

# **SPECIAL DISTRICTS COMMITTEE**

## **MISSION STATEMENT**

The Special Districts Committee of the 2013-2014 Kern County Grand Jury is responsible for reviewing and overseeing the management, performance and execution of fiscal responsibilities of all County Services Departments and Special Districts within Kern County. The Committee may make routine visits and investigate citizen complaints. After investigation and review of facts, the Committee may make recommendations for improvements. Recommendations are made to maximize efficiency and minimize waste of taxpayer funds.

## **SPECIAL DISTRICTS COMMITTEE MEMBERS:**



Patricia Golembefskie, Chair  
Marla Dike  
Elizabeth Fowler-Tavares  
Patrice Kline

# **SPECIAL DISTRICTS COMMITTEE**

## **SUMMARY OF ACTIVITIES**

The 2013-2014 Special Districts Committee has visited and written reports on:

- Arvin Community Services District
- Kern Council of Governments
- Lamont Public Utility District
- Lebec County Water District
- Muroc Hospital District (Boron)
- North of the River Recreation and Park District
- North of the River Sanitary District No. 1
- Shafter Recreation and Park District
- South Kern Cemetery District (Arvin)
- Wasco Recreation and Parks District

The Committee investigated 20 citizen complaints. Committee members also accompanied other committees on visitations to California Correctional Institution (Tehachapi), Camp Erwin Owen, North Kern State Prison (Delano), Kern Valley State Prison (Delano), A. Miriam Jamison Center, Kern Medical Center, Kern County Animal Services, City of Bakersfield Animal Care Center, Kern Regional Crime Laboratory, The Kern County Elections Board and Edwards Air Force Base. Members participated in a Criminal Indictment and attended several Board of Supervisors meetings.

Approximate investigative miles traveled by Committee: 500

# **ARVIN COMMUNITY SERVICES DISTRICT**

## **PURPOSE OF INQUIRY:**

The Special Districts Committee (Committee) of the 2013-2014 Kern County Grand Jury (Grand Jury) reviewed the Arvin Community Service District (District) operation and management pursuant to Penal Code §933.5.

## **PROCESS:**

The Committee visited the District Office located at 309 Campus Drive, Arvin, CA 93293 on September 3, 2013. The Committee interviewed the District Manager (Manager). The Manager has been employed with the District for five years and has been the Manager for three years.

## **BACKGROUND/FACTS:**

- A. It started as a small water company and later became a District.
- B. The office building was paid off three years ago and is owned by the District.
- C. The District serves approximately 3,750 customers. The City of Arvin (City) area is two miles wide. The District also serves an area known as Edmonston Acres. The District is working on a grant that would include servicing the Sunshine Property area.
- D. The District has five Board Members. There will be four seats up for election in 2014. Each member is paid \$100.00 per meeting.
- E. The monthly meetings are held on the second Tuesday of each month. The agenda is posted on two sides of the District Office window. If the meeting has to be moved to Vista Hall agendas will be posted in additional places.
- F. The District has eight employees including a Manager, five Field Employees and two Office Staff.
- G. The District budget is approximately \$2,000,000.00 from revenue collected from customers each month.
- H. Residents pay an \$11.00 base rate monthly. Others pay \$1.25 per 100 cubic feet of water. The Manager stated the District would like to increase the base rate fees and adjust the fee per 100 cubic feet of water.

- I. The connection fee is \$4,160.00 if the customer has the work done. An additional \$1,200.00 is charged if the District does the connection.
- J. The City of Arvin recently drilled a new well to meet the new water demand created by a school and an apartment complex. The District is looking forward to working with new businesses coming to town.
- K. The District takes samples of all ground water wells monthly. Samples of the system are done weekly and sent to BC Labs for testing. Currently only one well has high nitrates and is used for non-potable construction water.
- L. The Manager is evaluated by the Board annually. The Manager does regular evaluations on inside employees and the Field Foreman does the evaluations on outside employees with the Manager's assistance.
- M. The Office keeps a \$750.00 petty cash account. The Manager is the only one charged with handling the account.
- N. The District accepts payments of cash, check or money order.
- O. When payments are made, they are recorded and copied. A printout is made, reviewed and the money is deposited by the Manager. The Manager gives the printout back to the accountant for review.
- P. All checks require two signatures, the Manager and a Board Member. The Manager has a limit of \$30,000.00 without Board approval. This keeps late fees from being incurred if the Manager were to wait until the next Board meeting to pay a regular bill such as a utility bill.
- Q. All payroll checks are issued by the Manager. Quarterly taxes are done by the District's CPA consultant.
- R. There was a problem under the previous Manager. The current Manager took the information to the District's Legal Counsel, then to the City Police. The matter was resolved as per the District's personnel policy.

## **FINDINGS:**

- F1. The District has legal counsel at all Board Meetings.
- F2. Only one Board Member has water experience and previously worked for the Water District.
- F3. The District does not have a current Policy and Procedures Manual. The Manager has recently written one and is waiting for Board approval.



- F4. The Board is current in Ethics Training.
- F5. No one is certified in Sexual Harassment Training or Brown Act Training.
- F6. The District is getting the Outside Staff certified in CPR. Once completed Office Staff will also be certified.
- F7. The District currently is without a nepotism policy. Presently there are no relatives working for the District. The Board has discussed the issue but has never established a policy.
- F8. The District needs more potable water.
- F9. Meetings usually have a small crowd with only three people in attendance at the last three meetings.
- F10. The District would like to increase the area of distribution but the City fees are too high for new customers coming into the District.

### **COMMENTS:**

The Committee would like to thank the District for taking the time for the interview. The new Manager has implemented several changes and the District is moving in the right direction.

### **RECOMMENDATIONS:**

- R1. The Board Members should gain more knowledge about the water business. (Finding 2)
- R2. All Members of the Board should have Ethics, Sexual Harassment and Brown Act Training. (Finding 5)
- R3. Find ways to increase funding to change non-potable water into potable water. (Finding 8)

### **NOTES:**

The Arvin Community Services District 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).

**RESPONSE REQUIRED WITHIN 90 DAYS TO:**

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

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

# ARVIN COMMUNITY SERVICES DISTRICT

309 CAMPUS DR. • ARVIN, CALIFORNIA 93203  
Phone (661) 854-2127 • Fax (661) 854-8230

May 21, 2014

Subject: 2013-2014 Kern County Grand Jury Report

Dear Mahlon L. Keel, Foreman,

This letter is in response on behalf of the Arvin Community Services District to the findings and recommendations made on the Kern County Grand Jury Report.

The District's comments on the Findings are as follows; on item F3, as of the date of this letter, the District has adopted a Policy and Procedures Manual and are currently updating some of the policies. On item F7, the Board is in the process of adding a nepotism policy to the Manual. On item F10, the District would like to increase the water capacity and meet any demand requested from any new development that may want to come into the City.

The District's comments on the Recommendations given are as follows; the Board has passed by vote to allow each Board member to expand their knowledge and be compensated for any classes or seminars that are related to the District. Whether it be a Board Director class such as the Brown Act, to Water Distribution Classes. The District is involved in two grants at this time from Prop 84. One is the Arsenic Mitigation Project that will help replace the current Water Wells to provide an arsenic level that meets state standards. The second project is the Son-Shine Consolidation Project that will help a small community connect their



water supply to the District's water system. This will not only help the new community but also supply the District with more potable water supply.

If you have any questions please contact me at (661) 854-2127.

Sincerely,

A handwritten signature in blue ink, appearing to be 'FP' or similar initials, written in a cursive style.

Fernando Pantoja  
General Manager

# **GOLDEN EMPIRE TRANSIT DISTRICT**

## **PURPOSE OF INQUIRY:**

The Special Districts Committee (Committee) of the 2013-2014 Kern County Grand Jury (Grand Jury) reviewed the Golden Empire Transit District (GET) operation and management pursuant to California Penal Code §933.5.

## **PROCESS:**

The Committee members obtained background information from the District by:

- Survey mailed to the District's General Manager (GM.)
- Committee visit to the office and yard on Golden State Avenue.
- Interviews with Chief Executive Officer, Deputy Chief Executive Officer and Marketing and Business Development Manager.

## **BACKGROUND/FACTS:**

The District Office is located at 1830 Golden State Avenue, Bakersfield, CA. The District was formed in 1972. Voters within the proposed transit district boundaries approved the formation of the District by a two to one margin. A Board of Directors was appointed in September, 1972. In 1973 the District started operations and was named the Golden Empire Transit District (GET).

Over the next five years GET acquired 25 air conditioned buses, established 300 stops and developed a new system of routes. Ridership increased 167%. The base fare was 25 cents.

In November 1979 GET initiated a curb-to-curb service called GET-A-Lift. GET-A-Lift provides service to customers unable to use the fixed route due to disabilities.

In an effort to improve air quality GET purchased the first compressed natural gas (CNG) buses in 1998. In addition a CNG fueling station was built at GET. By March 2006, GET's entire fleet of buses was converted to compressed natural gas.

Today GET has a fleet of 88 CNG buses equipped with wheelchair lifts and bike racks. GET services 16 routes, seven days a week. More than six million passengers are transported each year on the fixed bus routes. In addition GET operates 19 CNG GET-A-Lift buses.

