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OFFICE OF THE AGRICULTURAL COMMISSIONER/ SEALER OF WEIGHTS AND MEASURES

SUMMARY

The Office of the Agricultural Commissioner/Sealer of Weights and Measures provides a variety of services to the community of Kings County. The Agriculture Department enforces laws and regulations to provide for the protection of agriculture, the environment and the public's health. The Weights and Measures Department serves as a local regulatory authority for the enforcement of standards, laws and regulations to ensure the weight, measure or count of commodities and/or services are accurate.

BACKGROUND

The Kings County Grand Jury toured the Office of the Agricultural Commissioner/Sealer of Weights and Measures per its mandate to look into the needs of individual county departments.

California Penal Code §925 provides: "The grand jury shall investigate and report on the operations, accounts, and records of the officers, departments, or functions of the county including those operations, accounts and records of any special legislative district or other district in the county created pursuant to state law for which the officers of the county are serving in their ex officio capacity as officers of the districts..."

METHODOLOGY

The Kings County Grand Jury toured the Agriculture Department on October 16, 2016, interviewed the Agricultural Commissioner/Sealer of Weights and Measures, conducted online research and reviewed pertinent documents.

DISCUSSION

The first meeting of the Kings County Board of Supervisors was held on June 1, 1893. During meetings held on June 2-3, 1893, the Board appointed a Horticultural Commissioner and Entomologist and an Inspector of Weights and Measures. In 1971, Kings County merged Weights and Measures with the Agriculture Department and it is now the Office of the Agricultural Commissioner/ Sealer of Weights and Measures.

It appears that the original emphasis of the department was controlling orchard pests. Near the end of the 1800's, rodent control (squirrels) was a primary focus of the program. In the 1920's, weed control started to play a major role. The 1950's included programs for seed certification, insect eradication and commodity inspections. Pesticide regulations and misdemeanor citation programs were added in the 1970's.

The Agriculture Department enforces laws and regulations to provide for the protection of agriculture, the environment and the public's health. The Weights and Measures Department serves as a local regulatory authority for the enforcement of standards, laws and regulations to ensure the weight, measure or count of commodities and/or services are accurate.

Currently, the department is divided into three distinct divisions: Environmental Protection, Pest Detection and Quarantine, and Agriculture Standardization and Consumer Protection. Each division is under the direct supervision of a Deputy Agricultural Commissioner/Sealer.

The allocated staffing for the department, as listed in the County of Kings 2016-2017 Final Budget Volume I, consists of the Agricultural Commissioner/Sealer of Weights and Measures, three Deputy Agricultural Commissioners/Sealers, 16 Inspectors and five administrative support staff.

The Agricultural Commissioner/Sealer of Weights and Measures administers local programs to enforce pertinent federal and state laws, rules and regulations for agriculture, weights and measures and health and safety.

The Deputy Agricultural Commissioners/Sealers work to conduct agricultural and weights and measures inspections to enforce laws, regulations and standards, including Food and Agricultural Code of California, the Business and Professions Code of California and the California Code of Regulations.

Of the 16 inspectors, 14 are licensed and have the title of Agricultural and Standards Inspector with levels of I, II or III. If the entry-level Inspector does not possess one or more valid California licenses as a County Agricultural Inspector/Biologist or County Weights and Measures Inspector, they must meet other educational or experience requirements. Kings County rules allow new hires to obtain at least one of the required California

licenses within 12 months from the date of appointment to remain in the position.

The two inspectors who are not required to have one or more of the California licenses have the title of Agricultural and Standards Aide. This position does require a valid California driver's license and certain positions may further require a Class A or B commercial driver's license.

The Environmental Protection Division includes:

- ❖ Pesticide Use Monitoring
- ❖ Pesticide Permits
- ❖ Pesticide Episode Investigations
- ❖ Pesticide Use Reporting/Data Entry and Records Inspections
- ❖ Worker Safety Enforcement
- ❖ Systems Analysis
- ❖ Apiary Enforcement
- ❖ Geographic Information System
- ❖ Public Information Requests
- ❖ Safety Training

The Pest Detection and Quarantine Division is responsible for:

- ❖ Pest Detection, Eradication and Exclusion
- ❖ Cotton Host-Free Regulation
- ❖ Insect/Pest Lab Analysis
- ❖ Biological Control Coordination
- ❖ Nursery Inspection
- ❖ Seed Inspection/Certification
- ❖ Safety Training

The Agriculture Standardization and Consumer Protection Division oversees:

- ❖ Agricultural Statistics
- ❖ Crop Disaster/Emergency Coordination
- ❖ Fruit, Vegetable and Egg Quality Control
- ❖ Direct Marketing
- ❖ Certified Organic Growers
- ❖ Rodenticide Bait Mixing
- ❖ Vertebrate Pest Management
- ❖ Predatory Animal Control
- ❖ Weed Pest Management

- ❖ Weighing and Measuring Devices
- ❖ Quantity Control of Packaged Goods
- ❖ Weighmaster Enforcement
- ❖ Petroleum Products
- ❖ Service Agents/Agencies
- ❖ Department Safety Coordinator

In addition, non-statutory responsibilities include: Agriculture Advisory Committee, Environmental Review, Fish and Game Committee, Mortality Intervention Team, Emergency Animal Disposal Workgroup, and West Nile Virus Committee.

The Environmental Protection Division

The department issues approximately 1,000 pesticide permits annually to farmers who use pesticides. Growers do not need to use every pesticide they list on the permit application and the permits can be amended as needed. Growers are sent an application renewal letter in the last quarter of each calendar year. At that time, the department asks the farmers to provide information about the yield and gross price of the commodities they grew. The staff then compiles the information into a crop report which is issued annually.

Through the use of a Geographic Information System, the department creates and maintains a map based on information provided by the farmers regarding where and what crops they intend to grow.

The division uses field and aerial inspections as part of their pesticide use monitoring and enforcement duties. Testing is also conducted on soil to ensure that safety standards are met. Investigations are conducted on incidents such as crashes of crop-dusting aircraft, pesticide drifts causing crop damage, etc.

Monitoring of Maintenance Gardeners and Residential Pest Control is conducted by staff. Inspection of structural fumigation (home termite tenting) is one example of the duties.

For licensed professional pesticide applicators and landscape professionals, the department inspects personal protection clothing and equipment and ensures the proper application of pesticides/herbicides. Continuing Education Units (CEU's) are a requirement for California restricted

materials license holders. To assist the local restricted materials license holders, the division provides day and evening classes in both English and Spanish.

The division also has oversight duties for local honeybees through the Apiary Enforcement division. An apiary, also known as a bee yard, is a place where multiple hives of honeybees are placed. Staff surveys for bee health and certifies colony strength for pollination purposes. A “Bee Map” is maintained to show the location of registered beekeepers throughout the county. Department staff also responds to reports of bee swarms.

The Pest Detection and Quarantine Division

As part of the pest detection, eradication and management programs, this division inspects commercial nurseries and conducts seed inspections. For the Pest Detection Program, traps that are pest specific are used. Early detection before the pest becomes established is a goal of the division. Over 1,700 traps for 13 different exotic pests are monitored. Analysis of collected pests is conducted by the division or sent to an approved laboratory in Sacramento, when necessary.

The eradication of the pink boll worm is an example of a successful venture by this division. It has been nine to ten years since pink boll worm has been detected in Kings County. Examples of other pests targeted by the division include Alligatorweed, Glassy-winged Sharpshooter and Japanese Beetle.

One effective pest eradication method is the release of sterile insects, such as moths. Genetically Modified Organisms (GMO’s) are also being used in cotton breeds to create pest-resistant crops.

Phytosanitary inspections are conducted on crops being exported from Kings County to attest that consignments meet phytosanitary (regarding plants) foreign export standards. The division issues an average of 1,200 phytosanitary certificates annually. Currently there are 16 commodities grown in Kings County that are exported to over 40 countries. The 16 commodities are: alfalfa seed, almonds, apricots, asparagus seed, cherries, cotton, cotton seed, grapes, kiwis, nectarines, onion seed, peaches, pistachios, pluots, pomegranates and walnuts.

The Agriculture Standardization and Consumer Protection Division

The certification of organic crops, inspections of local farmers' markets and quality of commercial egg production are monitored by this division.

Quality control of fruits and vegetables are determined through the use of inspections in the field or at the packing sheds.

The division also produces approximately 500,000 pounds of rodenticide bait annually for agricultural use only. Sale of the rodenticide is restricted to those who have a restricted materials permit.

The division is responsible for ensuring that petroleum products sold in Kings County meet federal and state quality specifications. Gas storage tanks are checked to ensure that the percentage of water and/or alcohol is within acceptable standards or that the gasoline has not become gelatinous (jellylike). Labels on the inlet fuel pipes at gas stations are checked to ensure no cross contamination occurs. Air and water dispensers and price sign advertising are also checked as part of a gasoline station inspection.

The division ensures that all licensed weighmasters are performing in accordance with established laws and regulations. Weighing and measuring devices are tested and sealed according to state and federal regulations and timelines. In Kings County, over 2,500 devices are tested and sealed annually. The department's equipment is currently sufficient for testing about 99.9 percent of the commercially used devices in the county. The seal serves as the verification of inspection and compliance with standards.

Examples of types of devices inspected and sealed are:

- ❖ Gasoline pumps for volume
- ❖ Taxi meters
- ❖ Propane meters
- ❖ Natural gas and electric sub-meters
- ❖ Farm milk tanks
- ❖ Pharmacy scales
- ❖ Retail scales
- ❖ Fabric and cordage meters
- ❖ Weight scales at schools and doctors' offices
- ❖ Livestock scales
- ❖ Vehicle scales

Responsibilities of the Quantity Control of Packaged Goods unit include the checking of packaged goods for advertised price, quantity, weight and size. This unit makes undercover purchases to obtain a variety of products for inspection. Consumer complaints regarding weights and/or measures are investigated by this unit.

Agriculture Department Tour

Grand jury members learned during their tour that departmental public outreach includes the use of a division webpage on the county website, a Facebook page and Twitter updates.

During their tour grand jury members observed a lack of office space. Some work areas were defined by cubicles set up in a large room which creates blind corners. Corridor space appeared adequate for one person at a time but lacked sufficient width for two people to pass, especially if one was carrying anything or pushing a hand truck. The grand jury was also informed of a lack of laboratory space. The office appeared to need defined storage areas for certain items, such as gas meters, which the department is required to maintain for a specified number of years.

FINDINGS AND RECOMMENDATIONS

Finding 1

There is a lack of adequate working space and defined storage space within the office which hinders the department's efficiency and productivity. Blind corners and narrow corridors further impede efficiency and could present a safety hazard.

Recommendation 1

The department head and county administration should work with the Kings County Board of Supervisors to address the inadequacies of the facility's physical layout through long-term planning and the budget process.

COMMENTS

The Kings County Grand Jury was very impressed with the scope and variety of responsibilities of the Office of the Agricultural Commissioner/Sealer of Weights and Measures and the level of customer service provided by staff.

RESPONSE REQUIRED

California Penal Code §933(c) provides: “Within 90 days of receipt of a report the public agency shall submit its response to the presiding judge. If the report is on an elected public official, the response shall be submitted to the presiding judge within 60 days of receipt...”

Pursuant to California Penal Code §933(c), the grand jury requests responses as follows:

Kings County Board of Supervisors

INVITED RESPONSES

Agricultural Commissioner/Sealer of Weights and Measures



**COUNTY OF KINGS
BOARD OF SUPERVISORS**

KINGS COUNTY GOVERNMENT CENTER
1400 W. LACEY BOULEVARD. HANFORD, CA 93230
(559) 852-2362, FAX: (559) 585-8047
Web Site: <http://www.countyofkings.com>

JOE NEVES – DISTRICT 1
LEMOORE & STRATFORD
RICHARD VALLE – DISTRICT 2
AVENAL, CORCORAN, HOME GARDEN &
KETTLEMAN CITY
DOUG VERBOON – DISTRICT 3
NORTH HANFORD, ISLAND DISTRICT &
NORTH LEMOORE
CRAIG PEDERSEN – DISTRICT 4
ARMONA & HANFORD
RICHARD FAGUNDES – DISTRICT 5
HANFORD & BURRIS PARK

June 13, 2017

The Honorable Steven D. Barnes
Presiding Judge
Kings County Superior Court
1640 Kings County Drive
Hanford, CA 93230

Re: Grand Jury Report: “Office of the Agricultural Commissioner/Sealer of Weights and Measures”

Dear Judge Barnes,

On behalf of the Board of Supervisors and in accordance with Section 933 of the California Penal Code, the following are the Board’s response to the Grand Jury Report entitled, “Office of the Agricultural Commissioner/Sealer of Weights and Measures” received by the County on March 23, 2017. The Board of Supervisors has consulted with the Kings County Agricultural Commissioner and Sealer to assist with this response.

