

ECONOMIC DEVELOPMENT/PUBLIC SERVICES COMMITTEE



Left to right: Nick Costa, Bill Sommers, Lorena Gragg, Connie O'Brien, Al Alvaro (Chair), Jim Bryant, Betty Azores, Fran Fowler, Lem Leialoha

ECONOMIC DEVELOPMENT/ PUBLIC SERVICES COMMITTEE

Airports Department	page 26
County Fire Department	page 32
Public Works Department – Flood Control	page 35
Registrar of Voters.	page 37

ECONOMIC DEVELOPMENT/ PUBLIC SERVICES COMMITTEE

The Economic Development/Public Services Committee was charged with the review and investigation of the operations and functions of the following departments:

- Agriculture/Weights & Measures
- Airports
- County Fire
- County Library
- County Museum
- Economic and Community Development
- Jobs and Employment Services
- Land Use Services
- Public Works
 - Flood Control
 - Geographic Information Management System
 - Solid Waste Management
 - Surveyor
 - Transportation
- Redevelopment Agency
- Regional Parks
- Registrar of Voters
- Special Districts

The ED/PS Committee established subcommittee teams to review the operation and function of each department. Visitations were made to all departments of the subcommittees responsibilities.

Findings and recommendations from investigations are detailed in this final report for the following departments:

- Airports
- County Fire
- Public Works Department – Flood Control District
- Registrar of Voters

AIRPORTS DEPARTMENT

BACKGROUND

Grand Jurors interviewed the Director of Airports for the six County airports which are located in Apple Valley, Baker, Barstow-Daggett, Chino, Needles and Twentynine Palms. All are general aviation airports. The department has 27 employees: one director with six administrative and fiscal employees and the remainder are maintenance personnel. Funding for the Airports Department comes from user fees, tie-down fees, parking fees, fuel fees and leases. The total operational budget for 2003-2004 totaled \$1.9 million. In addition, Jurors made onsite visits to the Chino and Apple Valley airports to observe first-hand the operations and facilities.

An overview of each of the six airports and the main reasons they are valuable to the County was provided by the Director.

- **Apple Valley Airport** serves the high desert and provides year-round flying services, which include Airport Wings Cafe', tie-downs, hangars, maintenance, charters, rentals and flight training.
- **Baker Airport** is an emergency airfield and a strategic location for flying in parts for broken down trucks. The airport is unattended and offers no services.
- **Barstow-Daggett** is located near the city of Barstow. It was built in 1933 as a CAA beacon site. Besides general aviation, the airport is used by the military for landing and parking of military aircraft. Tie-down services, hangars and fuel are the main sources of revenue.
- **Chino Airport** is the largest airport operated by the Airports Department. The FAA has designated the 1,100-acre facility a Level II control tower operation. FAA has also selected it as a "reliever airport" for Ontario and John Wayne Airports. It has more than 400 leases and houses more than 1,000 aircraft, with 24-hour fuel service, hangars and tie-down services.
- **Needles Airport** is located at the most eastern end of San Bernardino County. The airport offers maintenance, fuel and pilot supplies through its Fixed Base Operator (FBO). It is also a full service airport.
- **Twentynine Palms Airport** is located near Joshua Tree National Park. It provides tie-down, fuel and FBO service.

The airports are able to produce enough income to cover their budget. It is from this account that improvements to the airports are funded. All excess funds are mandated by law to remain with the Airports and become part of their contingency fund.

FINDINGS

The Airports Department is able to generate operating funds, and is frugal in its spending. The maintenance staff does the majority of capital improvements, thereby cutting costs tremendously. The budget is watched very carefully. One "line item" in the budget stands out, and that is insurance premiums. When questioned about the high cost of insurance, it was explained that the airport insurance rates are based upon the square footage of hangars and nose docks, as well as other buildings. The County Risk Management Department calculates the charges using the same formula that is used for all other County facilities, including the County Government Center. The methods used are unequal and unfairly calculated. The replacement cost per square foot for hangars and nose docks is less than the cost to rebuild the Government Center building, yet the insurance rate is the same.

An example is the nose dock at Barstow-Daggett Airport. It is nothing more than a pole barn used to keep aircraft out of the sun while maintenance is being performed. It would cost much less to replace such a structure if destroyed, compared to replacing one of the County executive offices. This inequity must be addressed for two reasons: the budget is totally funded by the airport-generated income, and it is an unfair practice.

