

PUBLIC & SUPPORT SERVICES COMMITTEE

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PUBLIC AND SUPPORT SERVICES COMMITTEE

The Public and Support Services Committee investigated several departments and issues confronting the County.

A timely investigation regarding bridge inspection and repair of bridges controlled by the County was conducted and a report issued.

The committee made a thorough investigation of various water providers in the County and has made recommendations about future cooperation between the providers as water resources come under further pressure.

Solid Waste management was reviewed and a report was made.

Facilities Management was investigated, and although late in our tenure, it was determined to make a short report on our findings and refer further investigation of this department to the next Grand Jury.

The committee also reviewed the Chino Valley Agricultural Preserve, the Chino Valley Airport and Fleet Management with no reports issued.

The Public and Support Services Committee would like to thank everyone interviewed for their cooperation and dedication to their work and the County in general.

FACILITIES MANAGEMENT

BACKGROUND

The Facilities Management Department is responsible for the maintenance and custodial services of county owned and leased buildings and parking facilities. The County employs approximately 150 workers and outsources approximately 150 more. Contract vendors that successfully bid and are awarded the contract, provide the contract workers.

FINDINGS

The Grand Jury investigated only one area of Facilities Management Department; Custodial Contracts and their compliance. The committee requested a sampling of a typical custodial contract and received one that included the cleaning maintenance of the Redlands Courthouse. After a thorough review of the contract, the committee requested and was granted a visitation to the work site (Redlands Courthouse) to talk with both Facility Management personnel and the contract worker. The worker let the committee into the Courthouse with her set of keys. She was accompanied by an interpreter that was neither a county employee nor an employee of the contractor. One provision of the contract was that there be a site supervisor available. The committee was informed the “site supervisor” was the contract owner who resides in Las Vegas, NV.

On further investigation it was found that there were several items of the contract that were not in compliance. The most troubling of these was the contract worker we had met with, currently servicing the Redlands Courthouse, did not have the required background check by the District Attorney. Also, the Contract Corporation did not have the required Redlands business license, and its corporate license (Nevada) had been revoked permanently in February of 2008. The Grand Jury doesn’t know the reason for the revocation; however any change in the license status should be reported to the county.

The Facilities Management Department has failed to enforce contractual terms and has failed to ensure appropriate site supervision.

RECOMMENDATIONS

- 08-56 Provide adequate staffing to monitor contract compliance in the workplace, paying particular attention to background checks.
- 08-57 Complete periodic reviews of existing contracts, checking license status.
- 08-58 Establish a reasonable distance that a “site supervisor” can be from a site to effectively supervise that site.

PUBLIC WORKS

BRIDGES

BACKGROUND

The subcommittee met with four Professional Engineers from the Department of Public Works. The Department of Public Works is under the Assistant County Administrator for Economic Development and Public Services Group.

They answered all our questions that were proposed openly with candor and completeness. The Grand Jury concentrated on the 189 bridges that are under the county responsibility. These bridges are separated into two different categories: 1) Mountains and Valley, 52 bridges are over 20 feet in length, and 2) Desert, 137 bridges are over 20 feet in length.

One hundred twenty of these bridges are located between Daggett and Mountain Springs on National Trails Highway, which parallels Interstate 40. These bridges have low traffic counts of 90 to 800 vehicles per day. They run a higher volume only during the rare times that Interstate 40 is restricted or closed for a traffic problem.

FINDINGS

The state inspects and reports on the bridges conditions every two years. They accomplish this on a rotating basis and reports are received on a constant timeline. The State and Federal government have funding programs that support the repairs on bridges over 20 feet in length. Sixty-seven bridges qualify for this type of funding. Bridges that are not covered under State and Federal funding are eligible for repairs under the State gas tax funding.

Load restrictions are posted on 70 bridges throughout the county. This is a self-regulated restriction and is only enforceable if viewed by the CHP. There are no electronic devices, such as cameras and/or electronic contacts that would alert the CHP of weight violations.

Caltrans has a strong program for emergency inspections when earthquakes occur with a magnitude of three or more. After inspection, the bridges found with defects are reported to the county for repairs. A quake with a magnitude of four is 10 times stronger than a magnitude of three and these extrapolations are carried throughout the Richter scale.

Bridge repairs and replacement fall under two separate categories.