Under the Findings and Recommendations Section of the Report, the Grand Jury states:

Finding 1: There is a lack of adequate working space and defined storage space within the office which hinders the department’s efficiency and productivity. Blind corners and narrow corridors further impede efficiency and could present a safety hazard.

We agree with this finding in part. County staff is currently investigating the procurement and installation of convex mirrors to blind corners to increase efficiency, but we do not agree that the situation rises to the level of a “safety hazard.”

Recommendation 1: The department head and county administration should work with the Kings County Board of Supervisors to address the inadequacies of the facility’s physical layout through long-term planning and the budget process.

Kings County has a Capital Improvement Plan that guides future project considerations. This issue will be kept in mind during the next update of the plan. Additional detail on these efforts is outlined in the attached response from Tim Niswander, County Agricultural Commissioner-Sealer.

Sincerely,

Craig Pedersen, Chairman
Kings County Board of Supervisors

Cc: Grand Jury Foreperson, Wyleen Luoma



**Kings County
Department of
Agriculture and
Measurement
Standards**

Memo

To: Kings County Grand Jury
From: Tim Niswander, Agricultural Commissioner-Sealer
CC: Larry Spikes, County Administrative Officer
Date: 5/31/2017

Re: 2016-17 Grand Jury Report on the Office of the Agricultural Commissioner/Sealer of Weights and Measures

I commend you for your well prepared and fact based report on our office. Your report covers the majority of local as well as far reaching services our department provides. As to the following Finding and Recommendation:

Finding 1

There is a lack of adequate working space and defined storage space within the office which hinders the department's efficiency and productivity. Blind corners and narrow corridors further impede efficiency and could present a safety hazard.

CACS response: Shortly after moving into the present facility, in May 1988, it was apparent that the space within the office structure is tight at best. While our current office facility provided more appropriate laboratory space, the inspector assigned work stations are crowded and inhibit walking and/or the movement of equipment through the office. The installation of convex mirrors can improve blind corners, as long as a person looks.

Recommendation 1

The department head and county administration should work with the Kings County Board of Supervisors to address the inadequacies of the facility's physical layout through long-term planning and the budget process.

CACS response: It would definitely require collaboration with the county's Public Works Building Maintenance, County Administration, and the Board of Supervisors to develop a long range plan to address the inadequate space and inefficient physical

design of the current structure. In comparison with other County office structures, the Ag Commissioner office design provides a great amount of cramped walking space and blind corners.

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HEALTH AND EDUCATION



Corcoran Branch Library

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CHAMPIONS RECOVERY PROGRAMS OF KINGS COUNTY

SUMMARY

Champions Recovery Alternative Programs, Incorporated (Champions) is a non-profit, faith-based organization unique to Kings County. Champions has several programs that serve youth, adults and families and includes outreach programs in every city in Kings County.

The Kings County Grand Jury focused on the programs at Hannah's House and Samuel's House. Clients served by both programs are provided with transitional housing and services to assist in self-sufficiency as productive members of the community.

BACKGROUND

In response to public interest, the 2016-2017 Kings County Grand Jury investigated both of the residential facilities of Hannah's House and Samuel's House.

California Penal Code §933.6 provides: "A grand jury may at any time examine the books and records of any nonprofit corporation established by or operated on behalf of a public entity the books and records of which it is authorized by law to examine, and, in addition to any other investigatory powers granted by this chapter, may investigate and report upon the method or system of performing the duties of such nonprofit corporation."

METHODOLOGY

The 2016-2017 Kings County Grand Jury toured the recovery facilities of Hannah's House in Hanford and Samuel's House in Lemoore. The jurors also toured the Kings County Probation Department, attended the Champions annual graduation and observed a session of the Collaborative Court at the California Superior Court of Kings County.

Additionally, interviews were conducted with officials from the staff and residents of Hannah's House, personnel at Samuel's House, and administration and staff of the Kings County Probation Department. The grand jury reviewed pamphlets, Power Point presentations and news articles; social media sites and online materials were also researched.

DISCUSSION

Champions is a non-profit, faith-based organization unique to Kings County. It was established in 2000 by Sue Weisenhaus as a program to serve troubled teens. Today, Champions has several programs that serve youth, adults and families and includes outreach programs in every city in Kings County. One probation officer is assigned to the Day Reporting Center at Champions on Irwin Street in Hanford.

Funding sources include donations from individuals, government entities, local service clubs and community organizations. The main focus of this report is on two of the programs, Hannah's House and Samuel's House.

HANNAH'S HOUSE

The Kings County Grand Jury toured Hannah's House located at 222 Keith Street in Hanford to see the facility and to learn their program components for successful re-entry into society. Hannah's House is a treatment facility, not a shelter, for homeless adult women and their children up to five years of age.

A member of the administrative staff led a tour of the facility and discussed the comprehensive multi-service case management supporting the women in their facility. The grand jury was impressed not only with the facility but also the attitude of members of the staff who encourage the clients in their endeavors. The grand jury was equally impressed by the commitment, efforts and successes of the clients themselves.

The facility was previously a nursing home which has been renovated to house 20 occupants including children. The décor in each bedroom was financed by private individuals and organizations. One room is designated as a "detox" area for recovering clients. Meals are prepared by the clients in a communal kitchen and served family style in the dining room. A playground is on site for the children living in or visiting the facility. There is also a divided playroom designed to accommodate different age levels of the children. There is a meeting room where group sessions are held and furnished with computers for clients' use. The facility was observed to be clean, orderly, and appeared to reflect the pride of both clients and staff.

To be eligible for placement in the program, proof of homelessness is required. Clients must undergo tuberculosis (TB) and pregnancy testing, and must test negative for illegal substances. Before children are allowed to

live in the house, their immunization records must be checked. While in the program, clients and children receive medical care.

There is a continuous waiting list with pregnant women given a priority. Clients are referred through faith-based organizations, the courts or medical professionals. Sex-offenders are not eligible to participate.

Upon arrival, the client goes through a 30 day black-out period with no electronic devices or outside communication allowed. Focus is on their individual needs and the needs of children who are with them.

Programs available for the clients include:

- Substance abuse treatment
- Mental health counseling
- Therapeutic childcare
- Parenting and family groups
- Recreational and art therapy
- Health and wellness education
- Life-skills education
- Vocational and educational opportunities

During their time in the program, clients may have outside employment. Job preparation and placement services are provided. Money management skills are taught. Clients with outside employment are required to maintain both a personal checking and savings account. The savings accounts cannot be used until they leave the program.

The Hannah's House program has a success rate of 80 percent which is based on the clients having their children returned to them, and having obtained housing and employment. Clients can remain in the program for up to two years, with an average stay of 10 months. The program goal is to assist each client to be the best she can be.

Staff is on the premises 24 hours a day, seven days a week with a minimum of two on site at all times. Interns and volunteers assist the staff. There is a Female Day Reporting Center with probation officers assigned as needed, to serve criminal justice-involved clients at Hannah's House.

During the tour, the grand jury members were told of pressing needs for Hannah's House. The top priority is reliable transportation to be used for client appointments and other activities. Donations of shoes, clothing, toys,

furniture and household goods are accepted. For clients preparing to leave the program, affordable housing, jobs and professional clothing are needed.

Funding sources are always a major need for the program. Grant applications are prepared and submitted by the staff. Donations are accepted from service clubs, faith-based organizations and private citizens.

SAMUEL'S HOUSE

The Kings County Grand Jury toured Samuel's House located at 11517 15th Avenue in Lemoore to see the facility and to learn their program components for successful re-entry into society. Samuel's House is a residential treatment facility for male probation and/or court-ordered clients.

The main building is a single story house and has 49 beds with up to six per room. One of the bedrooms is a withdrawal management (detox) room. There is a computer lab, meeting room, several classrooms, communal kitchen and dining room. Outside, there is a playground for visiting children and a garden area which is maintained by the clients. An outbuilding is being converted to create a vocational education area.

There is also a sober-living home on the grounds called the Rylie Brennen House. This is an independent-living house for up to seven clients who have completed the program at Samuel's House and need a transition phase before re-entering society. The clients pay rent to live at the house.

To enter the program, clients must be referred by Kings County Probation or Superior Court and must be amenable to treatment. The client must have no chronic health conditions and must undergo medical evaluation, TB testing and must test negative for illegal substances. Clients can remain in the program for six months, up to two years, with an average stay of one year.

Programming is seven days a week and includes:

- Criminal Thinking and Victim Awareness
- Thinking for a Change
- Anger Management
- Life Skills
- Budgeting/Finance
- Trauma
- Relationship Dynamics (Healthy Relationships)
- Intensive Case Management

- Individualized Treatment Planning/Discharge Planning
- Addiction Severity Index
- Crisis Management
- Drug Screening

Clients also must attend Alcoholics Anonymous (AA) and/or Narcotics Anonymous (NA) meetings twice weekly. They are required to have one hour of exercise daily. House jobs are mandatory and are assigned by a council made up of clients. Family/child visitation is held on Saturday and Sunday. Clients are allowed to make outside appointments, such as doctor visits or shopping one day weekly.

The Kings Community Action Organization (KCAO) is involved in teaching agricultural activities. Food grown in the garden is used for clients' meals. As the gardening program expands, crops will be sold at the Thursday Night Market in Hanford. Gardening has been recognized by staff as a therapeutic activity for the clients. A Recidivism Reduction grant from the Kings County Probation Department funded the garden.

Vocational education classes are in the planning stages. The courses will include agriculture (farm-based), wood/metal working and auto repair/maintenance. Staff is working with local junior colleges and similar programs to provide the instructors and to obtain funding sources.

Clients participate in community events and fund-raising activities such as Kings River Clean-up, Kings Art Center Gala, Relay for Life, Recovery Fest, Victory Garden, KCAO programs, Academic Decathlon, etc. As an example, clients earned free bowling after cleaning the grounds of Kings County Bowling Alley.

Staff is on the premises 24 hours per day, seven days per week. Minimum staffing after regular business hours is two, with one being male. Two Probation Officers are assigned to Samuel's House and one will go to Hannah's House, as needed.

An intern program has provided students from various schools such as the University of Southern California (USC), California State University Stanislaus (CSUS) and Brandman University to assist the staff. Volunteers from the Kings County Job Training Office (JTO) also provide staff support in areas such as clerical positions.

Currently, the Kings County Probation Department uses Senate Bill (SB) 678 monies to provide funding for Samuel's House. This revenue stream will be redirected by the Probation Department in the new fiscal year which begins on July 1, 2017. It is expected that Samuel's House will be able to become self-funded at that time through Medi-Cal billing and other sources, such as grants and community donations.

The grand jury learned of program needs during their tour. A pressing need for Samuel's House is for reliable transportation. Furniture, appliances and household goods are on the list of requested items. Professional clothing is needed for clients who are seeking employment or are working.

FINDINGS AND RECOMMENDATIONS

Finding 1

None

COMMENTS

The Kings County Grand Jury thought it remarkable that Champions is a model program founded by a Kings County resident and it is being considered for duplication by other counties in California. The grand jury was impressed with the service provided to the clients at Hannah's House and Samuel's House and with the program leadership and dedication of the staff.

JEFFERSON CHARTER ACADEMY

SUMMARY

Jefferson Charter Academy offers the premier Dual Language Immersion Program in Kings County. The academy is committed to the development of the whole child, with a focus on the skills needed to thrive, succeed and contribute to the community and society. Students are afforded adequate time, exposure and opportunities to learn a second language while studying academic subjects starting from kindergarten through 8th grade. The curriculum, teacher lessons and student work is aligned with Common Core State Standards and Next Generation Science Standards. Students are given the opportunity to learn in a guided, collaborative and supportive environment.

During their tour the Kings County Grand Jury learned that Jefferson Charter Academy offers a Science, Technology, Engineering and Math (STEM) based curriculum. The grand jury was also impressed by the variety of after-school programs offered with 65% student participation.

BACKGROUND

The Kings County Grand Jury learned of the Dual Language Immersion Program at Jefferson Charter Academy and felt a visit would be of public interest. The grand jury toured the Jefferson Charter Academy on February 21, 2017.

California Penal Code §933.5: “A 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. . .”

