

BAKER COMMUNITY SERVICES DISTRICT

2010-11 Grand Jury Report

Attachment 2h

COUNTY OF SAN BERNARDINO

GRAND JURY FINAL REPORT



2010-2011

THE COMMUNITY OF BAKER

Community Service District

BACKGROUND

The Baker Community Service District consists of a 4.5 square mile area on I-15 about 60 miles northeast of Barstow, California. The district serves about 600 residents; most are employed in this desert community. Baker is known as the “Gateway to Death Valley” along with “The Tallest Thermometer in the World”. The community offers relief to thousands of travelers on their way east or mainly to Las Vegas and serves as a refreshing station for fuel and food. The area is rural desert with mainly mobile style housing and unpaved roads with upgraded facilities for travelers. Eighteen thousand vehicles pass by or through this desert relief station each month.

In March 2011, members of the 2010-2011 Grand Jury attended the publicly scheduled County Service District meeting for Baker. The Grand Jurors also held a “Closed Door” meeting with the district’s General Manager and Secretary after the public meeting. The members had an opportunity to speak at this public meeting and they verbalized the duties of the Grand Jury and how they came to attend their meeting and of our interest in their operations. Each member of the current board expressed their views on the area, intentions, and everyday problems. They expressed a deep concern of the lack of understanding in their plight in Baker’s relationship with the County’s entities, such as Planning, Land Use Services, Building, Transportation and any agency that controls building and roads. Their concerns are focused on the regulatory agencies control of all building and construction in their area, and their applying urban (City) regulations to rural (Desert) communities.

Each member of the board told of incidents when they personally were confronted by a member of the community. Each of the incidents indicated a demanding or unpleasant attitude by county officials, employees, and was given misstated information from the

County. One incident resulted in a cost of over \$50,000.00 of improvements required by the county, only to be told by the county that those improvements were not needed, but others were needed. There were numerous events requiring extensive time consumption or unwarranted expenditures with little economic return for the area. A number of wanted and needed franchises have considered investing in the area only to be frustrated by the county employees and stringent regulations that would make their investment unrecoverable in an appreciable time. The comments from these potential investors indicate they would not invest in a situation that is not properly built or that is economically and ascetically not fit for the budget and the local ambience for a desert community.

FINDINGS

1. There is a single list of regulations that cover urban and rural areas imposed by county departments.
2. The County was working on a “Customer First” approach in the past with potential customers in all areas of contact with counties residences. A sometimes rude and uncaring attitude by the county employees of regulations are interpreted with great unsureity.
3. Most of the communication problems are with Land Use Services, Planning, and Local Agency Formation Commission (LAFCO). This is not only a county problem, but the Baker community has not responded to many of the County’s departments that could supply needed information.
4. The Baker Community Service District has implemented its own improvements without County approval, mainly in the road paving area.
5. The opinion shared by the majority of members of the Baker Community Service District Board is that they are happy with the way things are presently.

RECOMMENDATIONS

- 11-19 Implement a two tiered set of regulations for urban and rural areas. For example not imposing curbs and gutters in extreme rural areas that have no sewers, no containment, and water control programs. (Finding 1)

- 11-20 Treat local residents who request services from our County with courtesy and respect to encourage dialogue. (Finding 2)

- 11-21 More “Face to Face” meetings between the First District County Supervisor, staff members, and Special District members. (Finding 3)

- 11-22 Ensure prompt responses to communications. (Findings 2, 3)

- 11-23 The Community of Baker consider forming their own city, when appropriate. (Finding 5)

<u>Responding Agency</u>	<u>Recommendations</u>	<u>Date Due</u>
General Manager, Community of Baker	11-20 through 11-23	September 30, 2011
Board of Supervisors	11-19 through 11-22	August 30, 2011

**County of San Bernardino
Board of Supervisors Response
to the 2010-2011 San Bernardino County
Grand Jury Final Report**



**Adopted by the
San Bernardino County Board of Supervisors
September 27, 2011**

performance audits. This Chief Audit Executive is to report directly to the San Bernardino County Chief Executive Officer (CEO) for administrative matters and to seek guidance on the scope and performance of the audit function from the Audit Committee. This chain of responsibility is different from the OC model but as we point out elsewhere in this report, in San Bernardino County there already is in place an Audit Committee that reports to the Board of Supervisors.

