the area. The Background and Facts portion of this report is divided into four sections to explain and clarify the different aspects of the Lemoore Parks and Recreation Department.

WHY THE GRAND JURY INVESTIGATED

Public interest

AUTHORITY

California Penal Code Section 925(a) The Grand Jury may at any time examine the books and records of any incorporated city in the county.

METHOD OF INVESTIGATION

The Grand Jury interviewed the Lemoore Parks and Recreation Director and toured Heritage City Park, the Lemoore Golf Course, the Lemoore Senior Center and the Cinnamon Municipal Complex. The Grand Jury also examined the contract between the City and the Lemoore Youth Sports Foundation.

BACKGROUND AND FACTS

The Lemoore Parks and Recreation Commission has seven board members who make recommendations to the Recreation Director concerning program changes and facility upgrades. The Recreation Department is staffed with two full-time and two part-time employees and oversees the 21 parks and facilities which are maintained by the Lemoore Maintenance Department employees.

The City of Lemoore commissioned an Access Compliance Survey Report (SSA Project #28094) regarding the Americans with Disabilities Act (ADA). The October 15, 2009 report states that Lemoore Parks and Recreation Department parks and facilities are not completely compliant with ADA standards. The Director of Parks and Recreation has stated that the newer ADA standards will be met as funds become available.

Section I – Lemoore Golf Course

The Lemoore Golf Course first opened to the public in 1928 as a nine hole course. It was expanded to its current 18 hole par 72 course in 1991 along with other improvements such as a new clubhouse and the pro shop. The golf course has an annual budget in the \$900,000 range. Maintenance costs currently account for approximately 70% of the budget with the rest being allocated to all other expenses. The Golf Course has 11 full time employees year-round and two to six part-time employees depending on the time of year. The clubhouse has recently undergone some needed repairs and additions, most notably new paint, a new outdoor patio, and repairs to the arbor at the rear. A number of new trees have also been planted to enhance the challenge for golfers and beautify the premises along the first hole. There is a small, but real, possibility that golf balls may hit cars traveling on 18th Avenue which is parallel to the second hole. The current golf pro has been working there 19 years and in July of 2010 won the contract from the city for the management of the course. The financial operations of the Golf Course are audited by the city on a yearly basis.

Section II – City parks

D Street Plaza is a mini park located in the center of downtown Lemoore. In the past, outdoor movies were shown during the summer. The gazebo located in the park is a popular location for outdoor photography and weddings. The fountain was built using donations from citizens. Each brick around the fountain is engraved with a name chosen by the donor of that brick. According to interviews with Parks and Recreation staff, the restroom in this park is the most vandalized in the local park system.

Heritage Park is situated in North Lemoore and offers volleyball, tennis and basketball courts as well as a large picnic gazebo. A 4,000 foot walking path surrounding the park was added two years ago. The park is lighted throughout the year until midnight to accommodate night time activities. The softball field has a small pond in left field which can make ball playing difficult.

Lemoore City Park is the oldest park in the City and located near the center of town. Barbecue pits and picnic tables are available and can be reserved. The City holds many events in the park such as its Fourth of July festivities and Memorial Day observances. This year a 3 day Pizza Festival was held there.

Lemoore Rotary Youth Plaza is located by the old train station in downtown Lemoore. The Farmers Market and Swap Meet are held there March through September on the first Saturday of each month. A Summer Concert Series is planned for every Friday evening from mid July to mid August.

An interactive water feature, a skate park and lighted basketball courts are located there for the public's use.

Lions Park, situated next to Liberty Middle School, is now the location of the annual Easter Egg Hunt and, later in the year, the Beer Fest. This year outdoor movies will be shown at Lions Park instead of D Street park as had been the

custom in earlier years. The park has a large gazebo and a snack bar. The City's newest playground is located there and soccer and baseball fields are available to local youth sports teams.

Lemoore Sports Complex is located at 19th and Cinnamon and is the location used for local soccer and softball programs. The city does not subsidize the maintenance of the facility so the leagues pay for everything with the exception of water.

19th Avenue Park is almost entirely a ponding basin. In the past, a portion of the park was used as a BMX track. Behind that complex at 19th and Tammy Lane is a large fenced area reserved for Waggin' Tails Dog Park. This is a field set aside for owners to let their dogs run and play unleashed.

Section III – Facilities

The Cinnamon Municipal Complex was originally a large yarn factory (Candlewick) building, bought by the City. The Complex is being implemented as a recreation area encompassing a boxing ring and a scaled down basketball court for children which can be used by adults when the basketball hoops are raised. There is also a walking track around the inside perimeter of the recreation area. A dance/aerobics classroom with a connecting children's play area is located in the facility. Weddings and other events may be held in the multipurpose room for a fee. A teen center with access to reading materials, video games, billiards, and ping pong tables is planned which will be available to local youths at no cost.

A portion of the building is devoted to a maintenance area for the City's vehicles. At this time, there is ample room for additional recreational activities in the six acre building even though half of it has been allotted to the Food Bank.

The Senior Citizens Center is leased from the City of Lemoore and is located adjacent to the Lemoore Golf Course. The Gene Stebbins Building and the Tom Martinez Building are available for rent to the public for meetings, parties, etc. Wednesday Night Bingo is held in the Gene Stebbins Building and is open to the public. Seniors' lunches are served Mondays through Thursdays in the Tom Martinez Building and bingo is played after lunch on Tuesdays and Thursdays. Friday nights are reserved for musical sessions in which anyone is welcome to participate. Wednesday Night Bingo and Fourth of July fireworks sales are the main fund raisers for the Senior Citizens Center.

Lemoore Civic Auditorium was originally built in 1920 as the United Service Organization (U.S.O.) Building. The auditorium is available to the public to rent for weddings, quinceaneras, and other large events. The building currently houses the Parks and Recreation offices where reservations and rentals can be arranged. The building is equipped with a large kitchen, a conference room, the main hall, and two closet sized rooms being used as office space by the department head and the rest of the staff. The main hall is equipped with a stage for use by the local drama club. The Parks and Recreation Department is in the process of taking bids

from contractors to have the building refurbished. The building's main hall will have new paint, new stage curtains, and window treatments to match the new curtains. A wheelchair ramp leads to one of the front doors and a ramp also leads to the restrooms.

Section IV – Activities

The Lemoore Parks and Recreation Department sponsors a number of activities geared towards youth and seniors alike. Some of the activities are T-Ball, Tennis Camp, Lemoore Boxing Club, Vacation Camps (these are available during winter and spring break). There is also Senior Card Night and Social Networking for Seniors. There is a Swap Meet & Farmers Market on the first Saturday of each month, March through September at the Train Depot Arbor.

FINDINGS AND RECOMMENDATIONS

Finding 1

There is a pond in the left field of the softball field at Heritage Park.

Recommendation 1

Fix it.

Finding 2

The city has a number of unaddressed ADA deficiencies in all of its city parks and recreation facilities.

Recommendation 2

The Lemoore City Council should work with the Parks and Recreation Department to alleviate ADA deficiencies in the parks and recreation facilities.

COMMENT

The Grand Jury believes the Lemoore Parks and Recreation Department staff is doing an excellent job administering programs for the citizens of Lemoore and the surrounding communities.

RESPONSE REQUIREMENT

Penal Code Section 933(c) requires that no later than 90 days after the Grand Jury submits a final report on the operations of any public agency subject to its reviewing authority, the governing body of the public agency shall comment to the Presiding Judge of the superior court on the findings and recommendations.

LEMOORE REDEVELOPMENT AGENCY

SYNOPSIS

The Grand Jury investigated some of the projects planned and implemented by the Lemoore Redevelopment Agency (LRA).

WHY THE GRAND JURY INVESTIGATED

Public interest

AUTHORITY

California Penal Code Section 933.1: The Grand Jury may at any time examine the books and records of any redevelopment agency.

METHOD OF INVESTIGATION

The Grand Jury interviewed the Lemoore City Manager and the Lemoore Redevelopment Project Manager to discuss the achievements, past and present, of the LRA. The Grand Jury also reviewed the LRA's Five Year Implementation Plan 2010-2014.

BACKGROUND AND FACTS

In 1945, the State of California enacted the California Community Redevelopment Law to combat the deterioration of property and its effects on the tax base. Through the Redevelopment Act, cities and counties were given authorization to establish redevelopment agencies that would have the legal authority to take measures combating urban decay or blight. In 1952, California voters adopted policies allowing tax increment financing to be used by the agencies for the redevelopment of blighted areas of communities. In 1984, the LRA was established for the primary purpose of providing a vehicle to eliminate blight. On October 6, 1993, Governor Wilson signed a bill known as "The Community Redevelopment Reform Act of 1993." The bill includes specific authority for commercial rehabilitation loans and assistance to manufacturing facilities. One of the requirements of the bill is for each agency to adopt a Five Year Implementation Plan, which must describe specific goals and objectives of the agency for project areas.

The LRA's focus has been on improving the downtown facades in order to reduce blight.

The LRA's stated primary purpose is to prepare and carry out plans for improvement, rehabilitation and redevelopment of the blighted areas within the City of Lemoore.

Additionally, in compliance with the law, LRA assists first time home buyers with financial assistance, provides funding for emergency home repair and home

improvement programs for low income home owners and provides community and economic assessments and studies economic goals and objectives for the City of Lemoore. These goals and objectives are:

1. Preserve and enhance the economic prosperity of the community and aid business development and retention.
2. Encourage the development of sales tax generating activities within the Project area.
3. Continue to assist in the revitalization of the city's central core area.
4. Promote safe and affordable housing and related amenities for all segments of the city's population.
5. Increase the supply of senior housing units.