METHODOLOGY

The 2016-2017 Kings County Grand Jury toured the Jefferson Charter Academy in order to observe their Dual Language Immersion Program. The grand jury interviewed staff, observed various classrooms, reviewed pamphlets, Power Point presentations, newspaper articles and conducted internet research.

DISCUSSION

The Dual Language Immersion Program started as an alternative curriculum at Martin Luther King School in 1996 and then was transferred to Joseph Simas School. The program was later moved to the Jefferson Elementary

School site in 2014 when it became a dependent charter academy, which is sponsored by Hanford Elementary School District (HESD) as one of their publicly-funded sites. The program was expanded to include grades kindergarten through eighth, involving the entire student body and faculty.

According to the school pamphlet:

“A Dual Immersion Program brings together English and Spanish speaking students in a unique opportunity to learn both languages. It is academically based program in which the target language (Spanish) is used as the vehicle of instruction, not the focus. Instruction in English increases throughout the grades, until the students are working 50% of the day in Spanish, usually beginning in the 5th grade. By 7th grade, students receive 25% of instruction in Spanish.

- *Spanish is introduced naturally, through science-embedded lessons using simple, clear language that is appropriate for all kindergarten students.*
- *Native English speakers are grouped with native Spanish speakers.”*

Preference for enrollment into the school is given to sibling connections, English language learners and to children of employees of HESD. A random drawing is held for the remaining enrollment openings and a waiting list is established based on the drawing results. Fifty percent of the newly enrolled kindergartners must be English language learners.

Spanish is primarily used in the lower grades, with English increasingly incorporated at upper grade levels. The percentages are:

- kindergarten and first grade is 90% Spanish and 10% English
- second grade is 80% Spanish and 20% English
- third grade is 70% Spanish and 30% English
- fourth grade is 60% Spanish and 40% English
- fifth and sixth grades are 50% Spanish and 50% English
- seventh and eighth grades are 25% Spanish and 75% English

Enrollment is currently 433 students with a maximum of 525. Maximum classroom sizes are 24 students for grades K-3 and 33 students for grades 4-8. Future plans are to maintain two full classrooms per grade level each school year. The student population is composed of 72% Hispanic, 22% Caucasian, 2% African American and 4% other. Programs are available for students with special needs.

Jefferson Charter Academy offers a Science, Technology, Engineering and Math (STEM) based curriculum. STEM is a curriculum that revolves around those four educational disciplines. Students will be prepared to qualify for foreign language and STEM courses in high school. The goal of the academy is for students to be bilingual and biliterate in English and Spanish.

After-school opportunities are offered to enrich and support second language and Core Curriculum programs. Activities and clubs include:

- science, including the Science Olympiad
- math competition
- robotics
- sign language
- music instruction – mariachi, concert and symphonic band
- technology – Minecraft, programing and coding, and broadcasting
- visual and performing arts – folklorico (with mariachi)
- Junior Legos
- engineering – rollercoaster building, etc.
- chess
- physical fitness

Approximately 65% of the students participate in these after-school programs.

The grand jury learned that Jefferson has a high attendance rate of 98.2% with only 111 absences from August 2016 through February 2017. The school has low disciplinary issues having had only nine citations as of February 2017 with no suspensions or expulsions. All of the infractions were playground and not classroom related.

The school provides several modes of communication for parents which include: a weekly automated call-out system (phone calls, text messages, emails), teacher reports of classroom activities on ParentVue (an internet website), a monthly newsletter, a yearlong activities calendar, Parent Teacher Club, School Site Council, English Language Advisory Committee, parent conferences, schoolwide events and flyers to siblings in other HESD schools.

FINDINGS AND RECOMMENDATIONS

None

COMMENTS

The grand jury is impressed with the Dual Language Immersion Program focusing on STEM and the afterschool programs, which are unique assets. The goal of Jefferson Charter Academy for students to be bilingual and biliterate in English and Spanish is commendable. The dedication of the staff, parents and students to reach that goal is inspiring. The grand jury thanks the school and district administration for their hospitality and time.

KINGS COMMUNITY SCHOOL CLOSURE

SUMMARY

The Kings Community School, under the direction of the Kings County Office of Education (KCOE), is slated to close June, 2017 after 34 years of operation. During that time, the school served students expelled from their district schools. It was also an extension of the Court School Program designed to educate students who were unable to return to their prior schools upon release from the Kings County Juvenile Center.

BACKGROUND

On February 27, 2017 the grand jury toured the Kings Community School located at 146 Highland Street in Hanford. Grand jury members had been informed that the school would be closing at the conclusion of the 2016-2017 school year. The school was visited due to public interest.

California Penal Code §933.5 provides in part: “A 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...”

METHODOLOGY

The grand jury toured the Kings Community School; spoke with staff, administrators and the School Resource Officer. The grand jury conducted internet research and reviewed pertinent documents, such as the School Accountability Report Card.

DISCUSSION

The Kings Community School was opened in 1983 to serve students expelled from their district schools. It was also an extension of the Court School Program designed to educate students who were unable to return to their prior schools upon release from the Kings County Juvenile Center. Presently, the student population includes grades 9 through 12.

The School Mission Statement: *“We encourage positive choices to promote successful changes. Kings Community School’s Mission is to produce students who*

- *Acquire structure and discipline*
- *Learn the importance of strong ethics and good character*
- *Become more confident and universally aware*
- *Develop essential skills and problem solving strategies*

- *Set goals and plan for the future.”*

Currently, local high schools are expelling fewer students and some districts have created their own version of community day schools and independent study programs. The Kings Community School is slated to close in June, 2017 because the student population has declined making it fiscally impractical for KCOE to maintain the program.

At the time of the grand jury tour, 50 students in grades 9 through 12 were enrolled, of which 22 were seniors. Of the entire student body, only half were attending regular classes and 25 were participating in an independent study program. The student population is currently served by three teachers, one of whom is a special education instructor, along with two independent study educators and five support staff members.

When the Kings Community School included grades 7 through 12, the highest enrollment was approximately 130 students served by six teachers, including one special education instructor and four support staff members. Independent study educators were housed at a different location.

The enrollment trends based on California Basic Educational Data Systems numbers:

- 2012-13 enrollment of 94 students
- 2013-14 enrollment of 91 students
- 2014-15 enrollment of 89 students
- 2015-16 enrollment of 69 students
- 2016-17 enrollment of 50 students

The current school site was built 10 years ago with a total capacity for approximately 140 students. At the time of the tour, the grand jury observed five classrooms, a library, cafeteria and several staff offices in use. There was a metal detector at the entrance staffed by a City of Hanford police officer and a surveillance system in place throughout the facility. All exterior and interior doors were kept locked and could be opened only by staff with keys. Music was used instead of a traditional bell system. There were outdoor physical education areas including basketball/volleyball courts.

A strict dress code was enforced and clothes were available for students to change into if they arrived at school improperly dressed. Administrators reported that there had been only one fight on campus in the last two school years, which occurred on the playground. The grand jury was informed that 99% of the students were affiliated with gangs.

A traditional high school atmosphere was maintained. The curriculum subjects offered were the same as that at a regular high school. Chromebooks and iPads were available for student use. Counseling services were provided with a mental health emphasis. Services were also available for students with learning disabilities. At the time of the grand jury tour, 35% of the students were receiving extra help from a Resource Specialist Program teacher.

Every student was evaluated each semester for an individualized learning plan. A transition learning plan meeting was held when a student was eligible to return to their former school. Staff members from the prior school district, KCOE and Kings County Probation Department attended the transitional learning plan meetings. Parents were encouraged to attend all meetings concerning their children.

School staff hosted a coffee hour for parents on the first Thursday of each month. On average six to eight parents attended these events. Staff used this opportunity to keep parents informed and to have one-on-one communication. Speakers from the community were often scheduled during the coffee hours.

A student incentive program allowed students to earn tickets for snacks and to qualify to attend field trips. Tickets were earned through improved behavior, classroom participation, attendance, etc. A table with snacks was available daily for students to exchange tickets for items such as drinks, cookies and chips. Earned field trips included outings to Morro Bay and other destinations.

To effectively cut down on truancy, KCOE staff members drove the student transportation vans. Kings Area Rural Transit (KART) bus passes were provided to students when appropriate. It was the responsibility of school staff to report absent students to the truant officer. The truant officer then attempted to find the absent student and, if successful, transported the student to school.

The school was accredited through the Western Association of Schools and Colleges and California high school diplomas were awarded to graduating seniors. A General Educational Development (GED) program was offered, but most students chose to earn the high school diploma. For students who aged out of the school system, a Certificate of Completion was presented.

KCOE has been working to reassign employees affected by the slated closure. The grand jury was informed that all staff members had assignments for the next school year except for one teacher, and that the counselor had been offered a position at a different school.

KCOE owns the building and the property adjacent to the school. At the time of this report, a determination for the future use of the property and building had not been made although multiple local agencies have indicated an interest in the site.

FINDINGS AND RECOMMENDATIONS

None

COMMENTS

The Kings County Grand Jury thanks the KCOE administration and the staff at the Kings Community School for the tour. The school's program was impressive and the fact that local school districts will continue serving this very unique student population is also inspiring. While the grand jury understands that the school is being closed for valid reasons, it nonetheless regrets the loss of this successful program to the community. The administration and staff of the Kings Community School is to be commended for their dedication to the students they served.

LAW AND PUBLIC SAFETY



Lemoore Branch Library

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LAW ENFORCEMENT EXPLORER PROGRAMS OF KINGS COUNTY

SUMMARY

Law Enforcement Exploring is a career-oriented program which gives young adults the opportunity to learn about a career in public safety by working with local law enforcement agencies with established Explorer Posts. There are five law enforcement agencies in Kings County which have Explorer Posts to serve young people ages 14 to 21.

BACKGROUND

Due to public interest, the 2016-2017 Kings County Grand Jury researched the law enforcement Explorer programs involving youth in Kings County.

California Penal Code §925 provides in part: “The grand jury shall investigate and report on the operations, accounts, and records of the officers, departments, or functions of the county. . . .”

California Penal Code §925(a) provides in part: “The grand jury may at any time examine the books and records of any incorporated city . . .”

METHODOLOGY

The 2016-2017 Kings County Grand Jury interviewed advisors and participants of the Explorer programs of Avenal Police Department (APD), Corcoran Police Department (CPD), Hanford Police Department (HPD), Lemoore Police Department (LPD) and Kings County Sheriff’s Office (KCSO). Examination of pertinent documents and online research was also conducted.

DISCUSSION

Law Enforcement Exploring is a career-oriented program which gives young adults the opportunity to learn about a career in public safety by working with local law enforcement agencies with established Explorer Posts. Law Enforcement Exploring was founded on July 12, 1963 through Learning for Life (LFL), a non-Scouting division of the Boy Scouts of America (BSA). The program is generally available to qualified young adults who have graduated 8th grade and are ages 14 to 21 and requires mandatory parental consent for minors. School-aged participants must maintain a 2.0 minimum grade point average. Applicants must have no criminal history or gang

affiliation. Cadets can satisfy California high school graduation requirements through community service hours.

LFL is a program designed for schools and community-based organizations that are preparing youth for their future careers. Young people are provided mentoring to help them understand the complexities of today's society and to enhance their self-confidence, motivation and self-esteem.

Recruitment efforts include word of mouth, social media, family members, booths at local public and school events, etc. School staff members and School Resource Officers also make recommendations about and provide information to prospective members.

All of the Explorer Posts in Kings County are affiliated with the BSA for medical liability insurance purposes. Young people involved with Explorer programs are eligible to apply for scholarships through LFL. Annually, rosters of Explorers and advisors are provided to BSA for purposes of determining eligibility for the program. Advisors are required to complete online training addressing youth protection every two years.

Advisors of the Explorer programs in Kings County volunteer for the position and devote many hours of their time to their cadets. Several of the advisors interviewed by the grand jury were former Explorer cadets themselves.

There are certain basic components to every Explorer program which include:

- Ride alongs
- Radio codes and usage
- Constitutional law and penal code
- Physical fitness
- Traffic and parking control
- Arrest, search and seizure
- Vehicle stops
- Crisis resolution
- Investigations and report writing
- First aid/CPR
- Community service projects

Explorer groups are eligible to enter local, state and national competitions. Coeducational participation is mandatory. Participants demonstrate their knowledge through oral and written tests. Law enforcement scenarios are also included in the competitions to give the participants hands-on experience.

Each organization determines the make-up of their uniforms. Equipment and basic uniforms of pants and shirts may be provided to the Explorers by their respective agencies. Participants must obtain their own boots and other personal items.