Repairs:

Repairs are considered by safety factors and traffic counts, and are given a priority. Repairs are generally completed within the year that the repair order was issued.

Replacement:

Bridge replacement includes a two- to three-year environmental approval by Caltrans. Environmental considerations for all projects follow the requirements of the National Historic Registry, Bureau of Land Management (BLM), and U.S. Fish and Wildlife. Federal funding requires National Environmental Protection Act (NEPA) procedures rather than California Environmental Quality Act (CEQA). Along with these requirements, all regulatory permits are required before the bidding process begins.

Funding for all bridge construction and repairs comes from one of the following sources: Gas Tax, Measure I, AB 2928, Proposition 1B, and Federal Funds.

They have indirect communications with the county supervisors, but are pleased with their budget and systems of support from the county. The communication with Caltrans, the subcommittee felt could be stronger, but it is adequate to meet their goals. Working with the Caltrans and Federal funding just takes time and rushing the systems is not recommended. Their budget is not derived from the general fund, but from Gas Tax and Federal programs, so the majority of the budget varies and is controlled by these funding mechanisms.

The repairs that are not on track due to lack of funding at this time are the bridges in Yermo, Baker Boulevard and the National Trails Highway.

A great deal of time and monies are spent on county bridges that have very limited traffic and services a limited number of county residences. This is an important service in their daily life. Perhaps an alternative concept of a ditch paved over instead of an actual bridge would be more economical, with little inconvenience to local residences.

This department is well staffed and seems to perform their duties on bridges in a competent manner within the complicated and fragmented system that they must work.

RECOMMENDATIONS

- 08-59 Fund all pending bridge repairs at Yermo, Baker Boulevard and the National Trails Highway.
- 08-60 The County Board of Supervisors takes a more active role in funding County bridge repair and bridge safety programs.

- 08-61 The County Board of Supervisors should concentrate efforts to increase interactions with Caltrans to insure our share of the available funding for bridge replacements and repairs.

- 08-62 Prepare a cost analysis covering the last ten years to show the effectiveness of paving over the ditches, as opposed to bridge repairs and replacements.

COUNTY WATER RESOURCES/FLOOD CONTROL

BACKGROUND

San Bernardino County water supplies consist of local groundwater supplemented primarily by water imported from Northern California by means of the California Water Project. In 1960, California voters approved \$1.75 billion in general obligation bonds to finance construction of the State Water Project. Water supply contracts were signed between the state and public agencies stretching from counties in the north, to the San Francisco Bay area, through the San Joaquin Valley, and into Southern California. Water deliveries from the project began in 1965. By 1997, 27 public agencies throughout California were serving 22 million people and one million acres of farmland.

Under the contracts signed between the state and public agencies (known as the State Water Contractors), it was agreed that the agencies would receive specified amounts of water each year from the State Water Project. In return, the agencies agreed to repay the full cost, including interest, of financing, building, operating and maintaining the water delivery system.

The State Water Project (SWP) is operated and maintained by the California Department of Water Resources. Its pumping plants move the water through canals, underground pipelines, siphons, and tunnels, including the 444-mile California Aqueduct.

The State Water Project's water supply capability depends on rainfall, snow pack, runoff, reservoir storage, and pumping capacity from the Sacramento Delta. Water deliveries have ranged from 1.4 million acre-feet in dry years to almost 4.0 million acre-feet in wet years. Given there is no assured or "guaranteed" annual water supply, local State Water Contractor agencies have worked hard to develop additional local water supplies.

Today, there are 29 member agencies of the State Water Contractors that purchase water from the State Water Project. Water from the project serves more than 25 million residents, businesses and farms throughout California, irrigates more than 750,000 acres of prime agricultural lands and directly sustains \$400 billion of the statewide economy.

FINDINGS

San Bernardino County residents and businesses rely substantially upon imported water from the State Water Project (SWP). Total precipitation is below normal this season. In addition, a recent environmental habitat federal court decision mandated a SWP water supply cutback of 30 percent.

There are three State Water Contractors in San Bernardino County. Each contractor agency is governed by elected district board members. The Mojave Water Agency services the high deserts areas of Victor Valley, Barstow, Yucca Valley and

Joshua Tree. The San Bernardino Valley Municipal Water District services the areas of San Bernardino, Redlands, Loma Linda, Rialto, Colton, Highland, Grand Terrace and Yucaipa. The Crestline Lake Arrowhead Water Agency services a portion of the San Bernardino Mountains. In addition, the Inland Empire Utilities Agency purchases State Water Project water from State Water Project Contractor, the Metropolitan Water District.