COMMENTS

The Lemoore Redevelopment Agency appears to be conducting itself in the best interests of the Lemoore community and consistent with its RDA plan.

RESPONSE REQUIREMENT

None

ABSENTEE VOTING

SYNOPSIS

The right to vote is covered by the Constitution of the United States.

WHY THE GRAND JURY INVESTIGATED

Tulare County Grand Jury requested all county civil Grand Juries in California to investigate the absentee and vote-by-mail balloting methods in their counties.

AUTHORITY

California Penal Code Section 925. The Grand Jury shall investigate and report on the operations, accounts, and records of the officers, departments and functions of the county.

METHOD OF INVESTIGATION

The Kings County Elections Officer and his assistant were interviewed by the Grand Jury.

BACKGROUND AND FACTS

The Department of Justice and the Secretary of State regulate elections. Kings County adheres to these regulations. It would require action by the legislature to authorize any change in the election process.

If a precinct contains 250 or less registered voters it may be designated a vote-by-mail precinct.

The Registrar of Voters conducts all elections (federal, state and local) except land owner districts and receives campaign disclosure filings. The Elections Office keeps all the records and prepares and tallies the ballots for all elections. "Absentee Balloting" and "Vote-by-mail" have merged. Some precincts have become "Vote-by-mail" precincts and do not have polling places while "Absentee Ballots" are requested by voters who are unable to be present to vote at their polling place on election day. Both ballot methods are counted in the same way.

Absentee, vote-by-mail and early voted ballots received are processed and tallied before election day. Results are not publicized until after the polls are closed on election day.

When a voter registers, his signature is digitized, enabling that signature to be verified electronically. The voter must sign the envelope containing the voted ballot and the signature is verified. The ballot and envelope are separated, thus ensuring the secrecy of that vote and the vote is then counted.

Approximately 120 votes are uncountable per election due to unverifiable signatures, wrong addresses or other irregularities.

FINDINGS AND RECOMMENDATIONS

None

COMMENTS

It is apparent that the Kings County Elections Department has established a system that ensures each ballot is counted and accounted for in a professional manner.

RESPONSE REQUIREMENT

None

KINGS COMMUNITY ACTION ORGANIZATION (KCAO)

SYNOPSIS

Congress passed the “Economic Opportunity Act of 1964” to mobilize the human and financial resources of the Nation to combat poverty in the United States.” In 1964 the Kings County Board of Supervisors formed the Kings County Community Action Organization (later modified to remove “County”) for the purpose of developing, administrating and coordinating a community action program. KCAO administers Federal, State and County funds, as well as donations.

WHY THE GRAND JURY INVESTIGATED

An anonymous complaint was received by the Grand Jury which was considered to be of sufficient importance to merit an investigation. Prior Grand Juries had been told by attorneys of KCAO that the Grand Jury had no authority to investigate the KCAO. This “authority” matter has been researched by the County Counsel, and it has been determined that KCAO is subject to the jurisdiction of the Grand Jury under provisions of Penal Code 933.6 while acting on behalf of the County.

AUTHORITY

Penal Code 933.6 states “a Grand Jury may at any time examine the books and records of any non-profit corporation established by or operating on behalf of a public entity.”

METHOD OF INVESTIGATION

The Chief Executive Officer of the KCAO was interviewed by the Grand Jury on August 13, 2010. In addition, the four contracts between the County and KCAO were studied.

BACK GROUND AND FACTS

KCAO has many programs and services. Among them are child development, youth services, crisis support and Head Start. The contracts with the County are for:

1. Child care under the CalWORKs program, due for renewal on September 30, 2010
2. Adolescent Family Life program
3. Emergency food services for the city of Lemoore
4. Food service for Kettleman City and Stratford

All of the contracts have provisions limiting overhead costs and provide for auditing by the county.

According to the Hanford Sentinel, KCAO has recently reached an agreement with the City of Lemoore to create the first large-scale, centralized food bank in Kings County.

After further investigation, the anonymous complaint was determined to be primarily a personnel matter and was considered to be beyond the purview of the Grand Jury.

As a matter of comparison, KCAO has 267 personnel while the City of Hanford has 250.

FINDINGS AND RECOMMENDATIONS

None

COMMENTS

The KCAO appears to be handling the County contacts properly.

RESPONSE REQUIREMENT

None.

KINGS COUNTY AREA PUBLIC TRANSIT AGENCY (KCAPTA)

SYNOPSIS

The Grand Jury acquired facts and information about the operation of Kings Area Rural Transit (KART). KCAPTA/ KART is Kings County's complete public rural and urban transportation provider.

WHY THE GRAND JURY INVESTIGATED

Public interest.

AUTHORITY

California Penal Code 933.1 The Grand Jury may at any time examine the books and records of a joint powers agency.

METHOD OF INVESTIGATION

The Executive Director of KART appeared before the Grand Jury for an interview and presented handouts and information concerning the operation of KART. Members of the Grand Jury rode various bus routes throughout the county.

BACKGROUND AND FACTS

KCAPTA is a joint powers agency, which includes Hanford, Lemoore, Avenal, and the County of Kings. KART's mission is to provide transportation for everyone and focuses on those who are unable to drive or unable to afford other means of transportation. KART provides the City of Hanford with seven interconnected routes, regular service to most other communities in the county, and service to Visalia and Fresno. Dial-A-Ride is a door-to-door service to the residents of Hanford, Lemoore, Armona and Avenal, and is provided by KART when reservations are made by 5 pm the previous day.

Buses are equipped with wheelchair ramps for the disabled and surveillance cameras for security. KART provides over 70,000 rides monthly by transporting commuters to work, students to school, patients to medical care, and seniors to nutrition sites. A private contractor provides maintenance and drivers. The contracted drivers undergo stringent training and background checks. There is a point system in which the drivers are graded on their performance and if they receive six points over twelve months they are terminated. Good driver history over a six month period is rewarded by reducing previously accumulated points. A monthly pass allows the purchaser unlimited rides and is valid for 30 days from the date of purchase. Senior citizens and the disabled can purchase ticket books for

half price at the Commission on Aging Council office for transportation at specific hours.

A new automatic fare box has been installed in each bus to accept bills and coins and will accept magnetic cards when they become available.

Currently KART is converting its fleet of buses from diesel to compressed gas in an effort to reduce the environmental impact of the local public transportation system.

Presently KCAPTA operates a vanpool system which is self-supporting. The concept was started by the Executive Director of KCAPTA in 2001 by the provision of several vanpools which transported State workers to prison facilities in Corcoran and Avenal. In 2002 the program expanded to a focus on farm workers. Presently KCAPTA provides between 300 and 350 vanpools in 15 counties. At this time, the vanpool system is being separated from KCAPTA and will become a new agency called CalVans.

FINDINGS

Finding 1

KART provides a valuable service to the community by providing transportation for everyday needs.

Finding 2

KCAPTA's vanpool program is innovative and provides transportation for employment. Its expansion to other counties in the State shows that it is providing a valuable service.

COMMENTS

The Grand Jury was impressed by the courteous drivers and the cleanliness of the KART buses.

The vanpool idea was conceived and implemented by the Executive Director of KCAPTA in Kings County and is becoming a statewide operation. The Grand Jury believes that the Executive Director of KCAPTA should be applauded for his creative ideas.

RESPONSE REQUIREMENT

None

KINGS COUNTY GOVERNMENT TELEPHONES

SYNOPSIS

The Kings County telephone service is outdated and lacks direct dial numbers to most departments. Costs to update and maintain at this time are higher than services offered by several commercial providers.

WHY THE GRAND JURY INVESTIGATED

The Grand Jury received a complaint stating that when using the Kings County central telephone number (559) 582-3211, and when using the menu, some county offices are difficult or impossible to reach.

AUTHORITY

Penal Code Section 925

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

The Grand Jury interviewed the Chief Information Officer of Kings County Information Technology (IT) department regarding the current and projected County telephone systems.

BACKGROUND AND FACTS

The switch used in the County telephone system was installed in 1991 and serves 1300 telephones. 650 telephones have since been replaced and these newer telephones are unable to use the new features, such as caller ID and other advanced features, because of the obsolete system in place and are not fully usable by the Kings County system at this time. The cost of replacing the switch and upgrading the remainder of the telephones exceeds the cost of using the latest technology available from commercial telephone services.

Commercial providers have the ability to install and maintain the County system with better service to all Kings County offices including Fire Departments, Sheriff, Jail, and all department offices in Kings County.

FINDINGS AND RECOMMENDATIONS

Finding 1

The Kings County telephone system is deficient in many respects. The three tier menu operation is outdated and time consuming for users. The main switch cannot handle the capabilities of the new telephones. Although some updates have been made in the past, it remains 10 years behind current standards.

Recommendation 1

The Grand Jury recommends that the telephone system be updated.

Finding 2

The IT Department is researching options and has requested quotes from several commercial companies to upgrade and maintain the current telephone system.

Recommendation 2

The Chief Information Officer and the IT department should continue researching options with the goal of choosing and installing an appropriate and cost effective system.

COMMENTS

By upgrading the system, less County labor will be required to operate and maintain the telephone services.

RESPONSE REQUIREMENT

Penal Code 933(c) No later than 90 days after the Grand Jury submits a final report on the operations of any public agency subject to its reviewing authority, the governing body of the public agency shall comment to the Presiding Judge of the Superior Court on the findings and recommendations.

