Kern County
GRAND JURY

2012 – 2013

Marilynn Runyan
Foreman

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Loretta Avery
Leonardo Chavez
Malinda Click
Patricia Duffel
Samuel Duran
Fred Evenson
Shirley Ann Hawk
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May 6, 2013

Maribell Reyna, Manager
City of Delano
1015 Eleventh Street
Delano , CA 93216

Dear Ms. Reyna:

Attached is a copy of the enclosed Grand Jury Final Report concerning the **CITY OF DELANO** in accordance with the provisions of Penal Code Section 933.05(f) which states as follows:

> "A grand jury shall provide to the affected agency a copy of the portion of the grand jury report relating to that person or entity two working days prior to its public release and after the approval of the presiding judge. No office, agency, department, or governing body of a public agency, shall disclose any contents of the report prior to the public release of the final report."
> 000

Please note that this report is confidential until public release. The Grand Jury will be releasing this report to the public on **May 29, 2013.** Accordingly, **you are instructed not to disclose the contents of the report until that time has run.**

Thank you for your consideration and cooperation.

Sincerely,

Lynn Runyan

Lynn Runyan, Foreman
2012-2013 Kern County Grand Jury

Francisca Garcia

Fancisca Garcia, Chairperson
Delano Ad-Hoc Committee

CITY OF DELANO

SUMMARY:

The Cities and Joint Powers Committee of the 2012-2013 Kern County Grand Jury (Grand Jury) was assigned a complaint regarding the City of Delano in July, 2012. In October of the same year the complaint was re-assigned to the Delano Ad Hoc Committee.

PURPOSE OF INQUIRY:

California Penal Code §925 authorizes the Grand Jury to investigate and report on cities throughout Kern County. The Delano Ad Hoc Committee (Committee) was formed for the following three reasons:

1. To conduct a comprehensive investigation regarding the concerns in the July 2012 complaint originally assigned to the Cities and Joint Powers Committee.
2. To research and investigate issues related to an increase in water rates charged customers by the City of Delano.
3. To conduct a thorough investigation into the functions/responsibilities of the numerous departments in the City of Delano.

PROCESS:

Committee Members read the original complaint. Information was obtained from the City of Delano's website about the Delano City Council (Council) and the various Departments in Delano. Committee Members selected one or more Departments to work on and report back to the entire Committee every Thursday.

Appointments were made and interviews were conducted with the following: the person filing the initial complaint, all City Council members, City Department Heads, City employees and former employees, Kern County Fire Department staff members, some community members, representatives of organizations that conduct business with the City and a private consultant/architect. The Committee visited the City of Delano on two separate occasions.

Answers to the interview questions and information provided to the Committee were reviewed and triangulated for accuracy.

BACKGROUND/FACTS:

A. Delano California was founded as a railroad town on July 14, 1873. The City was named in honor of Columbus Delano, the Secretary of the Interior of the United States.

B. The United States Census Bureau lists the following information about Delano:
   - Population went up from 38,824 in 2000 to 53,041 in 2010.
   - Race/origin breakdown is 71.5% Hispanic, 12.1% Asian, 7.6% Black, 7.5% White and 1.3% Other.
   - The City encompasses a total of 14.3 square miles.
   - Median household income is $37,810 compared to $61,632 for California.

C. The City of Delano is governed by five City Council Members elected "at large." The five Council Members select the Mayor and Mayor Pro-tem.

D. The City Manager is selected and hired by the City Council and is responsible for implementing policies and ordinances adopted by the Council. In addition to the City Manager, the following Departments ensure compliance to Council policy/direction and serve the people living in the community:
   - City Clerk
   - Community Development
   - Community Services
   - Engineering
   - Finance
   - Human Resources
   - Information Systems
   - Planning Commission
   - Public Works
   - Public Safety
   - Transportation

FINDINGS:

F1. The Delano City Council Members are working together to establish ordinances and administrative actions which result in improved services. Council Members have taken steps to reorganize City Departments resulting in a cost savings to the City. The Council enjoys a positive working relationship with the City Manager and other Department Heads.

F2. At one time the City of Delano was operating with as many as eleven Department Heads. At the present time, there are five Department Heads plus the Chief of Police. Reorganizing the departments has resulted in substantial cost savings to the City.

F3. The City Clerk's position in Delano is a contracted/at will and not an elected office. The City Clerk acts as the principal link between the Council, citizens and staff. The City Clerk's office is organized and efficient.