RECOMMENDATION

05-26 THE COUNTY RISK MANAGEMENT DEPARTMENT REVIEW THE METHOD CURRENTLY BEING USED TO DETERMINE INSURANCE COSTS TO THE AIRPORTS. ADJUST THE RATE AND CHARGE THE AIRPORT A FAIR PREMIUM BASED ON ACTUAL REPLACEMENT COSTS.

APPLE VALLEY AIRPORT (APV)

Apple Valley Airport is owned by County Service Area 60. CSA 60 provides a tax base for the airport's operations and contributes in excess of \$500,000 annually for capital improvements. CSA 60 is an area approximately the size of the state of Rhode Island and includes the towns of Apple Valley, Adelanto, Hesperia and Victorville as well as portions of the unincorporated desert area. While CSA 60 owns the airport, it is located within the town limits of Apple Valley and is governed by the Board of Supervisors.

Regarding the Town of Apple Valley and its desire to acquire the airport for its own use, it has not been clearly shown that some of the approved economic development is in the best interest of the airport. The transfer of the airport's ownership from the CSA to the Town would create financial burdens for the airport and create major changes in the operations of the airport. It will cause serious employment changes to the current staff because the funding is now done with the CSA 60 funds that will be lost. This also means that the employees would not be able to continue as County employees, thus causing major benefit deficits. There is evidence of great pride in the present "airport team" organization. The on-again/off-again negotiations to acquire the airport only promote instability in the daily lives of the employees and hinder the filling of the vacant airport manager position. This uncertainty has the potential to affect employee morale as well as career status.

There have been some serious flaws in the ability to understand how to develop the properties adjacent to the airport. For example, the Apple Valley Town Council approved a heavy lift helicopter facility just a few miles off the north end of the main runway. This facility is directly in the path of the only FAA approved instrument approach to the airport. The Airports Department was not consulted nor advised or notified when the Council held its meeting to approve the location of this facility.

The airport has two usable runways. The main north-south runway is 6,500 feet in length and can easily handle large corporate jets. The crosswind runway (4,100') runs east-west at the base of the main runway and is primarily used when light aircraft are unable to use the main runway due to high crosswinds. The only instrument approach to the airport is at the north end of the main runway.

The airport has a large amount of recreational and sports aviation activity. The Experimental Aircraft Association (EAA) is very active and has many home-built aircraft based at the airport as well as many "on-site" aircraft being built. Aerobatic flying is a major recreational activity and nearby there is a designated area that is FAA-certified specifically for aerobatics. The area is west of and not a part of the airport.

There are several tenants that are part of the economic development of the airport. One of the major tenants is Midfield Aviation Company (MAC). MAC leases property and in turn provides services to the flying public. MAC also leases/rents hangar space and has tie-down spaces available for rent. MAC does maintenance on aircraft and has a training program to teach flying.

The County leases space to other flying services in competition with Midfield Aviation. The County also has its own portable hangars and tie-downs as well as permanent structures for lease. In addition, the County has full-hangars for lease or rent for executive jets. The County has a fuel island that provides both aviation gas and jet fuel. Aztec Aviation manages the gas sales. The County's operations provide competition for Midfield Aviation.

The north-south runway is in need of a “run up area” to allow aircraft to get off the taxiway as soon as possible. With the increase in business in the surrounding cities, more corporate jets are bringing more company executives to the area. Therefore, an area for the parking of corporate jets is needed, which would allow jet blast to be diverted away from the smaller aircraft parked in the area.

At the present time the County is building a facility that will house CHP offices, helicopters and fixed aircraft hangars. The County Sheriff helicopters will also use this facility.

With regard to plans for further development at the airport, parcels of land were observed adjacent to the ramp area and taxiways that are ideal for new hangars, executive aircraft facilities and potential aircraft maintenance operations. There has been more interest shown lately in APV because of the increased development in the area and congestion at other airports in the San Bernardino Valley. If Rialto Airport closes, APV may benefit from some of its displaced aviation related businesses, activities and tenants.