1. The District's Mission Statement is "*Golden Empire Transit District's mission is to consistently provide safe, accessible, reliable, and affordable public transportation to diverse customers in the greater Bakersfield area.*"

2. GET is governed by a board of five directors. The Kern County Board of Supervisors and the Bakersfield City Council appoint two members each. The fifth member is appointed by a majority vote of the other four members.
3. GET is celebrating the Districts 40<sup>th</sup> anniversary this year.
4. GET buses are fueled with CNG. CNG is a fossil fuel substitute which is environmentally cleaner than gasoline, diesel and propane. One person switching to public transit can reduce daily carbon emissions by 20 pounds or more than 4,800 pounds in a year.
5. GET offers three types of fares:
  - Regular Fares include: Single Ride, Day Pass or 31 Day Pass available. Single Ride is good for one ride. The Day Pass allows the customer to ride all day. The 31 day passes gives the customer unlimited rides for 31 consecutive days.
  - Reduced Fare: Customers 65 and older and customers with qualifying disabilities.
  - Children: Children five years and younger ride free when accompanied by a fare paying passenger (maximum of five children per passenger).
6. GET services 16 routes, seven days a week. In October 2012 GET implemented a new system of routes designed to provide more efficient service.
7. More than 23,000 customers ride daily and 7.2 million customers a year use the bus as a means of transportation, traveling approximately 4.2 million miles a year.
8. In an effort to promote literacy among young children in the community, GET launched the Reading Express, an on board library program. The program is geared towards children, aged infant to 3<sup>rd</sup> grade and will encourage early literacy. Forty one of the GET buses have been stocked with a selection of books for the children to read while riding the bus.
  - If interested in donating books to The Reading Express, either as a onetime donation, an on-going basis or if your business is interested in a donation box contact GET at (661) 324-9874.
9. The buses use approximately 60,000 gallons of fuel yearly and get about 2.7 miles for each gallon of fuel.
10. Only service animals are allowed on the bus, unless transported in a cage.
11. Free wireless internet service is available from GET at all terminals and at the main office.
12. GET Quick Facts:
  - District Population      473,348

- District Size                    160 Square Miles
- Number of Employees    330
- Operating Budget            \$25.2 Million (2012-2013)
- Capital budget                \$2.6 Million (2012-2013)

13. GET has three transit stations, Downtown Bakersfield at 22<sup>nd</sup> and Chester Avenue, South West Transit at Ming Avenue and Wible Road and the newest one located at Bakersfield College on Panorama.

- There are Security Officers located at the three transit stations from 6:00 AM to 11:00 PM. Officers are not allowed to carry guns, and are armed only with pepper spray.

14. Advertising on the buses is done through Lamar Transportation Advertising in Fresno, CA. The company applies the ads and does the contracting with the businesses. GET receives a percentage of the income generated from the ads.

## **FINDINGS:**

F1. GET's most frequent customer complaint is buses running late. By the end of 2013 the public will be able to access current bus location information on a smart phone. The public will be able to find information on Facebook, Twitter and the GET web site: [www.getbus.org](http://www.getbus.org).

F2. GET hopes in the future to have a designated Transit Station located at Cal State Bakersfield.

F3. The City of Bakersfield and the County of Kern are responsible for making the bus stops handicap accessible.

F4. The most popular and crowded are Routes 21 and 22.

F5. There are no plans for the buses to run 24 hours a day because GET must make a 20% required fare recovery to make it financially worthwhile.

## **COMMENTS:**

The 2013-2014 Kern County Grand Jury appreciates the cooperation of the District staff in the preparation of this report. The Grand Jury commends the District on the pride of ownership taken in the District.

## **RECOMMENDATIONS:**

R1. GET should work with the City of Bakersfield and the County of Kern in establishing handicap access at all bus stops. (Finding 3)

R2. GET should look into adding another bus to routes 21 and 22 to help with the overcrowding on these routes. (Finding 4)

**NOTES:**

The Golden Empire Transit District 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).

**RESPONSE REQUIRED WITHIN 90 DAYS TO:**

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

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





November 5, 2013

Presiding Judge  
Kern County Superior Court  
1415 Truxton Avenue, 2<sup>nd</sup> Floor  
Bakersfield, CA 93301

Subject: Grand Jury Final Report Concerning Golden Empire Transit District

Dear Presiding Judge:

On October 17, 2013 Golden Empire Transit District (GET) received a Grand Jury Final Report prepared by the Special Districts Committee of the 2013-2014 Kern County Grand Jury regarding Golden Empire Transit District operations and management pursuant to California Penal Code Section 933.5. This letter is in response to that report, as directed by that report.

In reference to the report's finding our response is as follows:

F1. GET's most frequent customer complaint is buses running late. GET utilizes "clock face" schedules which means buses are scheduled to arrive at the same time after the hour every hour of the day. This is done for the ease of remembering schedules. However, at certain times of the day such as peak traffic times, buses have difficulty staying on schedule in traffic-congested areas or when passenger loads are high. GET is currently in the process of installing an Automated Vehicle Location (AVL) system which will allow us to provide real time information about when a bus can be expected to arrive at any bus stop. When that system is fully operational, customers will be able to access real time arrival data via their smart phones, computers or by telephone rather than relying on schedule data which reflects average travel times. Currently, bus schedule information is available in print and on the District's website.

F2. GET and CSUB have jointly filed applications for funding with the Kern Council of Governments (KernCOG) and the San Joaquin Air Pollution Control District (APCD) for a new transit center to be built on the CSUB campus. We are presently awaiting notification regarding award of the grants.

F3. The KernCOG Board recently awarded \$600,000 to build curb cut-outs and sidewalk installation for Golden Empire Transit District's bus stops throughout metro Bakersfield and County locations. Construction will commence in 2014.

F4. Routes 21 and 22 are cross-town routes that serve major travel corridors and are indeed our most popular routes along with Route 81 that runs from Valley Plaza to Bakersfield College via downtown.

F5. Ridership on GET's buses peaks in the late afternoon and then drops off in the evening hours. Running more service in the evening or later than the current 11:00 p.m. is not economically feasible within GET's budgetary constraints.

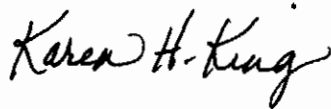
Regarding the report's recommendations our response is:

R1. With the approval of the funding for bus stop improvements described in F3 above, GET will be coordinating with the City of Bakersfield and the County of Kern to improve handicap access to GET bus stops. Improvements in the County area will be more extensive and costly as many streets where GET buses operate lack curbs and gutters and sidewalks.

R2. Beginning October 6, 2013 additional buses were added to the Routes 21 and 22 to allow for more running and recovery time thereby improving on-time performance and addressing overcrowding on these routes. Immediate improvement in both routes' performance has been witnessed.

Thank you for the opportunity to respond to the Grand Jury's report. Copies of the report and this response have been posted the GET's website [www.getbus.org](http://www.getbus.org). We always welcome review of our service and opportunities to make improvements whenever possible. Should you have any questions or need additional information please contact Gina Hayden, Manager of Marketing and Business Development, at [ghayden@getbus.org](mailto:ghayden@getbus.org).

Sincerely,



Karen H. King  
Chief Executive Officer

cc: GET Board of Directors  
✓ Foreperson, Kern County Grand Jury

# **KERN COUNTY FIRE COMPANY 58 PINE MOUNTAIN CLUB**

## **PURPOSE OF INQUIRY:**

Pursuant to California Penal Code §925, the 2013-2014 Kern County Grand Jury Special Districts Committee (Committee) has the authority to investigate and report on Fire Services in Kern County.

## **PROCESS:**

The Committee was given an extensive tour of the new firehouse in Pine Mountain Club by a Kern County General Services Division Liaison, a Fire Department Captain and the General Contractor. The Committee received a detailed explanation of the station blueprints as well as a tour of the property.

## **FACTS:**

Since the 1970s the firehouse in Pine Mountain Club has been a pre-fabricated "train car" style building, with very limited space. Several years ago the firehouse was condemned due to mold, and the firemen had to move to a rented house directly across the street. After many years in the rented house, a new fire station was designed specifically for the Pine Mountain Club area's needs and is nearing completion. The new building is due to open officially in July 2014. The Pine Mountain Club firefighters are finally getting a firehouse worthy of them.

## **FINDINGS:**

- F1. The new firehouse is a beautiful Arts and Crafts style green and tan structure. The wood and river-stone exterior blends well with the rustic and pine treed surroundings. The structure includes a large kitchen, living room, weight room, four bedrooms with private baths, and a separate captain's room also with bath. An attached three story engine bay and a separate vehicle wash bay are designed in such a way that the vehicles entering and leaving the property do not have to back up.
- F2. The new firehouse will have a staff of three on duty but can handle a staff of nine.
- F3. In the event of an emergency, expansive floor space can be used to accommodate up to 400 firefighters.
- F4. A "Tiger Tower" will be installed to make washing and drying fire hoses easier.



- F5. The grand opening will be celebrated July 12, 2014, and the entire community is invited.
- F6. The fire station will be staffed and fully operational by August 2014.

**COMMENTS:**

The Committee wishes to thank the Kern County Fire Department, the Fire Captain and the General Services Liaison for their generous hospitality and willingness to allow the Committee the privilege of previewing a lovely new addition to the Kern County Fire Department's Family.

**RECOMMENDATIONS:**

None

**NOTES:**

The Kern County Fire 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), click on: Sign up for early releases.

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

**NO RESPONSE REQUIRED**



# LAMONT PUBLIC UTILITIES DISTRICT

## PURPOSE OF INQUIRY:

The Special Districts Committee (Committee) of the 2013-2014 Kern County Grand Jury (Grand Jury) reviewed the Lamont Public Utilities District (District) pursuant to Penal Code §933.5 after noting the District had not been visited since the 2006-2007 Grand Jury.

## PROCESS:

After numerous complaints, the Committee reviewed the most recent Grand Jury report and District Response from 2006-2007, visited the District website, attended the May 1, 2014, Board Meeting at the District Office, 8624 Segrue Road, Lamont, CA 93241 and on May 6, 2014, interviewed the District Manager (DM), Office Manager (OM), Financial Consultant (Consultant) and Lamont residents. The Committee also spoke with a previous Interim Manager.

## FACTS:

The District was established November 3, 1943. Its mission is *"To provide safe and reliable water and sewer service to our customers in an efficient and responsible manner; and at fair and reasonable prices with courteous, timely and responsive customer service."* The District also serves as liaison with Pacific Gas and Electric (PG&E) for the 400 street lights in the unincorporated areas of Lamont and Weedpatch.

