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July 24, 2018

The Honorable Dale Blea
Supervising Judge of the Grand Jury
Madera County Superior Court
200 S. G Street
Madera, CA 93637

Subject: Response to the 2017-18 Grand Jury Report entitled "Madera County Roads: Has "Doing More With Less" Run its Course?"

Honorable Judge Blea:

Pursuant to the California Penal Code 933.05, the Madera County Board of Supervisors submits this response to the findings and recommendations in the 2017-18 Madera County Grand Jury report entitled **"Madera County Roads: Has "Doing More With Less" Run its Course?"** See Attachment #1.

The following are the Grand Jury's findings and recommendations and the Board of Supervisors' responses:

Finding 1:

Because there is no instruction manual outlining the service request system, the system users are not properly trained.

Response

Respondent partially disagrees with the finding per California Penal Code 933.05 (a) (2). Under separate cover, the Director of Public Works has responded to this finding and stated:

"While there is no published formal instruction manual, individual users have been provided written instructions. All users are inputting information into the system correctly and obtain the appropriate information from callers. Since the Administration Department has recently started using the system Countywide in conjunction with the 311 program, there is the opportunity to create a user manual for all types of service calls, not just road related."

The response of the Director of Public Works to the above Finding is considered appropriate and is submitted as the Board of Supervisors' response.

Finding 2:

Because there are no regular internal audits and no system for alerting PWD of service requests that remain open after two weeks, the processing of service requests is inconsistent.

Response

Respondent partially disagrees with the finding per California Penal Code 933.05 (a) (2). Under separate cover, the Director of Public Works has responded to this finding and stated:

“Clerical staff pull a report weekly of all service requests that have been open longer than two weeks. This list is sent to the Deputy Director, who in turn sends them to the road supervisors. It is accurate to state the software has no mechanism to flag a request that has been open more than two weeks, but inaccurate to state there are no regular internal audits of the system.”

The response of the Director of Public Works to the above Finding is considered appropriate and is submitted as the Board of Supervisors' response.

Finding 3:

Because there are no written instructions for PWD staff to request contact information, complainants often receive no follow-up on their request for service.

Response

Respondent partially disagrees with the finding per California Penal Code 933.05 (a) (2). Under separate cover, the Director of Public Works has responded to this finding and stated:

“There is no widely shared instruction manual, but individual users have written instructions. All clerical staff asks for contact information from callers. Most times, callers do not want to share their contact information and would prefer to remain anonymous. An email address is usually asked for since the system can send automatic communication when the status of the request has changed. Clerical staff commonly hears from callers that they do not want to give their email address because they do not want “spam” mail from the County or they do not have an email address.”

The response of the Director of Public Works to the above Finding is considered appropriate and is submitted as the Board of Supervisors' response.

Finding 4:

PWD does not adequately promote the service request system to the public.

Response

Respondent disagrees with the finding per California Penal Code 933.05 (a) (2). Under separate cover, the Director of Public Works has responded to this finding and stated:

"The Service Request system (GORequest) utilized by Public Works Department has been promoted through outreach at public meetings, on the Public Works website, and through Social Media. All Department staff has also been informed of the system so that they can share this with the public when the need/opportunity arises. The County Administration recently adopted the use of the system Countywide and it has been re-branded as MadCoServices and is now tied to the County's 311 program. The promoting of this service has also been expanded beyond just the Public Works Department with its use Countywide, including promoting by the recently formed Public Information Team (P.I.T.) PWD staff utilizes every opportunity to publically promote all the ways a service request could be inputted into our system. PWD will continue this practice."

The response of the Director of Public Works to the above Finding is considered appropriate and is submitted as the Board of Supervisors' response.

Finding 5:

The five road crews are not staffed proportionately to their district's workload.

Response

Respondent agrees with the finding per California Penal Code 933.05 (a) (1).

Finding 6:

Road crew morale is low.

Response

Respondent disagrees with the finding per California Penal Code 933.05 (a) (2). Under separate cover, the Director of Public Works has responded to this finding and stated:

"Respondent is not aware of, nor does the Grand Jury offer any facts in support of this."

The response of the Director of Public Works to the above Finding is considered appropriate and is submitted as the Board of Supervisors' response.

Finding 7:

Because PWD lacks a written policy and procedures manual for road repairs, road repair standards are inconsistent.

Response

Respondent agrees with the finding per California Penal Code 933.05 (a) (1).

Finding 8:

Because PWD does not ensure that every road maintenance worker has been formally trained for every type of job to which they might be assigned, job performance

Response

Respondent disagrees with the finding per California Penal Code 933.05 (a) (2). Under separate cover, the Director of Public Works has responded to this finding and stated:

“Training is the responsibility of the road crew supervisor and varies crew to crew based on which tasks they might assign their staff. Each road crew supervisor has worked their way up through the ranks over their career and is familiar with the required maintenance activities and operation of equipment. They direct their staff daily to perform the tasks at hand and have weekly meetings with their crew.”

The response of the Director of Public Works to the above Finding is considered appropriate and is submitted as the Board of Supervisors’ response.