RECOMMENDATIONS

- 05-27 IMMEDIATELY HIRE AN AIRPORT MANAGER AT APPLE VALLEY AIRPORT RATHER THAN WAITING FOR THE FINAL OUTCOME OF THE TOWN OF APPLE VALLEY’S EFFORTS TO GAIN CONTROL OF THE AIRPORT.
- 05-28 APPLE VALLEY AIRPORT WORK WITH THE FAA AND THE TOWN OF APPLE VALLEY TO RELOCATE THE HEAVY LIFT HELICOPTER FACILITY TO ELIMINATE THE SERIOUS HAZARD IN THE ONLY INSTRUMENT APPROACH TO THE AIRPORT.
- 05-29 IMPROVE COMMUNICATIONS WITH THE TOWN OF APPLE VALLEY AND ITS LAND USE DEPARTMENT IN ORDER TO PREVENT CONSTRUCTION OF HAZARDOUS CONDITIONS AND STRUCTURES IN THE LANDING APPROACH TO THE AIRPORT.
- 05-30 APPLE VALLEY AIRPORT FUND A “RUN-UP AREA” TO THEIR MAIN RUNWAY IN ORDER TO EXPEDITE AIRCRAFT MOVEMENT AND KEEP TAXIWAYS AND RUNWAYS CLEAR.
- 05-31 APPLE VALLEY AIRPORT PROVIDE AN AREA WHERE CORPORATE JETS WOULD BE ABLE TO PARK AND LEAVE WITHOUT CAUSING PROBLEMS DUE TO THEIR “JET BLAST”.

CHINO AIRPORT (CNO)

Chino Airport is owned by San Bernardino County. Its revenue is generated by its leases, rentals, and percentages of sales by some tenants. All income made at the airport is spent on the County Airports system. Any profit goes back into the Airports system and no money is budgeted from the General Fund of San Bernardino County. If the whole process of running the County airports just breaks even, then this is considered a successful support of the transportation system.

Chino Airport was formerly a base run by Cal Aero Academy to train pilots during WWII. It consists of 1,100 acres and is now located within the city limits of Chino. Many of the buildings are World War II vintage, but are serviceable. The airport has more than 400 leases and is home to more than 1,000 aircraft.

There is constant construction at the airport. Tenants sign long-term leases with the County and build hangars and offices to meet their needs. Once the lease is concluded, the building and the property revert to the County. The skills and experience of six maintenance personnel are used to make renovations that meet requirements of new tenants.

The airport houses the "Planes of Fame" and "Yanks Air" museums. Flo's Café is a flourishing business, but has been shut down on occasion due to maintenance and safety problems. The Airports Department collects a percentage of their total business operations.

The Federal Aviation Administration (FAA) has designated the Chino Airport Tower as a Level II FAA facility whose daily operations are from 7:00 a.m. to 9:00 p.m. It is also designated as a "reliever airport" for Orange County's John Wayne Airport. That relieves this commercial airport of having a large amount of general aviation traffic that conflicts with commercial flights. The airport's 7,000-foot runway is able to accommodate the latest aircraft. It is important that Chino Airport operate its facilities with the understanding that the economic development on airport property be related to aviation related industries.

Several executive and corporate hangars are being developed as part of a master-planned operation at Chino Airport. Increasing economic and housing developments have encouraged companies to be highly interested in Chino. As capacity at other LA area airports fills, a greater demand for facilities is expected at Chino Airport. Turboprops and mid-sized jets will fit in its flexible hangars floor plans and one of its runways is sufficient to accommodate jets of any size. Optional features may include bathrooms, crew quarters, loft areas, office space, air conditioning and security. Hangars can be as large as 80'x 120' in size.

The airport is secured by fence around the entire facility. Electronic gates require special access cards and are limited to tenants and official personnel. A new asphalt perimeter road has been completed to eliminate vehicle traffic crossing aircraft "taxi"

and/or landing areas. The Chino Police Department has an office at the airport and provides additional security and service. The Chino Valley Fire Department provides the necessary fire protection and also has a fire station at the airport.

Chino Airport is a busy airport with more than 165,000 annual operations (an operation is a takeoff or landing of an aircraft). To clarify, there were 82,500 aircraft landings and 82,500 take-offs at Chino Airport. The field has instrument approaches and its runway lights remain on even after the tower is shut down at 9:00 p.m.

Corporate leases for housing of corporate jets are increasing due to the economic development within the area, and several housing and commercial contractors are developing the surrounding area. This will attract more businesses to the airport. Long-range plans call for private companies to use the airport as a base of operations for their corporate aircraft. More condo type hangars are anticipated. This will create the potential of significant increases in the number of passengers using the airport facilities. There is no passenger terminal building at this airport. Housing development is expected to increase by more than 40,000 homes within the next 15 to 20 years.