The District has gone through a series of interim managers since the services of Southwest Water were terminated in 2007. The company had been running the daily operations with its own employees. The OM stayed on as a District employee. The current DM was a consulting engineer for the District for two years before becoming DM in July 2013. The Consultant was brought in to expedite the audits and help the new DM bring the District up to date on all mandated requirements.

- A. The District is governed by a five person Board of Directors (Directors) elected to four year terms. Board Meetings are held at the District Office at 6 pm the fourth Monday of each month. The Directors are paid \$100 per meeting and are current with all mandated training.
- B. Meeting agendas are posted according to Brown Act requirements outside the District Office and on the District website [www.lpud.org](http://www.lpud.org).
- C. The most recent approved audits are for Fiscal Years (FY) 2009 – 2010 and 2010 - 2011. More recent audits are still being completed by the District's Consultant.



- D. Although PG&E owns, operates and maintains the street lights in Lamont and Weedpatch, residents can report damaged or malfunctioning street lights to the District.
- E. The District has approximately 3,200 customers in the Lamont and Weedpatch communities. Many are of lower socio-economic level.
- F. Both the DM and OM stated that water meters are read manually every month; often workers have to clear away weeds and dirt to see the meters.
- G. The District operates a primary level Waste Water Treatment Plant at the corner of Wildman Road and East Bear Mountain Road. The treated waste effluent is disposed of on District owned land; the majority is used for farming and composting by Community Recycling & Resource Recovery.
- H. The District is developing Well #19 with the help of a \$2.9 million grant. The water will be mixed with other wells' water to help lower the amount of naturally occurring arsenic in drinking water.
- I. Water samples from District wells are taken and analyzed weekly.

## **FINDINGS:**

- F1. Financial audits are lagging behind actual FY budgets causing some uncertainty in District finances. District administration costs appear to be high compared to comparable districts.
- F2. The District maintains at least seven bank accounts, down from 15 previously. The DM and Consultant are continuing to consolidate accounts.
- F3. The DM is working to update the vehicle use policy.
- F4. Board Meeting Agendas are available on line in both English and Spanish. Minutes from previous meetings are not available on line nor are Board packet documents.
- F5. The District phone number is prominently displayed on the website home page. The only employee email address listed on the website is for the OM.
- F6. The District Office is an old building in need of renovation or demolition. A recent asbestos inspection by an independent firm found numerous locations in the building containing asbestos. Any repair work or even cleaning could disturb the asbestos. Until the asbestos is mitigated, the Office is not a safe work environment.



- F7. Two clerks work in an unsecured area behind a counter. The Committee observed customers paying utility bills in cash.
- F8. Security cameras with night vision are in use around the District Office perimeter. The recordings are kept for approximately two weeks.
- F9. At the Board Meeting of May 1, 2014, public comment included statements that meters were not being read monthly and were still covered with weeds and dirt even after supposedly being read.
- F10. The District spends between \$4,000 and \$7,000 a month on attorney fees. The attorney is present at Board Meetings.
- F11. The District acknowledges a problem with many unmetered residential units in its service area. The Board and DM are working on ways to meter all units.
- F12. The majority of District customers are Spanish speaking; neither the DM nor OM speaks Spanish, causing communication problems and misunderstandings.

## **COMMENTS:**

The Committee thanks the District Manager, Office Manager and Consultant for their cooperation and information. The District finances appear to be heading in a positive direction but still have a long way to go to become a well-run public entity. The Directors and District Manager are making a concerted effort to get the District on sound financial footing.

## **RECOMMENDATIONS:**

- R1. Cash receipts must be kept in a secured locked area. (Finding 7)
- R2. The District needs a new office. Property is available at the current location. The new office should include a meeting room, offices for the DM and OM and secure workspaces for the clerks. A drive through payment window for customer convenience and clerk safety should also be seriously considered. (Findings 7 and 8)
- R3. The District website can be improved by adding sections for Board Meeting minutes and Board packets. Many other small utility districts are already including this information on line. The website also needs links to all Directors and the DM, as well as community information. (Findings 6 and 7)
- R4. The District should continue to consolidate bank accounts and update audits as soon as feasible. (Findings 1 and 2)



- R5. Directors should compare employee salaries to similar sized districts and pay employees according to current job assignment. (Finding 1)
- R6. The DM should continue to update the District Policy and Procedures Manual. (Finding 3)
- R7. Meter readings should be monitored to insure accuracy of readings and billings. (Findings 7 and 9)
- R8. The District needs to communicate with the community. Any plans to get metered water to every residential unit should include community input. Better communications will benefit everyone. (Findings 12 and 13)

**NOTES:**

The Lamont Public Utility District 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), click on: Sign up for early releases.

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

**RESPONSE REQUIRED WITHIN 90 DAYS TO:**

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

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



Lamont Public Utility District  
8624 Segrue Road Lamont, CA 93241  
Phone (661)845-1213 Fax (661)845-4436

August 25, 2014

Presiding Judge  
Kern County Superior Court  
1415 Truxtun Avenue, 2<sup>nd</sup> Floor  
Bakersfield, CA 93301

Cc/ Foreperson  
Kern County Grand Jury  
1415 Truxtun Avenue, Suite 600  
Bakersfield, CA 93301

Pursuant to Section 933.05 of the California Penal Code, the Lamont Public Utility District hereby submits the following responses to the 2013-2014 Grand Jury Report dated June 9, 2014.

**FINDING F1:**

Financial audits are lagging behind actual FY budgets causing some uncertainty in District finances. District administration costs appear to be high compared to comparable districts.

RESPONSE F1: The District agrees that completion of several years of financial audits had fallen behind schedule. As of May, 2014, all past financial audits were completed. A comparison of the District's administration costs has been made to other similar utility service providers. It was found that the District's administration costs are comparable to other Special Districts and municipalities within the Central Valley that provide similar services. In addition, the District's adopted 2014-15 Annual Operating Budget includes a 10% reduction in administration costs.

**FINDING F2:**

The District maintains at least seven bank accounts, down from 15 previously. The DM and Consultant are continuing to consolidate accounts.

RESPONSE F2: The District agrees with the finding. As of July, 2014, the District has completed a consolidation of its bank accounts to simplify the manageability of the District's finances. The District's fifteen accounts has now been reduced to six.

**FINDING F3:**

The DM is working to update the vehicle use policy.

RESPONSE F3: The District agrees with this finding. An update of the District's *Use of District Vehicles and Equipment* Policy was adopted by the Board of Directors on May 1, 2014.

**FINDING F4:**

Board Meeting Agendas are available on line in both English and Spanish. Minutes from



previous meetings are not available on line nor are Board packet documents.

RESPONSE F4: The District agrees with this finding. The District posts agendas for board meetings on the District website in accordance with the Ralph M. Brown Act. As of June, 2014, approved board meeting minutes are now also available on the District's website. Unfortunately, due to their size, board meeting agenda packets are not available for viewing on the District's website. A full copy of each board meeting agenda packet is available upon request for viewing by the public at the District's office 72-hours in advance of the scheduled board meeting.

**FINDING F5:**

The District phone number is prominently displayed on the website home page. The only employee email address listed on the website is for the OM.

RESPONSE F5: The District agrees with this finding. The office manager is the designated point of contact from email inquiries received via the District's website.

**FINDING F6:**

The District Office is an old building in need of renovation or demolition. A recent asbestos inspection by an independent firm found numerous locations in the building containing asbestos. Any repair work or even cleaning could disturb the asbestos. Until the asbestos is mitigated, the Office is not a safe work environment.

RESPONSE F6: The District agrees with this finding. The District's existing office building is over 60 years old and is in need of renovation or replacement. Testing performed in 2012 did indicate the presence of asbestos in several different areas of the building. The presence of asbestos in the building poses a health risk for not only the employees but the public as well. In the near future, the District will be looking into what options it has to address this health risk, whether it be removal of the asbestos and renovation of the existing office or a complete replacement of the District office building with a new office building.

**FINDING F7:**

Two clerks work in an unsecured area behind a counter. The Committee observed customers paying utility bills in cash.

RESPONSE F7: The District agrees with the finding. The District has two billing clerks that process cash payments on a daily basis. Frequent cash drops are made throughout the day to help minimize the amount of cash accumulating in the cash drawers. The presence of cash in the office lends itself to an increased probability of theft. In addition, the layout or design of the existing building provides little to no separation between the office staff, including the billing clerks, and the public. The combination of a large amount of cash and complete accessibility to the entire office is one combination that should be avoided. Consideration will be given to this concern when the District begins looking into the options of whether to renovate the existing office building or replace it with a new office building.



**FINDING F8:**

Security cameras with night vision are in use around the District Office perimeter. The recordings are kept for approximately two weeks.

RESPONSE F8: The District agrees with this finding. It is looking into maintaining recordings for a long period of time.

**FINDING F9:**

At the Board Meeting of May 1, 2014, public comment included statements that meters were not being read monthly and were still covered with weeds and dirt even after supposedly being read.

RESPONSE F9: The District agrees that the statement was made at its May 1, 2014 board meeting. However the District disagrees that the meters are not being read. All water meters are read by District staff monthly. Only after several failed attempts to contact a property owner to gain access to their property for the sole purpose of reading their water meter, would the monthly water usage for a particular property be estimated. If contact is unsuccessful, the monthly water usage is estimated based on the same month of the previous year. Estimating water usage is a very rare occurrence and typically does not happen.

**FINDING F10:**

The District spends between \$4,000 and \$7,000 a month on attorney fees. The attorney is present at Board Meetings.

RESPONSE F10: The District agrees that the District's attorney is present at all Board meetings, and rightfully so. It is important to have District counsel present during board meetings to address legal issues that may arise. The District is involved in a number of different litigations and pays for the necessary legal services being provided.

**FINDING F11:**

The District acknowledges a problem with many unmetered residential units in its service area. The Board and OM are working on ways to meter all units.

RESPONSE F11: The District disagrees with this finding. The District is in the process of installing water meters on every water service. As of July, 2014, the District has five water services that remain unmetered. The District expects to have all of its water services metered by September 2014.

