

# ADMINISTRATION & AUDIT COMMITTEE

## MISSION STATEMENT

The Administration and Audit Committee of the 2012-2013 Kern County Grand Jury is responsible for reviewing and evaluating Kern County Governmental Agencies and Departments. In addition to routine visits, the Committee will investigate citizen complaints alleging managerial or fiscal irresponsibility. After extensive investigation and review of facts, the Committee will make recommendations for improvements. These recommendations are intended to maximize efficiency of County Departments and to eliminate waste of taxpayer funds. The Administration and Audit Committee consults with other Grand Jury committees regarding managerial, administrative, and fiscal matters.

## ADMINISTRATION AND AUDIT COMMITTEE MEMBERS:



Francisca Garcia, Chair  
(November – March)

Leonardo Chavez, Chair  
(April – June)

Fred Evenson

Virginia Johnson

Frank Jonas (not shown)



# **ADMINISTRATION & AUDIT COMMITTEE**

## **SUMMARY OF ACTIVITIES**

The Administration and Audit Committee has written and published the following reports:

- Kern County Aging and Adult Services
- Kern County Board of Trade
- Kern County Engineering, Surveying & Permit Services Department
- Kern County Local Agency Formation Commission
- Kern County Roads Department

Investigations/Visitations in progress are:

- County of Kern County Counsel
- County of Kern Property Management
- North of the River Municipal Water District Ad Hoc Committee

The Administration and Audit Committee received and responded to one complaint.

Additionally, members of the Administration and Audit Committee toured and/or researched the following: City of Delano, City of Taft, and numerous Boards of Supervisors' meetings.

Total investigative miles traveled by Committee: 185

# **KERN COUNTY AGING AND ADULT SERVICES DEPARTMENT**

## **PREFACE:**

The Administration and Audit Committee (Committee) of the 2012-2013 Kern County Grand Jury (Grand Jury) visited the offices of the Kern County Aging and Adult Services Department (Department) on October 29, 2012. The Department is “committed to providing community-based services to ensure seniors and disabled adults remain safe and independent in their homes as long as possible.” The offices are located at 5357 Truxtun Avenue, Bakersfield, California 93309.

## **PURPOSE OF INQUIRY:**

California Penal Code §925 authorizes the Grand Jury to investigate and report on the various departments throughout Kern County. The Committee reviewed past Grand Jury records and determined that the Aging and Adult Services Department was due for a visit.

## **PROCESS:**

Before visiting the offices, the Committee researched and reviewed on-line information about the Department. The Committee met with the Director of the Department to review documentation and obtain additional information. A tour of the office followed the meeting. On November 15, 2012, the Committee visited the Richard Prado Senior Center (Center) located at 2101 Ridge Road, in Bakersfield. Committee members participated in the registration process in order to become familiar with the procedures for obtaining a meal at the Center.

## **BACKGROUND/FACTS:**

- A. In anticipation of meeting the needs of the County’s growing senior population, the Kern County Aging and Adult Services Department was established in 1999. Its predecessor, the Kern County Office on Aging, was established by the Kern County Board of Supervisors in January, 1976.
- B. In 2012 the County’s 60 and over senior population is reported as 117,624.
- C. By 2030 the 60 and over senior population is expected to increase by 89% to approximately 222,000 people.
- D. The Director of the Department reports directly to the Board of Supervisors.

- E. Two Program Directors are responsible for monitoring Care and Social Programming and Protective Services activities and programs. At the present time one of the Program Director positions is vacant.
- F. The Director of the Department is responsible for monitoring the numerous County operated Nutrition Centers. These centers include:
- Bakersfield – Ben Austin Greenfield Senior Center at 1751 McKee Road
  - High Desert –
    - InyoKern at 1247 Broadway
    - Ridgecrest at 125 South Warner
  - Kern River Valley – Southfork at 6409 Lake Isabella Boulevard
  - Shafter – 550 Sunset Avenue
  - Southeast Desert –
    - Cal City Senior Center at 10221 Heather Avenue
    - Rosamond at 2500 “25<sup>th</sup>” Street West
  - Taft – 500 Cascade Place
  - Tehachapi Senior Center at 500 East “F” Street
  - Wasco – 1220 Poplar Street
- G. The Kern County Aging and Adult Services Department contracts for Senior Nutrition Services with the providers listed below:
- **Richard Prado East Senior Center** – also services the East Niles Senior Center at 6601 Niles Street, the Lamont Community Senior Center at 1300 San Diego Street and the Arvin Senior Center at 800 Walnut Drive
  - **North of the River Parks and Recreation District** – services the Rasmussen Senior Center at 115 East Roberts Lane, the Greenacres Community Center at 2014 Calloway Drive and the Bakersfield Community House at 2020 “R” Street
  - **City of Delano** – services the Delano Senior Center at 436 Jefferson Street, the Delano Community Center at 925 Ellington Street and the McFarland Center at 100 South 2<sup>nd</sup> Street
  - **Bakersfield Senior Center** – located at 530 4<sup>th</sup> Street
- H. The Senior/Nutrition Centers are independently managed in Frazier Park and Mojave.
- I. The Department administers the Adult Protective Services (APS) which incorporates the Volunteer Senior Outreach and Prevention Against Elder Abuse programs. The Department serves as the LPS Conservator (Lanterman Petris Short Act) and as the Probate Conservator.
- J. The Department’s Care and Social Programs section incorporates the following:
- In-Home Supportive Services (IHSS) – assists Medi-Cal eligible aged or blind persons to remain at home as long as possible.
  - Appeals – assists Medicare beneficiaries with any Medicare or prescription drug plan issues.