Finding 9:

Road maintenance workers do not receive proper and adequate safety training.

Response

Respondent disagrees with the finding per California Penal Code 933.05 (a) (2). Under separate cover, the Director of Public Works has responded to this finding and stated:

“Each staff member has been provided the Department’s Safety Manual and Heat Illness Prevention Program. In addition, each crew has a weekly tailgate safety meeting, and all new hires receive flagging training. It has been noted that not all crews are familiar with proper temporary traffic control despite having the adopted standard field guide available to each of them (Work Area Traffic Control Handbook adopted by American Public Works Association). The Department has scheduled onsite training and certification through UC Berkeley Institute of Traffic Safety for setting up proper work zones and temporary traffic control. This will include updated flagging training and certification for all road crew personnel.”

The response of the Director of Public Works to the above Finding is considered appropriate and is submitted as the Board of Supervisors’ response.

Finding 10:

Written temporary traffic control plans and procedures per Caltrans guidelines are not utilized consistently.

Response

Respondent agrees with the finding per California Penal Code 933.05 (a) (1).

Finding 11:

Because PWD does not oversee or review the written temporary traffic control plan for every job before it is started, safety is compromised.

Response

Respondent partially disagrees with the finding per California Penal Code 933.05 (a) (2). Under separate cover, the Director of Public Works has responded to this finding and stated:

“While there is no separate written temporary traffic control plan for each and every job, each crew has the APWA field guide Work Area Traffic Control Handbook which is the adopted standard throughout the industry, and the crew supervisor is to ensure the proper setup of the temporary traffic control. The Department has also scheduled onsite training and certification through UC Berkeley Institute of Traffic Safety for setting up proper work zones and temporary traffic control. This will include updated flagging training and certification for all road crew personnel.”

The response of the Director of Public Works to the above Finding is considered appropriate and is submitted as the Board of Supervisors’ response.

Finding 12:

Because road crew trucks lack sufficient safety lights and beacons, safety is compromised.

Response

Respondent disagrees with the finding per California Penal Code 933.05 (a) (2). Under separate cover, the Director of Public Works has responded to this finding and stated:

“All road crew fleet have aftermarket flashing beacons installed to increase visibility.”

The response of the Director of Public Works to the above Finding is considered appropriate and is submitted as the Board of Supervisors’ response.

Finding 13:

Monthly meetings between Deputy Director and road maintenance supervisors are ineffective.

Response

Respondent disagrees with the finding per California Penal Code 933.05 (a) (2). Under separate cover, the Director of Public Works has responded to this finding and stated:

“Respondent is not aware of, nor does the Grand Jury offer any facts in support of this. Monthly meetings were non-existent under previous administration. These meetings began 3 months ago with the intent to increase communication, eliminate equipment scheduling conflicts between crews and operate more efficiently. Since implementing these meetings; communication on all levels has increased, and there have been less equipment scheduling conflicts between crews.”

The response of the Director of Public Works to the above Finding is considered appropriate and is submitted as the Board of Supervisors’ response.

Recommendation 1:

PWD develop an internal office policy and procedures manual within the next year.

Response

The recommendation has not yet been implemented, but will be implemented in the future. Under separate cover, the Director of Public Works has responded to this recommendation and stated:

"The Department is currently in the process of implementing this recommendation by creating a procedure manual."

The response of the Director of Public Works to the above recommendation is considered appropriate and is submitted as the Board of Supervisors' response.

Recommendation 2:

Office staff immediately receive formalized training for their service request job responsibilities.

Response

The recommendation will not be implemented because it is not warranted. Under separate cover, the Director of Public Works has responded to this recommendation and stated:

"Clerical staff has received training and with the transition to the Countywide use of the MadCoServices app, we will be working to develop an updated procedures manual in conjunction with County Administration that will be provided to staff once completed."

The response of the Director of Public Works to the above recommendation is considered appropriate and is submitted as the Board of Supervisors' response.

Recommendation 3:

Office staff request the name, address, telephone number and email for every person who generates a service request immediately.

Response

The recommendation has been implemented.

Recommendation 4:

PWD promote ways an individual can report a complaint by placing the PWD phone number, website and GORquest phone app information on every road crew truck within 90 days.

Response

The recommendation will not be implemented because it is not warranted. Under separate cover, the Director of Public Works has responded to this recommendation and stated:

"Every County vehicle already contains the 311 decals. The County also promotes the GORquest phone app through its website, social media, public meetings, correspondence, etc. Permanent 311 road signs are also located on major arterials throughout the County."

The response of the Director of Public Works to the above recommendation is considered appropriate and is submitted as the Board of Supervisors' response.

Recommendation 5:

PWD develop its own road maintenance job policy and procedures manual within the next year.

Response

The recommendation has not yet been implemented, but will be implemented in the future. Under separate cover, the Director of Public Works has responded to this recommendation and stated:

"The Department is currently in the process of implementing this recommendation by adopting the Caltrans Maintenance Manual."

The response of the Director of Public Works to the above recommendation is considered appropriate and is submitted as the Board of Supervisors' response.

Recommendation 6:

PWD develop its own road maintenance safety policy and procedures manual immediately.

