



ADMINISTRATION & AUDIT COMMITTEE

MISSION STATEMENT

The mission of the Administration and Audit Committee of the 2015-2016 Kern County Grand Jury, pursuant to California Penal Code §925 is to oversee, review and evaluate the management, performance and fiscal responsibilities of Kern County Governmental Agencies and Departments in an unbiased manner. Upon investigation the committee suggests improvements and operations to maximize efficiency of each agency to eliminate waste or inappropriate use of taxpayer funds.

The Administration and Audit Committee is also assigned the responsibility of investigating County taxpayer complaints.

Members: Judith Waters, Chairperson, Hoang Ngo, Yvette Gonzalez

ADMINISTRATION AND AUDIT COMMITTEE

SUMMARY OF ACTIVITIES

The Administration and Audit Committee wrote and published the following reports:

- Kern County General Services, KGOV-TV
- Kern County Law Library
- Kern County Superior Court Parking

The Committee received, investigated and closed two Complaints.

Investigations/Visitations in progress are:

- Kern Medical

In the course of fulfilling the Committee's duties visits were made to the following Kern County Officials:

- County Counsel
- Kern County Aging and Adult Services Director and Program Director
- General Services Assistant Administrative Officer
- Kern Medical CEO and CFO
- Supervisor-1st Supervisorial District

Further visits made:

- Department of Public Works
- Kern County Animal Shelter
- McFarland Female Community Reentry Facility
- NASA
- Sheriff's Office Central Receiving
- Sheriff's Bomb Squad, K-9 Unit and Search and Rescue-helicopter patrol
- District Attorney's Forensic Lab
- Sheriff's Coroner's Office
- Larry J. Rhoades Kern Crossroads Facility
- Kern Law Library
- Board of Supervisors Chambers
- Kern County Sheriff's Lerdo Detention Facility

Other activities committee members participated in:

- Toys-4-Tots Toy Drive
- Grand Jury Awareness Week
- Workshops by the California Grand Jury Association

KERN COUNTY GENERAL SERVICES KGOV-TV

PREFACE:

Kern Government Television (KGOV-TV) provides the public informational and educational programming to expand citizen awareness and encourages participation in government services and activities, as well as providing governmental transparency.

PURPOSE OF INQUIRY:

The Administration and Audit Committee (Committee) of the 2015-2016 Kern County Grand Jury (Grand Jury) in accordance with California Penal Code §925, discovered that KGOV-TV of General Services had not been evaluated in previous years.

PROCESS:

The Committee met with the Broadcast Engineer and other station staff and was given a tour of the Board of Supervisors (BOS) Chambers. The Committee was shown different equipment and programs, and their purpose was explained during a broadcast of a typical BOS meeting.

FACTS:

- A. KGOV-TV has been operating as a public service television station since May 1997 and has been broadcasting BOS meetings since 2006. Check local listings for time and channel.
- B. KGOV is the abbreviation used by the County to refer to the television station. This is not an over-the-air station, therefore not recognized by the Federal Communications Commission (FCC).
- C. KGOV-TV is the largest government access channel, covering over 8,000 square miles.
- D. KGOV-TV televises BOS, City Council and Kern County and City of Bakersfield Planning Commission meetings.
- E. KGOV-TV provides quality programming to keep Kern County citizens informed of the internal functions of their local government.

- F. New and updated equipment was purchased and installed in 2014 and 2015 to meet current FCC standards for digital broadcast. KGOV-TV staff attended training sessions given by equipment installers to learn how to use the new equipment.
- G. KGOV-TV is made up of one Broadcast Engineer and two Video Services Producers who are providing quality programming 24 hours, seven days a week.
- H. KGOV-TV uses two document cameras to display documents to the BOS and their audience. One document camera is designated and shared with County Counsel and the Chief Administrative Officer. The second camera can be used by any other department when addressing the BOS. The Board Room is wired to install and use a third camera.