- Public Authority – Assembly Bill 1682 mandates an employee of record for IHSS providers. The BOS is the governing body. The Director of the Department serves as the Executive Director of the Public Authority.
- Health Insurance Counseling and Advocacy Program (HICAP) – counselors registered with the California Department of Aging provide information so clients can make informed decisions about the most appropriate Medicare Health Plan, i.e. HMO supplemental plans.
- The Call Center is the central hub for all in-coming calls. Employees/volunteers inform clients about:
  - Disease prevention – providing clients literature related to disease prevention, health, nutrition and in-home safety
  - Senior Nutrition
  - APS and IHSS, (Adult Protective Services, In Home Support Services)
  - Ways to save on PG&E bills
  - How to apply for grants for building grab bars and wheelchair ramps
  - Other available community services

The Call Center also coordinates the Senior Health Calendar and Senior Health Fairs.

- K. Other resources Seniors can access through the Department are home protection, emergency shelter and transportation. The Department uses interdisciplinary teams to coordinate services with other agencies.
- L. The Commission on Aging consists of 27 general members appointed to serve a two-year term and seven ex-officio members/designees. Two of the ex-officio members are the Public Health and Veterans Service officers. The last five are department directors from Human Services, Parks and Recreation, Employers Training Resource, Community and Economic Development and Mental Health.

## **FINDINGS:**

- F1. The Department employs approximately 130 people.
- F2. The Department has to follow established California Department of Aging (CDA) guidelines when seniors access services provided by the Department. These services include the:
  - Caregiver Support Program – provides a system of support for informal caregivers
  - Homemaker Services – house cleaning, meal preparation, laundry, grocery shopping, etc.
  - Senior Nutrition Program – coupons, food vouchers for local farmers markets and Meals-on-Wheels

- Supplemental Food Assistance – provides low-income seniors 60 years or older with two bags of groceries twice a month and distributes Government surplus food every month
- Supportive Services – which includes Alzheimer’s disease resources and Senior legal assistance

F3. Informational literature/applications are available at the Department in English and Spanish.

F4. Videos are used to inform clients about the services offered by the Department.

F5. The County’s Senior population is increasing (Fact B and C). The Department is growing and expanding services to accommodate this growth. The Department has recently expanded office space.

**COMMENTS:**

The Committee thanks the Director for the interview and tour of the Kern County Aging and Adult Services Department offices. The employees and volunteers at the Richard Prado Senior Center were courteous, helpful and provided accurate information as Committee members completed the enrollment process. After enrolling, members enjoyed a balanced, \$2.00 lunch.

The Committee applauds the many volunteers that work in the offices, kitchens and Senior Centers throughout Kern County.

**NO RECOMMENDATIONS**

**NOTES:**

The Kern County Grand Aging and Adult Services Department should post a copy of this report where it will be available for public review.

Persons wishing to receive an email notification of newly released reports may sign up at [www.co.kern.ca.us/grandjury](http://www.co.kern.ca.us/grandjury), and click on: Sign up for early releases. Present and past Kern County Grand Jury Final Reports and Responses can be accessed on the Kern County Grand Jury website: [www.co.kern.ca.us/grandjury](http://www.co.kern.ca.us/grandjury).