KINGS COUNTY LIBRARY SYSTEM

SYNOPSIS

The six County libraries appeal to all ages. The libraries have areas devoted to the various age groups and have books and resources that are appropriate for a range of ages from the very young to senior citizens. Each library is centrally located in an area easily accessible to all citizens.

WHY THE GRAND JURY INVESTIGATED

Public interest.

AUTHORITY

California Penal Code Section 925

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

The Kings County Librarian conducted the Grand Jury tour of the Hanford Branch Library on April 1, 2011. At a later date, Stratford, Kettleman City, Lemoore, Avenal and Corcoran library tours were conducted by the branch librarians.

BACKGROUND AND FACTS

The libraries each have a general layout consisting of a children's area, a teen area, adult fiction and adult non-fiction. Reference materials are available for use at each site, but may not be checked out. The checkout time for DVD's and books is 2 weeks with a fine of \$.25 per day for overdue items.

All of the libraries have computers, available to the public, with a designated use time. All of the libraries comply with the 2001 Childrens Internet Protection Act which requires libraries to filter internet content. The system also follows guidelines in the "Harmful to Minors Statute Code," a California law.

Downloading from the internet is not permitted and executable files from an outside source will not run on the library's system. The computer system also allows printing services which are available at a nominal fee per printed page. A copy machine is also available for the public's use.

The libraries are constantly updating their collections by weeding books that have not been checked out recently. The Hanford branch ships new books, DVD's, audio books, and other requested items regularly to other libraries. If a specific title is not available in the Kings County System, the librarian at any branch may

order that title from the San Joaquin Valley Library System which encompasses 10 separate systems.

Any item checked out of the Kings County Library System may be returned to any other library in the system with no penalty.

Twice a year the system has a book sale at the Hanford branch, sponsored by Friends of the Library, a group dedicated to helping the library. The proceeds of the sales are used to help pay for the library's summer reading programs and other needs of the library system. The books available at the sale are overstocks or books that have been donated from various sources.

The Hanford branch has a reference center which anyone with a library card may use, with an excellent reference specialist available to help.

During tax season the Hanford and Lemoore branches associate with local non-profit organizations to help families and individuals file taxes under a program called "Volunteer Income Tax Assistance."

FINDINGS AND RECOMMENDATIONS

None

COMMENTS

All of the libraries were clean and well maintained. The librarians were knowledgeable and anxious to help with any questions. At the Kettleman City Library, the Grand Jury witnessed children waiting for the doors to open to use the computers demonstrating the value of the library to the local citizens.

KINGS COUNTY MORGUE-KINGS COUNTY HOSPITAL

SYNOPSIS

The morgue is located in the basement of the now closed Kings County Hospital (KCH). A new location for the morgue has not been found to date and it continues to operate in the existing location. The disposition of the KCH building has not been decided at this time though it has been used in the past for offices.

WHY THE GRAND JURY INVESTIGATED

Public interest

AUTHORITY

California Penal Code Section 925 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

The County Coroner and a public works employee conducted a tour of the KCH building for the Grand Jury on March 11, 2011.

BACKGROUND AND FACTS

Kings County Morgue equipment is old but still in use. Some of the suppliers are no longer in business but needed repairs can still be made. The Assistant Coroner stated that some new equipment is needed. The Morgue was well organized with additional storage space in the basement of the hospital. The Assistant Coroner explained the use of equipment and manner of caring for the deceased. The morgue consists mainly of a single room containing a cold storage area, a table, and sink and equipment storage shelves. Other rooms contained records and equipment and, in the basement are locked rooms used by the Sheriff's office for storage of records.

There are no funds available to either demolish or upgrade the building. Some believe there is historical value to the building but it would have to be brought up to code if it were to be put into use again. The County has made no determination of which action to take. The morgue is the main tenant and, for lack of finding a new location for the morgue, it remains in the KCH building. The central part of the hospital was constructed in 1907 and the wings were added in the 1930's and 1950's. The structure consisted of brick walls, concrete floors, and a tile roof. In later years the walls were reinforced with steel on the outside and covered with

stucco. The building showed no apparent signs of cracks in the ceilings, floors or walls. In two areas it was noted that there was peeling paint from the third floor ceiling. It was noted the building is being stripped of all accessories, toilets, sinks, wall fixtures, etc., except in the area that the school system is storing unused items. It was also noted a previous renter left behind old desks, computers, files, and many miscellaneous items.

FINDING AND RECOMMENDATIONS

Finding 1

The morgue is in need of some new equipment.

Recommendation 1

The County should update morgue equipment as needed.

Finding 2

Some determination needs to be made by the Board of Supervisors concerning the KCH building. The historical value is of public concern and should be considered.

Recommendation 2

A decision should be made to upgrade or demolish the KCH building, and the public should be directly involved.

COMMENTS

The KCH building offers secure storage space for Kings County archives and office space. The exterior and internal walls and the ceilings and floors did not appear to show any major problems.

KINGS COUNTY WATER DISTRICT

SYNOPSIS

The Kings County Water District (KCWD) was formed in 1954. The district created guidelines for the use of irrigation water of the Kings River below Peoples Weir.

WHY THE GRAND JURY INVESTIGATED

A complaint alleging malfeasance of its duty to oversee the distribution of minimum flow water (fish water) by KCWD was received on February 15, 2010 and was carried over to the 2010/2011 Grand Jury.

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 located wholly or partly in the county.

METHOD OF INVESTIGATION

The Grand Jury toured the Apex Ranch, operated by KCWD. Several interviews were conducted with individuals and management from the Kings River Water District, Kings River Conservation District, and KCWD. Water permits, California Water Code (Water Code) and other documents were reviewed.

BACK GROUND AND FACTS

KCWD was organized in 1954 under the County Water District Law set out in Water Code Sections 30000-33901 and 60220-60221. The District has all of the powers available under those codes, both expressed and implied. The District also has powers under other laws.

In 1999 the California Department of Fish and Game created an agreement for minimum flow water to maintain the water temperature for fish survival in the Kings River. This recoverable water, per the Water Code, can be traded at a 2 for 1 ratio among the District's water users. For every 1000 acre feet of water delivered, 500 must be reserved behind Pine Flat Dam for future needs. There is a loss incurred of about 10% of the 1000 acre feet of water due to seepage and evaporation. According to the Water Code the fish water may be used in several ways. The current use by KCWD is for recharge, thus contributing to the raising of the water table in the Fall, and recovered in June for irrigation. The recovery in 2010 was 70% of the recharge.

Maps indicate that the South levee of the Kings River at Cole Slough was modified with a levee road sometime prior to the forming of KCWD in 1954. The channel of Cole Slough at this time is approximately twenty feet lower than the entrance to the Kings River High Flow Channel. For the Kings River to flow in its

normal channel it would have to crest more than twenty feet higher and would still face six dams before returning to its current flow channel.

Portions of the Water Code Sections:

1. 31020. Sufficient water for beneficial use
“A district may do any act necessary to furnish sufficient water in the district for any present or future use.”
2. 31021. Storage and conservation of water; water rights
“A district may store water for the benefit of the district, conserve water for future use, and appropriate, acquire, and conserve water and water rights for any useful purpose.”
3. 31033. Draining and reclaiming lands; disposition of water; use of flood and storm water
“A district may drain and reclaim lands within the district either by surface or underground works or both; and may acquire, by appropriation or other lawful means, and divert, store, conserve, transport or dispose of water resulting from such operations.”
4. 31047. Control and salvage of water
“A district may control, distribute, store, spread, sink, treat, purify, recapture and salvage any water, including sewage and storm waters for the beneficial use or uses of the district or its inhabitants or the owners of rights to water therein.”
5. 60220. Replenishment of ground water; acts necessary
“A district may do any act necessary to replenish the ground water of said district.”
6. 60221. Replenishment of ground water; powers
“(c) Distribute water to persons in exchange for ceasing or reducing ground water extractions;”
“(e) Store, transport, recapture, reclaim, purify, treat or otherwise manage and control water for the beneficial use of persons or property within the district.”
“(f) Build the necessary works to achieve ground water replenishment.”

COMMENTS

KCWD appears to be operating consistent with the Water Code in effect August 4, 1943. It is beyond this inquiry to determine when the modification to the channel was made as those interviewed had no knowledge or maps available of changes made before 1954.

FINDING

The water controlled by Kings County Water District is retained within County of Kings and the Grand Jury found the complaint of malfeasance without merit.

RESPONSE REQUIREMENT

None

LOCAL AGENCY FORMATION COMMISSION (LAFCO)

SYNOPSIS

In 1963, the State Legislature created LAFCO. It was established by state law as an independent regulatory agency with county-wide jurisdiction.

The five member board is made up of two County Supervisors, two City Council Members, and one member from the general public.

WHY THE GRAND JURY INVESTIGATED

Public interest

AUTHORITY

California Penal Code Section 925

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

The Director of LAFCO appeared before the grand jury for an interview and presented handouts and background facts regarding the operation of LAFCO. LAFCO Municipal Service Reviews were studied and the Grand Jury attended a LAFCO Board meeting.

BACKGROUND AND FACTS

LAFCO is the sole and exclusive authority over the initiation, conduct, and completion of boundary changes proposed by public agencies or individuals through approval or denial. LAFCO does not have the power to initiate boundary changes on its own nor impose any conditions that would directly regulate land use density or intensity, property development or subdivision requirements. However, since July 1994, LAFCO has the power to make proposals involving small island annexations, the dissolution or consolidation of special districts, and the merging of subsidiary districts.