FINDINGS:

- F1. A training manual is being developed by the Broadcast Engineer for future KGOV-TV employees.
- F2. The Clerk of the Board oversees all activities being aired during a BOS broadcast.
- F3. KGOV-TV is funded by the Digital Infrastructure and Video Competition Act Franchise Fund and the Cable Fee Fund.
- F4. There is a six-second delay system installed to prevent any undesirable material from being broadcasted to the public.
- F5. KGOV-TV has no public relations or publicity program available to inform the public of the station's presence.

COMMENTS:

The Administration and Audit Committee would like to thank the KGOV-TV staff for their knowledge, openness and transparency in answering the Committee's questions.

RECOMMENDATIONS:

- R1. KGOV-TV should explore and implement avenues to advertise their presence within the community. (Finding 5)
- R2. KGOV-TV should implement a "broadcast ready" community outreach program to inform outlying areas of current community services and programs, including cooling centers, animal services, fire updates, and other local events. (Finding 5)

NOTES:

- Kern County General Services 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.
- 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.

RESPONSE REQUIRED WITHIN 90 DAYS

**PRESIDING JUDGE
KERN COUNTY SUPERIOR COURT
1415 TRUXTUN AVENUE, SUITE 212
BAKERSFIELD, CA 93301**

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

Kern County Board of Supervisors
Response to Grand Jury Final Report
Kern County General Services KGOV-TV

Response to Findings:

The Board of Supervisors notes that the Grand Jury's findings are substantially correct with one minor correction to Finding 3. KGOV-TV infrastructure is funded by the Digital Infrastructure and Video Competition Act Franchise Fund and staffing and support is funded by the County General Fund.

Response to Recommendations:

R1: KGOV-TV should explore and implement avenues to advertise their presence within the community.

KGOV-TV does not have an advertising budget to advertise its presence. However, as more content is developed and relationships are built, the awareness drives viewers to KGOV. KGOV is increasing its presence online with a YouTube channel to view live Board meetings and produced content such as Inside Kern.

R2: KGOV-TV should implement a "broadcast ready" community outreach program to inform outlying areas of current community services and programs, including cooling centers, animal services, fire updates, and other local events.

We concur with the Grand Jury's recommendation. KGOV has made equipment upgrades and with Really Simple Syndication (RSS) feeds available from various sources; the capability to capture the information delivered through these feeds and broadcast it to viewers is possible. KGOV intends to identify appropriate feeds and make final equipment adjustments by the end of the fiscal year so that the service recommended can be implemented.

KERN COUNTY LAW LIBRARY

PREFACE:

"The primary obligation of the Kern County Law Library is to provide legal information and information services to members of the legal community and citizens who reside or practice in Kern County. Although, Library staff is available to guide and instruct as to what might be appropriate, they cannot provide any type of legal advice or interpret materials."

PURPOSE OF INQUIRY:

The 2015-2016 Kern County Grand Jury (Grand Jury) Administration and Audit Committee (Committee) visited the Kern County Law Library (Library) to review the operations, procedures and management of the Library in accordance with California Penal Code §933.5.

PROCESS:

The Committee reviewed the 2013-2014 Kern County Grand Jury report and researched the Library website before visiting. The Committee experienced a thorough tour of the Library. A detailed explanation of resources and services available to Kern County citizens was provided by a Library Associate. A question and answer session was held by the Law Librarian (Librarian) to address any concerns arising from the Committee's initial trip to the Library were presented during a secondary visit.

FACTS:

- A. The Library is located on the Third Floor, Room 301 of the Kern County Superior Court Building, 1415 Truxtun Avenue, Bakersfield, California 93301.
- B. The Library is funded solely by a fixed portion of the Kern County Superior Court's (Court) First Document Filing Fee. The Library is a stand-alone entity. It could be inferred by the title that the Library is a department of Kern County, but it is not. The staff is employed by the Library.
- C. The Library staff of five is supervised by the Librarian. The Librarian reports directly to the Kern County Law Library Board of Trustees consisting of five Kern County Superior Court Judges and two private Attorneys. One Attorney is appointed by the Kern County Board of Supervisors and the other by the Kern County Bar Association per Business and Professions Code §6301.