**NO RESPONSE REQUIRED**

Kern County Board of Supervisors  
Response to Grand Jury Final Report

**KERN COUNTY AGING AND ADULT SERVICES DEPARTMENT**

Response to Findings:

The Board of Supervisors notes that the Grand Jury's findings are substantially correct.

Response to Recommendation:

The Grand Jury provided no recommendations in the report.

# KERN COUNTY BOARD OF TRADE

## **PREFACE:**

The Administration and Audit Committee (Committee) of the 2012-2013 Kern County Grand Jury (Grand Jury) visited the Kern County Board of Trade on November 1, 2012. The Offices are located at 2101 Oak Street, Bakersfield, California, 93301.

## **PURPOSE OF INQUIRY:**

California Penal Code §925 authorizes the Grand Jury to investigate and report on the various departments throughout Kern County. The Committee reviewed past records and determined that the Kern County Board of Trade (BOT) had not been visited by the Grand Jury in over four years.

## **PROCESS:**

The Committee reviewed past Grand Jury reports and researched via internet prior to visiting with the BOT. The Committee met with the Executive Director and other BOT staff and viewed a Power Point presentation about the functions and responsibilities of the Board of Trade. A tour of the facilities followed the meeting.

## **BACKGROUND/FACTS:**

The stated mission of the Department is: *“To contribute to Kern County’s economy and quality of life by globally marketing its unique treasures, identifying tourism and filmmaking opportunities, enhancing the image of Kern County as a visitor destination, and creating a unified strategy to meet those goals.”*

- A. The Kern County Board of Trade is responsible for promoting and marketing Kern County. Founded in 1888 with the mission to “extol the virtues of Kern County to the East,” the Board of Trade specifically administers:
  - Kern County’s official tourism bureau, providing visitor information and promoting Kern County as a travel-tourism destination.
  - The Kern County Film Commission (Commission) markets Kern County as a location for filming. The Commission also provides permits and services for film, television and commercial production.
- B. The BOT markets Kern County as one of California’s premiere retirement destinations. Brochures provide information about housing, community services, activities and quality of life.
- C. The BOT mission fits into a larger cluster based strategy for economic development in Kern County. A cluster based strategy identifies areas where the County has a competitive advantage.



D. The Kern County Information Kiosk Centers Project (Kiosk Project) was implemented in 2007. In 2007 the technology was groundbreaking, as there were very few 24-hour touch screen information sources in existence. The Kiosk Project was designed so visitors to Kern County would be able to obtain tourist information around-the-clock, even if visitor centers were closed.

## **FINDINGS:**

F1. The Board of Trade currently has a small staff of four including the Executive Director.

F2. There are approximately 20 permits per month issued for the film industry. Kern County does not charge for the permit. According to the Association of Film Commissioners International, in 2011, the film industry brought approximately 20 million dollars into Kern County.

F3. The BOT is able to promote Kern County as a viable, inexpensive location because of the diverse and unique geography within the boundaries.

- Television production companies have used locations throughout Kern County to film scenes for “Extreme Makeover,” “Bones,” “Alias,” “Monk” and numerous other well-known productions.
- “Erin Brockovich,” “Star Trek,” “Land of the Lost” and “Fast and Furious” are some of the blockbuster films that include scenes from various locations in Kern County.

F4. Five of the six economic clusters where Kern County has a competitive advantage are:

- Value Added Agriculture, i.e. Grimmway Farms baby carrots, Bolthouse Farms specialty juices, Paramount Farms POM Wonderful Cuties, Frito Lay and Dreyers Ice Cream products
- Aerospace/Defense, i.e. Mojave Air & Space Port, China Lake Naval Weapons Center and Edwards Air Force Base
- Energy/Natural Resources, i.e. energy, wind energy and other natural resources
- Medical services to include the Grossman Burn Center, the Comprehensive Blood and Cancer Center (CBCC) and medical supply providers such as Pacific Pulmonary, Salter Labs and Townsend Design
- Transportation and Logistics, i.e. International Trade and Transportation Center, Tejon Ranch Company, Airport Economic Opportunity Area and Railex

F5. The sixth economic cluster identified in the County is the Tourism Industry. Most people do not realize that Metropolitan Bakersfield is larger than St. Louis and New Orleans!

- With the exception of ocean views, Kern County probably has the most diverse terrain in the State of California. County terrain includes scenic

rolling hills, recreational lakes, the Kern River, spectacular desert scenery including Jawbone and Red Rock Canyons and majestic forests.