Fund-raising efforts are ongoing for each local Explorer Post. Donations help to provide needed equipment, assist with costs of activities such as competitions, field trips and attendance at the Explorer Academy.

Kings County Sheriff's Office:

The KCSO Explorer program was established in the early 2000's. Currently there are 11 in the program, two of whom are female, with a capacity for 15 cadets. Due to the fact that KCSO deputies work alone covering great distances throughout the county, this program stresses individual problem solving in critical situations to build independent judgement. Academic education is a major focus of this post and cadets are encouraged by advisors to maintain higher than a 2.0 grade point average.

Avenal Police Department:

APD's Explorer program was established in 2011 and currently has six participants, half of whom are female. Avenal opens their police office for counselling and individual studying to aid the student cadets for their college preparation and general achievement in adulthood. The program has been successful in its fund-raising ventures, enabling participants to attend the Explorer Academy in San Diego annually. The APD Explorer Post also has an Honor Guard team which is active in community events.

Corcoran Police Department:

The CPD program was originally created in the 1970's but firmly established with the BSA in 2011. There is a capacity for 17 members with 14 participants at present. Half of the current cadets are female. Continuing education for their Explorers is emphasized, with an average of 80% going into public safety careers. CPD ensures staff is always available to Explorers for counselling and tutoring.

Hanford Police Department:

The HPD Explorer Post was established in 1998 with 26 currently in the program including eight females. Values such as respect and a strong work ethic are emphasized. Explorers from this post have consistently excelled at competitions at the local, state and national levels, thus stressing team building and leadership. This post also has a Color Guard which participates in community events.

Lemoore Police Department:

The LPD Explorers began in 1996 and consists of 16 cadets including seven females. This post has a goal of 30 members and is actively recruiting. The advisors emphasize good citizenship, community involvement and participation of each cadet in all phases of the program. Explorers are encouraged to focus on their education and have been successful in writing essays to apply for college scholarships.

FINDINGS AND RECOMMENDATIONS

None

COMMENTS

The grand jury was very impressed with the Explorer programs at each of the law enforcement agencies in Kings County. The individualized focus of each Explorer post reflects the needs and interests of its local community. The enthusiasm and dedication exhibited by all advisors and the support from each agency is commendable. The success of the programs is evident in the pride and commitment of the cadets and the encouragement of their parents and families.



**County of Kings
Grand Jury
P. O. Box 1562
Hanford, CA 93232
Jury Room: 449 C Street
Lemoore, CA 93245
Grand.jury@co.kings.ca.us
(559) 852-2892**

June 26, 2017

Rosemary Ndoh, Warden
Avenal State Prison
#1 Kings Way
Avenal, California 93204

RE: 2016-2017 Grand Jury Tour

Dear Warden Ndoh,

On Tuesday, February 14, 2017, the 2016-2017 Kings County Grand Jury toured the Avenal State Prison pursuant to California Penal Code §919(b): “The grand jury shall inquire into the condition and management of the public prisons within the county.”

The tour was conducted by the Public Information Officer and correctional staff assigned to our visit. An introductory discussion was led by the Chief Deputy Warden. The tour began with a viewing of a wall mural painted by inmates. The grand jury also visited a dormitory style unit, an office furniture manufacturing plant, automotive and body repair classes, education classrooms, the chapel and the medical and dental facility. The tour ended with a tram ride around the prison perimeter. Following the tour, further discussion with the Chief Deputy Warden and the Public Information Officer gave the grand jury the opportunity to share their impressions of the visit.

Please convey our gratitude to the staff of Avenal State Prison who made our tour meaningful and enhanced our understanding of the goals of the California Department of Corrections and Rehabilitation.

Sincerely,

Wyleen Luoma, Foreperson

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Grand Jury
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(559) 852-2892**

June 26, 2017

Michael Sexton, Acting Warden
California State Prison Corcoran
4001 King Avenue
Corcoran, California 93212

RE: 2016-2017 Grand Jury Tour

Dear Acting Warden Sexton,

On Tuesday, April 4, 2017, the 2016-2017 Kings County Grand Jury toured the California State Prison Corcoran pursuant to California Penal Code §919(b): “The grand jury shall inquire into the condition and management of the public prisons within the county.”

The tour was conducted by the Public Information Officer and correctional staff assigned to our visit. An introductory discussion was led by the Warden, Chief Deputy Warden and the Public Information Officer. The grand jury visited a Level 4 facility: the gymnasium, the education department, the medical clinic and the program office. The grand jury also visited the Acute Care Medical Facility and the milk processing plant. Following the tour, further discussion with the Chief Deputy Warden and the Public Information Officer gave the grand jury the opportunity to share their impressions of the visit.

Please convey our gratitude to the staff of California State Prison Corcoran who made our tour meaningful and enhanced our understanding of the goals of the California Department of Corrections and Rehabilitation.

Sincerely,

Wyleen Luoma, Foreperson

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(559) 852-2892**

June 26, 2017

Stuart Sherman, Warden
Substance Abuse Treatment Facility
and State Prison, Corcoran
900 Quebec Avenue
Corcoran, California 93212

RE: 2016-2017 Grand Jury Tour

Dear Warden Sherman,

On Tuesday, March 21, 2017, the 2016-2017 Kings County Grand Jury toured the Substance Abuse Treatment Facility and State Prison, Corcoran, pursuant to California Penal Code §919(b): "The grand jury shall inquire into the condition and management of the public prisons within the county."

The tour was conducted by the Public Information Officer and correctional staff assigned to our visit. An introductory discussion was led by the Chief Deputy Warden and the Public Information Officer. The grand jury was guided through the condiment packaging plant (peanut butter, jelly and syrup), the bread and cookie packaging area, an inmate housing unit with cells and the Correctional Treatment Center (clinic). Following the tour, further discussion with the Chief Deputy Warden and the Public Information Officer gave the grand jury the opportunity to share their impressions of the visit.

Please convey our gratitude to the staff of the Substance Abuse Treatment Facility and State Prison, Corcoran, who made our tour meaningful and enhanced our understanding of the goals of the California Department of Corrections and Rehabilitation.

Sincerely,

Wyleen Luoma, Foreperson

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MEASURE K IMPACT ON PUBLIC SAFETY IN KINGS COUNTY

SUMMARY

A one-quarter cent sales tax imposed by the State of California ended on December 31, 2016. Measure K was a proposal sponsored by Kings County and incorporated cities within the county providing that the one-quarter cent sales tax be continued but mandated for use by public safety in Kings County. Measure K was on the ballots for the June and November, 2016 elections and failed to receive the required two-thirds vote both times.

BACKGROUND

The grand jury investigated the impact of Measure K on public safety due to heightened public interest in the ballot measure.

California Penal Code §925 provides: “The grand jury shall investigate and report on the operations, accounts, and records of the officers, departments or functions of the county...”

METHODOLOGY

The Kings County Grand Jury toured:

- Kings County Jail
- Hanford Fire Stations No. 1 and 2
- Kings County Fire Headquarters
- Lemoore Volunteer Fire Department
- Avenal Police Department
- Corcoran Police Department
- Hanford Police Department
- Kings County Sheriff’s Substations
- Lemoore Police Department

More than a dozen interviews were held with public safety administrators and staff within Kings County. The grand jury also conducted online research and examined pertinent documents.

DISCUSSION

A one-quarter cent sales tax imposed by the State of California ended on December 31, 2016. Measure K was a proposal sponsored by Kings County and incorporated cities within the county providing that the one-quarter cent

sales tax be continued but mandated for use by public safety in Kings County.

Measure K was on the ballots for the June and November, 2016 elections and failed to receive the required two-thirds vote both times. The two-thirds vote equates to 66.67 percent of the total vote. The results from the June, 2016 election saw the measure fail by a very slim margin of 71 votes.

In the November, 2016 election, results in support of Measure K were:

- Countywide 64.97%
- Avenal 66.84%
- Corcoran 64.80%
- Hanford 66.24%
- Lemoore 68.31%
- Unincorporated 59.33%

Based on the percentage of voters in favor of Measure K, it is apparent that a majority supported the tax increase for public safety. However, California state law requires this type of measure to have a two-thirds percentage to pass rather than a simple majority.

The money generated by Measure K was to have been used for a variety of purposes by the participating public safety agencies. A Memorandum of Understanding (MOU) was drafted by the county and the incorporated cities to ensure the equitable sharing of the monies.

It was estimated that \$4,000,000 would have been generated by the tax annually. The breakdown, based on population, was:

Hanford Police Department/Fire Department	\$1,500,000
Kings County Sheriff's Office/Kings County Fire Dept.	\$1,250,000
Lemoore Police Department/Volunteer Fire Department	\$ 675,000
Corcoran Police Department	\$ 335,000
Avenal Police Department	\$ 240,000

The Kings County Sheriff's Office planned to use the additional funding to:

- Add three patrol deputies to be assigned to Corcoran and Kettleman City
- Add three detention deputies at the jail to help alleviate overtime costs
- Provide additional staffing for the jail expansion

Plans of the Kings County Fire Department included:

- Six additional staff to eliminate the two remaining one-person fire stations
- Fire station improvements to accommodate current personnel
- Fire equipment replacement

The Avenal Police Department list included:

- An addition of two police officers and one non-sworn position
- The purchase of equipment

The Corcoran Police Department earmarked the funds to:

- Fill the five vacant police officer positions currently unfilled due to budget constraints
- Add necessary funding for the expansion and remodeling of the current police department facilities

The Hanford Police Department planned to:

- Increase staffing levels, making the patrol areas smaller
- Create a task force for street-level crime
- Add an apprehension K-9 program
- Expand the take-home patrol vehicle program
- Provide needed equipment and training

Hanford Fire Department intended to:

- Replace an outdated thirty-year old ladder truck, currently the oldest vehicle in the city's fleet, with a state-of-the-art ladder truck
- Upgrade the level of emergency medical services by implementing the use of paramedics [currently, the department uses Emergency Medical Technicians (EMT's)]
- Expand the volunteer firefighter program
- Use funding during the first five years of Measure K to add six firefighters to fully staff all fire stations, including the new facility to be constructed, Fire Station No. 3
- Use funding for years six through 10 of Measure K to add four firefighters to fully staff four fire stations, after the proposed construction of Fire Station No. 4

Lemoore Police Department plans included:

- Allocating funding needed to complete and staff a new central dispatch center
- Adding three more police officers to provide another patrol shift

The Lemoore Volunteer Fire Department strategy was to:

- Add 10 volunteer fire fighters
- Provide equipment and training
- Support the new central dispatch center

The grand jury interviewed the county's top official and communicated with representatives from the local public safety agencies regarding the failure of Measure K to pass. The general consensus is that the agencies will continue to "do more with less" and seek out other revenue sources.

Concerns remain that aging and outdated equipment creates challenges in providing public safety services. An example is the 30-year-old ladder truck in use by the Hanford Fire Department which was designed to have a life span of 25 years. It is currently the oldest vehicle in the entire city's fleet. The vehicle is equipped with a ladder that can reach only the first two stories of a building. Local motels, medical facilities and the new courthouse are multi-storied, requiring use of a fire truck with a ladder capable of reaching higher than two stories. Through Automatic Aid Agreements, fire trucks from the Kings County Fire Department or the Lemoore Volunteer Fire Department must be utilized should an emergency occur to these structures, which increases response time.

Requests for additional funding sources for personnel and equipment also pose challenges for the public safety agencies. Without Measure K funds, it will take significantly longer to add personnel, purchase equipment and improve service delivery. As an example, the Kings County Fire Department will be required to continue one-person staffing for two of its fire stations until other revenue sources are realized. For local police departments and the Sheriff's Office, fewer specialty positions such as K-9 and task force members will be filled. The current lack of staff on patrol means larger areas must be covered by fewer officers and deputies, resulting in longer response times.

Each agency included facilities on their Measure K “wish list” but placed personnel and equipment as a more urgent need. As an example, Corcoran Police Department would have utilized Measure K monies to provide necessary funding for the expansion and remodeling of the police station, but listed additional staffing as their main priority.

FINDINGS AND RECOMMENDATIONS

None

COMMENTS

The grand jury considers that the failure of Measure K left local public safety agencies with unmet needs. The grand jury commends the county and the cities for their efforts to seek funding through Measure K. The grand jury also applauds local public safety agencies for their continued efforts to provide the best service possible to the citizens they serve.

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LOCAL GOVERNMENT



The Hanford Branch Library

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ANIMAL SERVICES IN KINGS COUNTY

SUMMARY

Kings County and the City of Avenal operate the two public animal service shelters in the county. Each shelter offers a variety of animal services, including licensing, spaying/neutering, microchipping, vaccinations and when needed, euthanasia. Some services are offered on-site at the shelters and others are provided through service contracts between the shelters and other animal welfare groups.