**FINDING F12:**

The majority of District customers are Spanish speaking; neither the DM nor OM speaks Spanish, causing communication problems and misunderstandings.

RESPONSE F12: The District agrees that many of the District's customers are Spanish speaking, but many are English speaking as well. Five out of the District's ten employees speak both English and Spanish fluently. The District's bilingual Staff members are always available to translate for the DM and OM should it be needed. The DM and the OM do not and have not had communication problems and/or any misunderstandings with customers as a result of the suggested language barrier. Nearly all of the District's written communications with customers is presented in both English



and Spanish. In addition, an interpreter is present at every District board meeting.

**RECOMMENDATION R1:** Cash receipts must be kept in a secured locked area. (Finding 7)

RESPONSE R1: Cash receipts are kept at a minimum in the billing clerk's cash drawers. Safe drops are routinely made throughout the day as cash accumulates in the cash drawers. All cash collected throughout each day is kept in a safe and deposited at the bank every other day. The District agrees that a secured work area behind the counter is essential to ensure the safety of the District's staff. The District has included in its 2014-15 annual budget a capital project to address needed improvements to the District Office, which will include among other needed improvements, the addition of a secured work area for all District staff.

**RECOMMENDATION R2:** The District needs a new office. Property is available at the current location. The new office should include a meeting room, offices for the DM and OM and secure workspaces for the clerks. A drive through payment window for customer convenience and clerk safety should also be seriously considered. (Findings 7 and 8)

RESPONSE R2: The District's has included in its adopted 2014-15 annual budget a capital project that will address needed improvements/changes to the District office. Additional security, larger meeting space, additional offices and a drive thru payment window are just a few of the possible improvements/changes that are being considered. In addition, the presence of asbestos within the District office is a serious concern for both District employees and District customers/visitors and its removal will be a top priority in the District's pursuit of this project. The District agrees that the District office is not currently a safe work environment.

**RECOMMENDATION R3:** The District website can be improved by adding sections for Board Meeting minutes and Board packets. Many other small utility districts are already including this information on line. The website also needs links to all Directors and the DM, as well as community information. (Findings 6 and 7)

RESPONSE R3: As of May 6, 2014, all approved board meeting minutes are available on the District's website. In addition, Board meeting agendas are also posted outside the District's office and on the District's website in both English and Spanish in accordance with the Ralph M. Brown Act. Board meeting packets have been considered for inclusion on the District's website but due to their size, only hard copies will be available for viewing by the public 72 hours prior to, during and after each board meeting.

**RECOMMENDATION R4:** The District should continue to consolidate bank accounts and update audits as soon as feasible. (Findings 1 and 2)

RESPONSE R4: As of July, 2014, the District has completed a consolidation of its bank accounts to simply the manageability of the District's finances. The District's fifteen



accounts has now been reduced to six. As of May, 2014, the District has completed the auditing process for all past auditing periods. The District agrees that financial audits may have lagged behind fiscal year budgets in the past, but currently the District is on schedule to have the 2013-14 audited financial completed on scheduled. The District continues to make significant improvements with the tracking and managing of the District's finances.

**RECOMMENDATION R5:** Directors should compare employee salaries to similar sized districts and pay employees according to current job assignment. (Finding 1)

RESPONSE R5: The District has analyzed District employee salaries and compared them to that of other Districts of a similar size and nature. Employee salaries and benefits have also been compared to the Special District Administrative Salary & Benefits Survey published by California Special Districts Association. The District employee salaries have been determined to be within the typical range for employees performing similar job duties. Paying employees an amount comparable to similar positions at other Special Districts and neighboring municipalities is a key part of retaining qualified and knowledgeable employees. Having qualified employees will ultimately improve the operation of the District and save money in the long run.

**RECOMMENDATION R6:** The DM should continue to update the District Policy and Procedures Manual. (Finding 3)

RESPONSE R6: Establishing and updating District policies and procedure is an ongoing process for the District. Within the past twelve months, many of the District's policies and procedures have been updated. The District is currently working on updating the employee personnel policies and hopes to have this complete within the next several months.

**RECOMMENDATION R7:** Meter readings should be monitored to insure accuracy of readings and billings. (Findings 7 and 9)

RESPONSE R7: All water meters are read by staff monthly. Only after several failed attempts to contact a property owner to gain access to their property for the sole purpose of reading their water meter, would the monthly water usage for a particular property be estimated. The meter reading process is continuously monitored by management.

**RECOMMENDATION R8:** The District needs to communicate with the community. Any plans to get metered water to every residential unit should include community input. Better communications will benefit everyone. (Findings 12 and 13)


RESPONSE R8: The District has always welcomed open communication with all members of the public. Language is not a barrier. Five out of the District's ten employees speak both English and Spanish fluently, translating when necessary. The District also provides translation at all board meetings and workshops, and a website is



in both English and Spanish. Important documentation such as meeting agendas are translated and made available to the public.

The District has been installing water meters throughout the District since 2001. Only five properties remain unmetered. Installing water meters is not a District choice, it is a State mandated requirement and not a community decision. The District is coordinating this work and expects to have all properties metered by September, 2014.


Respectfully,



---

Daniel Portillo, Board President  
Lamont Public Utility District

Attest:



---

Nicholas Turner, General Manager  
Lamont Public Utility District

# MUROC HOSPITAL DISTRICT

## **PREFACE:**

The Special Districts Committee (Committee) of the 2013-2014 Kern County Grand Jury (Grand Jury) visited the Muroc Hospital District (MHD) on August 26, 2013. The four Members of the Committee and one other Grand Jury Member were present. Also present were the President, Secretary and one other Member of the MHD Board of Directors (Board). All three of the Board Members present were born and raised in Boron.

## **PURPOSE OF INQUIRY:**

The Committee visited the District to inquire into information currently available and the efficiency of medical services for citizens of the community under Penal Code §933.5.

## **PROCESS:**

Before the visit the Committee reviewed the survey received on August 5, 2013. The Committee also had telephone conversations with the District President.

## **BACKGROUND:**

The Hospital was originally known as *Citizen's Hospital of Boron* located at 12500 Boron Avenue, Boron, CA. 93569. The Hospital was built in the 1960s and closed in 1972. Clinics were held in the former hospital building providing limited services for the local population. The District was formed in 1995 and encompasses Boron and communities of North Edwards and Desert Lakes. Approximately 2,500 people reside in the service area. Demographics show approximately 1/3 employed, 1/3 senior citizens on Medicare and 1/3 on government assistance with Medi-Cal including approximately 450 children in the District. The last time either building was used for medical purposes was in 2011. The Doctor was contracted through High Desert Medical Group in Lancaster, CA. The Doctor did not see children or Medi-Cal patients through the clinic and still had more patients than he could accommodate. The Board has been actively seeking a doctor to work at the Hospital but due to the "out of the way location of Boron," efforts have been unsuccessful.

*"The mission of Muroc Hospital District is to provide health services to the communities within our district. This will include: providing the preservation and care facilities owned by the district, trying to locate doctors who will provide services within the district, and an ambulance for transportation to hospitals near our district."*

## **FACTS:**

- A. The District has five Board Members elected for three year terms and receive no compensation.
- B. The District receives 2% of the property tax from Boron, Desert Lake and North Edwards amounting to approximately \$100,000.00 per year. The money is spent only for necessities and building expenses. The District is audited yearly however, a budget is not proposed until the District receives the tax money for the year.
- C. The District owns the ambulance which is contracted out to Hall Ambulance. The ambulance is replaced every five years or 200,000 miles and at that time the contract is updated and renewed. Along with providing the ambulance, the District provides living quarters and electricity for a Paramedic and an Emergency Medical Technician (EMT).
- D. A new ambulance was purchased in 2013 for approximately \$90,000.00. The old ambulances are put up for sale. The District advertises the ambulance in The Commercial Truck Trader and the Mojave Desert News for sealed bids. The last ambulance was sold in 2009 to Hall Ambulance for \$7,500.00.

## **FINDINGS:**

- F1. The District owns two buildings. One formerly housed the Hospital and the other is a duplex in front of the Hospital. Each building has been renovated to be used as medical clinics. The former Hospital building has three exam rooms, a labor and delivery room, a nursery and a waiting room. The building also has an x-ray room, an ultra-sound machine, bone density machine, two surgical rooms and a pharmacy room. A room has been set up for designated staff to stay overnight and includes a bed, television, cable, internet hookups and private bath with shower.
- F2. The second building houses Hall Ambulance employees on one side and a clinic with three exam rooms and a waiting room on the other side.
- F3. Both buildings have an office for a Doctor, a reception area and abundant space to store patient files.
- F4. The buildings were recently upgraded with new paint, new exam beds and modern medical sinks and faucets.
- F5. The Board has actively been searching for a Doctor but is very limited on resources for searches.



- F6. The Board spends as little as possible in order to have enough money to hire a doctor at the projected cost of \$60,000.00 per year.
- F7. Hall Ambulance equips, staffs and maintains the ambulance. Hall Ambulance also provides the fuel and is dispatched through Hall Ambulance's Central Dispatch System. Hall Ambulance also has contracts with Rosamond, Mojave, California City and Tehachapi and tries to keep an ambulance in each area to keep response time down. If the ambulance from Boron gets called out Hall Ambulance will dispatch one from California City or other out posts to cover Boron in case of an emergency.
- F8. A patient needing to be taken to a hospital is usually transported to either Lancaster or Barstow. Both hospitals are approximately an hour away.
- F9. Hall Ambulance provides the District with a monthly log of all calls and records of all maintenance, fuel, supplies and safety inspections.
- F10. The District holds Board Meetings on the fourth Thursday of each month at 6:00 pm in the Clinic Office.
- F11. The current agenda and minutes of previous meetings are posted at the credit union and the grocery store located in Boron.
- F12. The District does not have a Policy and Procedures Manual.
- F13. The District does not have a website.
- F14. The Board is not up to date on Ethics, Sexual Harassment and Brown Act Training.
- F15. Boron does not have a pharmacy.
- F16. Boron does have one dentist.