Economic development at Chino Airport is vital to its operations. More important is that these developments be aviation related. At the present time there are more than 395 jobs that have been created by 60 employers on the airport site, of which 46 employers are aviation related. The other 14 employers who lease space at the airport, lease at the will of the airport manager and can be terminated as new aviation tenants become available.

RECOMMENDATIONS

- 05-32 THE AIRPORTS DEPARTMENT REPAIR AND REMODEL FLO'S CAFE' AT CHINO AIRPORT TO CURRENT FOOD SERVICE AND CONSTRUCTION STANDARDS.
- 05-33 CONSTRUCT A TERMINAL AT CHINO AIRPORT TO PROVIDE A SAFE PLACE FOR PASSENGERS TO WAIT AND A BETTER PLACE FOR AIRCRAFT TO PICK-UP AND DE-PLANE PASSENGERS.
- 05-34 THE AIRPORTS DEPARTMENT CONTINUE ECONOMIC DEVELOPMENT AT CHINO AIRPORT BASED UPON AIRCRAFT RELATED BUSINESSES.

COUNTY FIRE DEPARTMENT

BACKGROUND

The County Fire Department (CFD) provides fire suppression and emergency medical/rescue services to County unincorporated areas and contract cities. The Fire Department is a special district fire department. Employees are not County employees but Special District employees. One of the main reasons for the special district structure is to limit the liability to the County of San Bernardino.

The department's responsibility covers 65 communities over 16,225 square miles and consists of 67 fire stations, 35 fire districts, 469 employees, 421 paid-call firefighters, with more than 500 vehicles. The current CFD operating budget is \$86 million. The department is funded by ad valorem property taxes, Federal and State grants, money from Homeland Security, and \$2.6 million from the County General Fund. Fiscal year 2005-2006 funding will be critical as some of the grants will end and are not renegotiable or renewable.

County Fire is divided into four (4) divisions: North Desert, South Desert, Mountain, and Valley Divisions. The North and South Divisions cover vast territory where growth is not occurring, except along the freeway corridors. The cost to provide service is a serious challenge. In addition, nearby cities and adjoining states of Arizona and Nevada are paid to provide needed additional service. Growth in the Valley and Mountain Divisions continues and revenue for fire and emergency service are maintained. Several proposals to consolidate the divisions into one fire district have been reviewed and presented to the Board of Supervisors.

FINDINGS

San Bernardino County is so large that in some areas emergency services are seriously limited. Because fire departments are generally the first to respond to emergencies, two areas of the County are in desperate need of immediate attention: Interstate 15 and Interstate 40.

Due to the long distances and the high traffic volume of these corridors, there is extreme concern about the length of time it takes for medical services to reach accident victims. No other state (in the lower 48 states) has this amount of "uncovered mileage" along Federal and/or state highways.

According to the California Highway Patrol Department (CHP), vehicles traveling on Interstate 15 totaled more than 4,700 per hour and on Interstate 40, 1,500 per hour. As of July 2004 traffic volume has increased, which is directly responsible for nearly 2,100 collisions on Interstate 15 and 300 on Interstate 40 (See Tables 1 & 2). As a result, 2,075

people were injured and 122 people were killed in this two-year period. CHP reports that the first hour after an injury occurs, known as the “golden hour”, is the most critical time. Emergency services on these highways are more than that “golden hour” away.

County Fire Department is always the first called on all emergency problems in the desert. Whether dealing with fire, accidents or other emergencies, these two interstate highways are seriously limited in coverage. Interstate 15 from Baker to the Nevada State line is served by one captain and two paid-call firefighters out of Baker. The County must pay the motel costs for the accommodations of these two firefighters. The equipment is left out in the elements. CFD has a working agreement with a nearby prison to use inmates to help with fire and emergency services. This sometimes can cause serious challenges due to turn-over and emergency “lockdowns”.

Interstate 40 must depend on service out of Barstow, Newberry Springs or Needles. Service is limited due to personnel coverage. Should an emergency occur “halfway” between cities, the response time is at least one hour. Service may come from Essex or Amboy, but it is another one hour south of Interstate 40, and service may be subject to availability.

Previous Grand Juries reviewed and investigated various proposals regarding new emergency services in Baker. It was learned that at the present time the County has property available for the purpose of building an emergency facility. The County must execute an agreement with the Bureau of Land Management (BLM) or will lose the property. The design for the facility has been completed and is ready for bids and construction. The estimated cost to build is \$2 million and operation of the station would be \$1.4 million annually. It currently costs \$700,000 annually to provide this limited emergency service out of Baker.