The Kings County Animal Services Shelter emphasizes adoption as its primary goal and its aggressive adoption efforts have resulted in a commendably low current euthanization rate of 15%. The City of Avenal Animal Shelter's focus is on rescue. Their successful efforts have produced a euthanization rate of 20%. Both rates are well below the national average of 50%.

The Kings County shelter contracts with Hanford and Lemoore to provide animal services to those cities. The City of Corcoran contracts with the City of Avenal for the provision of shelter services.

Each shelter has an ongoing need for volunteers and for donations of various items which are essential to the well-being of animals in the shelters' care. The mission of each shelter is to educate the public that the spaying and neutering of animals is the most effective means of curbing the homeless animal population in Kings County.

BACKGROUND

Due to public interest, the 2016-2017 Kings County Grand Jury decided to report on the operations of the public animal shelters in the county.

California Penal Code §925 provides in part: "The grand jury shall investigate and report on the operations, accounts, and records of the officers, departments, or functions of the county...."

California Penal "Code §925(a) provides in part: "The grand jury may at any time examine the books and records of any incorporated city..."

METHODOLOGY

The 2016-2017 Kings County Grand Jury toured both the Kings County shelter and the Avenal shelter. The grand jury also reviewed sections of the California Penal Code and California Food and Agricultural Code. The animal control ordinances for Kings County and the cities of Hanford, Lemoore, Avenal and Corcoran were also reviewed. Interviews were held with pertinent animal services staff. Online research was conducted and relevant documents were reviewed, including the 2014-2015 Kings County Grand Jury Final Report titled, “Kings County Animal Control.”

<http://countyofkings.com/departments/grand-jury/annual-reports>

DISCUSSION

There are currently two public animal shelters in Kings County:

- the Kings County Animal Services Shelter, located at 10909 Bonneyview Lane in Hanford is operated through the Kings County Sheriff’s Office and contracts to provide animal shelter services to Hanford and Lemoore
- the City of Avenal’s Animal shelter, a division of the Public Works Department, is located at 1284 Hydril Road and contracts to provide animal shelter services to the City of Corcoran

The cities of Hanford, Lemoore and Corcoran each have officers who provide local animal control services. In addition, the officers also function as liaisons to the animal shelters.

Both shelters accept donations of food, newspapers, blankets, towels, pet toys and pet beds. Web sites and social media are utilized by both facilities for outreach to the public for the purposes of reuniting lost/strayed or injured pets to their owners and to publicize their adoption and rescue programs. The focus of the Kings County shelter is on animal adoption while that of the Avenal shelter is on animal rescue.

Kings County Animal Services Shelter **Spay/Neuter and Microchipping Services**

Since 2016, Kings County has required by ordinance that owners ensure their dogs are spayed or neutered as a precondition to obtaining a license. However, the shelter does not provide spay/neutering services on site. These services are provided through a contract with Halt Overpopulation with Prevention and Education (HOPE), a non-profit organization located in Fresno, CA. The spaying and neutering services are provided by HOPE to

Kings County pet owners at reduced prices. The county shelter makes the appointments with HOPE on behalf of pet owners and also transports the animals to and from the HOPE Animal Foundation once or twice a week.

Kings County Animal Ordinances include a mandatory microchip/spay/neuter provision. Microchipping is provided at the shelter for a \$10.00 fee. Each staff member is trained to perform microchipping, vaccination and euthanasia services. At the time of the shelter tour, grand jurors were told that credit and debit cards were not accepted as payment for such services. The grand jury was informed that such payments are now accepted.

Owners who are unable to pay the full amount of the shelter's fees for services are permitted to pay as much as they can afford. This is due in part to an annual Petco Foundation grant which supplements the cost of such fees. Various other support services are provided to the shelter by Friends of Kings County Animal Foundation, a non-profit organization.

Shelter Population and Staffing

The shelter population averages 120 dogs and 70 cats at any given time. There are also areas at the shelter for housing poultry, rabbits and horses.

The shelter is staffed by 10 full-time employees and approximately 12 volunteers who perform a variety of tasks which are essential in maintaining an acceptable level of cleanliness in the shelter. The volunteers' efforts are supplemented by three female inmate workers provided by the Sheriff's Office.

Physical Environment

At the time of the grand jury's tour, the shelter was observed to be overcrowded and lacking in sufficient space for both staff and animals. However, the grand jury was informed that the county is planning to acquire additional adjacent land and buildings which will ultimately be used as the shelter's adoption and outreach site.

Adoption Outreach

The primary focus of the shelter is animal adoption. All shelter animals are available for viewing during the hours the shelter is open to the public. The website, www.PetHarbor.com is connected to the county's website and is updated every hour. Photographs of shelter dogs and cats are on the website

with their breed, age and names provided (if the name of the animal is unknown, a new name, designated by an asterisk, is given to the animal). All shelter animals are entered into a data base which includes microchip information. The shelter also maintains a Facebook site linked to other pet adoption entities.

Other adoption efforts include Pet Finder, Adopt-a-Pet and the Foster-to-Adopt programs, which have been highly effective. The shelter also hosts a meet-and-greet program for families who already own a dog but wish to acquire another. Dog owners are encouraged to bring their current pets to the shelter to let them mingle with other dogs to determine compatibility.

Hanford Mall Adoption Center

The shelter also sponsors adoption efforts through a site set up at the Hanford Mall which is run entirely by dedicated volunteers. The center primarily features cats and smaller dogs and has been highly successful, averaging 10 to 20 adoptions per month. Staff indicated that with the anticipated expansion of the shelter premises, it is likely that the adoption program will be relocated to the newer site.

Rescue Outreach

The shelter also collaborates with a number of animal rescue organizations with the goal to ultimately see animals adopted. One of these is the non-profit organization, Paws and Claws, which facilitates the adoptions of animals out of state.

Euthanization Policy

The mandated waiting period in California is 72 hours before an animal can be euthanized. As a matter of practice, very few animals are euthanized after only three days. The exception is those animals which are seriously injured, human-aggressive and/or animal aggressive. The shelter's euthanization rate has decreased from 16% in 2016 to 15% at present. According to a 2014 Humane Society report, the national average euthanization rate is close to 50%. The shelter's current goal is to achieve a 12% rate, which is very close to the 10% rate maintained by "no kill" shelters. The low euthanization rate appears almost entirely due to the aggressive adoption outreach efforts of the shelter's staff.

On-site euthanizations are performed by shelter staff. Euthanasia assignments are rotated among staff members in order to avoid possible

“compassion fatigue.” Large animals, such as livestock, are euthanized by contract veterinarians. Euthanasia is performed by the standard injection/sedation method and the remains of euthanized animals are consigned to freezers on the premises until space is available in the on-site crematorium.

Service Contract with the City of Hanford

The City of Hanford has contracted with Kings County for animal shelter services. Lost or strayed animals are reported to the Hanford Police Department which dispatches their animal control officers in response. Animals are transported to the Kings County shelter in temperature-controlled vehicles. Owners of lost pets must reclaim them at the shelter. The majority of animals received at the shelter are from Hanford. License fees are paid to the City of Hanford.

Service Contract with the City of Lemoore

Kings County has also contracted with the City of Lemoore to provide animal shelter services to the city. One Community Services Officer is responsible for animal control in Lemoore. The Lemoore Police Department has a temporary holding area that can be used for overnight stays before the animals are transported to the Kings County shelter. Transport of animals is done daily in a temperature-controlled vehicle. Owners of lost animals may contact the Lemoore Police Department to determine if their animal has been picked up and its location. License fees are paid to the City of Lemoore.

Goals and Challenges

A primary goal of the shelter staff is to provide the community with a better understanding that their mission is not to capture animals and hold them until euthanization; it is to save animal lives and prevent animal homelessness. This is accomplished primarily through education, information outreach and through the shelter’s aggressive adoption policies and practices. Another goal is to provide those animals which come into the shelter’s care a clean and humane environment for as long as they remain in the shelter’s protection. A continuing challenge is that the public remains largely unaware of the increasing homeless animal population and the necessity to spay and neuter their pets.

City of Avenal Animal Shelter

Spay/Neuter Policy

Spaying and neutering services are not provided on site. However, as with Kings County, the shelter has an arrangement with HOPE for the provision of such services. The shelter transports from 25 to 30 animals per month to HOPE for spaying and neutering. Unlike Kings County, the City of Avenal has not adopted an ordinance requiring that all animals be spayed or neutered before being released from shelter premises.

Licensing and Microchipping

Licenses are issued to pet owners at the Avenal City Hall. The shelter does not presently provide microchipping services to the public, although shelter staff is trained and certified to perform the service. The lack of on-site microchipping is due to the city's ongoing budgetary constraints.

Animal Population

The shelter regularly houses dogs, cats, poultry, rabbits, turtles, some large animals such as wild boars and various other wildlife animals. The shelter can hold up to 19 dogs and 48 cats at any one time and has 12 regular kennels, two isolation kennels and two quarantine kennels.

Staffing

The shelter is staffed by one Animal Control Officer II, who supervises shelter operations. One other employee patrols the area, responds to calls and picks up stray and/or injured animals. The shelter also maintains a 24-hour message line. The primary funding source for the shelter is the city's general fund.

Physical Environment

The shelter is cleaned daily by staff. A few volunteers assist the staff in the cleaning, however their participation is sporadic. According to the supervisor, daily cleaning is essential in order to prevent/reduce diseases such as kennel cough and parvovirus. During their tour of the Avenal shelter, grand jurors were impressed by the cleanliness of the premises and the absence of unpleasant odors.

Rescue Outreach

The focus of efforts at the shelter is on the rescue of the animals and the shelter designates itself as a "pro-rescue" facility. Immediately upon intake, animals are assessed by staff to determine whether they meet the standards

for rescue. Shelter staff works closely with Avenal Animal Rescue Friends, which is their primary rescue support group. They also work with the Animal Rescue and Care Network, a non-profit organization, dedicated to the rescue and ultimate placement of homeless dogs and cats. In 2016, of the 484 dogs detained, 327 of them were successfully rescued and 115 cats were rescued out of a total of 167.

The shelter also works with the group, Pilots and Paws, which transports rescue animals via airplanes flying out of the Coalinga airport or the Harris Ranch airstrip. Rescued animals may be transported as far north as Canada for placement and transportation costs are a major expense. As a result, recruitment of volunteers who are able to transport animals is an ongoing effort.

Adoption Outreach

Although the focus of the shelter is on animal rescue, efforts are also made to inform the public about the availability of animals for adoption. The shelter averages four to eleven adoptions per month. Rescue efforts, on the other hand, typically involve significantly larger numbers of animals during any one transport. Some rescue transports use converted vans or buses to carry six to twenty animals per trip.

Euthanization Policy

Euthanization is implemented on-site and includes the “humane injection” of an anesthetic prior to lethal injection. The mandated waiting period in California before an animal may be euthanized is 72 hours. However, the Avenal shelter often delays euthanization well beyond the minimum depending on various considerations. The shelter’s current euthanization rate is approximately 20%, substantially below the national average of 50% and is largely the result of the shelter’s aggressive rescue efforts.

Service Contract with the City of Corcoran

The City of Corcoran contracts for animal shelter services with the Animal Control Division of the Avenal Public Works Department. Animals are transported from Corcoran to the Avenal shelter two times a week. The transport vehicle provided by Corcoran is not temperature controlled. It is anticipated that a new vehicle with temperature control will be included in the next year’s budget, if feasible. Before being transported to Avenal, animals are kept in cages at the Corcoran Public Works Department. These stays are typically no more than a day or two.

Challenges

The major challenge facing the shelter is the epidemic of animal overpopulation. This is due in part to the public's lack of understanding in the importance of the spaying and neutering of their pets. Another factor is that some pet owners cannot afford the services. Further, there are very few veterinarians providing services to shelters in rural areas. As a result, the Avenal shelter must transport seriously ill or injured animals to an emergency veterinary clinic in Visalia for treatment.

FINDINGS AND RECOMMENDATIONS

Finding 1

The Kings County Animal Services Shelter is lacking sufficient space to efficiently conduct daily operations. The lack of adequate space was also noted in the 2014-2015 Kings County Grand Jury Final Report.

Recommendation 1

The Kings County Board of Supervisors is urged to continue their efforts to acquire property adjacent to the shelter in order to provide much needed space.

Finding 2

The City of Avenal does not presently provide microchipping services at the animal shelter even though the shelter staff is certified to provide this valuable service. This significantly impairs efforts to identify and restore lost pets to their owners.