### **COMMENTS:**

The Committee would like to thank the Board for the meeting and providing a tour of both buildings.

### **RECOMMENDATIONS:**

- R1. The Board needs to broaden the search for medical professionals.
- Create and maintain an active website listing needs and what the position has to offer.
  - Consider hiring a professional recruiting agency to help in the search.

- Look into the newly signed bill AB506 and how it can assist the Board in the search. The Bill allows “any newly graduated physicians *to have up to \$105,000.00 of their medical school loans forgiven if they agree to practice in one of the state’s underserved areas for three years...*” (Findings 4, 5, 6 and 10)
- R2. The District should create and implement a Policy and Procedures Manual and an updated Mission Statement. (Findings 12, 13)
- R3. The Board should all become current on Ethics, Sexual Harassment and Brown Act training. (Finding 15)
- R4. The District should post minutes and agenda of meetings in the communities of North Edwards and Desert Lakes, as well as Boron. (Finding 11)

**NOTES:**

The Muroc Hospital District 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).

**RESPONSE REQUIRED WITHIN 90 DAYS TO:**

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

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

Kern County Grand Jury

Mahlon L. Keel, Foreman

1415 Truxtun Ave. Suite 600

Bakersfield, CA 93301

Muroc Hospital District

Karen Caillier, President

P.O. Box 408

Boron, CA 93516

To Whom It May Concern:

Thank you to the Grand Jury members for taking the time to drive to Boron and give us their input for our district. We did not receive this letter the first time and for that reason this reply is late.

Facts and Findings: this is a good description of who and what we are and what we are attempting to do. I would like to emphasize again, we not only serve our district for free, each of us spend extra time on our own to do maintenance projects to benefit the buildings and grounds.

Since our visit from the Grand Jury we have been able to find a doctor to come into Boron several days a week. He has a staff here five days a week to book appointments, and see patients. He would very much like to expand into our large building and offer more services to our area. He sees the need for our locals to have a presence closer than an hour away.

Our major concern at this point is to upgrade the larger old building to code so that he can perform more services in the community. Our funding is minimal since it is based on property taxes in our area. As you may know Boron is a depressed community.

We are in the process of creating a Policy and Procedures Manual (R2 ) and update our Mission Statement.

One of our members is researching to find a class for us to attend on Ethics, Sexual Harassment and the Brown Act training. We plan to attend a class. (R3)

We will be posting our minutes in several places throughout the district in the future. Shelley Keller-Gage has contacted some merchants within the district to get permission to post these.

Thank you for your information and willingness to help us in our effort to provide health services to the Muroc district.

Sincerely, Karen Caillier

A handwritten signature in cursive script that reads "Karen Caillier".

President, Muroc Hospital District



# **NORTH OF RIVER SANITARY DISTRICT NO. 1**

## **PURPOSE OF INQUIRY:**

The Special Districts Committee (Committee) of the 2013-2014 Kern County Grand Jury (Grand Jury) reviewed the operation and management of the North of River Sanitary District No. 1 (District) pursuant to Penal Code §933.5. The last review of the District was in 2002-2003.

## **PROCESS:**

The Committee met with the General Manager on March 13, 2014, at the District Office, 204 Universe Avenue, Bakersfield, CA 93308.

Committee members also reviewed:

- District's 2013 Financial Report
- Budgets for the past five years
- Survey responses
- Minutes of Board of Directors meetings on line
- Training certificates
- District's web site

## **BACKGROUND/FACTS:**

The District was formed in 1940 to convey, treat, and dispose of sewage for Oildale, the City of Shafter, portions of Kern County Service Area 71 and annexed parts of the City of Bakersfield.

The District's treatment plant at 78970 Seventh Standard Road currently processes approximately 5.3 Million Gallons per Day. The District is governed by a five member Board of Directors elected to four year terms. Directors meet on the third Tuesday of the month at 5:30 pm at the District office and are paid \$100 per meeting. Mandated training for Board Members is current.

The District is considering changing its fee structure and permit costs.

## **FINDINGS:**

- F1. In an effort to keep the District financially viable, Permit and Inspection Fees will increase from \$25 for unlimited inspections to \$100 for two inspections beginning April 19, 2014.
- F2. The Board passed a Resolution raising the Capacity Fee to connect to the sewer system from \$6,000 to \$6,255 as of May 22, 2014. Billing rates are based on Single Family Residence Equivalent (SFRE); alternative methods of billing are

being studied by the District with the objective of making the fee schedule simpler and more equitable for all users.

- F3. District Board Meetings are run according to Brown Act requirements. Minutes reflect cooperation between Board Members and District employees.
- F4. The District has a contract dated July 1, 2006, to sell treated waste water to Oildale Mutual Water Company. The contract is still in full force and effect.
- F5. The District has planned for continued growth in its service area and will be able to handle increased sewage volume.

### **COMMENTS:**

The Committee thanks the District's General Manager for providing requested documents and information needed to complete this report.

### **RECOMMENDATIONS:**

- R1. The District should continue to research fee schedules that will simplify the SFRE formula. (Finding 2)
- R2. Continue the collegial work environment of the District employees and Board Members. (Finding 3)

### **NOTES:**

- The District should post a copy of this report where it will be available for public review.
- Persons wishing to receive 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) .

### **RESPONSE REQUIRED IN 90 DAYS**

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

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

# NORTH OF RIVER SANITARY DISTRICT NO. 1

204 UNIVERSE AVENUE  
BAKERSFIELD, CA 93308

## DIRECTORS

GARY McKIBBIN: PRESIDENT  
STEVE RUETTIGERS: VICE PRESIDENT  
SAMUEL SCOLES  
STEVE SHOFFNER  
SANDRA MURPHY

## SECRETARY-MANAGER

LARUE GRIFFIN  
204 UNIVERSE AVENUE  
PHONE (661) 399-6411  
FAX (661) 399-2856  
E-MAIL: lgriffin@norsd.com

August 21, 2014

Honorable Colette M. Humphrey, Presiding Judge  
Kern County Superior Court  
1415 Truxtun Avenue, 2<sup>nd</sup> Floor  
Bakersfield, CA 93301

## **2013-2014 Kern County Grand Jury Report** **North of River Sanitary District Response**

The following are responses to the findings and recommendations in the 2013-2014 Kern County Grand Jury report.

### **Findings**

- F1. In an effort to keep the District financially viable, Permit and Inspection Fees will increase from \$25 for unlimited inspections to \$100 for two inspections beginning April 19, 2014.
- *NORS D agrees with the finding*
- F2. The Board passed a Resolution raising the Capacity Fee to connect to the sewer system from \$6,000 to \$6,255 as of May 22, 2014. Billing rates are based on Single Family Residence Equivalent (SFRE); alternative methods of billing are being studied by the District with the objective of making the fee schedule simpler and more equitable for all users.
- *NORS D agrees with the finding*
- F3. District Board Meetings are run according to Brown Act requirements. Minutes reflect cooperation between Board Members and District employees.
- *NORS D agrees with the finding*



F4. The District has a contract dated July 1, 2006, to sell treated waste water to Oildale Mutual Water Company. The contract is still in full force and effect.

- *NORSD agrees with the finding*

F5. The District has planned for continued growth in its service area and will be able to handle increased sewage volume.

- *NORSD agrees with the finding*

### **Recommendations**

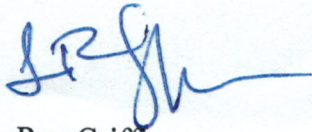
R1. The District should continue to research fee schedules that will simplify the SFRE formula. (Finding 2)

- *NORSD is researching fee schedules and is expected to complete the research within one year.*

R2. Continue the collegial work environment of the District employees and Board Members. (Finding 3)

- *NORSD will continue the collegial work environment of the District employees and Board Members.*

Sincerely,



LaRue Griffin  
District Manager

Enclosure: 2013-2014 Grand Jury Report

CC: Dennis Mike Elliott, Foreperson  
2014-2015 Kern County Grand Jury  
1415 Truxtun Avenue, Suite 600  
Bakersfield, CA 93301



# SHAFTER RECREATION AND PARK DISTRICT

## PURPOSE OF INQUIRY:

The Special Districts Committee (Committee) of the 2013-2014 Kern County Grand Jury (Jury) reviewed the Shafter Recreation and Park District (District) operation and management pursuant to California Penal Code §933.5.

## PROCESS:

Committee members obtained background about the District by:

- Reply to a survey mailed to the District's General Manager (Manager)
- Visit with the Manager at the District Office
- Review of the Policy and Procedures Manual
- Budget summary for the year 2012-2013

## BACKGROUND/FACTS:

The District Office is located at 700 East Tulare Avenue, Shafter, CA 93263. The District was formed on June 27, 1978. The District's purpose is to provide a well-rounded, wholesome program of leisure time activities for people residing in the District. The Program may be accomplished by acquisition and development of park and recreation center areas.

Present facilities and other facilities obtained at a later date, under the District's jurisdiction, are intended primarily for recreational use by the general public in conjunction with the Districts Recreation program. "District Facility" shall mean any area or building owned or operated by the District.

The Purpose of the Facilities:

- *To provide and encourage recreation for the people of the Shafter Recreation and Park District by the provisions of supervised areas.*
- *To make available to the general public, by reservation, use of the facilities for group recreational activities.*
- *To provide offices for the Shafter Recreation and Park District.*

- A. A written permit is required for all groups and individuals using District buildings or facilities regardless of the purpose. Permits may be obtained at the District office. Permits shall be issued to adults only.
- B. The use of any District facility is supported by the assessment of fees and charges to cover the cost of maintenance, utilities and operation. Any non-profit organization may make application for waiver of fees and charges.

- C. The District has agreements with the Kern High School District and the Richland School District to use the facilities for recreational use.
- D. The annual budget for the District is less than \$500,000.00.
- E. The five Board Members are not compensated for the time spent with the District.
- F. Agendas for the Board Meetings are posted at the Walker Center, District Office and the Police Department.
- G. The Board Meeting is held every third Wednesday of the month at 6:30 PM. The meeting date was changed from twice a month to once a month in June 2013. The public was notified through a posting of the agenda and in the local newspaper.