The Telephone Emergency Notification System (TENS) is the new name for what is known as the “Reverse 9-1-1 System”. The one-year project is in place but there are several concerns that relate to design of the system. The telephone “grids” have been set up but when the call is made to a specific “grid” the coverage may not be sufficient. And, should additional “grids” be called, the total area may not be in jeopardy, causing unnecessary notifications and/or evacuations. The “grids” are based upon local telephone company systems, therefore, making changes to the “grids” difficult and costly. TENS calls will be used only in extreme emergencies when evacuations may be required.

The system may be operational, but the funding presents a major problem. Using taxpayer dollars to provide a system to a particular area has some challenges. In addition to the operational cost, the County is charged \$.25 cents for each completed call.

The County Fire Department currently shares its Communications Center at the Rialto Airport with the County Sheriff’s Department and the Emergency 9-1-1 System. The temporary center has been home for many years. The facilities are old and cannot accommodate modern and new equipment. The increasing growth and development in the County causes these facilities severe challenges. The decentralization of this facility is

another major challenge. At the present time the Communications Center, administration and the training center are located at three separate locations. Communications is located at Rialto Airport, Administration in downtown San Bernardino, and training at the San Bernardino International Airport (SBIA) facilities.

RECOMMENDATIONS

- 05-35 THE COUNTY IMMEDIATELY CONSTRUCT AND STAFF A FIRE FACILITY IN BAKER.
- 05-36 THE COUNTY CONSTRUCT AND STAFF A FIRE/RESCUE FACILITY MID-WAY BETWEEN NEWBERRY SPRINGS AND NEEDLES.
- 05-37 A SURTAX BE INITIATED WITHIN THE TELEPHONE EMERGENCY NOTIFICATION SYSTEM (TENS) AREA.
- 05-38 IMMEDIATELY DEVELOP AND IMPLEMENT PLANS TO RELOCATE THE COUNTY FIRE DEPARTMENT COMMUNICATIONS CENTER TO SAN BERNARDINO INTERNATIONAL AIRPORT.

Provided by Department of California Highway Patrol

Table 1

Traffic Collisions - Interstate 15
North Barstow to Nevada State Line
7-1-2002 to 7-1-2004

Beat	Total T/C	Reportable T/C	Fatal T/C	Killed #	Injury T/C	Injury #	PDO T/C	DUI/PCF
72	174	72	5	9	67	138	102	13
73	324	158	15	18	143	298	166	23
74	347	172	18	25	154	347	175	25
75	715	237	16	21	221	574	478	27
76	242	106	10	12	96	199	136	21
77	290	129	13	16	116	267	161	10
	2092	874	77	101	797	1823	1218	119

Table 2

Traffic Collisions - Interstate 40
I15 Split - MPH
7-1-2002 to 7-1-2004

Beat	Total T/C	Reportable T/C	Fatal T/C	Killed #	Injury T/C	Injury #	PDO T/C	DUI/PCF
41	27	10	3	4	7	15	17	2
43	102	50	7	10	43	81	52	1
45	56	28	2	2	26	42	28	2
47	123	62	5	5	27	114	61	6
	308	150	17	21	103	252	158	11

DEPARTMENT OF PUBLIC WORKS FLOOD CONTROL

BACKGROUND

The Department of Public Works was established in the year 2000 during a Board of Supervisors restructuring of the County's organization. The functions of the department include: Flood Control and related services; maintaining roads and administration of special transportation projects in the unincorporated areas of the County; Surveyor functions; oversight for management and operation of the County's Solid Waste System; maintaining Regional Parks and provide recreational activities for the public.

This year has been the second wettest year in the history of record keeping in the Inland Empire. By the end of the rainy season the County will likely have reached record rainfall. The Department of Public Works' Flood Control and Transportation Divisions have been in the spotlight of County activity throughout the year dealing with flooding, mudslides and road deterioration.

FINDINGS

The Grand Jury reviewed in detail with the Public Works Director, all aspects of the Flood Control operations and found that the necessary organizational structure, policies and procedures are in place to deal with emergency operations as they arise.