The Mojave Water Agency (MWA) was formed in 1959 by an act of the California Legislature and was activated by a vote of the residents in 1960 to manage declining groundwater levels in the Mojave Basin Area, Lucerne Valley and El Mirage Basin. The Morongo Basin and Johnson Valley areas were annexed in 1965.

The Agency imports water through the California Aqueduct to recharge groundwater from which local water companies and well owners derive well water for all uses including domestic, agriculture and industrial. Current MWA usage of SWP water amounts to about 15 percent of overall water consumption. Two pipelines directly from the California Aqueduct were constructed to service the water needs of the Barstow area and the Morongo Basin area including the Joshua Basin. All water runoff from streams above Silverwood Lake are metered by the SWP, and the exact amount of water from runoff into the lake is metered out of the lake into the Mojave River basin.

The MWA has an annual contract for up to 75,800 acre-feet of water from the State Water Project (SWP), although due to variability in deliveries of SWP water, the average annual supply available is currently estimated to be 58,400 acre feet. Pursuant to long-term planning, in order to balance the basin by the year 2025, it will be necessary for MWA to utilize its full SWP supply. The MWA has purchased and banked about 120,000 acre feet of water from the SWP California Aqueduct over that past three years, which is recharged into the water basins for future use. Because of cutbacks in state water supplies from the aqueduct, and in keeping with long-range planning to maintain adequate water supplies, the MWA Board has mandated that the Agency seek new supplies of water.

The MWA often meets with other water professionals, and is willing to meet regularly with San Bernardino County Flood Control and other water agencies to further the goals of ensuring water supplies and promote conservation for the area and the county.

The Inland Empire Utilities Agency (IEUA), originally named the Chino Basin Municipal Water District, was formed in 1950 to supply supplemental water to the region. Since its formation, the Agency has expanded to areas of responsibility to a regional wastewater treatment agency with domestic and industrial disposal systems and energy recovery/production facilities.

The Chino Groundwater Basin was adjudicated in 1978. The IEUA Board of Directors served as the governing board for the Chino Basin Watermaster until 1998 when the Superior Court modified the governing board to be an appointed 9 member

board. On July 1, 1998, the water district officially became the Inland Empire Utilities Agency.

The IEUA serves as the Santa Ana River Watermaster, along with the San Bernardino Valley Municipal Water District, the Western Municipal Water District, and the Orange County Water District. The Santa Ana River adjudication was approved by the Superior Court in 1969 and approves an annual report each year on water usage and rights consistent with the 1969 judgment.

The IEUA's 242 square mile service area is located in the southwest corner of San Bernardino County, and provides regional wastewater service and imported water deliveries to eight contracting agencies, which include the cities of Chino, Chino Hills, Fontana, Montclair, Ontario and Upland, and the Cucamonga Valley and Monte Vista water districts. The five elected IEUA board members represent the listed cities and portions of Rialto and Bloomington.

A considerable portion of the Chino Basin area consists of agriculture, dairies and industrial/commercial areas. When agriculture and dairy land goes to other development such as housing, the water rights go to cities and water districts.

In addition, the IEUA has become a recycled water purveyor, a biosolids/fertilizer treatment provider, and continues as a leader in water supply salt management for protecting the regions vital groundwater supplies.

Chino basin water supplies come from about 60 percent groundwater, 5 percent mountain streams, 10 percent recycled water, and 25-30 percent purchased from the Metropolitan Water District (MWD). The MWD water supplies are derived from a combination of California Water Project water and Colorado River aqueduct water pipelines, which is metered out to the IEUA from the MWD facility in La Verne.

The IEUA works regularly with San Bernardino County Flood Control, and is willing to meet regularly with San Bernardino County Flood Control and other water agencies to further the goals of ensuring water supplies and promote conservation for the area and throughout San Bernardino County.

The Crestline-Lake Arrowhead Water Agency (CLAWA) is a public agency created in 1962 by a special act of the California State legislature to provide supplemental water to a portion of the San Bernardino Mountains.