## **FINDINGS:**

- F1. The District is working with an extremely outdated Policy and Procedures Manual.
- F2. The District's web site is not functioning.
- F3. The District does not own the park.
- F4. The Manager said, "If the profit for the concession stands is about thirty percent the District is doing well."
- F5. There is no procedure in place to account for cash or inventory received or given out at concession stands.
- F6. Minutes are not posted. In order to see the minutes the public needs to come to the District Office.
- F7. The District does not have a dedicated Safety Officer.
- F8. The current working agreement with Richland School District is dated July 1, 1994. No current working agreement is on file.
- F9. The Manager and other full time Staff are not certified in CPR and First Aid.
- F10. The Manager has been employed with the District over ten years and was not aware of any working agreements with other entities.

F11.No annual performance reviews have been done for the Office Staff within the last two years.

F12.The requested response for 2012-2013 Kern County Grand Jury Report had not been received within the date required.

F13.The Manager said he had never seen the 2012-2013 Kern County Grand Jury Report.

F14.During the Board Meetings when Spanish is being spoken there is no interpreter to translate for non-Spanish speaking Board Members or the public.

F15.As of August 29, 2013, the District Manager resigned from Shafter Recreation and Park District.

### **COMMENTS:**

The 2013-2014 Kern County Grand Jury appreciates the cooperation the District gave to the Jury in writing the report. The Jury sees the need for the District Manager to be more abreast of the workings of the District, including but not limited to working agreements and policies and procedures. The report is not a reflection on the new management. The Jury looks forward to the progress the District will make with new management in resolving the above findings in the report.

### **RECOMMENDATIONS:**

- R1. Re-write and update the entire Policy and Procedures manual. (Finding 1)
- R2. Hire a web master to establish a new web site and keep updated with all current information. (Finding 2)
- R3. The District should look into expanding the park facilities. (Finding 3)
- R4. The District should establish an inventory tracking system for the concession stands. (Finding 5)
- R5. The District should have a procedure in place to account for all cash taken in at the concession stands. (Finding 5)
- R6. District Manager, Program Director and Office Manager should be trained in CPR and First Aid. (Finding 10)
- R7. The District should implement a permanent Safety Officer position. (Finding 8)

- R8. The District needs to update all working agreements with outside agencies. (Findings 8 and 10)
- R9. The Board should provide an interpreter for non-Spanish speaking members and audience at all public meetings. During closed session meetings when Spanish is spoken an interpreter needs to be present. (Finding 14)
- R10. The District Manager needs to spend more time in the office taking care of important paper work such as the 2012-2113 Kern County Grand Jury requested response and other items such as performance reviews. (Finding 13)
- R11. The District needs to aggressively advertise and recruit the best candidate to fill the vacant position of Manager. (Finding 15)

**NOTES:**

The Shafter Recreation and Park District 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).

**RESPONSE REQUIRED WITHIN 90 DAYS TO:**

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

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



May 23, 2014

Honorable Colette M. Humphrey  
1415 Truxtun Avenue  
Bakersfield, CA 93301

Mahlon L. Keel, Foreman  
2013-2014 Kern County Grand Jury  
Suite 600  
1415 Truxtun Avenue  
Bakersfield, CA 93301

RE: SHAFTER RECREATION AND PARK DISTRICT

Dear Honorable Colette M. Humphrey and Mahlon L. Keel, Foreman

Let me first introduce myself, my name is Kristen Curcio, and I am the newly appointed District Manager of the Shafter Recreation and Park District ("District"). I have been advised that the information requested was previously sent to you. However I am having difficulty locating any U.S. Postal confirmation of this. Thus, I am resubmitting the following responses. I apologize for the delay.

**FINDINGS:**

- F1. The District is working with an extremely outdated Policy and Procedures Manual.
- R1. Re-write and update the entire Policy and Procedures manual (Finding 1)

**Response:** District's counsel is in the process of updating the District's Policies and Procedures Manual. Additionally the District has entered into a Strategic Planning process with Rauch Communication Consultants, Inc. The interview dates are June 6, 2014 for interviews, June 7, 2014 for workshop #1, and June 14, 2014 for



workshop #2. A strategic plan will be developed and the outdated Policy and Procedures Manual will be updated accordingly.

F2. The District's web site is not functioning.

R2. Hire a web master to establish a new web site and keep updated with all current Information. (Finding 2)

**Response:** A web master was hired in December 2013, April 2014 and the website is up and running. Staff is updating the website weekly and the Board Secretary are updating the website with Board agendas and official minutes on a regular basis.

F3. The District does not own the park.

R3. The District should look into expanding the park facilities. (Finding 3)

**Response:** The District does not currently own a park therefore expansion does not apply.

The District is actively searching for a possible location to build a District complex in the future.

F4. The manager said, "If the profit for the concessions stands is about thirty Percent the District is doing well."

R4. The District should establish an inventory tracking system for the concession stands.

**Response:** A District Manager was hired in late April 2014 and is currently implementing new policies in regards to the concession stands inventory tracking system and will be in place as of June 15, 2014.

F5. There is no procedures in place to account for cash handling or inventory received or given out at concessions stands.

R5. The District should have a procedure in place to account for all cash taken in at the concession stands.

**Response:** The District's cash handling procedures were revised on November 2013. The District Manager is aware a cash register was purchased and steps are being taken to streamline the cash controls and cash control policies.

F6. Minutes are not posted. In order to see the minutes the public needs to come to the District Office.

R6. Unclear as to Grand Jury Recommendations.....

**Response:** The District's website is fully functional and Official Minutes are posted accordingly. A public binder is available for the public to view.

F7. The District does not have a dedicated safety officer.



R7. The District should implement a permanent safety Officer position.

The current Interim District Manager already did a staff safety meeting on November 22, 2013 for the 3<sup>rd</sup> quarter. The current District Manager has assumed the title of Safety Officer. Safety training was completed on April 25, 2014. The District Manager will be utilizing the CAPRI website for documented quarterly training for all employees.

F8. The current working agreement with the Richland School District is dated July 1, 1994. No current working agreement is on file.

R8. The District needs to update all working agreements with outside agencies. (Findings 8 and 10)

**Response:** The District has on going agreements with outside agencies. The new District Manager will be following up on this recommendation and secure working agreements with the Richland School District and other outside agencies to reach compliance for the Grand Jury report.

F9. The manager and other full time staff are not certified in CPR and First Aid. District Manager, Program Coordinator and office Manager should be trained in CPR & First Aid.

**Response:** CPR and First Aid training was completed in February 2014. Current staff is compliant with Grand Jury request.

R9. The Board should provide an interpreter for non-Spanish speaking member and audience at all public meetings During closed session meetings when Spanish is spoken an interpreter needs to be present. (Finding 14)

**Response:** The current District Manager has instructed the Board Secretary who is bi-lingual to be an interpreter when necessary. In the future, if the problem arises the District will provide an interpreter for all public meetings and closed session when necessary.

F10. The manager has been employed with the District over ten years and was not aware of any working agreements with other entities.

\*No Grand Jury recommendations

The current District Manager is familiarizing herself with all the workings of the District.

R10. The District Manager needs to spend more time in the office taking care of important paper work such as the 2012-2013 Kern County Grand Jury Requested response and other items such as performance reviews. (Finding 13)



**Response:** The previous District Manager resigned in August 2013. The Interim District Manager stated there was a response sent in January 2014 to the Grand Jury Request. The new District Manager was hired late April 2014 and will take the responsibilities of the office with the utmost seriousness to include the 2012-2013 Kern County Grand Jury Request, and staff performance reviews.

F11. No annual performance reviews have been done for the Office Staff within the last two years.

\*No Grand Jury recommendations

**Response:** Office staff is in the process of receiving performance reviews within the upcoming 90 days from the new District Manager, per Board's request.

R11. The District needs to aggressively advertise and recruit the best candidate to fill the vacant position of Manager (Finding 15)

**Response:** A new District Manager was hired in April of 2014.

F12. The requested response for the 2012-2013 Kern Grand Jury Report had not been received within the date required.

\*No Grand Jury recommendations

**Response:** The most recent request from the Grand Jury was received on May 21, 2014 and this response was developed as quickly as possible. In the future, there should not be any delay in adhering to timelines or date requested material.

F13. The manager said he had never seen the 2012-2013 Kern County Grand Jury Report.

**Response:** As the new District Manager, I have no previous knowledge to his statement. I have received the most updated request by the Grand Jury and will adhere accordingly.

F14. During the Board Meetings when Spanish is being spoken there is no interpreter to translate for non-Spanish speaking Board Members or the public.

R14. The Board should provide an interpreter for non-Spanish speaking member and audience at all public meetings. During closed session meetings when Spanish is spoken an interpreter needs to be present. (Finding 14)

**Response:** The current District Manager has instructed the Board Secretary who is bi-lingual to be an interpreter when necessary. In the future, if the problem arises the District provide an interpreter for all public meetings and closed session, when necessary.



- F15. As of August 29, 2013 the District Manager resigned from the Shafter Recreation and Park District.
- R15. The District needs to aggressively advertise and recruit the best candidate to fill the vacant position of Manager (Finding 15)

**Response:** A new District Manager was hired in April of 2014

Very Respectfully,

Kristen M. Curcio  
District Manager  
Shafter Recreation and Park District

# **SOUTH KERN CEMETERY DISTRICT**

## **PURPOSE OF INQUIRY:**

Pursuant to California Penal Code §933.5, the Special Districts Committee (Committee) of the 2013-2014 Kern County Grand Jury (Grand Jury) reviewed the operations of the South Kern Cemetery District (District) to follow up the 2012-2013 Grand Jury Report.

## **PROCESS:**

After reviewing the Grand Jury Report and District Response from 2012-2013, the Committee visited the District at 15543 Vineland Road, Bakersfield, CA 93307 on March 6, 2014. The Committee interviewed the newly hired District Manager (DM), toured the grounds and spoke with one of the groundskeepers. The Committee observed the repairs done on the main waterfall and the area where the diesel spill was noted in last year's report.