One area in which the department could be more effective is in the disseminating of relevant information to the public in a timely manner. There is no dedicated public information officer for the Public Works Department or the Economic Development /Public Services Group. During the recent storms the department had to rely solely on the CAO's Public Information Officer to act as media spokesperson for emergency events, closures and contingency plan activation. The use of a dedicated public information officer or media spokesperson who is experienced in all public services functions, would allow the department to be proactive, rather than reactive, in the case of emergency operations.

A second area of concern deals with the timely repair of Institution Road. Institution Road is the only artery connecting the County's Glen Helen Rehabilitation Center (GHRC) with the outside world. A major portion of the road belongs to the City of San Bernardino. During major rainstorms which cause flooding, the road becomes impassable to normal vehicles and isolates GHRC. Options are the use of heavy military-type trucks and Humvees, but their use is limited by the depth and speed of the current. The Sheriff has resorted to the use of his patrol and rescue helicopters to provide routine transportation of staff during periods of road closure. Road closure also prevents the entrance of emergency fire and paramedic vehicles.

Since June 2004, Institution Road has been closed to traffic 16 times. Of this number, Sheriff's helicopters were used approximately ten of those days to shuttle essential personnel into and out of the facility. Each day multiple trips were required, primarily at 7:00 a.m. and 7:00 p.m. The use of the Sheriff's Aviation Division to shuttle County staff is quite costly, depending on the number of sorties flown and duration of use. Another concern is the danger of flying County personnel during inclement weather. While this is a contingency operation using existing assets and ingenuity, the frequency with which this has occurred in the past year is cause for concern.

The Department of Public Works has prepared and submitted a grant application to the Federal Emergency Management Agency (FEMA) to improve Institution Road into an all-weather access road. The \$3 million request for a "pre-disaster mitigation grant" is competitive with other applications nationwide. There is no guarantee of approval.

RECOMMENDATIONS

- 05-39 CREATE A PUBLIC SERVICES/ECONOMIC DEVELOPMENT GROUP
PUBLIC INFORMATION OFFICER POSITION TO DEAL DIRECTLY AND
KNOWLEDGEABLY WITH THE PUBLIC AND MEDIA ON ALL GROUP
ISSUES.

- 05-40 PURSUE WITH THE CITY OF SAN BERNARDINO JOINT RESOLUTION
OF THE PROBLEM WITH INSTITUTION ROAD.

REGISTRAR OF VOTERS

BACKGROUND

The Registrar of Voters (ROV) is under the jurisdiction of the California Secretary of State and the County Board of Supervisors. The ROV is responsible to conduct voter registration and voting processes with the highest level of professional election standards, accountability, security and integrity, thereby earning and maintaining public confidence in the electoral process.

In 2003 San Bernardino County complied with Federal and State mandates and ordered 4,000 optical touch-screen voting units and related equipment, software, technical and professional services from Sequoia Voting System. The County also hired a Registrar of Voters (ROV) who had previous experience in using the touch-screen voting equipment manufactured by Sequoia Voting Systems.

The new equipment was first used in January 2004 in a recall election in the City of Highland. The election produced results that showed the touch-screen voting equipment was accurate and voter and poll-worker friendly. The Primary Election of March 2, 2004 was the first large-scale use of the equipment. In that election the ROV programmed the equipment for over 20,000 ballot variations in 818 precincts at 408 polling places located in over 20,000 square miles of San Bernardino County. As a result, there were a few minor problems encountered, but they were identified and plans were implemented to correct the problems.

There were more than 4,000 test ballots run without the loss of one single vote. The machines went through a rigorous test and passed the pre-Election Day safeguards. Each machine was sealed with two serial-numbered seals. If the two seals don't match, then the machines cannot start up and are taken out of service. The "on and off" switch can only be used once; therefore, no pre-use of the machine is possible. When the machine is ready for use an installation program is used to validate the "zero votes" count. Most important is that all machines are "stand alone" equipment, which means that it is impossible for "hackers" to gain access to the machines at any time.

Problems prior to the Election Day concerned the Grand Jury and resulted in an investigation of the ROV. There were errors in printing, problems mailing ballots, and difficulty to register to vote. In addition, the party affiliation of some candidates was missing on the absentee ballots. The ROV failed to take competitive bids on the printing of the ballots. There were concerns when the ROV/Director announced in October that he would be leaving after the elections were completed. After the elections, there were serious allegations that the ROV seemingly had a difficult time handling the voting process. There were also claims of disorganization, inappropriate planning and improper training of poll workers. The ROV/Director also blamed the "seniors" for the problem, which triggered the firing of the ROV by the County Administrative Officer.