As a State Contractor, CLAWA sells imported water wholesale to approximately 25 retail water purveyors for domestic use and fire protection purposes. The Agency's sole source of supply is surface water from Silverwood Lake, which is processed through the Agency's treatment plant. The maximum system design capacity of the CLAWA's transmission system is 15 cubic feet per second (6,750 gallons per minute). CLAWA's maximum entitlement for SWP water is 5,800 acre-feet per year. Up to 1,302 additional

acre-feet per year can be appropriated from Houston Creek, which is a tributary to Silverwood Lake.

The community of Lake Arrowhead was not included when the CLAWA was formed. Recently, the Lake Arrowhead Community Services District reached a 15-year agreement to purchase 7,600 acre-feet of SWP water from the San Bernardino Valley Municipal Water District through the CLAWA. The agreement allows the District to supplement its water supply with an average of 500 acre-feet of water per year.

The CLAWA is willing to meet regularly with San Bernardino County Flood Control and other water agencies to further the goals of ensuring water supplies and promote conservation for the area and the county.

The San Bernardino Valley Municipal Water District (Valley District) was formed in 1954 as a regional agency to plan a long-range water supply for San Bernardino Valley. It imports water into its service area through participation in the State Water Project (SWP) and manages groundwater storage within its boundaries.

The Valley District covers about 350 square miles in southwestern San Bernardino County, spans the eastern two-thirds of San Bernardino Valley, the Crafton Hills, and a portion of Yucaipa Valley, and includes the cities and communities of San Bernardino, Colton, Loma Linda, Redlands, Rialto, Bloomington, Highland, East Highland, Mentone, Grand Terrace and Yucaipa.

Valley District's primary source of water is from the SWP through the East Branch of the State Aqueduct via Lake Silverwood. The Valley District and Western Municipal Water District have filed water right applications with the State Water Resources Control Board to obtain authorization to divert water from the Santa Ana River.

Valley District is the fifth largest of 29 contractors who are part of the California State Water Project. Valley District's maximum annual entitlement to SWP water is 102,600 acre-feet. Valley District supplies both local and SWP water for direct delivery to retail water agencies. In addition, Valley District is responsible for recharging certain groundwater basins to ensure that the basins have adequate water supplies to meet the needs of retail water agencies and residents within San Bernardino Valley Municipal Water District.

The San Bernardino Valley Municipal Water District is willing to meet regularly with San Bernardino County Flood Control and other water agencies to further the goals of ensuring water supplies and promote conservation for the area and the county.

The San Bernardino County Flood Control District (Flood Control District) maintains 14 water basins and water lines of basin networks in the Chino Basin area of the County. Storm waters are directed to Inline basins during storm events. Flood Control Debris basins are located throughout the foothill areas of the valleys. When

storm flows are not captured for groundwater recharge, they are allowed to flow to the Santa Ana River and eventually to Prado Dam.

The Seven Oaks Dam is a single-purpose flood control project constructed by the Army Corps of Engineers in 1999 and turned over to local sponsors in 2002. The major sponsor is the Orange County Flood Control District, along with the Riverside Flood Control and Water Conservation District, and the San Bernardino County Flood Control District. The dam is the largest earth dam in the United States, with a capacity of 145,600 acre-feet of water. Dam reservoir regulation is performed by Orange County Flood Control District staff. Daily operations are performed by San Bernardino County Flood Control District staff. The purpose of the dam reservoir is to prevent flooding during wet seasons and to recharge groundwater during dry seasons.

The Flood Control District works with the Inland Empire Utilities Agency (IEUA), which deals with the Chino Basin. Flood Control also works with all water companies and agencies in the desert and mountain areas of the County. The relationship between the Flood Control District and private or public water entities is a result of issuing permits to perform work on Flood Control lands and easements. Further relationships are formed to assist water entities in recharging water basins.

The Flood Control District faces challenges in maintaining unrestricted flood control areas mired in environmental regulations that cause excessive water and bank vegetation restricting the flow of floodwaters. The District also suffers from a high vacancy rate in qualified engineer positions, which reduces the expertise and effectiveness of the Flood Control District.

One of the Flood Control District's strategic goals is to increase groundwater recharge services at flood control facilities in support of maintaining adequate water supplies for the people of San Bernardino County.

The Flood Control District is willing to take the lead in creating and improving relationships with water entities throughout the County in terms of hosting regular meetings to further the goals of ensuring water supplies and to promote conservation for each area and the County.