- D. The County of Kern (County) considers the Library to be a Special District in order to provide administrative support services, such as the processing of payroll and personnel documents. The County does not recognize Library employees as county employees. The Library space is provided by, but not maintained by the County.
- E. Utility services are provided by the County. Phone service and janitorial services are not provided by the County to the Library.
- F. The Library has 17 public access computers with internet limited to legal research or legal documentation editing. There are five staff accessible computers and four attorney accessible computer stations.
- G. In high traffic timeframes, computer access is limited to ensure everyone is allowed a chance to access information.
- H. The Library houses a Self-Help Center staffed by two court employees. The Library provides workshops on topics limited to Family Law and Small Claims matters. The public is required to register for individual workshops online.

FINDINGS:

- F1. Library usage by the general public averages 50 to 100 visitors per day. Visitors brought by local and visiting attorneys for self-help workshops average 20 visitors per workshop.
- F2. The Library is funded through the Court's civil filing fees of \$27 per file. Fee and exemption waivers are not included in contributing to funding.
- F3. A self-service copy machine is available for 8½" x 11" and 11" x 17" sheets at 15¢ per copy. The copier accepts bills, change and copy cards. Copy cards may be purchased in \$5 increments. The library keeps a limited amount of change on hand.
- F4. Judicial Council forms via the internet can be filled out online and then printed at 10¢ per page.
- F5. Any and all electronic documentation left within the public accessible computers is destroyed/deleted every Friday.
- F6. Virtual Law Libraries can be found in Taft, Ridgecrest and Cerro Coso Community College.
- F7. Advertisement of the Library is through word of mouth, street fairs, and attorney referrals.

- F8. General information regarding services provided and resources can be found online at the Library website at <http://www.kclawlib.org>.
- F9. Personnel turnover is very low.

COMMENTS:

The Committee found the Library to be very clean, and its equipment to be in working order. Its staff was very friendly, approachable and knowledgeable.

RECOMMENDATIONS:

- R1. The Library should find and utilize additional means to get their existence more visible as a community resource. (Findings F1, F8)
- R2. The Library needs to clear potentially sensitive information from its publicly accessed computers on a daily basis. (Finding F5)
- R3. The website should be updated regularly and edited to remove past events. (Finding F8)
- Ensuring the Home page is free of old, irrelevant information.
 - Keeping up with the community calendar, to make sure that the public knows which are blackout days and opened for business days.

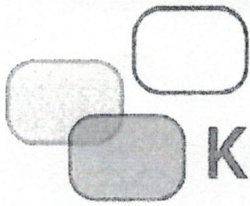
NOTES:

- The Kern County Law Library 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.
- 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.

RESPONSE REQUIRED WITHIN 90 DAYS

**PRESIDING JUDGE
KERN COUNTY SUPERIOR COURT
1415 TRUXTUN AVENUE, SUITE 212
BAKERSFIELD, CA 93301**

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



KERN COUNTY
law library

1415 Truxtun Ave. Rm. 301
Bakersfield, CA 93301
661-868-5320
Fax: 661-868-5368

.....
2/23/2016

Foreperson
Kern County Grand Jury
1415 Truxtun Ave Suite 600
Bakersfield, CA 93301

RE: Response to Grand Jury Report

Dear Foreperson:

The Kern County Law Library would like to thank you for your kind report on our operations.

In response to your recommendations we offer the following responses:

Recommendation #1:

We will continue to: 1) attend local Street Fairs; 2) hold public workshops and 3) have Law Day at the mall. Our Facebook page is updated and current.

Recommendation #2:

We have changed our policy regarding information saved to the public computers. Information saved will be deleted by the end of each business day.

New labeling has been placed on each computer monitor. This alerts customers to this policy. The law library also has flash drives for sale for those that want to save their information to take with them.