- Kern County is a mecca for outdoor enthusiasts and sports people. Some of the County's most notable activities include hiking, fishing, kayaking, white-water rafting, mountain climbing, boating, water skiing, sky diving, mountain biking and off-highway vehicle activities.
- Winter sports include skiing, snowboarding and sledding.
- Traditional motor sports feature venues like the Willow Springs Raceway, the Famoso Drag Strip and the Buttonwillow Raceway Park.
- World class tourist attractions in Kern County include the Mojave Air and Space Port, the Tehachapi Wind Farms, the Exotic Feline Breeding Compound (a sanctuary for large cats also known as the Cat House), the Oil Worker's Monument in Taft, the Open House at Edwards Air Force Base and Buck Owens' Crystal Palace.

According to the 2011 Preliminary State and Regional Estimates publication by Dean Runyan and Associates, Kern County visitors bring in an average of \$3,194,000 daily. The annual total is \$1,166,000,000! Following is a breakdown of how local businesses benefit:

• Accomodations	180 Million
• Food and Beverage Service	272 Million
• Food Retailers	66 Million
• Ground Transportation and Fuel	312 Million
• Recreation	138 Million
• Retail Sales	190 Million
• Visitor Air Transportation	8 Million

F6. The Kiosk Project initiated in 2007 to promote tourism in Kern County is requiring large amounts of money and extensive man-hours for repairs. Kiosks are widespread and located in various locations throughout the County.

F7. Mobility and accessibility have become synonymous with the future. Consumers today expect to be able to use technology to have up to the minute information at consumers' fingertips throughout the world. The BOT is at the forefront of technology and is shifting services to develop and incorporate efficient delivery of information to consumers. A mobile version of "VisitKern.com" web application will be developed to convert existing content to a format that caters specifically to mobile devices.

F8. The Board of Trade serves as administrator for the County Tourism Promotion Grant Program. The BOT works with non-profit marketing partners to promote events specific to various regions throughout the County. Grant awards have benefited regional events such as Whiskey Flat Days, Oildorado, Shakespeare Festival and the Famoso Races thus raising the profile, influence and profitability of Kern County.

F9. The Annual State of the County Dinner is organized by the Board of Trade. Approximately 400 people attend every year.

**COMMENTS:**

The Kern County Board of Trade continues to maintain a high level of efficiency despite budget cut-backs. Because of the pioneering efforts in using technology as a tool to improve efficiency and effectiveness, the BOT is at a forefront and serves as a model for other agencies throughout California. Although the Executive Director was recently appointed to the position, excellent strategies are in place to promote Kern County for the prosperity of the community.

**RECOMMENDATIONS:**

R1. Continue researching the development of programs/applications for web-based technology devices.

R2. As new mobile technology develops, consider phasing out the County Kiosk Centers. Phasing out Kiosk Centers will result in a cost-savings for the BOT.

**NOTES:**

The Kern County Board of Trade should post a copy of this report where it will be available for public review.

Persons wishing to receive an email notification of newly released reports may sign up at: [www.co.kern.ca.us/grandjury](http://www.co.kern.ca.us/grandjury), and click on: Sign up for early releases.

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**RESPONSE REQUIRED WITHIN 90 DAYS TO:**

**PRESIDING JUDGE  
KERN COUNTY SUPERIOR COURT  
1415 TRUXTUN AVENUE, 2ND FLOOR  
BAKERSFIELD, CA 93301**

**cc: FOREMAN  
KERN COUNTY GRAND JURY  
1415 TRUXTUN AVENUE, SUITE 600  
BAKERSFIELD, CA 93301**

Kern County Board of Supervisors  
Response to Grand Jury Final Report

**KERN COUNTY BOARD OF TRADE**

Response to Findings:

The Board of Supervisors notes that the Grand Jury's findings are substantially correct.

Response to Recommendation:

The Grand Jury recommended that Board of Trade phase out the Kiosk Centers as new mobile technology techniques develop in order to bring about a cost savings. Board of Trade staff has developed a mobile application that is compatible with smart phones and tablets and is working toward downsizing the kiosk program. This will allow the department to reach a broader tourism base while significantly reducing costs.

# **KERN COUNTY COUNSEL**

## **PREFACE:**

The Administration and Audit Committee (Committee) of the 2012-2013 Kern County Grand Jury (Grand Jury) visited the offices of the Kern County Counsel (County Counsel) on May 2, 2013. Department offices are located at 1115 Truxtun Avenue, Fourth Floor, Bakersfield, California 93309.