## **BACKGROUND:**

On August 26, 1957, the Kern County Board of Supervisors (BOS) established the Arvin Public Cemetery District pursuant to California Health and Safety Code §8961.2. The name was changed to South Kern Cemetery District in July 1995. Originally 4.2 acres, the cemetery now comprises 13.68 acres. The District serves a 450 square mile area from roughly White Lane in Bakersfield south to the Kern/Los Angeles County line, east to Stallion Springs and Bear Valley Springs and west to Buena Vista Road.

The first internment was held in July of 1960. As of March 1, 2014, there have been a total of 5,679 burials and 12 cremations. Sixty additional cremation niches are available. The Board of Trustees (Trustees) originally had only three members; as of 2011 the BOS increased the Trustees to five members.

## **FACTS:**

- A. The District has five employees: the DM, three groundskeepers and one administrative assistant. The current DM took office January 2014.
- B. Approximately 10 burials per month (120 per year) are conducted.
- C. The District is governed by a five member Board of Trustees appointed by the BOS for 4 year terms. The Trustees meet at 5:30 pm the third Tuesday of each month at the Arvin Public Library located at 201 Campus Drive, Arvin, CA 93203. Agendas are posted on line, at the library and on the District office wall a week before the meetings.



- D. Trustees receive \$50 per month and are compensated for travel and business related expenses.
- E. The District receives property tax revenues from assessed parcels within the boundaries of the District as apportioned by the Kern County Assessor/Controller's Office. Additional revenues are collected by at-need burials and pre-sale contracts. As of the date of the Committee's visit, the District's liquid assets were approximately \$780,000. Improvements, infrastructure and equipment are valued at approximately \$1 million.
- F. Approximately 300 gallons of diesel fuel spilled on December 17, 2012, as a result of a maintenance yard theft. The reported loss was approximately \$6,100.
- G. The District website is [www.skcd.org](http://www.skcd.org)

## **FINDINGS:**

- F1. Two Trustees' terms expired December 2013.
- F2. Policy and Procedures Manual is outdated. Policies requiring updates include: complaints against the DM or a Trustee, use of District vehicles and/or personal use of District equipment, nepotism and the amount of money the DM can spend without Trustee approval. The DM is working on a new Policy and Procedures Manual.
- F3. A previous Trustee sold land adjacent to the cemetery to the District. Three acres were leased for farming; the lease expires December 2015. Currently the District is trying to terminate the lease by returning rent checks.
- F4. The grounds look well maintained. The Committee was impressed by how expediently the crew worked after a graveside service to close the burial site and get everything moved and ready for the next service. Fresh flowers are allowed to remain on gravesites for at least a week; artificial bouquets can stay much longer, adding to the beauty and peacefulness of the Cemetery.
- F5. The remaining damage from the diesel spill was still visible at the time of the Committee's visit. The District is using up the remainder of the fuel in the storage tank. Once empty, the tank will be removed and fuel will be bought and stored in five gallon cans as needed.
- F6. Grievance procedures are **not** in place for employee complaints against the DM or a Trustee.
- F7. Improvements are being made to the District Office and grounds.



- F8. The District does **not** have any video surveillance.
- F9. The District website is updated regularly and posts complete board packets as well as agendas and minutes. The *Updates* section is particularly informative. Only one Trustee can be emailed through the website; there is no obvious way to contact the District other than a phone number.

## **COMMENTS:**

The Committee would like to thank the new District Manager for the warm welcome and time taken to answer questions and provide a tour of the property. We realize the District Manager has not been on staff very long and is working on several improvements for the District. The Grand Jury looks forward to seeing those plans go into effect.

## **RECOMMENDATIONS:**

- R1. The Board of Supervisors should appoint two Trustees. (Finding 1)
- R2. The Policy and Procedures Manual needs to be completed and implemented as soon as possible. (Finding 2)
- R3. The District needs to define its policy on leasing property. The issue of the farm lease should be resolved in a timely manner. (Finding 3)
- R4. The area around the fuel spill site must be brought up to code. (Finding 5)
- R5. The District needs a clear employee grievance procedure. (Finding 6)
- R6. The District website should add links to all Trustees, the District Office and the DM. (Finding 9)
- R7. The District should inquire into and purchase a surveillance system that will monitor both inside and outside the property. (Finding 8)

## **NOTES:**

The South Kern Cemetery District and the Kern County Board of Supervisors 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), click on: Sign up for early releases.

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

**RESPONSE REQUIRED WITHIN 90 DAYS TO:**

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

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



# South Kern Cemetery District

15543 South Vineland Road

Bakersfield, CA 93307

(661) 845-2540

July 15, 2014

Presiding Judge  
Kern County Superior Court  
1415 Truxtun Avenue, 2<sup>ND</sup> Floor  
Bakersfield, CA 93301

On March 6, 2014, members of the Kern County Grand Jury Special Districts Committee visited the South Kern cemetery District located at 15543 South Vineland Road in Bakersfield. The committee members toured the grounds with new district manager Danny Brown. The grand jury published and made their findings public on June 17, 2014. Below is the response the 2013-14 report regarding the South Kern Cemetery District.

Background to findings Item 1 states: *Two Trustees' terms expired December 2013.*

Background to findings Item 3 states: *A previous Trustee sold land adjacent to the cemetery to the District. Three acres were leased for farming; the lease expires December 2015. Currently the District is trying to terminate the lease by returning rent checks.*

As a point of clarification, the district would like to confirm the following information.

F1. Two trustee terms did expire in 2013 but one also expired in 2011 and no successor appointment has been made.

F3. Land was sold to the district on December 31, 1959 by a party not affiliated with the district as a trustee as we have identified on the grant deed and escrow filings from the time.

Recommendations:

*R1. The Board of Supervisors should appoint two Trustees.*

The South Kern Cemetery District agrees with this recommendation and in fact, the Board of Trustees currently has three expired terms.

*R2. The Policy and Procedures Manual Needs to be implemented as soon as possible.*



The recommendation has been implemented and the Board of Trustees have established a policy committee to review, draft, and update all policies and procedures. The district has recently updated several policies with only a few remaining. The remaining policies will be presented to the entire board in the next thirty to sixty days.

*R3. The District needs to define its policy on leasing property. The issue of the farm lease should be resolved in a timely manner.*

The District agrees with this finding and currently this item is with legal counsel for review and the district hopes to resolve the issue as soon as possible.

*R4. The area around the fuel spill site must be brought up to code.*

The district agrees with the recommendation.

The County of Kern Zoning Ordinance Section 19.82.090 Parking Area Design and Development Standards reads:

*Except as specified by Chapter 19.80 of this title, for all uses in any other area, the required parking areas shall be surfaced with one of the following materials:*

- a. Three (3) inches of bituminous road mix*
- b. Two (2) inches of asphaltic concrete*
- c. Three and one-half (3 1/2) inches of Portland Cement concrete*
- d. Three (3) inches of decomposed granite*
- e. Three (3) inches of compacted rock dust*
- f. Three (3) inches of gravel*

While the District agrees with this finding, we have already abated the pavement area that was affected due to the diesel spill and has been replaced with materials that not only meets building standards but exceed them. The District anticipates an asphalt patch to the area this fiscal year to make the area more aesthetically pleasing to the public.

*R5. The District needs a clear employee grievance procedure.*

The District agrees with this recommendation and the Board of Trustees Policy Committee will be including in the new Personnel Policy Manual, a detailed grievance procedure.

*R6. The District website should add links to all Trustees, the District Office and the DM.*

The District agrees with this recommendation and we are working to update the website to reflect these contacts.

*R7. The District should inquire into and purchase a surveillance system that will monitor both inside and outside property.*

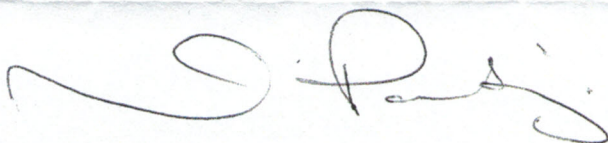


This recommendation requires further analysis and The District is currently reviewing options and pricing for the potential installation of security cameras to meet within the budgetary parameters of the district.

We would like to sincerely thank the Grand Jury for visiting the district as well as providing their recommendations. We will continue to aggressively improve the districts operations and appreciate the work that has been committed to assuring the districts succeeds in its mission.

The District will continue to improve on its commitment to deliver the best possible service to the public as well as to assure complete transparency. Staff have been working to assure updates and improvements as we continue to evolve into a model agency for other districts to emulate.

Sincerely,

A handwritten signature in black ink, appearing to read 'M. Pantoja', written over a horizontal line that separates the signature area from the typed name below.

Manuel Pantoja  
Chairman of the Board of Trustees  
South Kern Cemetery District

cc: Foreperson  
Kern County Grand Jury  
1415 Truxtun Avenue, Suite 600  
Bakersfield, CA 93301

Trustees, South Kern Cemetery District

# WASCO RECREATION AND PARKS DISTRICT

## PURPOSE OF INQUIRY:

The Special Districts Committee (Committee) of the 2013-2014 Kern County Grand Jury (Grand Jury) reviewed the Wasco Recreation and Parks District (District) operations and management pursuant to California Penal Code §933.5.

## PROCESS:

The Committee Members obtained background information from the District by:

- Visiting the office at 1280 Poplar Avenue, Wasco, CA 93280.
- Interviewing the District Manager and District Secretary.

## BACKGROUND/FACTS:

The Wasco Public Recreation District was established on January 29, 1948, in accordance with the provisions of Section 5431 through Section 5467 of the Public Resources Code. The District was formed for the purpose of providing recreational facilities for its residents by leasing, purchasing, constructing, equipping and maintaining parks, beaches, community buildings, recreational grounds, swimming pools, etc.

