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TULARE COUNTY
CLERK OF THE BOARD

TULARE COUNTY CIVIL GRAND JURY

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ATTENTION: Larry Micari, Chairman

AGENCY: Tulare County Board of Supervisors

ADDRESS: 2800 W. Burrel Ave., Visalia, CA 93291

California Penal Code §933.05 (f) mandates that the Tulare County Civil Grand Jury provide a copy of the portion of the final Report that affects that agency or person of that agency two working days prior to its public release. Advance release or disclosure of a Grand Jury Report is prohibited prior to its public release.

Attached is a copy of your portion of the 2023-2024 Tulare County Civil Grand Jury Final Report.

California Penal Code §933(c) requires a response to said document. Depending on the type of respondent you are, a written response is required as follows:

- ☒ **PUBLIC AGENCY:** The governing body of any public agency that is required to respond must do so within NINETY (90) DAYS from the date this report was approved as final by the Presiding Judge.
- ☒ **ELECTIVE OFFICER OR AGENCY HEAD:** All elected officers or heads of agencies that are required to respond must do so within SIXTY (60) DAYS from the date this report was approved as final by the Presiding Judge.

Please be advised, this portion of the final report was approved as final by the Presiding Judge on 04/24/24.

YOU MUST SEND YOUR RESPONSE TO EACH OF THE FOLLOWING:

The Honorable Judge Nathan Ide
County Civic Center, Room 303
221 S Mooney Blvd
Visalia, CA 93291

Tulare County Civil Grand Jury
5963 S Mooney Blvd
Visalia, CA 93277

Tulare County Board of Supervisors
2800 W. Burrel Ave
Visalia, CA 93291
(For County Agencies Only)

Received by: RLH [Signature]

Report Name: Parks Facelift

Delivered by: [Signature]

Release Date: 5/3/24

Joel Harris, Foreman 2023/2024 Tulare County Civil Grand Jury

Date: 4/29/2024

Response Due by: July 29, 2024

Date and Time: 4/29/24 @ 10:34 a.m.

PREPARE A SEPARATE RESPONSE FOR EACH REPORT

California Penal Code §933.05 mandates the manner in which responses are to be answered.

See reverse for Penal Code §933.05 information.

§933.05. Response to Civil Grand Jury Recommendations--Content Requirements; Personal Appearance by Responding Parry; Civil Grand Jury Report to Affected Agency

(a) For purposes of subdivision (b) of §933, as to each civil grand jury finding, the responding person or entity shall indicate one of the following:

§The respondent agrees with the finding.

§The respondent disagrees wholly or partially with the finding, in which case the response shall specify the portion of the finding that is disputed and shall include an explanation of the reasons therefore.

(b) For purposes of subdivision (b) of §933, as to each civil grand jury recommendation, the responding person or entity shall report one of the following actions:

(1) The recommendation has been implemented, with a summary regarding the implemented action.

(2) The recommendation has not yet been implemented, but will be implemented in the future, with a timeframe for implementation.

(3) The recommendation requires further analysis, with an explanation and the scope and parameters of an analysis or study, and a timeframe for the matter to be prepared for discussion by the officer or head of the agency or department being investigated or reviewed, including the governing body of the public agency when applicable. This time frame shall not exceed six months from the date of publication of the civil grand jury report.

(4) The recommendation will not be implemented because it is not warranted or is not reasonable, with an explanation therefore:

(c) However, if a finding or recommendation of the grand jury addresses budgetary or personnel matters of a county agency or department headed by an elected officer, both the agency or department head and the board of supervisors shall respond if requested by the civil grand jury, but the response of the board of supervisors shall address only those budgetary or personnel matters over which it has some decision-making authority. The response of the elected agency or department head shall address all aspects of the findings or recommendations affecting his or her agency or department.

(d) A civil grand jury may request a subject person or entity to come before the civil grand jury for the purpose of reading and discussing the finding of the civil grand jury report that relates to that person or entity in order to verify the accuracy of the findings prior to their release.

(e) During an investigation, the civil grand jury shall meet with the subject of that investigation regarding the investigation, unless the court, either on its own determination or upon request of the foreperson of the civil grand jury, determines that such a meeting would be detrimental.

(f) A civil grand jury shall provide to the affected agency a copy of the portion of the civil 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 officer, 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.