The Mission Statement of County Counsel is *“To advise, assist and represent our clients as efficiently and economically as possible, in accordance with the highest professional and ethical standards.”*

## **PURPOSE OF INQUIRY:**

California Penal Code §925 authorizes the Grand Jury to investigate and report on the various Kern County Administration Departments. The Committee reviewed past records and found County Counsel had not been visited in over four years.

## **PROCESS:**

The Committee met with County Counsel and after a brief question and answer session was given a tour of the office complex.

## **BACKGROUND/FACTS:**

- A. County Counsel defends the County offices and employees on matters related to the operation and management of the County.
- B. County Counsel administers the County’s Workers Compensation claims, Return to Work and Disability Management programs.
- C. County Counsel processes approximately 100 lawsuits a year. County Counsel is responsible for the County’s Safety Program, insurance coverage, general liability and Workers Compensation claims.
- D. County Counsel advises the Board of Supervisors, County Boards and offices on matters related to employees of the County.
- E. County Counsel represents the Department of Human Services in juvenile dependency cases filed to protect children at immediate risk(s) of injury, harm or neglect.
- F. County Counsel manages the County’s risk and provides insurance coverage for buildings and the County interests.

**FINDINGS:**

- F1. Presently the position of Assistant County Counsel is open.
- F2. Of the 28 attorneys, seven are assigned to Litigation, seven are assigned to Advisory and the remaining attorneys are cross assigned to various departments.
- F3. To expedite case completion, County Counsel cross trained Law Staff in different case completion allowing for better training in the complex issues and more efficient litigation.

**COMMENTS:**

The Administration and Audit Committee thanks the County Counsel for the high level of efficiency despite budget cutbacks and commends the County Counsel for conscientious efforts to address the needs and services of the County in a responsible manner.

**RECOMMENDATION:**

None

The Kern County Counsel should post a copy of this report where it will be available for public review.

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**NO RESPONSE REQUIRED**

Kern County Board of Supervisors  
Response to Grand Jury Final Report

**KERN COUNTY COUNSEL**

Response to Findings:

The Board of Supervisors notes that the Grand Jury's findings are substantially correct.

Response to Recommendation:

The Grand Jury provided no recommendations in the report.

# **KERN COUNTY ENGINEERING, SURVEYING & PERMIT SERVICES DEPARTMENT**

## **PREFACE:**

The Administration and Audit Committee (Committee) of the 2012-2013 Kern County Grand Jury (Grand Jury) visited the offices of the Kern County Engineering, Surveying and Permit Services Department (Department) on December 6, 2012. Department offices are located at 2700 “M” Street, Bakersfield, California, 93309.

The three Divisions in the Department include Building Inspection, Code Compliance and Engineering and Survey Services. The mission of the Code Compliance Division is *“to work in partnership with people of Kern County to promote health and safety and to maintain community standards.”*

## **PURPOSE OF INQUIRY:**

California Penal Code §925 authorizes the Grand Jury to investigate and report on the various Kern County Administration Departments. The Committee received a complaint against the Department’s Code Compliance Division.

## **PROCESS:**

The Committee researched and reviewed information posted on the Kern County Code Compliance website and the information included on the Grand Jury complaint. The Committee interviewed a Code Compliance Officer and met with the Director of the Department to review documentation and obtain information specific to Code Enforcement Complaints/Violations. On December 17<sup>th</sup>, 2012, Committee members drove to Taft, California. Properties that were allegedly in violation of threatening public health and safety were observed in Ford City and South Taft.

## **BACKGROUND/FACTS:**

- A. The Kern County Engineering, Surveying and Permit Services Department has a current staff of 77 people.
- B. The Director of the Department is also the head of the Code Compliance Division, (Division).
- C. Currently, the staff at the Division includes:
  - One Code Compliance Supervisor.
  - One Office Service Technician.



- Seven Code Compliance Officers. At one time, there were ten, but because of budgetary limitations, the number was reduced to five. (Because of illness, only four compliance officers were working for almost a year.) Recently, two additional officers were added.

D. The Code Compliance Division enforces Kern County regulations related to the following:

- Dangerous Building Code § 17.36.020 – Conditions of an existing structure that constitute a clear and present danger to the public.
- Building Code § 17.08.060 – Building, plumbing, electrical, mechanical, disability access, etc. building code violations, including construction or change of occupancy without permits.
- Housing Code § 17.16.020 – Liquid Waste Disposal and minimum standards for safe and sanitary California State Housing Law.
- Solid Waste Code § 8.28.080 – Illegal dumping.
- Solid Waste Code § 8.28.060 – Residential Solid Waste.
- Building Code § 17.28.130 – Grading without permits.
- Abandoned Vehicle Code § 10.28.140 – Abandoned vehicles.
- Zoning Code § 19.02.060 – 1. Zoning requirements for structures such as use, location, configuration, size, and land use requirements. 2. Semi-truck parking in residential areas. 3. Occupied Recreational Vehicles.