LAFCO is responsible for establishing “spheres of influence.” A “sphere of influence” is plan for the probable physical boundary and service area that a governmental agency is expected to serve. Establishment and updating of this boundary is based on the results of a Municipal Service Review study, and is necessary to determine which governmental agencies can provide services in the most efficient way to the people and property in any given area.

Through special studies, LAFCO encourages governments to evaluate their current operations and options for reorganization. Local agencies often overlap and have the potential of duplicating services.

Cities and districts are required to obtain LAFCO's approval prior to entering into contracts with private individuals to provide services outside of the agencies' boundaries.

Citizens are welcome and are encouraged to attend regular LAFCO meetings and state their views during public hearings on proposals before the Commission. Meetings are held at 3:30 PM on the fourth Wednesday of each month in the Administration Building in the Kings County complex unless there is no agenda. Copies of the minutes, meeting agendas, and staff reports are available by contacting the LAFCO offices, and on LAFCO's web-site at www.kingslafco.com. In checking the website the Grand Jury found it to be out of date.

The Kings County Department of Finance provides accounting services to LAFCO, and this budget is included in the County's budget as a General Fund Program for this purpose. The County's portion of the LAFCO budget is shown under General Fund Program. Each city's portion is shown as Intergovernmental Revenue.

FINDING

The LAFCO web-site is not up to date.

RECOMMENDATION

The web-site should be updated and kept current.

RESPONSE REQUIREMENT

California Penal Code Section 933(c) No later than 90 days after the Grand Jury submits a final report on the operations of any public agency subject to its reviewing authority, the governing body of the public agency shall comment to the presiding judge of the superior court on the findings and recommendations.



COUNTY OF KINGS
GRAND JURY

County of Government Center
1400 W. Lacey Blvd.
Hanford, CA 93230
Tel. No. (559) 582-3211 ext. 2892
Fax No. (559) 587-9502

June 6, 2011

Kevin Loewen
County of Kings
Parks & Grounds Superintendent
Hanford, CA 93230

Kevin:

On May 27, 2011 the Kings County Grand Jury visited Hickey, Kingston and Burris Parks. The parks were viewed to be in great condition, well groomed, clean, and ready for the public.

Kevin, the Grand Jury was most impressed with the staff in attendance at the parks visited. They were most cooperative in answering all questions without hesitation. A little history and background facts were also presented to the Grand Jury. It was very obvious they took responsibility to the minor details, showed diligence and pride to their assigned properties.

You and your staff are to be applauded for a job well done.

Sincerely,

Don Wilcox, Foreperson
Kings County Grand Jury 2010-2011

RESPONSES

TO

2009/2010 REPORT



RECEIVED JUL 1 10 2010
J os/1011

OFFICE OF
SHERIFF
COUNTY OF KINGS

P.O. BOX 986
HANFORD, CA 93232-0986
PHONE 559/582-3211
FAX 559/584-4738

CHRIS JORDAN
SHERIFF-CORONER
PUBLIC ADMINISTRATOR

June 28, 2010

Honorable Steven Barnes,
Superior Court Judge
Kings County Government Center
Hanford, California 93230

Dear Judge Barnes,

The following information is furnished in response to the 2009-2010 Grand Jury's Final Report of the Kings County Sheriff's Department.

Area of Inquiry: Kings County Jail

Grand Jury Finding 1:

The sporadic power outage situation at the County Jail must be resolved to insure the safety and security of staff and inmates.

Response:

I agree with this finding. The Kings County Sheriff's Department has been working with County Administration and the Public Works Department on the electrical problems since we moved into the facility in 2006. Various strategies have been developed and implemented. The most recent strategy was the purchase and installation of a UPS power backup system in the Jail. Since the installation approximately four weeks ago, we have not had any problems. Even if we do have a temporary outage the UPS will keep us going until we can lockdown and secure the facility.

Repairs and maintenance of the physical plant of the Kings County Jail is the responsibility of the Public Works Department. The Public Works Department should be contacted if you need specifics about any maintenance issues and in this case electrical engineering issues involving the Jail. The Kings County Sheriff's Office will continue to forward maintenance problems to the Public Works Department when they are identified by our staff. Our two departments share a great working relationship as we coordinate our efforts to maintain security, safety and maintenance of the facility.

Grand Jury Recommendation 1

Although the short term power problems are resolved, long range plans should be implemented to eliminate this problem.

Response

The recommendation has been implemented. As stated earlier the electrical problems have been an issue since moving into the Jail in 2004. Since that time the Public Works Department has systematically moved along a course of action trying to isolate and correct the electrical problems. The strategy included starting with the least disruptive to Jail functions and least costly, then climbing this ladder until the problem has been corrected. Public works has been working with Gary Olsen of Electric Power Systems of Fresno to identify and correct electrical issues throughout the Government Center including the Jail. Currently Public Works is searching for a tier 3, portable generator to be installed at the Jail as emergency backup. Public Works has identified long term electrical needs not only for the Jail, but for the entire Government Center. The Public Works Director should be contacted for this information.

Sincerely,

A handwritten signature in cursive script that reads "Chris M. Jordan". The signature is written in black ink and is positioned above the typed name.

Chris Jordan, Sheriff
Coroner-Public Administrator

DEPARTMENT OF CORRECTIONS
California State Prison - Corcoran
4001 King Avenue
P.O. Box 8800
Corcoran, CA 93212-8800



Copy DA

RECEIVED MAY 11 2010

July 6, 2010

COUNTY OF KINGS
GRAND JURY
County of Government Center
1400 W. Lacey Blvd.
Hanford, CA. 93230

KINGS COUNTY GRAND JURY

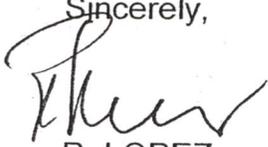
I am in receipt of your final report dated May 26, 2010, following your tour of California State Prison-Corcoran (CSP-COR) on March 30, 2010. During this tour, the Grand Jury observed the pavement inside the prison grounds to be deteriorating and difficult to drive on, which may cause injury to pedestrians and damage to vehicles. Your recommendation is to repair the pavement as soon as funds become available.

CSP-COR has submitted a request (see attached Project Request Form) to the California Department of Corrections and Rehabilitation, Facilities Management Division, for funding to repair the damaged roads throughout the institution. The request has been received and categorized for a funding source and assigned a priority level. Due to the current statewide budget shortfalls, funding is not available to conduct the necessary pavement repairs. However, institutional staff will continue performing maintenance on the road, as budgetary constraints allow, until funding for major repairs are allocated.

Please note CSP-COR recognizes the need to facilitate pedestrian safety and has employed measures to assist in public safety. An example of this is CSP-COR's implementation of a maintenance schedule in which major walkways encompassing portions of the deteriorating pavement are swept twice daily to minimize hazards. We will continue to look for ways to increase public safety by employing practices, which support this goal.

I appreciate your recommendations and look forward to future meetings. If you have any concerns, you may contact F. P. Field, Associate Warden-Business Services at (559) 992-8800 extension 5015.

Sincerely,


R. LOPEZ
Warden (A)
California State Prison - Corcoran



PROJECT REQUEST FORM

SECTION 1: SUBMITTAL PERIOD

(1.a) Funding for Governor's Budget FY 2011/2012	(1.b) Date of Submittal December 22, 2009	(1.c) Revision Date (if applicable)
---	--	-------------------------------------

SECTION 2: PROJECT IDENTIFICATION

(2.a) Facility Corcoran State Prison	(2.b) Project Title Asphalt Road Repair	(3.c) Project Location CSP-COR Institution Wide
---	--	--

SECTION 3: GENERAL INFORMATION

(3.a) Departmental Priority Code Priority 3	(3.b) Project Funding Mechanism <input checked="" type="checkbox"/> Special Repair/Deferred Maintenance <input type="checkbox"/> One Time BCP <input type="checkbox"/> Phased/Multiple FY's	(3.c) Project Type <input type="checkbox"/> Study <input type="checkbox"/> Design <input checked="" type="checkbox"/> Construction <input type="checkbox"/> Other
--	---	---

SECTION 4: COST ESTIMATE SUMMARY

(4.a) Basis of Estimate (1) <input type="checkbox"/> LSI <input checked="" type="checkbox"/> RS Means <input type="checkbox"/> Contractor <input type="checkbox"/> Other <input type="checkbox"/> IWL <input type="checkbox"/> A & E	(2) Cost Subtotal \$3,498,100
	(3) Escalation Factor (subtotal x 1.1 = request total below)
	(4) REQUEST TOTAL \$3,847,910

SECTION 5: PROJECT DESCRIPTION

(5.a) Scope of Work
CSP-COR is requesting to repair or replace approximately 2, 500,000 sq. ft. of asphalt roadway in the Level III, Level IV and inner perimeter roads due to deterioration and heavy usage. The scope of work includes remove asphalt and road base, replace road base, compact to a minimum 95% compaction, install a minimum 4" to 6" asphalt or as needed, install glue petromat fabric to large areas of replacement, overlay the travel lanes and shoulders with 2" hot asphalt mix then restripe. This estimate also includes 500,000 ln. ft. of crack filling throughout the inner and outer institutional road ways.