The California Department of Water Resources conducted a 2008 winter snow survey, which indicates that the snow pack water content is near normal this year. Despite this fact, the news is not good for water deliveries. Although there has been a return to average snow pack figures, State Water Project (SWP) deliveries remain near record lows because of the federal court ruling restricting Delta Pumping to protect Delta smelt.

Currently, the SWP is projected to deliver only 35 percent of requested amounts this year to communities, farmers and businesses in the Bay Area, Central Valley and Southern California.

The Association of California Water Agencies (ACWA), a coalition of 450 public water agencies, has launched a statewide effort and website (calwatercrisis.org), entitled “California’s Water: A Crisis We Can’t Ignore,” to educate Californians about critical challenges now confronting the state’s water supply and delivery system.

RECOMMENDATIONS

- 08-63 The San Bernardino County Flood Control District host regularly scheduled meetings with State Water Contractors and all other water agencies within the County, to discuss immediate and long term water concerns.

- 08-64 Recruit qualified engineers to fill vacant positions to meet immediate and future Flood Control District needs.

SOLID WASTE MANAGEMENT

BACKGROUND

The Solid Waste Management Division (SWMD) is responsible for the planning and disposal of the daily accumulation of waste generated by the County's growing population. The facilities for this disposal are landfills, transfer stations, and community collection centers located throughout the County. Each facility has a different function but all contribute to the same goals of waste reduction and eradication.

FINDINGS

Two levels of government, the State and the County, are involved with the County's solid waste program. The State regulates financial and operational details of the disposal sites and specifies the enforcement agency. It mandates financial assurances from the County for site maintenances and closures and designates the enforcement agent for their permits and inspections. For San Bernardino County, that agent is Environmental Health Services under the Department of Public Health. At the County level, the Solid Waste Management Division (SWMD) oversees the actual operation of the solid waste program through a contract operator. The operator's contract was reviewed with SWMD staff. It was detailed and voluminous. The contract was signed in 2001 and has been extended continuously with an expiration date of 2012. It has 25 amendments reflecting adjustments to changing facility conditions and requirements during the contract period.

Solid Waste programs are financed through funds based on an enterprise system. In this system, charges from users of the waste facilities offset expenses resulting in self-financed operations. There are five funds for solid waste: Operations, Site Closure and Maintenance, Site Enhancement and Inspection, Environmental, and Environmental Mitigation. These five funds collectively are known as "enterprise funds."

The Operations Fund is the largest of the solid waste funds. It is equal to almost 70% of the five funds in appropriations and revenues, and finances the contract operator for the day-to-day activities of waste collection and disposal. The cost of the contract operator is included in the Services and Supplies budget entry of \$39,807,980. Even though it is 70% of the cost, it is not identified as a single line item in the budget.

The enterprise funds appear to be secure and independent from outside support. This is due in part to revenue from the landfills, interest from investment accounts and financial assurances the County must pledge in responding to State solid waste legislation. These funds could have potential problems as their financial condition is sensitive to several factors; the efficiency of the contract operator, validity of estimates for current and future site planning, the speculative nature of environmental conditions,

and the financial stability of the County. Serious County deficits could affect the degree to which the County is able to provide the financial assurances mandated by the State.

Landfills have a limited capacity. Forecasting costs for future landfill capacities and post maintenance needs is speculative due to such unknowns, as whether landfill tonnage will increase or decrease, and the reliability and amounts of funds available for operations. The site Closure and Maintenance Fund finances these costs. To date, 27 landfills have been closed with future landfill site closures scheduled as late as 2059. The Site Enhancement, Expansion and Acquisition Fund finances both improvements to current sites and acquisitions for future sites. Revenues for this are from interest earned on reserve accounts and funds transferred from deposits established to assure guarantees according to State regulations.

Activity at landfills has a potential for creating environmental problems. The Environmental Fund has a direct involvement in site activity as it funds gas extraction and groundwater drainage for health and safety measures. The Environmental Mitigation Fund has a broader application. The County, through various agreements, has a commitment to pay communities for adverse environmental conditions, which are caused by active, closed or partially closed landfills.

RECOMMENDATIONS

- 08-65 Enter the contract operators' cost in the Public Works budget as a separate line item entry.

- 08-66 Review financial options in the event the County cannot support enterprise funding for solid waste.