The 2004 General Election attracted more than 175,000 new voters in San Bernardino County. In the summer of 2004 there were 690,000 registered voters, of which 110,000 voted absentee ballot. Anticipating a large turnout, the electronic machines underwent a severe test, which resulted in a successful test run one week prior to the elections.

The comparison between San Bernardino County and all counties with 500,000 or more registered voters is done to show the percentage of actual voters responding to the Registrar of Voters call to vote. (See Table I)

FINDINGS

The San Bernardino County Registrar of Voters recruited more than 4,600 volunteers. Approximately 2,600 poll workers were 65 years of age or older, 1,400 under 65 years, and over 600 high school students. Volunteers must be at least 18 years of age and a registered voter in San Bernardino County. They must read and write English and be able to work on Election Day from 6:00 a.m. until all duties are completed. They must also have transportation to the polling place.

The County provides “rovers” and “assistants” that have equipment and additional supplies and provisional ballots. They are also trained in solving any problems that might occur. They have knowledge on equipment setups and process. They also have immediate access to the Registrar of Voters should a need arise.

All poll workers are considered “volunteers” and everyone must go through training classes each year. Training is mandatory and includes classes on policies and procedures, poll organization and voter processing. A special mandatory session is held for inspectors and assistants (sometimes called rovers). In an attempt to locate poll workers, a serious effort is made by the ROV to contact civic organizations, the League of Women Voters, Partners in Democracy, the political parties, senior citizen groups, and the Student Poll Worker Program. Sometimes members of the Grand Jury are called, as well as city clerks.

There are several programs that have been implemented in some counties in order to increase the recruitment of volunteers. Some counties are participating in a new “adopt a poll” program whereby private corporations make their businesses available as a poll location and provide their employees as poll workers.

Recently, a major push in some counties has required Spanish-speaking poll workers to be available. Generally this is not a problem because Federal law requires ballots in Spanish to be available.

The County participates in a Student Poll worker Program (SPP). State law (Election Code Section 12302b) allows high school seniors to serve as “Student Poll workers” on Election Day. The SPP began in 1998 and is a great way to introduce young

people to democracy in action and at the same time provide a valuable community service. To this date, there have been over 3,090 students from 30 different schools in the County who served on Election Day. Students serve as regular members of a precinct board on Election Day and receive the \$75 poll worker stipend. They must be high school seniors with a grade point average of 2.5, a U.S. citizen and at least 16 years of age. Any high school in San Bernardino County for which school district approval has been obtained can participate in the program.

Students bring new energy and enthusiasm to the precinct. They are in “learning mode” so they easily pick up complex election procedures covered in training. They are “tech savvy” to the County’s transition to touch-screen voting. For the students, they earn community service points toward graduation and earn extra credit in class. Thirty (30) high schools currently are participating in SSP.

A voter may vote a provisional ballot at the polls for one of the following reasons:

1. The voter’s name is not on the official roster of voters and the voting official cannot verify eligibility.
2. A voter has moved within the County, but did not re-register to vote.
3. Records indicate that the voter requested an absentee ballot and the voter fails to turn in the absentee ballot at the polls.
4. The voter is a first time Federal Election voter in the County and was unable to provide the required proof of identification.

The ROV will count all provisional ballots prior to the declaration of the final and official count of the election. Each polling place in the County had provisional ballots for immediate use. It was reported that various polling places experienced long lines and slow voting due to the large number of voters requiring a provisional ballot. Some voters were at the wrong polling places and were unable to locate their official polling places because of changes of policies by the ROV. Precinct maps were not available at polling places.

A large number of new registrations came in at the end of October and keying them into the system was not a priority of the ROV. Over 20,000 new registrations had not been keyed into the system by Election Day. The ROV determined that those voters not registered could go to the polls and vote using the provisional ballot. As a result, each provisional ballot had to be individually opened by hand and researched for authenticity. Checks had to be made on each ballot for duplications of registration, correct address and whether or not the ballot was correctly filled out. Signatures had to be verified and precinct numbers had to be placed on the ballots, which was time consuming.

In the 2004 elections there were 44,888 provisional ballots compared to the normal 10,000 ballots. This was due to the priority set by the ROV. Because of the large number of ballots, additional staff was required to process the ballots.