**FINDINGS:**

- F1. Incorporated cities in Kern County, (County) have their own code compliance department.
- F2. The Division addresses code compliance complaints in the unincorporated parts of the County.
- F3. Taft is an incorporated city. Code Compliance referrals from South Taft and Ford City are submitted to the Division.
- F4. South Taft and Ford City are located in Kern County Supervisorial District 4.
- F5. When the Committee drove around Taft, South Taft and Ford City the following Conditions were observed:
  - The streets, alleyways and yards in the City of Taft appear to be safe and clean.
  - South Taft and Ford City, located on the outer perimeters of the city have been a source of abandonment. Insecure structures and partially burned out buildings are visible at numerous locations. Solid waste violations include trash and excessive storage of non permitted items.

F6. A few of the apparent non-compliant areas include, but are not limited, to the following streets in South Taft:

- Corner of Asher and Wood
- Eastern and Crystal streets
- Back area of Nylon and Wood streets

F7. A few of the apparent non-compliant areas include, but are not limited, to the following streets in Ford City:

- 303 Madison Street
- 316 Monroe Street
- Monterrey Gardens

F8. When the Division only had five Code Compliance Officers, each of the five Kern County Supervisory Districts was assigned a code compliance officer.

F9. Code Compliance Officers do not drive around looking for non-compliance issues. Because of the large expanse of unincorporated square miles in the Kern County, the officers only address/enforce violations for which there is a complaint.

F10. The table below shows activity for Code Compliance referrals between June 1, 2011 and June 1, 2012.

**CASE STATISTICS BY SUPERVISOR DISTRICT**

DESCRIPTION	District 1	District 2	District 3	District 4	District 5	Other	Total
<b>Closed</b>	137	105	113	86	131	0	572
<b>New Closed</b>	237	184	549	151	388	1	1,510
<b>Pending</b>	17	109	9	126	19	0	280
<b>New Pending</b>	71	109	47	91	31	1	350
<b>Referred</b>	1	0	0	0	0	0	1
<b>New Referred</b>	2	1	2	2	5	0	13
<b>TOTALS</b>	465	508	721	456	574	2	2,726
<b>Referrals Closed</b>	374	289	<b>663</b>	237	<b>519</b>	1	2,726
<b>Referrals Pending</b>	91	<b>219</b>	58	<b>219</b>	55	1	
<b>Referrals Closed (%)</b>	<b>80</b>	<b>57</b>	<b>92</b>	<b>52</b>	<b>90</b>		

\*Some information could be missing regarding the number of referrals because the Division did not have an Office Service Technician the full year.

F11. According to information provided by the Director and the Code Compliance Officer, referrals/violations of the smaller Districts (fewer square miles) can be addressed in a timely manner.

- The highest number of code compliance violations were submitted (721) and closed (92%) in District 3, although it is the smallest District in square miles.
- District 5, the second smallest of the five Supervisorial Districts had 574 referrals, of which 90% were closed.

F12. Districts 1, 2 and 4 are the largest Districts (by square miles). Eighty percent of the referrals in District 1 were closed.

F13. District 4, at a rate of 52%, has the lowest closure rate of the code compliance complaints submitted.

#### **COMMENTS:**

The Committee thanks the Director and the Code Compliance Officer for the interview and for the information provided. It is reasonable that Districts with more square miles pose a greater challenge for the Department. Driving time to various rural municipalities in the County can be as long as three hours one way. This causes delays and creates a backlog of complaints.

#### **RECOMMENDATIONS:**

R1. Double up Code Enforcement Officers in the Districts that have the greatest backlog of complaints so old complaints can be brought to closure.

R2. The Director should monitor the Districts that have the highest numbers of open code compliance complaints.

R3. Periodically re-assign Code Compliance Officers so they are responsible for different Districts.

#### **NOTES:**

The Kern County Engineering, Surveying and Permit Services Department should post a copy of this report where it will be available for public review.

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**BAKERSFIELD, CA 93301**

**cc: FOREMAN  
KERN COUNTY GRAND JURY  
1415 TRUXTUN AVENUE, SUITE 600  
BAKERSFIELD, CA 93301**

**KERN COUNTY ENGINEERING, SURVEYING  
AND PERMIT SERVICES DEPARTMENT**

Response to Findings:

The Board of Supervisors notes that the Grand Jury's findings are substantially correct.