On January 18, 1960, the Board of Directors resolved to reorganize the Districts provided in Chapter 4 of Division 5 of the Public Resources Code, commencing with Section 5780 and continuing through Section 5791. By this same resolution, the official name of the District was changed to the "Wasco Recreation and Parks District."

The District's area in general is comprised of incorporated and unincorporated territory known as the Wasco School District. The District is governed by a Board of Directors (Board) three are appointed by the Mayor of Wasco and two by the Board of Supervisors of the County of Kern.

Wasco Recreation and Parks Mission Statement:

*"It is the mission of the Wasco Recreation and Parks District to create recreational opportunities for growth and enhancement by developing diverse services and programs that promote citizen involvement and a strong sense of community while striving to increase the social, cultural and physical well-being of its residents and visitors."*

The goal of the Wasco Recreation and Parks District is to:

- *"Provide clean and safe parks, green spaces, and recreational facilities.*
- *Provide efficient services to Wasco residents regardless of income, background, and ability.*
- *Effectively plan for the future needs of Wasco residents.*



- *Continually strive to improve existing facilities while seeking opportunities for the future development.*
  - *Create a partnership with the Wasco Community to improve the quality of life for all citizens.”*
- A. Program Participant totals including children and adults involved in recreation in the District from July 2012-July 2013:
- Soccer 2012                    241
  - Basketball 2013                201
  - T-ball 2013                     222
  - Baseball 2013                 60
  - Softball 2013                 223
  - Soccer 2013                    209
  - Swim lessons                  282
- B. The District has an agreement with Wasco Little League from January 17, 2013, through December 31, 2013, to use the baseball field and concession stand. The agreement states Little League will pay the District for the cost of electricity for lighting the field during all regular scheduled games and practices.
- C. The District agrees all profits from the concession stand will be retained by Little League for the duration of the agreement.
- D. The District spent \$71,585.88 during June of 2012 for repairs on the swimming pool, pool concession stand and for removal of trees around the pool.

**FINDINGS:**

- F1. Wasco Little League is not part of the Wasco Recreation and Parks District.
- F2. The District does all maintenance on the Little League Ball Fields, including mowing, trash policing, dragging, watering and lining the diamond prior to any regular scheduled games. The cost for the services comes from the Recreations Department budget not from Little League. Little League agrees to pay for the line marking materials at the rate of \$75.00 for the entire season.
- F3. The concession stand used exclusively by the Little League was completely remodeled in 2011. The cost of the remodel was approximately \$250,000.00 and was paid for by the Recreation District with no reimbursement from the Little League.
- F4. The Chairman of the Board for the District signed the Little League agreement. The Chairman is the Past President of the Wasco Little League and also helps coach a team playing in Little League. The Vice Chairman is also an assistant coach with Little League.

- F5. Under the current agreement with Wasco Little League, \$10.00 per player is paid to the District each season, which is equivalent to \$1,500.00 per season. The agreement gives Little League exclusive rights to the ball fields and concession stand with all profits benefitting Little League.
- F6. The City of Wasco (City) owns the swimming pool. The District spent \$71,585.88 for repairs in 2012-2013.
- F7. The City of Wasco received a grant to rebuild the restrooms and showers at the swimming pool. The facilities are over 50 years old. The City wants the District to pay any costs not covered by the grant.
- F8. The District would like to offer more than just sports to the community. Some of the programs would include programs for seniors, cooking, art, crochet and knitting and senior meals on wheels.
- F9. The District does not have a certified playground inspector.
- F10. The District's full time Staff is not certified in CPR and First Aid.
- F11. The District's Staff has not had Ethics, Brown Act or Sexual Harassment Training within the last two years.
- F12. The District has no established Policy and Procedures Manual.
- F13. The District Staff does not have company cell phones; the Staff relies on personal phones for District use.
- F14. The District does not have a working web site.

## **COMMENTS:**

The Committee would like to thank the new District Manager and Secretary for the time spent looking into the District. The report is no reflection on the current management. The Committee looks forward to positive changes the District will be making in the future.

## **RECOMMENDATIONS:**

- R1. During the time Little League is using the facilities the District should be reimbursed for the cost of man hours for maintenance on the baseball fields. (Finding 2)



- R2. The Little League should pay a fair percentage of the profits to the District for use of the concession stand during the duration of the current agreement and any future agreements. (Finding 3)
- R3. Any District Board Member, previously or currently involved in Little League, should recuse themselves from any negotiations with Little League in the future. (Finding 4)
- R4. The City of Wasco owns the swimming pool and there is no reason the entire cost of repairs should be paid by the District. The District should establish a procedure to share the costs with the City of Wasco for all swimming pool maintenance and repairs. (Finding 6)
- R5. The District should contact other Districts to get an idea and plan how to implement new Senior Programs. (Finding 8)
- R6. The District should either hire or certify a current employee to be the certified playground inspector. (Finding 9)
- R7. The District's full time Staff should be CPR and First Aid certified. (Finding 10)
- R8. The District Staff and Board need Ethics, Brown Act and Sexual Harassment Training every two years. (Finding 11)
- R9. The District should establish a Policy and Procedures Manual including emergency procedures for all District activities. (Finding 12)
- R10. The District should provide cell phones for all management. (Finding 13)
- R11. The District should establish a web site. (Finding 14)

## **NOTES:**

The Wasco Recreation and Parks District 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).

## **RESPONSE REQUIRED WITHIN 90 DAYS**

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

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





## WASCO RECREATION & PARKS

1280 POPLAR AVE.

WASCO, CA 93280

TEL (661) 758-3081

FAX (661) 758-4939

February 12, 2014

Terry Wolfe, Foreperson  
2013-2014 Kern County Grand Jury  
1415 Truxtun Ave., Suite 600  
Bakersfield, CA 93301


Dear Foreman Wolfe:

Attached is a copy of the Response to the Grand Jury Final Report concerning the Wasco Recreation and Parks District in Wasco California dated December 12, 2013.

The Kern County Grand Jury visited Wasco Recreation and Parks District (WRPD) twice during the report process; they were kind, instructional and appreciative of the aid of staff in the effort of creating the report on WRPD business.

Thank you for your consideration of our "RESPONSE" to the Kern County Grand Jury report dated December 12, 2013.

Sincerely,

  
Vickie Hight, District Manager  
Wasco Recreation and Parks

The Wasco Recreation and Parks District (WRPD) appreciates the time and counsel the District received in the Kern County Grand Jury report. The jury members were kind and conscientious of our time and effort to supply the most comprehensive information for their report.

Written below is the response in numerical order that correspond with the recommendations of the Grand Jury.

R1. (Finding 2) The WRPD and the Wasco Little League work under an agreement that is renewed annually before each season begins. The recommendation that Little League reimburse WRPD for the man hours for maintenance on the baseball fields has been addressed and Little League will chalk before and between games. The WRPD will continue to maintain fields at the Districts expense. Maintenance and fees for maintenance will be discussed in future negotiations with Little League.

R2. (Finding 3) The Grand Jury recommended the Little League share profits with the WRPD from their concessions stand. This recommendation was discussed with Little League. WRPD determined to revisit this issue during negotiations for the 2015 agreement.

R3. (Finding 4) The Grand Jury recommended the WRPD recused themselves from negotiations and or signage of the agreement with Little League if they are currently or previously involved with Little League. This recommendation was discussed and found to be difficult to abide by. Many of Wasco families are volunteers in the community and have previously been involved with various volunteer organizations. The WRPD agrees that any sitting board member of Little League and sitting board member of WRPD should not be engaged in negotiations and should recuse themselves from negotiations and agreement signage.

R4. (Finding 6) The WRPD and the City of Wasco are in an active agreement for maintenance of Barker Park and Westside Park. The agreement is long term and does address the maintenance of the swimming pool. The City of Wasco comes to the aid of the District in many ways with equipment, man power and most importantly a grant writer. The agreement is one of the many current discussion points between the City and the District and at this current moment is not up for negotiations.

R5. (Finding 8) The WRPD does support Senior Services in the community by making the Veterans Hall available for the Kern County daily lunch program and knitting groups. Kern County Senior Services from Aging and Adult Services provide an agent who visits twice a month to help with various concerns of Wasco seniors. WRPD with the help of transportation from the City of Wasco host a group of seniors to the Kern County Fair. Programs that have been facilitated in the past like board game day, holiday activities and a morning walk are on the current staff's project list.

R6. (Finding 9) The District Programs Coordinator is attending a playground certification class in March.

R7. (Finding 10) The District staff is scheduled to attend a CPR, First Aid and AED class by April 1, 2014

R8. (Finding 11) The WRPD agrees with training recommendation for District staff in AB1234, Sexual Harassment and Brown Act. District management has been trained in all three within the past two years. The Board of Directors is not required by law to train in AB1234 due to the fact that they are not provided any compensation. *"AB 1234 requires that if a local agency provides any type of*



*compensation, salary, or stipend to, or reimburses the expenses of a member of its 'legislative body' (as that term is defined in California Government Code Section 54952), that local agency's officials must receive training in ethics".* The District has been and will continue to be trained in the Ralph M Brown Act and will establish a policy about Sexual Harassment Training every two years.

R9. (Finding 12) The District has a policy named Safety and Loss Prevention and an Injury and Illness Prevention Plan. All staff received a copy of these plans and review of certain chapters will become a part of WRPD's safety staff meetings.

R10 (Finding 13) District Manager has been allocated a reimbursement fee for use of personal cell phone. The maintenance staff has been provided an "on call" cell phone to lessen the use of personal phones for district business.

R11. (Finding 14) WRPD District Manager and Program Coordinator have completed the work for the District website which is now on public domain and the site has been added to all District documents for reference. [www.wascoparks.com](http://www.wascoparks.com)

The Wasco Recreation and Parks District would once again like to thank the Grand Jury for their insight and review and welcomed recommendations to encourage transparency and integrity into the Districts everyday influence on the community of Wasco.

Best,

Vickie Hight, District Manager  
Wasco Recreation and Parks District  
1280 Poplar, Wasco, CA 93280  
661-758-3081