Portions of this recommendation have been implemented. On July 12, 2011, the Board of Supervisors moved the Chief Deputy Auditor from the unclassified "at-will" service to the classified service. And the Chief Audit Executive has been seeking guidance on the scope and performance of the audit function from the Audit Committee since its foundation in 2004. The County does not believe it would be appropriate to implement the recommendation to have the Chief Audit Executive report directly to the Chief Executive Officer because the County Charter, Article V, Section 6, assigns the duty for financial audits of accounts of County offices and departments to the elected Auditor-Controller/Treasurer/Tax Collector.

11-13 The Chief Deputy Auditor report to the County CEO for administrative issues.

The Board of Supervisors does not believe it would be appropriate to implement this recommendation because the County Charter, Article V, Section 6, assigns the duty for financial audits of accounts of County offices and departments to the elected Auditor-Controller/Treasurer/Tax Collector.

11-15 The County Board of Supervisors extend an invitation to each year's sitting Grand Jury to attend the quarterly meetings of the Audit Committee.

The County will implement this recommendation. There will be no expense to the County.

THE COMMUNITY OF BAKER
Community Service District

FINDINGS

1. There is a single list of regulations that cover urban and rural areas imposed by county departments.

The Board of Supervisors disagrees with this finding. The County Development Code has regulations that are specific to the valley, mountain, and desert regions.

2. The County was working on a "Customer First" approach in the past with potential customers in all areas of contact with counties residences. A sometimes rude and uncaring attitude by the county employees of regulations are interpreted with great unsureity.

The Board of Supervisors agrees with this finding. With a workforce of nearly 18,000, it is possible that public encounters with staff may sometimes be less than satisfactory. However, the County remains committed to its "Service First" delivery model and continually seeks opportunities to improve service to the public. Recent examples in the land development arena include a "one stop" counter that provides convenient access to Planning, Public Works, Environmental Health and Building & Safety staff at the San Bernardino County Government Center in San Bernardino; the opening of the High Desert Government Center in Hesperia where staff from Planning, Building & Safety, Code Enforcement, Public Works and County Fire are accessible under one roof; and planned implementation in 2011-12 of an electronic plan review and approval process which will reduce costs for project applicants and improve turn-around times for project review.

3. Most of the communication problems are with Land Use Services, Planning, and Local Agency Formation Commission (LAFCO). This is not only a county problem, but the Baker community has not responded to many of the County's departments that could supply needed information.

The Board of Supervisors agrees with this finding and believes that there is almost always room for improvement in communication between the County and other agencies.

4. The Baker Community Service District has implemented its own improvements without County approval, mainly in the road paving area.

The Board of Supervisors has no basis upon which to agree or disagree with this finding because it has not been made aware of road improvements implemented outside of Development Code requirements and/or County Maintained Road System.

5. The opinion shared by the majority of members of the Baker Community Service District Board is that they are happy with the way things are presently.

The Board of Supervisors has no basis upon which to agree or disagree with this finding because it has no direct knowledge regarding the level of satisfaction of the Baker Community Service District Board of Directors.

RECOMMENDATIONS

11-19 Implement a two tiered set of regulations for urban and rural areas. For example not imposing curbs and gutters in extreme rural areas that have no sewers, no containment, and water control programs.

The Board of Supervisors partially agrees with this recommendation. It agrees that there are communities within the County that are more rural and do not require the same level of improvements as more urban, developed areas. It also believes that in order to appropriately address the diversity of its unincorporated communities more than two categories (urban and rural) of development standards will be required. The current Development Code recognizes the unique characteristics of three distinct regions of the County (Valley, Mountain and Desert) and specifies standards within each region according to intensity of use. The Development Code standards are also intended to encourage and support orderly and progressive (as opposed to leap-frog) development within the unincorporated areas. These requirements have the potential to directly impact the growth patterns and economic development potential of an unincorporated community for several decades into the future. The County continues to evaluate the infrastructure development standards and is currently preparing to conduct a Development Impact Fee study. It will use that process to further evaluate the infrastructure development standards in Baker and other similar communities in order to better match the standards with the community needs.

11-20 Treat local residents who request services from our County with courtesy and respect to encourage dialogue.