PARKS FACELIFT

SUMMARY:

There are 11 Tulare County operated and maintained parks located in 10 communities throughout Tulare County. All park locations have been the recipient of monies for the purpose of retrofitting and upgrading beginning in 2022. These renovations are nearing completion with paving of roads being the last scheduled work. These parks are located throughout the 5 supervisorial districts that make up Tulare County.

The renovation monies were received from:

1. \$8 million dollars allocated from the American Rescue Plan Act (ARPA)
2. \$3.6 million dollars were received from County Capital Improvement Fund
3. \$2.8 million dollars were received from county grants

The grant from ARPA of \$8 million has provided the largest amount and the spending on renovations has been increased by \$1.1 million dollars as of December 2023. This is in part due to the past winter water damages where renovations were already partially completed at Bartlett Park and these costs will be turned in to the Federal Emergency Management Agency (FEMA) and the County is expecting to be reimbursed but dollars are unknown at this time.

The Tulare County Civil Grand Jury (TCCGJ) initiated a review of the parks department to verify how best these monies were spent, what parks received benefits and were all funds spent wisely to best benefit all residents surrounding each park location.

BACKGROUND:

Websites regarding Tulare County, mention these parks are considered “local treasures” for all of our communities and their residents:

Alpaugh Park at 3.25 acres of green space and located in District 2 Supervisor, Pete Vander Poel III. It is located at Road 38 & Park Avenue in Alpaugh. The land was purchased by the County Board of Supervisors in January 1935 and is considered one of the smallest of all county parks.

Balch Park is 160 acres of beauty above Springville at 6000 ft elevation and is under District 5 Supervisor, Dennis Townsend. The County purchased this property located at 48200 Bear Creek Drive, from Mr. & Mrs. Allan Balch and the sale was finalized on Dec 14, 1930. It was stipulated in the sale that all trees and fauna were to remain and be forever maintained and to be used and enjoyed for the public only. Balch is the county’s largest park.

Bartlett Park 34 acres was purchased by Porterville in 1923 and was donated to Tulare County under the condition they operate and maintain the park for public use only. It is fronted by the Tule River and located at 28801 Worth Drive, Porterville and under District 5 Supervisor, Dennis Townsend.

Cutler Park was donated to Tulare County on June 3, 1919, and named after Judge John Cutler Jr. It was so stipulated that it was to be forever maintained by the County and designed for public use only. Its' 70 acres includes a small natural marshland, the largest Valley Oak Woodlands in Central California and boasts riverfront access. It is located at 15520 Ivanhoe Drive in Visalia under District 1 Supervisor, Larry Macari.

The Community Park of Goshen is under the District 4 Supervisor, Eddie Valero. It is located at 6800 Ave 310 in Goshen. It has the design of a water recharging basin and boasts 2 acres of green space used for sporting and recreational activities. There is no signage to indicate it's a park and it is the county's most recently established park in 2018.

Kings River Park is 86.4 acres and has a disc golf course set along the great Kings River located off Highway 99 and Road 28. This park falls under District 4 Supervisor, Eddie Valero.

Ledbetter Park is 11 acres and located in Orosi, at 45779 Road 128. This site was the original Ledbetter homestead on which Lee Ledbetter was raised as a boy before the turn of the century. He and his wife Hazel gave this property to the community in hopes that it could be developed into a "mini-Mooney Grove" in 1972. This park is under District 4 Supervisor, Eddie Valero.

Mooney Grove Park was donated to the County and established in 1909 from 100 acres of farmland owned by Michael Mooney. Stipulations were put into place that the oak trees were to remain into perpetuity and only to be used as a public park. It remains today, the oldest county park in the State of California. In 1923, Mooney Grove expanded to 155 acres and is under District 3 Supervisor, Amy Shuklian and located on South Mooney Blvd. This is the 2nd largest park next to Balch Park and has the most amenities of any Tulare County Park.

Pixley Park is a 20 acre tract of land that the surrounding communities pitched in and purchased for \$750 in 1938 and deeded over to the county to develop and always maintain. Plants were to come from the Mooney Grove nursery and any lumber needed was to be provided at a lesser cost from Balch Park sawmill. Hundreds of oak tree seedlings were transplanted to the parcel. It was a community effort. It is located at 850 N Park Drive in Pixley and it features a historical marker of the park origin at its entrance to a lovely greenspace and is under District 2 Supervisor, Pete Vander Poel III.