Recommendation #3:

We have eliminated old information from our webpage. We will continue to update the webpage as needed.

If you have any other questions or concerns, please feel free to contact me.

Sincerely,

Annette Heath
Law Librarian

KERN COUNTY SUPERIOR COURT PARKING

PURPOSE OF INQUIRY:

The 2015-2016 Kern County Grand Jury (Grand Jury) Administration and Audit Committee (Committee) in accordance to California Penal Code §925 authorizes the Grand Jury to investigate and report on departments of the County. The Committee revisited a previous report conducted by the 2012-2013 Kern County Grand Jury to study and recommend solutions to current parking issues/growth experienced at the Kern County Superior Court Building, 1415 Truxtun Ave, Bakersfield, CA (Superior Court Parking).

PROCESS:

The Committee interviewed the Assistant CAO for General Services to follow up on any new developments and/or any new roadblocks encountered to meet previous recommendations. Other information was obtained by personal observations.

BACKGROUND AND/OR FACTS:

- A. There are currently more personnel in need of parking than there are parking spaces available at 1415 Truxtun Ave. Kern County Superior Court Parking area.
- B. The parking permit is not a reservation for a parking spot, but a pass to “hunt” for a potentially available parking space.
- C. Entry Kiosk security detail is contracted by Kern County Superior Courts. The attendant should only allow entry to vehicles displaying the parking permit. Vehicles in for Fleet Services and vehicles displaying a handicapped placard can enter this area.
- D. The Grand Jury is allotted five assigned parking spots.
- E. Docents are assigned parking passes/permits to park in a reserved stall, on the first floor in the parking structure on M Street. There is one reserved parking stall on the first floor of the parking structure for volunteers.

FINDINGS:

- F1. The Board of Supervisors would like the public to have complete access to all government facilities.
- F2. Parking spaces are very unaccommodating. There are 110 numbered parking spots in the basement and 159 Superior Court Parking spaces for 567 assigned parking permits.

- F3. There are eight handicapped parking spaces in the Superior Court Parking lot.
- F4. Departments that are issued parking hang tags:

Superior Court	195
Public Defender	143
District Attorney	26
Mental Health	27
Probation	66
General Services-Fleet	17
Law Library	4
Sheriff	75
Correctional Medicine	14

- F5. The Bank of America no longer allocates parking spaces for docents.
- F6. The lone handicapped space in front of the Jury Services building creates a safety hazard and blocks turning traffic.

COMMENTS:

The Committee acknowledges budget and capacity limitations, but is dedicated to finding a new way to alleviate parking issues, solely for pedestrian safety, security and handicapped accommodations.

The Committee would like to thank the Assistant County Administrative Officer (CAO) and the General Services Manager for their time and assistance in responding to the parking issue.

RECOMMENDATIONS:

- R1. Encourage the Board of Supervisors to create a committee to look into and oversee the probability and likelihood of implementing their vision to granting complete access to the public. (Finding F1)
- R2. Reassess and reevaluate entire parking lot to accommodate the courthouses growing traffic issues that regularly occur due to the implementation of the newest courtroom requiring more patrons to attend jury duty. (Finding F2)
- R3. Parking within the outer perimeter of the parking lot should be designated for patrons driving large SUV's and trucks for the safety of pedestrians. (Finding F2)

- R4. The parking kiosk attendant should have the authority to enforce policies implemented to control the excessive activities of the parking lot. (Findings F2 and F3)
- R5. The East quad should be redesigned to accommodate handicapped parking. (Findings F2 and F3)
- R6. The number of assigned parking permits should be reevaluated to find a more appropriate number for usage. (Finding F4)
- R7. The single handicapped spot in front of the Jury Services building should be relocated due to high volumes of traffic creating a safety hazard to the public. (Finding F6)

NOTES:

- Persons wishing to receive an email notification of newly released reports may sign up at: www.co.kern.ca.us/grandjury.
- 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.