Recommendation 2

The City of Avenal is urged to take the necessary steps to include funding for on-site microchipping at the Avenal shelter.

Finding 3

The City of Corcoran does not have a temperature-controlled vehicle for the purpose of transporting animals from Corcoran to the Avenal shelter. This creates significant discomfort to the animals during the valley's weather extremes.

Recommendation 3

The Kings County Grand Jury urges the City of Corcoran to seek funding for the purchase of a temperature-controlled vehicle to transport animals from

Corcoran to the Avenal shelter in order to alleviate the discomfort suffered by the animals.

COMMENTS

The 2016-2017 Kings County Grand Jury thanks the shelters' staff for the tours and the information. The grand jury was impressed with the commitment, dedication and enthusiasm of the staff and volunteers. The sincere concern for the welfare of animals and the efforts to find the "forever" homes for homeless animals is appreciated. The grand jury also commends the adoption of mandatory spay and neutering ordinances.

REPONSES REQUIRED

California Penal Code §933(c) provides in part: "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 pertaining to matters under the control of the governing body, and every elected county officer or agency head for which the grand jury has responsibility pursuant to Section 914.1 shall comment within 60 days to the presiding judge of the superior court..."

Pursuant to California Penal Code §933(c), the grand jury requests responses as follows:

The Kings County Board of Supervisors respond to finding and recommendation 1.

The Kings County Sheriff's Office respond to finding and recommendation 1.

The Avenal City Council respond to finding and recommendation 2.

The Avenal City Manager respond to finding and recommendation 2.

The Corcoran City Council respond to finding and recommendation 3.

The Corcoran City Manager respond to finding and recommendation 3.



COUNTY OF KINGS BOARD OF SUPERVISORS

KINGS COUNTY GOVERNMENT CENTER
1400 W. LACEY BOULEVARD, HANFORD, CA 93230
(559) 852-2362, FAX: (559) 585-8047
Web Site: <http://www.countyofkings.com>

JOE NEVES - DISTRICT 1
LEMOORE & STRATFORD

RICHARD VALLE - DISTRICT 2
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KETTLEMAN CITY

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NORTH LEMOORE

CRAIG PEDERSEN - DISTRICT 4
ARMONA & HANFORD

RICHARD FAGUNDES - DISTRICT 5
HANFORD & BURRIS PARK

June 13, 2017

The Honorable Steven D. Barnes
Presiding Judge
Kings County Superior Court
1640 Kings County Drive
Hanford, CA 93230

Re: Grand Jury Report: "Animal Services in Kings County"

Dear Judge Barnes,

On behalf of the Board of Supervisors and in accordance with Section 933 of the California Penal Code, the following are the Board's response to the Grand Jury Report entitled, "Animal Services in Kings County" received by the County on May 19, 2017. The Board of Supervisors has consulted with the Kings County Sheriff's Office to assist with this response.

Under the Findings and Recommendations Section of the Report, the Grand Jury states:

Finding 1: "The Kings County Animal Services Shelter is lacking sufficient space to efficiently conduct daily operations. The lack of adequate space was also noted in the 2014-2015 Kings County Grand Jury Final Report."


The Board agrees with this finding.

Recommendation 1: The Kings County Board of Supervisors is urged to continue their efforts to acquire property adjacent to the shelter in order to provide much needed space.

Kings County staff has been in active negotiations with the Kings Mosquito Abatement District (KMAD), who is the current tenant of the property adjacent to the Kings County Animal Services (KCAS). These negotiations have been very fruitful and a tentative resolution has been worked out. KMAD is in the process of constructing a new building and compound, located in the Hanford Industrial Park, near Idaho Avenue and Energy Drive. Once this building is completed and KMAD is able to completely move their operation, KCAS and the Kings County Sheriff's Office will take occupancy of the adjacent property that currently houses the KMAD. The construction of their new facility is underway and is estimated to be completed sometime in late 2017 or early 2018.

This adjacent property has several usable shops, service bays, covered parking, a vast array of office space, conference rooms, and restroom facilities. Based on preliminary estimates, once acquired, this property will greatly alleviate issues identified by both the staff of Animal Services and the Grand Jury.

Sincerely,



Craig Pedersen, Chairman
Kings County Board of Supervisors

Cc: Grand Jury Foreperson, Wyleen Luoma

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OFFICE OF
SHERIFF
COUNTY OF KINGS
P.O. BOX 986
1444 W. LACEY BLVD.
HANFORD, CA 93232-0986
PHONE 559/584-1431
FAX 559/584-4738

DAVID ROBINSON
SHERIFF-CORONER
PUBLIC ADMINISTRATOR

May 22, 2017

Dear Kings County Grand Jury,

On May 19, 2017, The Kings County Grand Jury provided the Kings County Sheriff's Office with a document outlining their Findings and Recommendations pertaining to their query into Kings County Animal Services. This letter is the official response as required.

The Grand Jury report indicated one finding and one recommendation in regards to the Kings County Sheriff's Office and Kings County Animal Services.

Finding 1: *"The Kings County Animal Services Shelter is lacking sufficient space to efficiently conduct daily operations. The lack of adequate space was also noted in the 2014-2015 Kings County Grand Jury Final Report."*

Recommendation 1: *"The Kings County Board of Supervisors is urged to continue their efforts to acquire property adjacent to the shelter in order to provide much needed space."*

In response to the Grand Jury's Findings and Recommendations:

Response 1: *The Kings County Sheriff's Office is in active negotiations with the Kings Mosquito Abatement District, who is the current tenant of the property adjacent to the Kings County Animal Services. These negotiations have been very fruitful and a tentative resolution has been worked out.*

To elaborate, the Kings Mosquito Abatement District is in the process of constructing a new building and compound, located in the Hanford Industrial Park, near Idaho Avenue and Energy Drive. Once this building is completed and Kings Mosquito Abatement District is able to completely move their operation, Kings County Animal Services and the Kings County Sheriff's Office will take occupancy of the adjacent property that currently houses Kings Mosquito Abatement District.

The Executive Director of Kings Mosquito Abatement District has stated, the construction of their new facility is underway. He estimated the constructed would be completed sometime in late 2017 or early 2018.

In summary, the Kings County Sheriff's Office has a viable solution pending for the lack of space at Animal Services; however, the exact time frame is unknown. This adjacent property has several usable shops and service bays, covered parking, and a vast array of office space, conference rooms, and restroom facilities. Based on preliminary estimates, once acquired this property will greatly alleviate issues identified by both the staff of Animal Services and the Grand Jury.

Thank you,

A handwritten signature in black ink, appearing to read 'D. Robinson', written over a horizontal line.

Dave S. Robinson, Sheriff

THE HANFORD PLUNGE

SUMMARY

The Hanford Plunge is the only public aquatic facility in the City of Hanford. Extensive renovations to The Plunge were completed in 2015. The Hanford Parks and Recreation Department is responsible for the maintenance and operations of the facility. It offers a variety of programs and activities to the public from June through September annually.

BACKGROUND

The 2016-2017 Kings County Grand Jury toured the Hanford Plunge due to public interest regarding the recent renovations. California Penal Code §925a provides, in part: “The grand jury may at any time examine the books and records of any incorporated city...”

METHODOLOGY

The grand jury toured the facility and interviewed the City of Hanford Director of Parks and Recreation and staff at The Plunge on April 28, 2017. Pertinent documents were reviewed and internet research was also conducted.

DISCUSSION

The Hanford Plunge is located at 415 Ford Street and opens to the public annually in the month of June and closes in September. It has been an important recreation site in the City of Hanford since the early 1990’s.

The major renovation project, which began in March 2015, brought the facility into compliance with the Americans with Disabilities Act (ADA). Work included re-plastering the pool and replacing the concrete decking and parts of the filtration system. The wading pool was replaced with an above-ground splash pad and the water slide underwent repairs. Renovations were completed in June of 2015 with a final cost of approximately \$800,000.

The Hanford Plunge offers many different programs for all ages:

- ◆ Parent and Me (ages 1 to 3)
- ◆ Tiny Tots (ages 3-5)

- ◆ Guppies (ages 4 and up)
- ◆ Beginner (ages 5 and up)
- ◆ Junior Lifeguard Program
- ◆ Intermediate Swimmer
- ◆ Senior Water Aerobics
- ◆ Adult Lap Swim
- ◆ Private lessons
- ◆ Dive-In Theatre
- ◆ Free Swim Day
- ◆ Red Cross Lifeguard Certification

Of the ten certified lifeguards, eight are on duty at all times and have a rotation period every fifteen minutes. High school student volunteers perform lifeguard duties and receive community service credit toward high school graduation requirements. All of the lifeguards must be certified by the Red Cross.

The Plunge is used for public, private and group swim lessons during summer months. The facility is used year-round by local swim clubs, such as the Hanford Piranhas, a competitive swim team. It is also utilized by elementary schools for their end-of-year trips and is available for private parties.

There are two showers outside for swimmers to rinse off. Indoor showers include four for women, four for men, with showers accessible for disabled individuals. Lockers are available for personal items but customers must provide their own locks.

The wading pool for younger children has been replaced by an outside splash pad. There is also a water slide but no diving boards. The deep end of the pool is 6 feet 6 inches and the shallow end is 3 feet 6 inches. Safety instructions are prominently displayed at various locations throughout the pool area. The maximum capacity for The Plunge is 289 patrons.

The Plunge is inspected at least twice a year by agencies of the state, such as the California Division of Occupational Safety and Health, the County of Kings and the Red Cross to ensure public safety. The County of Kings Health Department routinely tests and monitors the water quality. The Red Cross ensures that lifeguard certifications are up to date and in compliance.

The public can register for any of the programs/events and can buy passes at the office of Hanford Parks and Recreation located at 321 North Douty Street. The department phone number is 559-585-2525. All information, including fees, is available on Facebook and at the City of Hanford website. Seniors, handicapped persons and members of the military are offered a discount. Payments made at The Plunge must be cash or check only; credit cards are accepted at the city offices for activities and programs.

COMMENTS

The 2016-2017 Kings County Grand Jury thanks the staff members of the Parks and Recreation Department for the tour and information. The grand jury was favorably impressed with the Hanford Plunge facilities and the varied number of activities and programs available to users.

FINDINGS AND RECOMMENDATIONS

None

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RESPONSES TO 2015-2016 FINAL REPORT



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DIVISION OF ADULT INSTITUTIONS
CALIFORNIA SUBSTANCE ABUSE TREATMENT FACILITY AND
STATE PRISON AT CORCORAN
900 Quebec Avenue
PO Box 7100
Corcoran, CA 93212



June 6, 2016

Honorable Steven D. Barnes
Kings County Superior Court
1640 Kings County Drive
Hanford, CA 93230

Dear Judge Barnes,

In response to the findings of conditions and management for the California Substance Abuse Treatment Facility and State Prison at Corcoran (CSATF), the following information has been provided:

Finding 1 – The 2013 CDCR mandate to maintain a 10% vacancy rate for non-safety personnel has resulted in interruptions to facility operations due to the lack of maintenance personnel to conduct repairs as needed. The Grand Jury recommends that CSATF requests to fill the institution's vacant maintenance positions as part of their annual budget review. On March 26, 2013, CSATF received direction via a Spending Plan Memorandum instructing that institutions were required to maintain an overall 10 percent vacancy for non-custody classifications. In order to comply with the directive and ensure CSATF was able to maintain daily operations at the institution, prior to filling any non-custody vacancy the institution would evaluate all vacancies and determine which vacant position was the priority at the moment.

Finding 2 - The lack of maintenance personnel has also reduced the ability to conduct the preventative maintenance required to ensure proper operation of necessary facilities and equipment. The Grand Jury recommends that CSATF requests the filling of the institution's vacant maintenance positions as part of their annual budget review. Effective July 1, 2016, the vacancy cap will be reduced from 10 percent to 8 percent; this will assist CSATF in hiring more Plant Operations staff.

Should you have any questions regarding this memorandum feel free to contact Jason Collins, Associate Warden Business Services at (559) 992-7155.