(5.b) Justification
CSP-COR asphalt roads are increasingly deteriorating due to improper installation and amount of heavy truck and equipment usage. The under structure of the road ways have a measurable amount of clay in the base material which is a reason for failure. Due to improper installation and nonprotective asphalt repairs the roads are creating huge potholes and cracks which further adds to the destruction of the existing roadways. These potholes contribute to the destruction of state and personal vehicles by creating unsafe conditions. The potholes and cracks also contribute to staff and inmate injuries, which leads to increasing litigations.

(5.c) Alternatives Considered
1. Continue to repair small sections of road way with cold patch asphalt, this is a temporary solution, as cold patch will not withstand heavy duty usage.
2. Address the most critical areas of roadway and cut out small sections for repair by an outside contractor.

(5.d) Adverse Effects if Deferred
Continual damages to vehicles and equipment, creating additional cost for repairs. Potholes and cracks are also a main contributor to staff injuries due to tripping and falling. Without addressing the existing deterioration of the road ways the cracks and holes become increasingly larger creating additional monies needed to conduct repairs. This request was last submitted in 2003 at which time the cost was \$1,813,000. The cost has doubled in the last five years.

SECTION 6: REQUIRED SIGNATURE

Originator (name / title)	Date
Warden/Superintendent (or designee)	Date

DUDLEY RIDGE WATER DISTRICT

DIRECTORS

JOSEPH C. MacILVAINE, PRESIDENT
LARRY RITCHIE, VICE PRESIDENT
STEVEN D. JACKSON, SECRETARY
JOHN VIDOVICH
BERNARD PUGET

286 W. CROMWELL AVENUE
FRESNO, CALIFORNIA 93711-6162

PHONE (559) 449-2700
FAX (559) 449-2715

MANAGER-ENGINEER

DALE K. MELVILLE
ASSESSOR-COLLECTOR-TREASURER
RICK BESECKER
LEGAL COUNSEL
GARY W. SAWYERS

August 12, 2010

The Honorable George L. Orndoff
Presiding Judge
Kings County Superior Court
1426 South Drive
Hanford, CA 93230

Re: Response to Grand Jury Report on
Kings County Water Issues

Dear Judge Orndoff:

The Dudley Ridge Water District (the "District") hereby responds to the Grand Jury's report on Kings County Water Issues published on or about June 30, 2010 (the "Report"). The District will address only those aspects of the Report directed at the District. While the District believes certain elements of the Report directed at the California Department of Water Resources and the County of Kings are both inaccurate and unfair, it will leave the task of responding to those portions of the Report to those agencies.

At the outset, the District wholeheartedly concurs in the Grand Jury's conclusion that the District complied with the law in all respects relative to the transfer that gave rise to the Report.

Response to Recommendation 1

As was the case for the subject State Water Project ("SWP") permanent water transfer to Mojave Water Agency, the District will continue to abide by State law. We will also to continue to notify Kings County, and also notice the Kings County Water Commission when/if future permanent District SWP water transfers are proposed.

Response to Recommendation 2

We concur with the Grand Jury's recommendation.

Response to Recommendation 3

We disagree that "more forceful oversight" is necessary. The District and the County are sister agencies, and each is an independent political subdivision of the State. Neither has authority over the other, and each is charged with specific responsibilities. The District, like the County, is bound to follow certain statutory mandates. It did so in connection with the subject transfer, and it rigorously attempts to do so in all cases. If the Grand Jury believes the District (or any other party complying with the law) should act in a different manner, it should take those issues up with the Legislature in an effort to change the relevant requirements.

Response to Recommendation 4

The District is agreeable to publish such notices for permanent, out-of-the-County SWP sales in the Hanford Sentinel. Additionally, we will notify Kings County, the Kings County Water Commission, and parties that have requested the District for such notification.

The Honorable George L. Orndoff
August 12, 2010 August 5, 2010
Page 2

Note that the District shares the Grand Jury's apparent concern about the preservation of irrigated agriculture and the associated water supplies in Kings County. Although it is not reflected in the Report (but should be), the District has lost a significant portion of its historic water supply to environmental regulation affecting its imported SWP supply, which has placed farmers in the District in the untenable position that led to the subject transfer. As the District's only water supply is from the SWP, the District farmers are impacted more than most by such regulations. Continuing, the District respectfully suggests that the Grand Jury's efforts would be better directed at pursuing actions that would assist the District in securing long-term, stable, and affordable water supplies.

Finally, the District notes two factual errors in the Report. First, as a minor clerical matter, in Finding 1 relating to the District, the date of adoption of the referenced policy was April 8, 2009 (as correctly noted earlier in the Report), not April 9, 2009 as stated in that Finding. Second, and much more important, in the Comments section relating to the District, the Grand Jury asserts that the annual overdraft in Kings County is three million acre feet. That figure is grossly inaccurate. The annual overdraft in Kings County is about 10% of that quantity. While any material long term overdraft is problematic, that significant error in the Report should be corrected.

The District would be happy to further discuss any of the above matters with the Grand Jury or the County.

Respectfully,



Dale K. Melville
Manager-Engineer

DKM:amh

cc: Dudley Ridge Water District, Board of Directors & Gary Sawyers
Kings County Grand Jury
Kings County Board of Supervisors
California Department of Water Resources (Attn: Craig Trombly)
Mojave Water Agency (Attn: Norm Caouette)



COUNTY OF KINGS BOARD OF SUPERVISORS

KINGS COUNTY GOVERNMENT CENTER
1400 W. LACEY BOULEVARD, HANFORD, CA 93230
(559) 582-3211, EXT. 2362, FAX: (559) 585-8047
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JOE NEVES
STRATFORD & LEMOORE - DISTRICT I

RICHARD VALLE
CORCORAN & AVENAL - DISTRICT II

TONY OLIVEIRA
NORTH HANFORD & NORTH LEMOORE - DISTRICT III

TONY BARBA
HANFORD & ARMONA - DISTRICT IV

RICHARD FAGUNDES
HANFORD - DISTRICT V

September 14, 2010

Honorable George L. Orndoff
Kings County Superior Court
1426 South Drive
Hanford, CA 93230

Dear Judge Orndoff:

In accordance with Section 933 of the California Penal Code, this letter is the Kings County Board of Supervisors' response to the Grand Jury Report entitled, "Kings County Water Issues," received by the County on June 28, 2010.

For the reasons set forth below in the County's responses to each of the Grand Jury's findings and recommendations, the Kings County Board of Supervisors either acknowledges, agrees with, or disagrees with each of those findings and recommendations.

Under the **Findings Section III** of the Report the Grand Jury states:

Finding 1: The Board of Supervisors was notified of the pending water sale by both the County Administrator and the County Counsel.

We agree with this finding.

Recommendation 1: The Kings County Board of Supervisors should have commented during the review process. There seems to have been no study or request for information regarding the possible negative impact to Kings County at that time. A study session was held by the Kings County Board of Supervisors concerning "... issues related to development of additional surface water supplies, extraterritorial water transfers and regulation of supplies to surface water and ground water" was held on October 20, 2009, well after the review process had been completed.

This recommendation seems to be more in line with a Finding, nevertheless, we agree with this recommendation in that the Board of Supervisors did comment on the next transaction and we will discuss such issues with the Board of Supervisors, through the Water Commission, in the future.

Finding 2: The Kings County Water Commission, though expressing concern about the permanent water transfer, failed to submit any written comments or to advise the Board of Supervisors to do so. It appears to the Grand Jury that there is a consensus among the County officials that they have no jurisdiction in such matters.

We agree with this finding.

Recommendation 2: The County Water Commission needs to fulfill its obligation to report to and advise the Board of Supervisors on water issues affecting Kings County.

We agree with this recommendation. The Kings County Water Commission will continue to do so.

Finding 3: The Grand Jury was led to believe that in the last eight years no Kings County official has made any comments to the Department of Water Resources concerning water issues and, in fact, it was stated that this Grand Jury is the first to question any such issue by a Kings County agency.

If the suggestion is that no comments were made to the Department of Water Resources regarding transfers of this nature, that may be true because no similar transactions had taken place but others may have talked with the Department of Water Resources regarding issues not related to transfers.

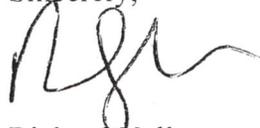
We do not know if this is the first time ever that a Grand Jury had asked questions due to the nature of the confidential interviews. This statement is vague and we therefore neither agree nor disagree.

Recommendation 3: The Kings County officials need to be alert when it comes to the loss of water and, as a state water contractor, there is an opportunity to respond to water matters affecting the County through the CEQA process.

The Kings County Board of Supervisors is alert and aware of their comment ability.

We would like to express our gratitude to the 2009-10 Grand Jury for its diligent work.

Sincerely,



Richard Valle
Chairman, Board of Supervisors

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Hanford Cemetery District

10500 S. 10th Ave
Hanford, CA 93230
Tel#(559) 584-3937
Fax#(559) 584-9494

November 22, 2010

County of Kings
Grand Jury
P.O. Box 1562
Hanford, California 93232

Attention: Presiding Judge of the Superior Court of Kings County

Response to Finding and Recommendation 1: In these difficult economic times, the members of the Board of Trustees will remain at \$50.00 per meeting. The additional \$50.00 per meeting will be discussed at a later date.

Response to Finding and Recommendation 2: The economy at this time does not allow the Cemetery District to consider the construction of a new maintenance/storage facility. With the State allocating a portion of our property tax revenue, this much needed project will have to be done at another time.