RESPONSE REQUIRED WITHIN 60 DAYS

**PRESIDING JUDGE
KERN COUNTY SUPERIOR COURT
1415 TRUXTUN AVENUE, SUITE 212
BAKERSFIELD, CA 93301**

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

Kern County Board of Supervisors
Response to Grand Jury Final Report
Kern County Superior Court Parking

Response to Findings:

The Grand Jury's findings are substantially correct.

Response to Recommendations:

R1: *Encourage the Board of Supervisors to create a committee to look into and oversee the probability and likelihood of implementing their vision to granting complete access to the public.*

The parking behind 1415 Truxtun is limited to employees, and not the general public. This provides the most convenient access for employees who work in that building on a daily basis. The public who are attending court hearings may park behind 1215 Truxtun, and those who are serving on a jury have designated parking in a number of lots located south of the railroad tracks. Full public access to Superior Courthouse is designated on the north side of the building, along Truxtun, for visitors to go through the screening process.

R2: *Reassess and reevaluate entire parking lot to accommodate the courthouses growing traffic issues that regularly occur due to the implementation of the newest courtroom requiring more patrons to attend jury duty.*

Available parking within close proximity to the downtown campus is very limited. The number of parking spaces is maximized for the amount of space that is available. As mentioned in R1, patrons attending jury duty have designated parking in a number of lots south of the railroad tracks, and do not use the parking lot behind 1415 Truxtun for jury service.

R3: *Parking within the outer perimeter of the parking lot should be designated for patrons driving large SUVs and trucks for the safety of pedestrians.*

General Services Security staff patrol all County parking lots on the downtown campus and cite vehicles who park in violation of specific ordinances such as timed parking and handicap stalls. There is no legally-defined measure of vehicle sizes that would allow for enforcement of parking designated for large or small vehicles, therefore enforcement would be subjective. While it can be recommended that large vehicles park along the outer perimeter, there is no law in place to enforce this, just as there is no enforcement mechanism for drivers of compact vehicles who do not use compact spaces.

R4: *The parking kiosk attendant should have the authority to enforce policies implemented to control the excessive activities of the parking lot.*

The parking kiosk attendant is a contract employee of the Courts. While the employee can be charged with being more diligent in which vehicles are allowed into the parking lot, the State Attorney General has opined that only uniformed guards and law enforcement that are directly employed by a government agency can enforce ordinances through citations. Contracted security does not have the authority to write citations for the purpose of enforcing policies.

R5: The East quad should be redesigned to accommodate handicapped parking.

In order to designate parking in the east quad, a thorough evaluation of the structural stability of the area would have to be completed given that it sits directly above the basement parking. The number of handicapped parking spaces in the lot behind the courthouse is sufficient to meet code. In addition, funding would have to be available to convert this area into designated parking. Given the number of major maintenance projects that need to be completed, this would have to be prioritized appropriately among myriad other projects that are competing for scarce dollars.

R6: The number of assigned parking permits should be reevaluated to find a more appropriate number for usage.

General Services performs an annual audit of parking permits that are allocated for parking behind 1415 Truxtun. As noted in the Grand Jury report, there are approximately 269 available spaces behind or beneath the courthouse. While there are over 500 permits allocated, these are not all used on a daily basis. Many of these permits are for departmental staff who visit the courthouse on an infrequent basis, but need access to the parking lot. These could be assigned to law enforcement who have to appear in court, or perhaps on campus for only minutes while they conduct business and then quickly depart. The majority of parking on campus is first-come, first-served and employees have access to the parking structure behind 1115 Truxtun when parking is not available behind 1415 Truxtun.

R7: The single handicapped spot in front of the Jury Services building should be relocated due to high volumes of traffic creating a safety hazard to the public.

This parking spot is under the jurisdiction of the City of Bakersfield, and has recently been removed. Patrons requiring handicapped parking space may enter the lot behind 1415 Truxtun and use any of the designated handicapped spots that are available.