Response to Recommendation:

*R1. The Code Compliance Supervisor should increase Code Enforcement Officers in the Districts having the greatest backlog of complaints – thus enabling necessary personnel to bring old complaints to closure.*

As part of the FY 2013-14 budget process, the department is requesting to increase the funding in Code Compliance to restore the staffing to ten officers by adding an additional three Code Compliance Officers. The department is also requesting the addition of an Administrative Coordinator position to assist in facilitating the blight reduction program and to manage the growing volume of administrative paperwork necessary to abate substandard structures in a timely manner. The County Administrative Office and the department will continue to explore funding opportunities for these additional positions in an effort to increase the Code Compliance Division's funding in FY 2013-14.

*R2. The Director should monitor Districts with the highest numbers of open code compliance complaints.*

A supervisor has recently been appointed to the Code Compliance Division. One of the supervisor's main priorities is the reduction of the case backlog. The supervisor is also responsible for monitoring and reporting to the Director on the progress of staff to resolve the backlog of old cases.

*R3. Code Compliance Officers should be rotated periodically to different Districts.*

The Grand Jury's recommendation has been partially implemented by the reassignment of two officers and the addition of one officer within the areas with the largest case backlog. In-lieu-of rotating all of the Code Compliance Officers, the division's supervisory staff is providing more overview and monitoring of the officers.

# **KERN COUNTY LOCAL AGENCY FORMATION COMMISSION**

## **PURPOSE:**

California Penal Code §925 authorizes the Kern County Grand Jury (Grand Jury) to investigate and report on various departments throughout Kern County. The Administration and Audit Committee (Committee) reviewed past records and determined that the Kern County Local Agency Formation Commission (LAFCO or Commission) had not been visited by the Grand Jury in over four years.

## **PROCESS:**

The Committee researched the Commission via internet prior to attending a LAFCO Board meeting. The Committee met with the Executive Officer of the Commission at 5300 Lennox Avenue, Suite 303, Bakersfield, CA 93309 and was provided with a presentation. A tour of the facilities followed the meeting.

## **BACKGROUND/FACT**

In Kern County there are 11 incorporated cities and 94 special districts.

LAFCO duties are *“To review and approve or disapprove with or without amendment, wholly, partially or conditionally proposals for the Incorporation of cities, formation of special districts, annexation of territory to local agencies, exclusion of territory from a city, disincorporation of a city, consolidation of two or more cities, and the development of a new community.”*

## **FINDINGS:**

- F1. The Commission was established on December 10, 1963, pursuant to provisions of Chapter 1808 of the Government Code enacted by the 1963 California Legislature and Section 56000 (prior code 54780, et seq.).
- F2. Pursuant to LAFCO Resolution 99-11, the membership was increased to add two special district members and one special district alternate in January, 2006. Pursuant to Government Code Section 56328.5 membership was increased to add one member and one alternate from the city with the largest population and one member and one alternate public member not a member of the governing body of any local agency.

- F3. In California, the establishment and revision of local government boundaries is governed by the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 (Act). The previous Act of 1985 was a consolidation of three major laws governing boundary changes.
- F4. The three laws that governed changes in the boundaries and organization of cities and special districts prior to 1986 were:
- The Knox-Nisbet Act of 1963 which established local agency formation commissions (LAFCO) with regulatory authority over local agency boundary changes.
  - The District Reorganization Act of 1965 (DRA) which combined separate laws governing special district boundaries into a single law.
  - The Municipal Organization Act of 1977 (MORGA) which consolidated various laws on city incorporation and annexation into one law.
- F5. The Legislature of the State of California states it is the “*policy of the state to encourage orderly growth and development*” which is essential to the social, fiscal and economic well-being of the State.
- F6. The LAFCO Board is composed of fifteen members (including six alternates). Fourteen of the Members serve four-year staggered terms. The City Selection Committee Alternate Member only serves a two-year term. While serving on the Commission, Members shall exercise independent judgment on behalf of the interests of residents, property owners and the public as a whole.
- F7. Special studies and reviews are conducted to provide pertinent information assisting the Commission in the decision-making process.
- F8. The LAFCO Board meets the fourth Wednesday of each month at 5:00 p.m. at 1115 Truxtun Avenue, Bakersfield, CA on the first floor.
- F9. Following are some of the purposes of LAFCO:
- To discourage urban sprawl by preserving open space and prime agricultural lands.
  - To provide efficient government services.
  - To encourage the orderly formation and development of local agencies based upon local conditions and circumstances.
- F10. When the formation of a new government entity is proposed in Kern County LAFCO has to make a determination as to whether existing agencies can feasibly provide the needed service or services in an efficient and accountable manner.
- F11. The Commission currently employs two full time personnel including the Executive Officer as well as two part-time office personnel.