Response to Finding and Recommendation 3: The sprinkler system upgrades and new installations at Hanford Cemetery and Kings River Cemetery have been completed. The work is ongoing at Calvary Cemetery, but should be completed in the very near future.

Should further clarification be needed please feel free to contact me.

Regards,



Gene Hall, President
Board of Trustees

DEPARTMENT OF WATER RESOURCES1416 NINTH STREET, P.O. BOX 942836
SACRAMENTO, CA 942360001
(916) 653-5791

October 7, 2010

The Honorable George L. Orndoff
Presiding Judge
Kings County Superior Court
1426 South Drive
Hanford, California 93230Response to Grand Jury Report - Kings County Water Issues

Dear Honorable Orndoff:

Although the Department of Water Resources (DWR) did not receive notice of the issuance of the Kings County Grand Jury Report 2009-2010 addressing the transfer of 14,000 acre-feet of Table A State Water Project (SWP) annual contract rights from Dudley Ridge Water District (DRWD) in Kings County to the Mojave Water Agency (MWA), it became aware of the Report on July 8, 2010. DWR would like to offer the following comments in response to the portions of the Report regarding DWR's role in this assignment of rights in the hope that the comments will be useful to addressing the policy issues the Report discusses.

State policy very strongly favors the transfer of water. There are many statutory provisions that express this policy beyond those cited by the Report. DWR recognizes that changes in the place where water is being used, especially long-term or permanent changes, can have important local socio-economic consequences. Because of the potential importance to local areas, DWR also believes that, in the absence of an express legislative allocation of responsibility to the contrary, the assessment of the local impact on the public welfare of such changes, good and bad, is in the first instance properly a role of local government, which has the knowledge and expertise to investigate and address them in an efficient and effective manner.

DWR's SWP Authorities

The subject transfer was an assignment of contract rights to receive water from the SWP, which is owned and managed by DWR. The assignment occurred between DRWD and MWA, two of the 29 public agencies which have long-term water supply contracts to receive SWP water. Their basic rights to receive water from the SWP are defined in Table A of their contracts with DWR, and it was a portion of DRWD's Table A right that was assigned to MWA in the subject transfer. DRWD and MWA are autonomous public agencies over whom neither DWR nor the State in general exercises jurisdiction or supervisory authority. They are responsible to their locally elected boards of directors.

DWR's approval authority and role in the transfer of Table A rights is governed principally by the Burns-Porter Act (Water Code Section 12930 et seq.), which created the SWP, the State Central Valley Project Act (CVPA) (Water Code Section 11200 et seq.) whose provisions apply to the SWP by virtue of Water Code Section 12931, and specifically the long-term water supply contracts DWR entered into under those statutes in the 1960's with its water service contractors. The authorities and responsibilities under which DWR must operate the SWP were not addressed in the Report.

Under these authorities, DWR has a primary responsibility for protecting the physical, operational, and financial integrity of the SWP, which it manages essentially as a self-supporting State public utility to provide a supplemental water supply to public agency contractors throughout the state. The operational and financial integrity of the SWP is also a responsibility that expressly inures, contractually and legislatively, to the benefit and for the protection of the holders of the General Obligation and State Central Valley Project revenue bonds which have been issued to finance the SWP. The assurance of a revenue stream from the continued delivery of water to financially responsible contractors is essential to the financial support of the operation and maintenance of the Project and to the payment of the debt service of bonds secured by those revenues. (See Water Code Sections 12937 and 11700 et seq.)¹ That assurance, of course, is of central importance where contract duties are proposed to be transferred in an assignment of Table A rights.

Water Code Section 109

The report raises questions about DWR's adherence to Water Code Section 109(a), which sets forth a general State policy in favor of facilitating transfers where consistent with the public welfare within the place of export and the place of import. Section 109 is a broad policy statement that applies to all public agencies in the State. It does not create any specific authority or responsibility in DWR - or in anyone else for that matter - over the transfers themselves or as to what the public welfare of the areas of export or import may be or require. It does not call for studies of local impacts to be performed or imply that any need be done.

¹The terms of the SWP contracts and the General Obligation and CVP revenue bond contracts are constitutionally protected under Article 16, section 1 of the California Constitution as well as the clauses of the State and federal Constitutions prohibiting the impairment of the obligation of contracts.

Section 109 is one of many policies and provisions of law that can apply to a given transfer or that applied to this transfer in particular. One set of such policies and laws are, of course, the authorities and responsibilities specifically applicable to DWR's management of the State Water Project, just discussed. Another set are the policies found in statutes such as Chapter 3.6 of Division 1 of the Water Code (commencing with Section 380), entitled "Deference to Decisions by Local or Regional Agencies," Proposition 50 of 2002 (Water Code Sections 79501(d) and 79560 et seq., Proposition 84 of 2005 (Public Resources Code Sections 75001 et seq.), and the Integrated Regional Water Management plan elements of the California Water Plan, which look to the primacy of local and regional decision-making on local water management and use issues. Of course, CEQA is another statute that also applies on its own terms, even though it is not mentioned in Section 109.

DWR believes that it is sound public policy to defer to local government to determine what is consistent with the public welfare of the places of water import and export within the meaning of Section 109. In an extreme case, where it became known to DWR that there was an abrogation of local responsibility in that regard, independent action by DWR or another State agency might be appropriate. But short of that, State policy is to defer to local government on local and regional water management issues.

DWR worked on this transfer over a long period of time with the local agencies that were involved in it. During this time, DWR was never made aware of any concern over socio-economic impacts within the local areas or of any inattention to such impacts on the part of local government. Quite the opposite, the local agency contracting parties seemed fully engaged on the issue, looking to rights of first refusal within DRWD to the out-of-district assignment and phasing the transfer over time to allow the local areas to adjust to the transfer and to minimize any adverse impacts.

The CEQA Process

The Report evidences some confusion about the CEQA process and DWR's role in it, which we would like to clarify in reference to the following points made in the Report:

- (1) *"When DWR is notified, a study is initiated to determine the potential impact according to... CEQA"* (parentheses deleted).

Clarification:

- No notification of DWR is ever required to initiate the CEQA process.
- It should also be noted that "studies" (i.e., Initial Studies) are not always conducted - such as where the project is statutorily or categorically exempt from CEQA.

(2) "The DWR (which is a trustee agency over the States water resources) reviews, comments on, makes a determination as to the validity of that Declaration [referring to a Negative Declaration or Mitigated Negative Declaration] prior to adoption by the Lead Agency and prior to validation of the proposed water transfer."

Clarification:

- DWR is not a trustee agency over water under CEQA. See 14 C.C.R. Section 15386.
- DWR does not review or comment on water transfers under CEQA except those for which it serves as a Responsible Agency or in which it determines it otherwise has an interest. This type of review is circumstance-specific and not a routine or categorical activity or responsibility of DWR with respect to transfers in general.
- DWR does not make determinations as to the validity of negative declarations, either prior to their adoption by the Lead Agency or at any time. As a Responsible Agency, DWR considered the Negative Declaration prepared by the Lead Agency for the transfer. As a Responsible Agency, DWR was required to accept the determination of the Lead Agency that the negative declaration was legally adequate, unless DWR filed a lawsuit challenging the adequacy. See C.C.R. Section 15050(c). DWR had no reason to challenge the negative declaration and did not do so.

Given this discussion, DWR would like to offer its comments on the Findings and Recommendations concerning the Department of Water Resources.

Re: Finding 1 and Recommendation 1:

Finding 1 declares that DWR disregarded the precepts of Water Code Section 109 because DWR made no visits or studies in Kings County about the transfer. Section 109 makes a general policy statement about facilitating transfers, which needs to be considered with the many other policies contained in the law. Section 109 applies to all public entities in the State, including the transferring parties, DWR, and Kings County. DWR's view is and has been that the public welfare requirements of the areas of export and import are best and most appropriately assessed by local government. The section contains no requirement and does not imply the need for site visits and written reports.

Re: Finding 2 and recommendation 2:

Finding 2 declares that DWR considers permanent and temporary water transfers to be the same. This is not true. DWR processes many one-year transfers, many multi-year transfers, and some permanent Table A transfers. The same word, "transfer," is used as part of the description of each type, but each transfer is considered on its own merits with a process depending on many different factors. Many one-year transfers are exempted from CEQA by Water Code Section 1729 and are handled with a simpler process. Many multi-year transfers involve water-banking and exchanges with different ratios for return water. They receive more complex CEQA review and documentation. Some are subject to Water Code Section 1810 and some are not. Some implicate other provisions of the Water Code.

Permanent Table A transfers go through a more elaborate process involving CEQA, public negotiation sessions, and amendments to long-term water supply contracts. DWR understands that permanent transfers can have a greater local impact than short-term transfers, and understands that local government may be appropriately concerned about them.

Re: Finding 3 and Recommendation 3:

Finding 3, regarding a Department of Fish and Game (DFG) "report," concerned a comment letter sent by DFG to MWA as Lead Agency. MWA considered that letter before approving the Negative Declaration. As a Responsible Agency, DWR was required to accept the adequacy of that Negative Declaration unless it challenged it in court. It had no authority as a Responsible Agency under CEQA either to accept or to "discount," or in any other way to consider, the DFG comment letter.

Re: Comments:

As addressed above, the fact that Section 109 and DWR's "Mission Statement"² do not mention the requirements of the Burns-Porter Act or the State Central Valley Project Act does not mean that those or other statutes and policies do not or cannot also apply to water transfers.