STU SHERMAN
Warden

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City of **HANFORD**

CALIFORNIA 93230
CITY OFFICES 319 NORTH DOUTY STREET



MAYOR
JUSTIN MENDES
VICEMAYOR
FRANCISCO RAMIREZ
COUNCIL MEMBERS
DAVID AYERS
RUSS CURRY
GARY BANNETT
CITYMANAGER
DARREL PYLE
CITY ATTORNEY
ROBERT M. DOWD

July 20, 2016

RECEIVED JUL 28 2016 ^{PK}

The Honorable Thomas DeSantos
Presiding Judge
Kings County Superior Court
1640 Kings County Drive
Hanford, CA 93230

RE: City of Hanford Responses to Grand Jury Reports Regarding Freedom Park,
Alleged Brown Act Violations, Alleged Misuse of Funds, and Hanford Water

Dear Judge DeSantos:

The City of Hanford ("City") hereby responds to the portions of the Kings County Grand Jury's 2015-2016 Final Report regarding Freedom Park, Alleged Brown Act Violations, an Alleged Misuse of Funds, and Hanford Water (copies of which are enclosed herewith as Exhibit "A").

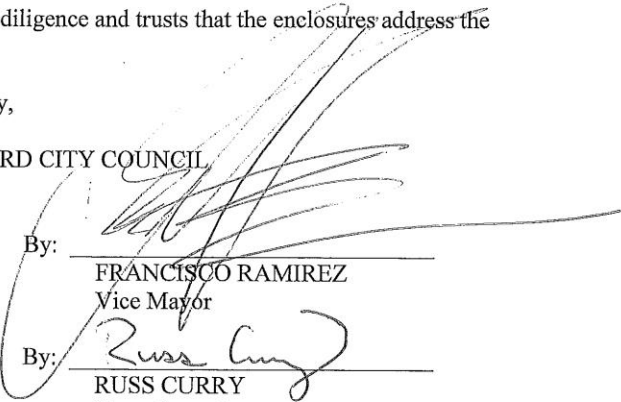
The enclosures represent the responses of the Hanford City Council and Hanford's Mayor, which are required under Penal Code Section 933(c). The response regarding Freedom Park also represents the responses of the City's Parks & Recreation Commission and the City's Parks & Recreation Department, which responses were requested by the Grand Jury. The response regarding Hanford Water also represents the responses of the City Manager and the City's Public Works Director.

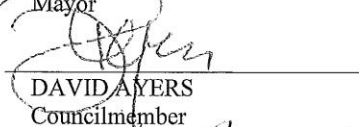
The City appreciates the Grand Jury's diligence and trusts that the enclosures address the Grand Jury's findings and recommendations.

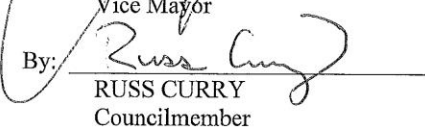
Sincerely,

HANFORD CITY COUNCIL

By: 
JUSTIN MENDES
Mayor

By: 
FRANCISCO RAMIREZ
Vice Mayor

By: 
DAVID AYERS
Councilmember

By: 
RUSS CURRY
Councilmember

By: 
GARY BANNETT
Councilmember

ADMINISTRATION 559-585-2515 ♦ PERSONNEL 559-585-2520 ♦ FACSIMILE: 559-585-2595

CITY OF HANFORD'S RESPONSE TO GRAND JURY REPORT 2015-2016

FREEDOM PARK

* * * * *

The following is the response of the Hanford City Council, Hanford's Mayor, the Hanford Parks & Recreation Commission, and the Hanford Parks & Recreation Department to the Grand Jury Report for the 2015-2016 session ("the Report") that relates to Freedom Park.

Grand Jury Finding 1: "The Grand Jury finds there is a strong disconnect in communication between the Hanford City Departments and the Commissions to which they report. The Parks and Recreation Department focused solely on budgetary issues in regards to Freedom Park during the Capital Improvement Budget planning process in 2014."

City's Response to Finding 1:

The City of Hanford (City) disagrees with the finding that the Freedom Park matter is evidence of a "a strong disconnect in communication between the Hanford City Departments and the Commissions to which they report." City staff, including Parks & Recreation Department (P&R Dept.) staff, did not withhold any information from the Hanford Parks & Recreation Commission (P&R Commission).

As part of the City's budget process, a proposed Capital Improvement Plan (CIP) was presented to the P&R Commission in May 2014. The proposed CIP included the replacement of the poured-in-place fall surfacing at Freedom Park with ADA-compliant wood fiber chips. A true and correct copy of the page from the CIP presented to the P&R Commission is attached as Exhibit "A," which is incorporated herein by reference. The P&R Commission voted to recommend that the City Council approve the proposed CIP projects, including the replacement of Freedom Park's poured-in-place fall surfacing with ADA-compliant wood fiber chips.

Many members of City staff were not employees of the City in 2007 and/or held other positions when Endless Dreams Trust engaged in fundraising efforts for the installation of the poured-in-place fall surfacing at Freedom Park. For example, the current City Manager and Parks & Recreation Director were not employees of the City in 2007 and the current Parks Superintendent held a non-management position at that time and was unfamiliar with the fundraising efforts.

It is inaccurate to conclude that a "strong disconnect in communication" occurred. Rather, the P&R Commission was not informed of Endless Dreams Trust's fundraising efforts because the current staff of the P&R Dept. was unfamiliar with such efforts at the time the CIP was presented to the P&R Commission. Staff members were unable to disclose facts that they did not possess.

Further, it is inaccurate to state that the P&R Dept. was “focused solely on budgetary issues in regards to Freedom Park during the Capital Improvement Budget planning process in 2014.” In addition to the project’s cost, City staff also carefully considered public safety, compliance with the Americans with Disabilities Act, and susceptibility to vandalism when considering whether to include a new poured-in-place fall surfacing or the wood fiber chips in the CIP that was considered by the P&R Commission in May 2014. The Grand Jury Report highlights the safety issue in stating:

“The rubberized material tested that falls up to 6 feet would be non-lethal in nature. The engineered woodchips tested that falls up to 12 feet would be non-lethal in nature.”

The Grand Jury Report contains a discussion regarding projected maintenance costs associated with the wood fiber chips. The Report incorrectly states that maintenance costs would have been \$2,000 to \$5,000 per month. The maintenance costs would have been \$2,000 to \$5,000 *per year*.

The City Council, the City’s commissions, and the City’s employees owe a duty to Hanford’s residents to utilize public funds in a responsible manner that benefits the public. The wood fiber chips appeared to be the solution that would best serve the public’s interest since that option was less expensive in comparison to poured-in-place surfacing, offered better fall protection, was ADA-compliant, and was not subject to cracking and holes, which could be caused or exacerbated by park users. The money saved by the City by installing the less-expensive wood fiber chips would have resulted in additional funds that the City could have utilized for additional projects serving the public.

Recommendation 1: “With the uniqueness of Freedom Park and the public drive to get the rubberized matting, more information should have been presented to the Parks and Recreation Commission prior to approval of the project. The Grand Jury recommends that City Departments be more forthcoming with information presented to the Commissions, specifically in areas with high public interest.”

City’s Response to Recommendation 1:

As stated above, City staff did not intentionally withhold information from the P&R Commission. Members of City staff, including P&R Dept. personnel, always provide the City’s decision-making and advisory bodies, including the City Council and P&R Commission, with all relevant information pertaining to matters that are considered by such bodies. City staff will continue this practice to ensure that the City Council and the City’s commissions make well-informed decisions.

Some members of the P&R Commission may be long-time residents of Hanford and may possess a wealth of knowledge regarding the City’s parks and recreational facilities and programs. P&R Commissioners will share such knowledge with City personnel to ensure that

staff is equipped to make fully-informed recommendations to the Commission and the City Council.

The City is a team comprised of many members. Team members of all levels, including the City Council, the City's commissions, and City staff, will work together for the benefit of Hanford's residents.

The residents of Hanford are also members of the City team. In accordance with the Brown Act (California Government Code Section 54950, *et seq.*), consideration of the CIP by the P&R Commission and by the City Council occurred at open, public meetings. The CIP was identified on P&R Commission and City Council meeting agendas, and the agendas were posted in accordance with the Brown Act. Furthermore, the City Council held a hearing on the CIP in June 2014, and notice of the hearing was given to the public in accordance with the Government Code.

The public had an opportunity to review the CIP before it was considered by the P&R Commission and the City Council.

A main purpose of the Brown Act is to allow the public an opportunity to attend meetings of the City Council and the City's commissions and provide input to those bodies.

When the public shares vital information with the City it does and will continue to take such information into consideration in making decisions.

Grand Jury Finding 2: "When Freedom Park was completed in 2007, the estimated life of the rubberized matting was expected to be seven to ten years, at which time the city would have to replace the material. However, no long-term budget plans were created to cover the cost of this replacement."

City's Response to Finding 2:

The statements comprising Finding 2 are accurate.

The City budgets for the construction of new improvements and replacement of existing improvements through the CIP process. Through this budgeting process, the City assesses the availability of funds and prioritizes projects.

Recommendation 2: None

City's Response to Recommendation 2: None.

Grand Jury Finding 3: "The Grand Jury finds the quick action of the Hanford City Council in halting the demolition stage of the Freedom Park rubber matting to be commendable."

City's Response to Finding 3:

City staff initially fielded the public's concerns regarding the demolition work and halted the work so the matter could be considered by the City Council.

The City Council acted quickly on determining the manner in which the existing poured-in-place fall surfacing would be replaced.

Recommendation 3: None

City's Response to Recommendation 3: None.

EXHIBIT A

EXHIBIT "A"

816609

Freedom Park Playground Fall Surfacing

Project Background:

This project will replace the poured in place fall surfacing at the Freedom Park playground with ADA compliant wood fiber chips.

Existing Conditions:

The existing poured in place fall surfacing is cracking and deteriorating, creating an unsafe fall surface for the Freedom Park Playground. The deterioration has begun to break down the fall surface and will begin to affect the fall height/attenuation rating of the existing poured in place surface.

Project Justification:

The fall surface is a critical part of the playground and is designed to minimize injury from falls from the playground equipment, if left un-repaired the fall surface will continue to deteriorate and create greater risk of injury and higher repair costs in the future.

Fiscal Implications:

Funds for this project will be allocated from Accumulated Capital Outlay (ACO) Reserves.

Project Budget Summary:

		6-Year Funding Allocation					
		2015	2016	2017	2018	2019	2020
Expenditure	Program or Project		Construction				
	Engineering / Inspection		3,000				
	Construction		65,000				
	Contingency		6,500				
	Department Overhead		500				
	Total Expenditure	\$0	\$75,000	\$0	\$0	\$0	\$0
Revenue	Funding						
	004 Accumulated Capital Outlay		75,000				
	Total Funding	\$0	\$75,000	\$0	\$0	\$0	\$0

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CITY OF HANFORD'S RESPONSE TO GRAND JURY REPORT 2015-2016

ALLEGED BROWN ACT VIOLATIONS

* * * * *

The following is the response of the Hanford City Council and Hanford's Mayor to the Grand Jury Report for the 2015-2016 session ("the Report") that relates to alleged Brown Act violations.

Grand Jury Finding 1: "Questioning by the Grand Jury resulted in testimony which made it apparent that there are rifts within the Hanford City Council which are manifested in public behavior which is not befitting of elected officials."

City's Response to Finding 1:

The City of Hanford (City) is unfamiliar with the testimony that was provided to the Grand Jury because the Grand Jury's proceedings are confidential.

The City Council concurs with the Grand Jury's finding to the extent that, even when Councilmembers feel strongly about an issue, they should conduct themselves in a professional manner when carrying out the City's business.

Recommendation 1: "Hanford City Councilmen should be mindful that they are elected to represent their constituents and that their public behavior should be appropriate to the office that they hold."

City's Response to Recommendation 1:

The members of the City Council will be mindful of their elected positions and that they will conduct the City's business in a professional manner.

Grand Jury Finding 2: "The Grand Jury finds that a city councilman reading into the record derogatory letters directed toward another city councilman was not technically a Brown Act violation."

City's Response to Finding 2:

The City concurs with the Grand Jury finding that no Brown Act violation occurred.

Recommendation 2: "None."

City's Response to Recommendation 2: None.

Grand Jury Finding 3: "The Grand Jury finds that the Hanford City Councilmembers were not consistently civil in their interactions with each other at public meetings."

City's Response to Recommendation 3:

The City Council occasionally considers matters in which the public and Councilmembers hold strong feelings. In the heat of a matter, a Councilmember may be found to speak or act passionately.

The City Council will strive to conduct itself professionally in conducting the City's business.

Grand Jury Finding 4: "The Grand Jury finds that the City of Hanford does not currently have a policy regarding the reading of documents into the public record. The Grand Jury acknowledges that this is a 'gray' area and that each situation has unique aspects that need to be evaluated individually."

City's Response to Finding 4:

The City concurs with the Grand Jury's finding that the City Council did not have a policy regarding the reading of documents into the public record.