**COMMENTS:**

The Commission continues to maintain a high level of efficiency despite budget cut-backs. The 2012-2013 Kern County Grand Jury, Administration and Audit Committee, commends the Kern County Local Agency Commission for the conscientious manner taken to address the needs and services of the County in a responsible fashion.

**RECOMMENDATION:**

None

The Kern County Local Agency Commission should post a copy of this report where it will be available for public review.

Persons wishing to receive an email notification of newly released reports may sign up at [www.co.kern.ca.us/grandjury](http://www.co.kern.ca.us/grandjury), and click on: Sign up for early releases.

Present and past Kern County Grand Jury Final Reports and Responses can be accessed on the Kern County Grand Jury website: [www.co.kern.ca.us/grandjury](http://www.co.kern.ca.us/grandjury).

**NO RESPONSE REQUIRED**



# **KERN COUNTY ROADS DEPARTMENT**

## **PREFACE:**

The Administration and Audit Committee (Committee) of the 2012-2013 Kern County Grand Jury (Grand Jury) visited the Kern County Roads Department on December 6, 2012. The Offices are located at 2700 M Street, Suite 400, Bakersfield, CA 93301.

## **PURPOSE OF INQUIRY:**

California Penal Code §925 authorizes the Grand Jury to investigate and report on the various departments throughout Kern County. The Committee reviewed past records and determined that the Kern County Roads Department had not been visited by the Grand Jury in over four years.

## **PROCESS:**

The Committee researched via internet prior to visiting with the Kern County Roads Department. The Committee met with the Director and staff and was provided with a presentation. A tour of the facilities followed the meeting.

## **BACKGROUND/FACTS:**

The stated mission of the Department is: “Plan, design, construct and maintain the safest, most cost-effective public roadways for the movement of people and goods.”

- A. The Road Fund was established April 2, 1866. The Collier-Burns Act, adopted by the State Legislature on January 1, 1948, provides for the construction and maintenance of roads and bridges based on the areas of greatest need within the County. This act also provides for the appointment of a County Road Commissioner by the Board of Supervisors (Board).
- B. On March 26, 1979, the Board directed the merger of the Road Fund with the Public Works Department.
- C. On July 1, 1992, upon Board order, the Public Works Department was reorganized. The staff and responsibilities for Roads and Transit were placed under direction of the Resource Management Agency.
- D. The current Director was appointed Road Commissioner by the Board of Supervisors on October 11, 1994.
- E. Following reorganization in July, 2011, the Agency was dissolved and the Roads Department and the Transit Division began reporting directly to the Board of Supervisors.

## **FINDINGS:**

- F1. Kern County is the third largest county in the state and has the second largest road system with Fresno County being first.
- F2. Staffing levels are at the Base Level of 71 personnel with additional personnel added in the summer months for the upkeep of the 3,300 roads in the County.
- F3. The Kern County Roads Department is a stand alone Road Fund with \$1.5 billion in investments in the Road System.
- F4. Funding comes out of the General Fund. This year due to an increase from the gas tax, a \$10 million increase for work and development is expected.
- F5. The Kern County Roads Department is subdivided into six departments.
  - Administration / Special Projects
  - Design
  - Maintenance
  - Construction
  - Office Engineering
  - Development Review

## **COMMENTS:**

The Department continues to maintain a high level of efficiency despite budget cut-backs. As funding becomes available pending projects should continue to get the proper funding to completion. The Administration and Audit Committee commends the Kern County Roads Department for the conscientious efforts to address the needs and services of the County in a responsible fashion.

## **RECOMMENDATIONS:**

None

## **NOTES:**

The Kern County Roads Department should post a copy of this report where it will be available for public review.

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**NO RESPONSE REQUIRED**

Kern County Board of Supervisors  
Response to Grand Jury Final Report

**KERN COUNTY ROADS DEPARTMENT**

Response to Findings:

The Board of Supervisors notes that the Grand Jury's findings are substantially correct.

Response to Recommendation:

The Grand Jury provided no recommendations in the report.