²What is quoted in the Report is actually the Mission Statement of DWR's Office of Water Transfers and a portion of an MOU between DWR and the US Department of the Interior's Bureau of Reclamation which is not part of that Mission Statement. Both concern the Bay-Delta CALFED process and neither of them addresses or purports to apply to the assignment of SWP contract rights.

The Honorable George L. Orndoff
October 7, 2010
Page 6

Thank you for the opportunity to provide these comments. We hope they are helpful to you in addressing the important issues your Report raises. If you have any questions or need additional information, please call me at (916) 653-4313.

Sincerely,



for Rob Cooke

Robert B. Cooke, Chief
State Water Project Analysis Office

cc: Mr. Sumner L. Keyes, Foreperson Pro Tem Kings County Grand Jury Kings County of Government Center 1400 West Lacy Boulevard Hanford, California 93230	Mr. Richard Valle, Chair Kings County Board of Supervisors Kings County of Government Center 1400 West Lacy Boulevard Hanford, California 93230
Mr. Dale Melville Manager-Engineer Dudley Ridge Water District 286 West Cromwell Avenue Fresno, California 93711-6162	Mr. Norman T. Caouette Assistant General Manager Mojave Water Agency 22450 Headquarters Drive Apple Valley, California 92307-4309

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JOE NEVES
STRATFORD-LEMOORE,
DIST I

RICHARD VALLE
CORCORAN-AVENAL,
DIST III

TONY OLIVEIRA
NORTH HANFORD -
NORTH LEMOORE, DIST. III

RICHARD FAGUNDES
HANFORD, DIST V

TONY BARBA
HANFORD-ARMONA, DIST IV

COUNTY OF KINGS BOARD OF SUPERVISORS

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September 21, 2010

Honorable George Orndoff
Kings County Superior Court
1426 South Drive
Hanford, CA 93230

Dear Judge Orndoff:

In accordance with Section 933 of the California Penal Code, this letter is the Kings County Board of Supervisors' response to the Grand Jury Report entitled, "Kings County First Five," received by the County on June 29, 2010. The attached letter from the First Five Department will serve as our response to all of the findings and recommendations in the Grand Jury Report.

Please extend our thanks to the Foreperson, David Dawson, Foreperson Pro Tem, Sumner Keyes, as well as the other members of Kings County's 2009-2010 Grand Jury for their public service in rendering their report.

Sincerely,

Tony Barba
Vice Chairman, Board of Supervisors

MEMORANDUM

TO: Board of Supervisors:
Joe Neves
Richard Valle
Tony Oliveira
Tony Barba
Richard Fagundes

Larry Spikes, Kings County CAO

FROM: Lisa Watson, First 5 Kings County Executive Director

DATE: September 8, 2010

SUBJECT: Response to 2009-2010 Grand Jury Report

Per county protocol, I am submitting to you the departmental response to the 2009-2010 Grand Jury report regarding First 5 Kings County operations. I would be happy to clarify and/or expand on any given issue if additional information is needed.

Grand Jury Finding #1

First 5 funding for the Stratford Family Resource Center was terminated in 2006. Resource centers in Armona, Home Garden and a Hanford Family Connection center were closed in 2009.

Grand Jury Recommendation

A stronger effort should be made to reach more than 25% of eligible children, especially in those areas of the county where resource centers have been closed.

Response

First 5, Kings County Children and Families Commission Response to Grand Jury Finding #1

The First 5 Children & Families Commission disagrees partially with this finding of the grand jury, as portions of the assertion are factually inaccurate and/or misleading.

Stratford Family Resource Center: In FY 2006-2007, the Commission allocated funding for the Stratford FRC through its Request for Application (RFA) funding process. The Central Unified School District notified the Commission of its intent not to apply for such funds, stating it would be financially supporting the FRC operations utilizing District Funds. The Commission offered to provide on-going technical assistance and support to Central Unified in their operations of the Stratford FRC.

Source Documentation:

- o 2006-2007 Request for Application Document
- o June 6, 2006 Commission Meeting Minutes

Hanford Family Connection: In FY 2009-2010, the Commission implemented a revised approach to providing Family Resource Center services to the Hanford community by moving to internalize operational oversight of the Hanford Family Connection. While services were interrupted, the gap in

operations of the Hanford Family Connection was merely 45 days; in which staffing was developed and transitional activities took place. FRC Services to the Community have been operational through the Hanford Family Connection consistently since August 2009.

Armona Family Resource Center and Home Garden Family Resource Center Closure: The Commission acknowledges that these FRC's discontinued operations at the conclusion of First 5 funding availability. The reason for the discontinued funding in FY 2009-10 and beyond was the result of a lengthy realignment process that was established to acknowledge the decrease in our revenue stream, a loss of state matching funds, and political forces that, at the time, were threatening our very existence. Both centers failed to achieve a minimal score of 50% which was necessary for funding consideration.

Source Documentation:

- Realignment Rating Tool
- Realignment Rating Results

**First 5 Kings County Children and Families Commission
Response to Grand Jury Recommendation #1**

The First 5 Children & Families Commission assumes that this recommendation is limited to the FRC model of service delivery, as that is the only First 5 funded program referenced in the finding associated with this recommendation. As such, the following chart has been established to show the increase in the percentage of children served by FRC's from FY 2008-2009 to FY 2009-2010.

Family Resource Center Project(s) Statistics of Children Served

Family Resource Centers	Population Estimates 0-5	Children Served in FY 08-09		Children Served in FY 09-10	
		Total Number of 0-5 Served	Percent of 0-5 Population	Total Number of 0-5 Served	Percent of 0-5 Population
Armona FRC	426	70	16.4%	-	-
Avenal Family Connection	119	167	14.9%	250	22.3%
Corcoran FRC	1202	187	15.6%	416	34.6%
Hanford Family Connection	5046	249	4.9%	857	17.0%
Home Garden FRC	178	237	133.2%	-	-
Kettleman City FRC	197	156	79.2%	226	114.7%
Lemoore Family Connection	3645	323	8.9%	507	20.4%
Totals	10,813	1,389	12.8%	2,256	20.9%

Additionally, programs are regularly assessed and provided technical assistance and support to ensure that they are meeting their organizational capacity to serve as many children as possible. In FY 2009-2010, two of the Family Resource Centers referenced above were placed on performance improvement to maximize their impact. In FY 2009-2010, these two programs and one additional site will continue to be on performance improvement to ensure that children 0-5 in these communities are being served.

Source Documentation:

- FY 2008-2009 Annual Report
- FY 2009-2010 Year-end Grantee/Program Report(s)

In addition to the investments made in the delivery of Family Resource Center services, First 5 has made investments in the area of school readiness throughout Kings County, to include those areas in which no FRC investments are found. Our School Readiness Investments include the following projects:

- Parent & Me
- Raising A Reader
- Backpack to Success
- Special Needs Project

**Parent & Me Project
Statistics of Children Served**

Community	Total Number of Children Served in FY 09-10
Hanford	71
Lemoore	93
Corcoran	102
Kettleman City	73
Avenal	84
Totals	423

**Raising a Reader Project
Statistics of Children Served**

Community	Total Number of Children Served in FY 09-10
Hanford	194
Lemoore	16
Corcoran	16
Kettleman City	8
Avenal	12
Home Garden	69
Santa Rosa Rancheria	37
Totals	352

Backpack to Success Project Statistics of Children Served

Community	School/School District	Kinder Population Estimates	Children Served in FY 09-10	
			Total Number of Kinder Population Served	Percent of Kinder Population Served
Armona	Armona Elementary	139	55	40%
Stratford	Central Union – Stratford	30	20	67%
Lemoore	Central Union - Central	40	405	66%
	Central Union – Akers	80		
	Central Union – Neutra	100		
	Lemoore Elementary	363		
	Island	35		
Hanford	Hanford Elementary	652	799	88%
	Kings River Hardwick	60		
	Kit Carson	40		
	Pioneer	156		
Corcoran	Bret Harte	240	171	71%
Home Garden	Lakeside	40	19	48%
Kettleman City	Reef Sunset – Kettleman City	45	50	100%
Avenal	Reef Sunset – Avenal	105	136	70%
	Reef Sunset – Tamarack	90		
	Totals	2215	1655	75%

Special Needs Project Statistics of Children Served

Community	Total Number of Children Served in FY 09-10
Armona	131

Grand Jury Finding #2

Funds from tobacco taxes are declining each year and are projected to diminish further in the future.

Grand Jury Recommendation

First 5 should be judicious in conserving available funds for services and programs.

Response

First 5 Kings County Children and Families Commission Response to Grand Jury Finding #2

The First 5 Children & Families Commission agrees with this finding.

First 5 Kings County Children and Families Commission Response to Grand Jury Recommendation #2

The First 5 Kings County Children & Families Commission, acknowledging this reality in late 2008 and throughout early 2009, adopted decision criteria to use in assessing program performance for the purpose of establishing a transition plan to become more fiscally responsive to the economic reality facing the commission. The result of this process, involved the development of a revised Strategic Plan and corresponding financial plan. Implementation of this realignment strategy began in FY 2009-10 and is incorporated into our 5 year strategic plan that is scheduled to sunset in June 2014.

Source Documentation:

- o Realignment Rating Tool
- o Realignment Rating Results
- o Commission Meeting Minutes:
 - November 2008
 - December 2008
 - January 2009
 - February 2010
 - March 2010
 - April 2010

Grand Jury Finding #3

4 additional county employees were hired in 2009.