West Main Street Park is only 0.11 acres in size and located at 2825 W Main Street, Visalia and is referred to as an urban pocket park. It runs along Mill Creek and is an open play area and utilized for walking, located within District 3 Supervisor, Amy Shuklian.

Woodville Park is 9.68 acres under District 1 Supervisor, Larry Macari. It includes a sports field and playground contained in a rectangular configuration. This park is located in Woodville at 16482 Avenue 168.

METHOD OF INVESTIGATION:

1. Site visits
2. Interviews
3. Reviewed documents
4. Reviewed websites

DISCUSSION:

The county parks have a long established history in Tulare County with the overall development and maintenance falling to the county to provide. It also requires responsibility from more than the 150 thousand residents that enjoy these outdoor spaces and amenities yearly for the care of the parks. Throughout all the years, countless organizations and individuals have worked to donate/build amenities added to any given park or donated their hours for beautification. This is in conjunction with the County's day to day work that is done today with 15 full-time employees, and 5 seasonal employees. It is a continuing effort to keep the parks well maintained, watered, trimmed and all amenities in safe condition to draw in the patrons to bring in some park revenue. In 2016, a strategic business plan was put together from data gathered regarding overall condition, maintenance issues, needed improvements and community efforts to tackle within the next 5 years that had \$856,000 earmarked for 7 of the county parks. At this time, there were approximately 27 full-time employees. Looking at the same issues of 2016, this time with an \$8 million dollar windfall provided from ARPA in 2022 and along with the noted additional monies, these renovations began almost immediately and most parks are completed to date and a few will be finalized in early 2025.

Of the 11 County Parks, all received many upgrades and renovations with West Main Street Park being the only exception. All others received arbors in the form of brand new or repaired or painted, picnic tables and new grills/fire rings were standard. In addition, Alpaugh, Bartlett, Cutler, Ledbetter and Pixley all received new irrigation systems and 2 parks had wells replaced that were needed to prevent trees and grounds from drying out. Partly due to the past big winter flooding, Alpaugh and Bartlett Parks had restroom improvements. Alpaugh Park also had a basketball court built for its patrons. Kings River Park had an entrance improvements made. Bartlett Park sustained major flood damages from the Tule River in the great flooding of 2022-2023 after some renovations were already completed. The County is in the continuing long process of massive cleanup and re-restoration to this park and the process will be signaled completed with the paving of its roads. Cutler and Pixley parks will also complete their improvements with road paving projected for next year. Finally, Mooney Grove with the most amenities in the County, had funds earmarked for huge projects like the Inclusive Playground, the Pillar Square, a new dedicated space for a dog park, restoration to the bridge and finally emptying of the Lily Pond. The pond project includes cleaning it out and installing a new

cement retaining wall and cement walkway all the way around the pond. This pond is a reservoir that collects water and pumped out to keep the trees and grass of Mooney Grove alive and maintained.

Information received states all funds received through ARPA, Capital Improvements and County grants obtained has been distributed, with each park receiving much needed infrastructure and upgrading to the benefit of 10 out of the 11 parks and all area residents. Using the graph below, District 3 received the bigger slice of all funds, about $\frac{1}{3}^{\text{rd}}$ of all monies due to the size of Mooney Grove and the developed amenities. District 5 received about $\frac{1}{3}^{\text{rd}}$, mainly due to the flood damage that recently occurred at Bartlett Park and road damages to Balch Park, both remain closed at the time of this report. The remaining parks in Districts 1, 2 and 4 split the remaining $\frac{1}{3}^{\text{rd}}$ of the total funds amongst those six parks.