Implementation of this recommendation is ongoing at no increased cost to the County. The County remains committed to providing the highest level of service possible. Customer Service training continues to occur and staffing assignments are continually monitored to best match the person to the job.

11-21 More "Face to Face" meetings between the First District County Supervisor, staff members, and Special District members.

This recommendation has been implemented at no increased cost to the County. The County, including the First District Supervisor and his staff,

the Chief Executive Officer and his staff, Land Use Services Department, Department of Public Works, Environmental Health Services and County Fire remain committed and available to meet and/or respond to concerns expressed by the CSD Board, staff and constituents.

11-22 Ensure prompt responses to communications.

This recommendation has been implemented at no increased cost to the County. It is noted that, in the past, it has taken weeks, and sometimes months, for the County to respond to correspondence from the Baker CSD. In order to ensure prompt and effective response to concerns of this community, the County's Chief Executive Officer, with the concurrence of the First District Supervisor, has assigned a member of the County Administrative Office executive staff to serve as a "key contact" for the Baker CSD.

CHILDREN'S ASSESSMENT CENTER

BACKGROUND

Prior to the opening of the Children's Assessment Center (CAC), abused children referred to Child Protective Services (CPS) often had to endure a number of interviews performed by the multiple agencies involved in the investigation of the case. Often victimized children suffered unnecessary trauma in this process. In 1992, the Children's Network Policy Council established a task force consisting of representatives from Children and Family Services (CFS), County Medical Center, Public Health, Behavioral Health, the District Attorney's Office, the Sheriff's Office, Juvenile Court, Family Law Court, County Counsel, Children's Network, Children's Fund, and Loma Linda University Medical Center (LLUMC) to explore the possibility of creating a quality, comprehensive program, to provide forensic interviews and evidentiary medical examinations in one, child friendly, location for sexually abused children in San Bernardino County.

A partnership between Loma Linda University Medical Center, San Bernardino County, and law enforcement agencies was formed. With the full support of the San Bernardino County Board of Supervisors, the Children's Assessment Center, a private/public partnership, was opened on January 24, 1994, in a suite of offices donated by LLUMC.

An Advisory Board was established as the Governing Board for the Assessment Center made up of representatives from all partnership agencies. As the benefits of the Children's Assessment Center services to sexually abused children were realized, it became apparent that these same services would also be beneficial to victims of physical abuse as well as sexual abuse. The Center began to see

COMMUNITY OF BAKER

IN RESPONSE TO RECOMMENDATIONS

11-20

11-21

11-22

11-23

**2010-2011 GRAND JURY REPORT
RESPONSE FORM**

GROUP Baker Community Services District

Date: July 18, 2011

SUBMITTED BY Le Hayes, General Manager

First a couple of corrections of the narrative found in the "Background" section of the Grand Jury report.

Narrative statement: "Eighteen thousand vehicles pass by or through this desert relief station each month."

Correction to the above statement:

The average traffic count for Interstate 15 at the West Baker interchange (pass by) is 43,500 vehicles per day.

<http://www.dot.ca.gov/hq/traffops/saferesr/trafdata/2009all/Route12-15i.htm>

The average daily traffic count on Baker Boulevard at the intersection of Highway 127 is 7,942 vehicles per day.

<http://www.sbcounty.gov/transADT/AvgDailyTraffic.aspx>

Narrative statement: "In March 2011, members of the 2010-2011 Grand Jury attended the publicly scheduled County Service District meeting for Baker."

Correction to the above statement: We are a Community Service District, a political sub-division of the State of California under California Government Code 61000, not a County Service District

In response to Recommendations 11-20 through 11-23 as requested:

Finding 11-20: The various county departments and the employees that staff those departments reflect a cross section of the population as a whole. Some are knowledgeable and helpful, others demonstrate their lack of job skills by exhibiting arrogance, ignorance, rudeness or indifference.

Finding 11-21: We realize we are distant from the County Government Center, which makes "in person" meetings time consuming and costly. We will use email and the phone to communicate more effectively.

Finding 11-22: Same response as above.

Finding 11-23: We don't expect to have the population/registered voters necessary to form a city in the near future.

Additional response to the "Findings" of the Grand Jury:

It is the responsibility of Baker C.S.D. to act in the best interest of our community. Part of that "best interest" is paving roads as money is available. We take no particular interest in what LAFCO or the County of San Bernardino may think of those activities.