Grand Jury Recommendation

Future hiring of First 5 county employees should be closely scrutinized by the First 5 Commission and director. The Grand Jury believes that the possibility of part-time or voluntary parental help should be investigated.

Response

**First 5 Kings County Children and Families Commission
Response to Grand Jury Finding #3**

The First 5 Children & Families Commission disagrees partially with this finding of the grand jury, as portions of the assertion are factually inaccurate and/or misleading.

In fact, in FY 2009-2010, a total of 5 staff members were hired. The positions added to the department budget included:

- Family Resource Coordinator (2 FTE)
- Family Resource Assistant (2 FTE)
- Department Specialist II (1 FTE)

Of the 5 staff members hired, 4 were hired as a result of the decision of the Commission to internalize operations of the Hanford Family Connection and the Lemoore Family Connection Family Resource Centers. Prior to FY 2009-2010, these two centers had been staffed with a total of 5.53 FTE Equivalents utilizing First 5 funds. The net loss of staffing to these centers totaled 1.53 FTE as a result of the decision to only hire 4 staff members for internal operations of these programs. This should be evidence that careful thought and considerations were given when the decision to hire was made.

When the decision to hire for any county department is completed, multiple county departments work together and provide various levels of oversight to ensure that all positions are warranted/necessary. The County Human Resources Department assists in the creation of position allocations and job specifications. County Administration reviews the additional position allocations prior to submission to the Board of Supervisors, who ultimately approves or disapproves of the allocation of additional positions within a county department. The positions in question were processed in this manner, with an additional level of oversight necessary by the Commission itself.

Source Documentation:

- FY 2008-2009 Contract Budget: Kings Partnership for Children – Hand in Hand North (for operations of the Hanford Family Connection)
- FY 2008-2009 Independent Consultant Contract: Rosa Heredia (for consultant services to staff the Lemoore Family Connection)
- FY 2008-2009 Independent Consultant Contract: Gabriela Preciado (for consultant services to staff the Lemoore Family Connection)
- FY 2009-2010 County Budget Form 7 – Position Allocation
- FY 2009-2010 Commission Adopted Budget

**First 5 Kings County Children and Families Commission
Response to Grand Jury Recommendation #3**

The First 5 Kings County Children and Families Commission and its Executive Director have historically and do currently closely scrutinize all hiring decisions. In an effort to establish necessary staffing resources to provide critical functions of the organization and its direct service programs, a staffing allocation plan (First 5 Staff Plan) was established in FY 2008-2009, and updated in FY 2009-2010 to reflect our new operational reality. In addition to the county-paid staff, we utilize, throughout the year, JTO and High School Intern Placements to supplement our workload. In FY 2008-2009, First 5 Kings County hosted over 10 Intern placements that averaged a full year equivalent of 1.0 FTE.

We do call on parents to volunteer where it makes most sense in the operations of our programs.

Examples of where parents have been utilized in program operations include:

- Monthly Food Distribution: Parents are utilized to distribute food through the Lemoore Family Connection as we coordinate with Food Link to distribute fresh fruits and vegetables on a monthly basis.
- Monthly Music & Movement Classes: A parent volunteer has been utilized as an

- instructor at both the Hanford and Lemoore Family Connection sites as she is qualified to provide such services consistent with out FRC Service Standards.
- FRC Community Advisory Board (CAB): Parent Volunteers have been courted to participate in advisory committee's at both the Hanford and Lemoore FRC. The CAB functions as a programmatic oversight board meant to ensure community input into the establishment of FRC services. A total of 16 parent volunteer serve in this capacity between those two sites.

Source Documentation:

- First 5 Staff Plan

Grand Jury Finding #4

In 2008-2009, First 5 budgeted and spent 75,000 to purchase 3 new vehicles.

Grand Jury Recommendation

More consideration should be made before making large purchases, especially when resource centers and programs for children 0-5 are being reduced.

Response

**First 5 Kings County Children and Families Commission
Response to Grand Jury Finding #4**

The First 5 Children & Families Commission disagrees partially with this finding of the grand jury, as portions of the assertion are factually inaccurate. In fact, 3 vehicles were purchased in FY 2008-2009, totaling \$56,896.

**First 5 Kings County Children and Families Commission
Response to Grand Jury Recommendation #4**

Prior to purchase of the three vehicles identified in this finding, an analysis was completed with considerations given to the amount being charged to the department for monthly rental of county motor pool vehicles (3) and the corresponding maintenance charges for the upkeep of such vehicles. Motor pool costs for each of the 3 vehicles totaled \$1,125 per month. Because each of the vehicles were between 8-10 years old, maintenance was a regular necessity and costs were allocated to the program accordingly. Total motor pool costs were estimated to be \$17,100. Multiplied over a 5 year life span, the total costs to the department in utilizing existing motor pool fleet was estimated to be \$85,500. When compared to the cost of an outright purchase of new vehicles for departmental purposes, and considering the 5 year maintenance warranty as offered by the dealership, the department anticipated a net savings total of \$28,604. Had the Grand Jury posed the question as to the consideration given when the decision to purchase was made by the Commission, this information would have been provided.

Additionally, it is important to note that 2 of the 3 vehicles purchased were for the express intent of service delivery to outlying areas of the county, an issue that the grand jury had impressed as an important necessity in the work of First 5.

Source Documentation:

- Motor-pool invoices
- 2008-2009 Year-end Budget Report

Grand Jury Finding #5

Proposition 10 requires that a yearly audit/evaluation be conducted on all First 5 agencies. Kings County First 5 hires an outside firm to perform the audit/evaluation.

Grand Jury Recommendation

The Grand Jury believes that such an evaluation could be less costly. When compared with other similar counties, Kings County First 5 spends considerable more for these state-required evaluations/audit, based on the Kings County First 5 annual report. The Grand Jury Recommends the Kings County First 5 solicit bids from other auditing firms to compare costs. There appears to be an opportunity for significant financial savings to Kings County First 5.

Response

First 5 Kings County Children and Families Commission Response to Grand Jury Finding #5

The First 5 Children & Families Commission agrees entirely with this finding of the grand jury, with clarification regarding the requirement of evaluation activities as provided in the legislation. For clarity, the statute states the following:

"On or before October 15 of each year, each county commission shall conduct an audit of, and issue a written report on the implementation and performance of, its functions during the preceding fiscal year, including, at a minimum, the manner in which funds were expended, the progress toward, and the achievement of, program goals and objectives, and information on programs funded and populations served for all funded programs..."

First 5 Kings County Children and Families Commission Response to Grand Jury Recommendation #5

First 5 Kings County disagrees with the assertion that "When compared with other similar counties, Kings County First 5 spends considerable more for these state-required evaluations/audit". Below is a table detailing evaluation costs and the corresponding percentage of our annual budget from FY 06-07 through the most recently completed fiscal term (FY 09-10). There were a number of factors that caused FY 08-09 to have higher than normal expenditures for evaluation activities. These factors, not present in previous or current fiscal terms included:

- One-time funding award to UCP Parent & Me program for data management assistant utilized in the development and implementation of data systems necessary for evaluation purposes. This funding was provided on a one-time bases, and is not intended to be recurring in nature. (\$28,092.12)
- FY 07/08 expenses were not accrued in the correct term, and were paid out in FY 08/09. (\$51,330.61).
- In FY 08/09, a Data management consultant was utilized to perform quality control and data entry functions to ensure that data collected from grantees was accurate. (\$51,267).

Fiscal Term	Evaluation Costs	Annual Expenses	% of Budget
FY 06-07	\$119,604	\$3,608,083	3.3%
FY 07-08	\$96,539	\$4,132,052	2.3%
FY 08-09	\$401,422	\$4,097,603	9.8%
FY 9-10*	\$198,880	\$2,595,967	7.7%
AVERAGE	\$816,445	\$14,433,705	5.7%

* Anticipated Totals

As is evidenced by the chart above, the average cost for evaluation activities over a 4 year period is 5.7% of our operational expenditures. The statewide average of evaluation costs expended by First 5 organizations in FY 08-09 totaled 3.3% of total expenditures. When considering only similar sized counties, the average percentage of total expenditures was 4.6%. While First 5 Kings County does spend more than the average of other like-sized First 5 organizations, it is by no means excessive.

That being said, the Commission has acknowledged the fact that most of our long-term investments have been evaluated by an independent third party and have been found and/or confirmed to be making a positive impact within the desired outcomes outlined in our strategic plan. As our program approach to service delivery has not changed significantly within any program/initiative area, the Commission has embarked upon a process that will transition evaluation activities away from the existing third-party consultant and is intending to utilize a peer evaluation process in it's place. An ad-hoc subcommittee was formed at the August 2009 Commission Meeting and has been tasked with establishing an evaluation framework that would be utilized by a peer evaluation team in the future. Once this framework is complete, it is expected that the peer evaluation group will be made up of Commissioners, staff, and subject matter experts from the field in which a program is being evaluated. Our current contract with our existing 3rd party consultant concludes September 30, 2009. It is the intention of the Evaluation Subcommittee to have the transition plan in place by years end.

The Commission has not budgeted for any evaluation consultant services beyond the term of our current contract, which expires 9/30/10. The peer evaluation team is expected to absorb the functions of such contractor beyond such time.

Source Documentation:

- o Commission Meeting Minutes: August 2009
- o Staff Report to the Commission: January 2010
- o Staff Report to the Commission: February 2010
- o Staff Report to the Commission: April 2010
- o Staff Report to the Commission: May 2010