Q1 - Money Spent By District and Source of Funds

| Sum of Cost Funding Source | District | | | | | Grand Tot |
|-------------------------------|---------------------|---------------------|---------------------|--------------------|---------------------|---------------|
| | 1 | 2 | 3 | 4 | 5 | |
| ARPA | \$ 1,559,057 | \$ 2,221,657 | \$ 2,246,179 | \$ 1,082,415 | \$ 2,081,855 | \$ 9,191,163 |
| County (Capital Improvement) | | \$ 280,150 | \$ 240,261 | \$ 337,874 | \$ 2,703,544 | \$ 3,561,829 |
| FEMA/Prop Insurance | | | | | \$ - | \$ - |
| Grant/County | | | \$ 2,804,588 | | | \$ 2,804,588 |
| Grand Total | \$ 1,559,057 10% | \$ 2,501,807 16% | \$ 5,291,028 34% | \$ 1,420,289 9% | \$ 4,785,399 31% | \$ 15,557,586 |

Q2 - ARPA Funding By District and Projected Completion

| Sum of Cost Funding-Completion | District | | | | | Grand Tot |
|-----------------------------------|---------------------|---------------------|---------------------|---------------------|---------------------|--------------|
| | 1 | 2 | 3 | 4 | 5 | |
| ARPA | \$ 1,559,057 | \$ 2,221,657 | \$ 2,246,179 | \$ 1,082,415 | \$ 2,081,855 | \$ 9,191,163 |
| 2022 | | \$ 46,900 | | | | \$ 46,900 |
| 2023 | \$ 416,714 | \$ 104,480 | \$ 763,457 | \$ 257,384 | \$ 308,654 | \$ 1,850,689 |
| 2024 | \$ 1,142,343 | \$ 2,070,277 | \$ 1,482,722 | \$ 825,031 | \$ 1,773,201 | \$ 7,293,574 |
| Grand Total | \$ 1,559,057 (A) | \$ 2,221,657 (B) | \$ 2,246,179 (C) | \$ 1,082,415 (D) | \$ 2,081,855 (E) | \$ 9,191,163 |

Footnotes On 2022-2024 Projects By District - ARPA Funding

- (A) District 1 \$1,493,264 = Cutler and \$65,793 = Woodville
- (B) District 2 \$800,447 = Alpaugh and \$1,421,210 = Pixley
- (C) District 3 \$2,246,179 = Mooney Grove
- (D) District 4 \$837,266 = Ledbetter, \$116,894 = Kings River, \$128,255 = Goshen
- (E) District 5 \$ 2,081,855 = Bartlett

With all of the infrastructure and the renovations occurring since 2022 and continuing until the paving of some park roads, all of the patrons who enjoy the parks, must be good stewards of these lands. In response, the Board of Supervisors established a Parks Advisory Committee (PAC) in 2015 that is still active today. The PAC's mission is to increase public awareness and to target outreach within the communities; always seeking ways to involve the communities and its residents.

FINDINGS:

- F1. It is a constant demand on the County to preserve and maintain parks into perpetuity.
- F2. All monies invested into the parks since 2022 and forward, have been necessary and needed infrastructure improvements and patron friendly amenities for all to enjoy.
- F3. All residents in the Tulare County area need to be aware of the model of good stewardship in order for our parks to survive to be enjoyed by future generations.

RECOMMENDATIONS:

- R1. The County of Tulare should continue to strive to make the decisions for the parks system for the best benefit of its residents by increasing budget and park staffing.
- R2. The PAC should continue its outreach efforts to every school, church and organization to constantly invent ways to better the parks, raise awareness of good stewardship and searching for volunteers when in need.
- R3. The County of Tulare should continue to seek out any grants or any funds available to keep up with the demands of continuing maintenance, repairs and groundskeeping.

REQUIRED RESPONSE:

| | | | |
|------------------------------------|-----------|-------|------------------------|
| Tulare County Board of Supervisors | Findings: | F1-F3 | Recommendations: R1-R3 |
|------------------------------------|-----------|-------|------------------------|

INVITED RESPONSES:

| | | | |
|--|-----------|-------|-------------------------|
| County of Tulare General Services Agency Director | Findings: | F1-F3 | Recommendations: R1, R3 |
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|---|-----------|-------|-------------------------|
| County of Tulare Parks Division Manager | Findings: | F1-F3 | Recommendations: R1, R3 |
|---|-----------|-------|-------------------------|

Disclaimer

Grand Jury reports are based on documentary evidence and the testimony of sworn or admonished witnesses, not on conjecture or opinion. However, the Grand Jury is precluded by law from disclosing such evidence except upon specific approval of the Presiding Judge of the Superior Court, or another judge appointed by the Presiding Judge (Penal Code Section 911, 924.1 (a) and 929). Similarly, the Grand Jury is precluded by law from disclosing the identity of witnesses except upon an order of the court for narrowly defined purposes (Penal Code Section 924.2 and 929).