Recommendation 4: "The Grand Jury recommends that city councilmen should seek advice from the City Attorney before taking steps to read into the record any derogatory documents directed toward another city councilmember."

City's Response to Recommendation 4:

At its June 21, 2016 meeting, the City Council adopted a Handbook of Rules and Procedures, a draft of which was reviewed by the City Attorneys' Office. Section T.6 of the Handbook states that, if a Councilmember receives written correspondence which he/she would like to be made part of the record, the Councilmember will announce his/her receipt of the correspondence and provide the same to the City Clerk for distribution. The City Council will seek the advice of the City's attorneys should any questions regarding this policy or the distribution of incoming correspondence.

Grand Jury Finding 5: "The Grand Jury finds that members of the Hanford City Council and members of the public appeared to have had prior knowledge of what the vote would be in the reorganization of the city council. If true, such a prior meeting is a Brown Act violation."

City's Response to Finding 5:

The City is unaware of any facts confirming that a majority of the City Councilmembers engaged in private discussions regarding reorganization of the City Council.

The City agrees with the Grand Jury's finding to the extent that, if a majority of the Councilmembers had discussed the reorganization of the City Council outside of a public

meeting, such a meeting would violate the Brown Act.

Recommendation 5: “The Grand Jury recommends that the Hanford City Councilmembers ask the City Attorney to conduct a Study Session to ensure they are aware of the requirements of the Ralph M. Brown Act found at Government Code 54950. The Grand Jury further finds that the Hanford City Councilmembers should take great care to follow the law.”

City’s Response to Recommendation 5

Local officials are required by law (AB1234) to undergo ethics training on a bi-annual basis. Such training includes instruction on the Brown Act.

City Councilmembers will continue to satisfy ethics training requirements, which includes Brown Act training, established by the State Legislature through AB1234.

City Councilmembers will take great care to follow the law.

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CITY OF HANFORD'S RESPONSE TO GRAND JURY REPORT 2015-2016

ALLEGED MISUSE OF FUNDS

* * * * *

The following is the response of the Hanford City Council and Hanford's Mayor to the Grand Jury Report for the 2015-2016 session ("the Report") that relates to alleged misuse of funds.

Grand Jury Finding 1: "The Grand Jury finds no evidence of misuse of City of Hanford funds. The Downtown Reinvestment Fund does not have the same defined boundaries and limitations as the Central Parking and Improvement District, which is commonly referred to as the 'downtown' fund."

City's Response to Finding 1:

The City agrees with Finding 1 to the extent that no misuse of funds occurred.

The City further agrees with Finding 1 to the extent that the boundaries of the Downtown Reinvestment Fund and the Central Parking and Improvement District have distinct boundaries and the word "downtown" is commonly associated with that district due to its location.

Recommendation 1: "As an on-going effort toward transparency and to keep the public and the city councilmembers properly informed, city staff should take great care in the wording of Agenda Staff Reports and the corresponding items listed on the agenda. Specific definitions such as budgetary fund numbers and acronyms should be used so as to avoid misconceptions."

City's Response to Recommendation 1:

City staff will take care in wording reports and meeting agendas so that Councilmembers and the public are aware of the specific "downtown" fund at issue.

Grand Jury Finding 2: "The Grand Jury finds that the Hanford City Council did not follow up on the suggestion from city staff to hold a Study Session to establish zone boundaries and limitations for the Downtown Reinvestment Fund."

City's Response to Finding 2:

The City concurs with Finding 2 to the extent that a study session not yet occurred regarding review of the zone boundaries for the Downtown Reinvestment Fund.

Recommendation 2: "The Grand Jury recommends that the Hanford City Council define the boundaries and set limitations for the Downtown Reinvestment Fund."

City's Response to Recommendation 2:

The City's downtown is a valuable asset, and the City Council has commenced efforts to identify and examine issues that negatively impact the downtown area. Such efforts include, without limitation, the creation of a Downtown Revitalization Committee. The City intends to review the Downtown Reinvestment Fund as part of its larger effort to create a unified plan to address downtown issues.

CITY OF HANFORD'S RESPONSE TO GRAND JURY REPORT 2015-2016

HANFORD WATER

* * * * *

The following is the response of the Hanford City Council, Hanford's Mayor, the Hanford City Manager, and the Hanford Public Works Director to the Grand Jury Report for the 2015-2016 session ("the Report") that relates to Hanford water.

Grand Jury Finding 1: "The Grand Jury finds the system is more than adequate for supplying water resources to an increasing population and is able to supply water to the increased construction throughout the city as well as the new housing developments."

City's Response to Finding 1:

The City concurs with Finding 1.

Recommendation 1: None.

City's Response to Recommendation 1: None.

Grand Jury Finding 2: "The Grand Jury finds no basis for the complaint concerning the 9¼ Avenue water pump being used to flush sewage waste down the Lakeside Irrigation Ditch. Rather, a permanent line was installed for flushing the well. The distance between the wellhead and the irrigation ditch made it unfeasible to use a temporary pipe."

City's Response to Finding 2:

The City concurs with the substance of Finding 2; however, the reference to 9¼ Avenue should be to 9th Avenue.

Recommendation 2: None

City's Response to Recommendation 2: None

Grand Jury Finding 3: "The Grand Jury concurs with the rate increase of Hanford city water rates as a necessary measure to maintain the continued operation of the water system. However, the Grand Jury feels that these rate increases should have been proposed well before 2015, allowing for a more gradual increase over time."

City's Response to Finding 3:

The City concurs with Finding 3 to the extent that the 2015 rate increase was necessary to maintain the continued operation of the City's water system. A gradual increase was infeasible, however, in light of unforeseen events that occurred over the last two years, including the state's

requirement that the City chlorinate its potable water on a permanent basis and the state's mandate that the residents of California reduce water usage due to the ongoing drought.

The requirement to chlorinate caused the City to incur significant unexpected costs for the acquisition and installation of equipment and permanent ongoing costs for chlorine and upkeep of the chlorination equipment.

The amount of water used by the residents of Hanford decreased dramatically in response to state-mandated water reduction requirements. Reduced water usage resulted in an unforeseen drop in water enterprise income that is needed for the operation of the City's water system.

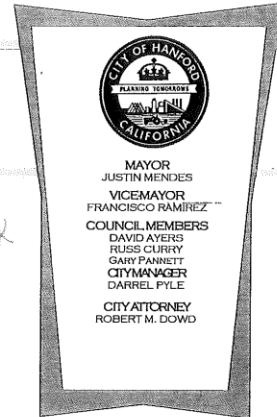
Article XIID, Section 6 of the California Constitution, places limits on property-related fees, including fees for water, that the City may charge to residents. This section of the Constitution precludes the City from imposing gradual rate increases to speculatively fund the costs of unforeseen future events, which may or may not occur, that may eventually have a significant economic impact on the water system. The imposition of rate increases to fund the projected significant costs associated with events that never occur would result in excessive fees that violate the Constitution.

Recommendation 3: None

City's Response to Recommendation 3: None.

City of **HANFORD**

CALIFORNIA 93230
CITY OFFICES 319 NORTH DOUTY STREET



July 20, 2016

RECEIVED JUL 28 2016 *PK*

The Honorable Thomas DeSantos
Presiding Judge
Kings County Superior Court
1640 Kings County Drive
Hanford, CA 93230

RE: City of Hanford Response to Grand Jury Report Regarding Hanford City
Councilman

Dear Judge DeSantos:

The City of Hanford ("City") hereby responds to the portion of the Kings County Grand Jury's 2015-2016 Final Report regarding a Hanford City Councilman (a copy of which is enclosed herewith as Exhibit "A").

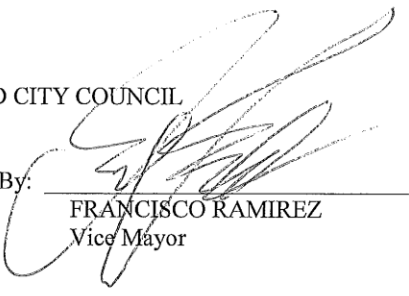
The enclosure represents the response of the Hanford City Council and Hanford's Mayor, which are required under Penal Code Section 933(c).

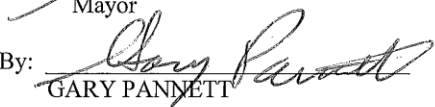
The City appreciates the Grand Jury's diligence and trusts that the enclosures address the Grand Jury's findings and recommendations.

Sincerely,

HANFORD CITY COUNCIL

By: 
JUSTIN MENDES
Mayor

By: 
FRANCISCO RAMIREZ
Vice Mayor

By: 
GARY PANNETT
Councilmember

CITY OF HANFORD'S RESPONSE TO GRAND JURY REPORT 2015-2016

HANFORD CITY COUNCILMAN

* * * * *

The following is the response of the Hanford City Council and Hanford's Mayor to the Grand Jury Report for the 2015-2016 session ("the Report") that relates to a Council member.

Grand Jury Finding 1: "During the campaign season of 2014, Form 460 was required to be filed for any candidate who had raised or spent \$1,000. The named Hanford City Councilman, by his own admission, did meet the requirement to file a Form 460, but did not do so."

City's Response to Finding 1:

The City of Hanford (City) agrees with the Grand Jury's statement that Fair Political Practices Commission (FPPC) Form 460 was required to be filed by any candidate who ran in the 2014 general election and who raised or spent \$1,000 or more.

The City has not independently verified that the Councilmember failed to file Form 460. The City concurs with Finding 1 to the extent stated above.

Recommendation 1: "The Councilman should complete and properly execute an accurate 2014 Form 460."

City's Response to Recommendation 1:

The City encourages the Councilmember to complete and file Form 460 for the 2014 general election if he is required to do so by the FPPC and that the Councilmember comply with FPPC requirements.

Finding 2: "A Hanford City Councilman, as a candidate for the office in 2014, failed to open a campaign bank account, as required by FPPC."

City's Response to Finding 2:

The City has not independently verified that the Councilmember failed to open a campaign bank account for the 2014 general election. The City concurs with Finding 2 to the extent stated above.

Recommendation 2: "Should this Councilman choose to run for public office at any time in the future, he **must** open a campaign bank account if required to do so by the rules and regulations in place at that time."

City's Response to Recommendation 2:

The City encourages all Councilmembers to comply with all applicable rules and regulations, including, without limitation, rules requiring campaign bank accounts.

Finding 3: "The Hanford City Councilman, as a candidate for the office in 2014, listed misleading information about his academic credentials on campaign literature. The Grand Jury finds that the degrees that the Councilman listed on his campaign literature were not legally valid in the State of California."

City's Response to Finding 3:

The City has not independently verified that the Councilmember listed misleading information about his academic credentials on his campaign literature. The City concurs with Finding 3 to the extent only accurate information regarding credentials shall be published.

Recommendation 3: "The Grand Jury strongly recommends that the Councilman no longer cite these college degrees as part of his academic credentials in campaign literature."

City's Response to Finding 3:

The City encourages all candidates who run for City Council to publish accurate information about themselves.

To the extent that the City makes information available regarding a Councilmember, the City endeavors to publish accurate information. For example, the Councilmember's biographical information available at the City's website has been modified to omit reference to the Councilmember's academic credentials.

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City of
CORCORAN
A MUNICIPAL CORPORATION FOUNDED 1914

May 23, 2017

Kings County Grand Jury
449 C. Street
Lemoore, CA 93245

Foreperson Luoma and Members of the Grand Jury,


This letter constitutes acknowledgement of the 2016 City of Corcoran Water Report prepared by the Kings County Grand Jury. The report in full was provided to the Corcoran City Council.

Pertaining to the findings and recommendations, the City adhered to the direction provided by the Grand Jury in regards to the proposed water rate increase. Below is a summary of the events:

- A water rate study was prepared by IGService and completed on July 6, 2016.
- In compliance with Prop 218 requirements, a notice of public hearing was sent to all rate payers. The notice was postmarked on July 29, 2016.
- Additionally, a notice of the public hearing was printed in the Corcoran Journal on September 15, 2016. Notices of the public hearing were also posted at City Hall and at the City Council chambers. Copies of the rate study and the public hearing notice were also published on the City's website.
- The public hearing was held on September 27, 2016.
- Implementation of revised water rates on October 1, 2016.

If any additional information or details are needed, please contact the City Manager at 559-992-2151 ext. 228.

Thank you,



Raymond Lerma
Mayor

CITY OFFICES:

832 Whitley Avenue • Corcoran, CA 93212 • Phone 559/992-2151 • www.cityofcorcoran.com