F4. The Community Development Department collaborates with the Economic Development and the Engineering Departments to meet the future needs of the community. The three Divisions in Community Development are Building,

Graphic Information Systems and Planning. As it relates to building permits, the staff at the Community Development Department is making a concerted effort to adhere to established Building/Fire Codes and City, County, State and Federal requirements and Ordinances. In cases when Department decisions are challenged, a third party professional consultant is contracted to provide specialized services and information.

F5. The Community Services Department takes pride in the services listed below offered to residents and visitors:

- The National Guard Armory or the Civic Center can be rented by individuals or groups.
- The Delano Municipal Golf Course at Memorial Park is a nine-hole golf course.
- The following parks are available for use by community members; Albany Park, Cecil Park, Cesar Chavez Park, Jefferson Park, Kalibo Park, Morningside Park, Valle Vista Park and Vaneto Park which was dedicated on October 19, 2012. The parks have a variety of amenities including baseball fields and basketball courts, covered gazebos, a gated skate park, picnic tables, play equipment, restrooms, a water park and tennis courts.
- Graffiti removal and abatement.
- Activities for youth and adults including youth sports, special events, summer camps and aquatics coordinated through the Delano Recreation Department.
- Senior citizens nutritional programs operated at two sites in Delano and a satellite site in McFarland.

F6. The Engineering Department protects public safety and convenience in the public-right-of-way and oversees land divisions for compliance. The Department also assists with the administration of design and construction of capital projects the City undertakes.

F7. The Finance Department maintains all the City's financial records, issues business licenses and implements internal controls for purchasing, investing and banking. The Department also collects monies for City services, taxes and licenses.

While conducting a rate study of the water accounts in 2009, the Finance Director discovered some customers received services and did not pay for them. Some of the water accounts in Delano were charged a flat rate while others were on a meter. The discrepancy was corrected. As a result of a loan agreement with the State of California, City employees installed water meters. Customers are billed according to the volume of water used.

F8. The Human Resources Department is responsible for overseeing the recruitment of qualified applicants, verification of employment, benefits

management and worker's compensation administration. As directed by the City Council, the Human Resources Director, the Finance Director and the City Manager are working to implement medical and pension reform.

F9. The Information Systems Division ensures the accuracy and integrity of all City computers, information and communication systems.

F10. Planning Commission meetings are held in the Council Chambers at City Hall on the second Monday of every month at 6:00 p.m. The Community Development Director is the contact person for the Planning Commission.

F11. The Public Works Department is responsible for roadway and storm water drainage, waste water drainage, sanitation and drinking water. Department employees work effectively and efficiently to check water meters and provide the information to the Finance Department. At the present time, it is believed a few Benz garbage disposal containers are in use and the service is not being charged. The issue is in the process of being corrected.

F12. The Public Safety Department works diligently to create a safe community for residents and visitors to Delano.

The Delano Police Department operates a full service Department which includes:

- Public Safety Dispatch and Patrol Operations
- Investigations
- Critical Response Unit
- K-9 Unit
- Traffic Control
- Animal Control
- School Resource Officer Program

Although the Delano Police Department is authorized to have 48 positions only 42 are currently filled. The Department uses approximately 60% of the City Budget.

The City of Delano owns the Delano Community Correctional Facility (Facility). When the Facility closed operations in October 2012 more than 80 jobs were lost.

The City of Delano contracts with the Kern County Fire Department to provide emergency services. As part of the agreement, Permits and Fire Code clearances/violations are checked and approved. Kern County Fire Department employees maintain detailed logs about the services provided. Fire codes are adhered to and service logs are accurate.

F13. The Transportation Services Department is responsible for the operation and maintenance of the City's Municipal Airport. At the time of the interview, the day-to-day operations of the City's Shuttle Service were monitored by a temporary Transportation Director. Employees understand and adhere to an established process for accounting and collecting fees.

COMMENTS:

The City of Delano has made numerous positive improvements in the past year. Under the direction of the City Council, the City Manager is coordinating efforts with the Directors of Human Resources, Community Development, Finance and Public Works. The goal is to motivate City employees to implement procedures and practices which are cost effective and will result in increased efficiency and improved services to the Community.

The Committee thanks the employees of the City of Delano for the hospitality and extensive information provided during the visits.

RECOMMENDATIONS:

None

NOTES:

The City of Delano 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, 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.

NO RESPONSE REQUIRED