Each polling place had only one voter list available, which caused long lines. Voters were unable to determine whether their names appeared on the list without waiting in line to do so. When it was learned that they were at the wrong precinct they were then required to find their actual precinct. The poll workers did not have maps to help the voters locate their proper voting place, or they had to stand in the provisional ballot line to vote.

RECOMMENDATIONS

- 05-41 THE REGISTRAR OF VOTERS DEVELOP A "SPEAKERS BUREAU" TO INFORM COMMUNITY SERVICE GROUPS OF THE VOTING PROCESS AND TO SOLICIT VOLUNTEERS FOR POLL WORKERS.
- 05-42 ESTABLISH A PART-TIME POSITION FOR A RECRUITER OF POLL WORKERS WHOSE RESPONSIBILITY WOULD BE TO RECRUIT POLL WORKERS/VOLUNTEERS.
- 05-43 INSTITUTE AN "ADOPT A POLL" PROGRAM WHERE CORPORATIONS DONATE THEIR EMPLOYEES AND FACILITIES, AND THE MONEY EARNED BY THE POLL WORKERS IS DONATED TO A CHARITY OF THEIR CHOICE.
- 05-44 REVIEW THE VARIOUS INCENTIVES USED IN OTHER COUNTIES TO RECRUIT POLL WORKERS AND OTHER VOLUNTEERS AND ADOPT THOSE APPLICABLE TO SAN BERNARDINO COUNTY.
- 05-45 DEVELOP AN INCENTIVE PROGRAM FOR TEACHERS WHO WOULD ORGANIZE GROUPS OF STUDENTS IN THEIR SENIOR GOVERNMENT CLASSES TO PARTICIPATE IN THE ELECTION PROCESS.
- 05-46 THE REGISTRAR OF VOTERS WORK WITH SCHOOL DISTRICTS TO CONSIDER PLANS TO PROVIDE EXTRA CREDIT FOR ANY STUDENT THAT PARTICIPATES IN THE ELECTION PROCESS.
- 05-47 ESTABLISH AWARDS FOR SCHOOLS WITH THE MOST STUDENTS PARTICIPATING IN THE ELECTION PROCESS.
- 05-48 DEVELOP AN INCENTIVE PROGRAM TO RECRUIT STUDENTS WHO SPEAK SPANISH.
- 05-49 HIRE ADDITIONAL STAFF TO PROCESS THE REGISTRATION APPLICATIONS PRIOR TO THE ELECTIONS. THIS WILL REDUCE THE NUMBER OF PROVISIONAL BALLOTS THAT MUST BE COUNTED MANUALLY AND THUS SPEED UP THE PROCESS.

- 05-50 REINSTATE PRECINCT MAPS AT EVERY POLLING PLACE.
- 05-51 THE REGISTRAR OF VOTERS PROVIDE AN EXTRA REGISTRATION LIST THAT CAN BE POSTED AT EACH POLLING PLACE SO THAT THE VOTERS CAN DETERMINE IF THEY ARE AT THE CORRECT PRECINCT INSTEAD OF WAITING IN LINE AND FINDING OUT THAT THEY ARE NOT REGISTERED AND MUST THEN GO AND STAND IN THE PROVISIONAL BALLOT LINE.

COMMENDATION

IN LIGHT OF ALL OF THE DIFFICULTIES, PUBLICITY AND PRESSURES, THE 2004-2005 GRAND JURY COMMENDS THE INTERIM REGISTRAR OF VOTERS FOR HER ABILITY TO COUNT THE 44,888 PROVISIONAL BALLOTS BY HAND, REORGANIZE THE REGISTRAR OF VOTERS, AND CERTIFY THE NOVEMBER 2004 ELECTION.

Table I
Comparison of San Bernardino County to Large California Counties
Registered Voters vs. Actual Voters

Counties	Registered Voters	Actual Voters	Percentage Registered Voters
Contra Costa	504,505	418,335	82.92%
Los Angeles	3,972,738	3,085,582	77.67%
Alameda	742,258	567,915	76.51%
San Diego	1,513,300	1,145,035	75.66%
San Francisco	486,822	361,822	74.32%
Sacramento	650,701	482,012	74.08%
Orange	1,495,824	1,094,405	73.16%
Riverside	769,328	562,498	73.12%
San Bernardino	727,138	528,387	72.67%
Fresno	352,197	249,905	70.96%
Santa Clara	865,271	610,145	70.51%