Response

The recommendation has not yet been implemented, but will be implemented in the future. Under separate cover, the Director of Public Works has responded to this recommendation and stated:

"The Department is in the process of implementing this recommendation by adopting the Caltrans Maintenance Manual which includes Protection of Workers. This is in addition the County's Safety Manual and Heat Illness & Prevention Program."

The response of the Director of Public Works to the above recommendation is considered appropriate and is submitted as the Board of Supervisors' response.

Recommendation 7:

PWD provide certified training for all road maintenance supervisors and senior road maintenance workers in order to train their crews on the operation of road maintenance equipment within six months.

Response

The recommendation will not be implemented because it is not warranted. Under separate cover, the Director of Public Works has responded to this recommendation and stated:

"All road maintenance supervisors and senior road maintenance workers promoted from equipment operator. They have extensive knowledge and have operated all road maintenance equipment assigned to them. Periodically, there is additional specialized training or training for new equipment we purchase or rent. However, this type of training is conducted only when applicable."

The response of the Director of Public Works to the above recommendation is considered appropriate and is submitted as the Board of Supervisors' response.

Recommendation 8:

PWD require all road crew workers be trained by certified trainers within 12 months for every type of job to which they might be assigned.

Response

The recommendation requires further analysis. Under separate cover, the Director of Public Works has responded to this recommendation and stated:

"Road crew workers are manual labor type positions that trench, weed-eat, pick up trash, flag, etc. All road crew workers will be trained by certified trainers for flagging"

and temporary traffic control, etc. However, certified training for manual labor is not applicable.”

The response of the Director of Public Works to the above recommendation is considered appropriate and is submitted as the Board of Supervisors’ response.

Recommendation 9:

Safety training immediately be updated and provided in formats which can be utilized at tailgates and in shop office settings.

Response

This recommendation has been implemented.

Recommendation 10:

Effective immediately, temporary traffic controls properly follow the California Manual on Uniform Traffic Control Devices until the PWD develops its own manual.

Response

The recommendation has not yet been implemented, but will be implemented in the future. Under separate cover, the Director of Public Works has responded to this recommendation and stated:

“The Department has scheduled onsite training and certification through UC Berkeley Institute of Traffic Safety for setting up proper work zones and temporary traffic control. This will include updated flagging training and certification for all road crew personnel.”

The response of the Director of Public Works to the above recommendation is considered appropriate and is submitted as the Board of Supervisors’ response.

Recommendation 11:

Effective immediately, PWD designate an individual in a managerial position to review and approve all Temporary Traffic Control plans before each job is started.

Response

The recommendation will not be implemented because it is not reasonable. Under separate cover, the Director of Public Works has responded to this recommendation and stated:

“Some jobs are emergency response based. Crews cover separate geographic areas and operate from satellite facilities. They do not have access to software to design Temporary Traffic Control Plans for each job before it is started and wait for someone in a managerial position to review and approve. As such, all agencies practice the adopted standards of the Work Area Traffic Control Handbook which is readily available. The Department has also scheduled onsite training and certification through UC Berkeley Institute of Traffic Safety for setting up proper work zones and temporary traffic control. This will include updated flagging training and certification for all road crew personnel.”

The response of the Director of Public Works to the above recommendation is considered appropriate and is submitted as the Board of Supervisors' response.

Recommendation 12:

PWD Maintain a permanent file for all approved Temporary Traffic Control Plans after each job is done, starting immediately.

Response

The recommendation will not be implemented because it is not warranted. Under separate cover, the Director of Public Works has responded to this recommendation and stated:

"All Temporary Traffic Control Plans will follow adopted standards. There is no need to draw up a Temporary Traffic Control Plan for each job when adopted standards are readily available for all road classifications, easy to follow and exist in a convenient field guide."

The response of the Director of Public Works to the above recommendation is considered appropriate and is submitted as the Board of Supervisors' response.

Recommendation 13:

PWD review the services needed throughout the county and assign road crew personnel as required, on an ongoing basis.

Response

This recommendation has been implemented.

Recommendation 14:

PWD promote better employee morale within the road crews.

Response

The recommendation requires further analysis. Under separate cover, the Director of Public Works has responded to this recommendation and stated:

"Administration has recently started monthly meetings to enhance communication at all levels. The Department is looking into updating equipment and enhanced training. The Department has also put together a voluntary bowling league outside of work hours to invite employees and their families to interact outside of the job. It's the PWD objective to have good communication throughout the Department and promote a healthy, safe and collaborative work force."

The response of the Director of Public Works to the above recommendation is considered appropriate and is submitted as the Board of Supervisors' response.

Recommendation 15:

PWD and road maintenance supervisors continue monthly meetings with clearly stated objectives.

Response

This recommendation has been implemented.

Recommendation 16:

PWD increase and update the safety lights and beacons on road repair vehicles, effective immediately.

Response

This recommendation has been implemented.

The Board acknowledges the Grand Jury's review and time involved in this matter, and appreciates the opportunity to respond to the findings and recommendations.

Sincerely,



Tom Wheeler
Chairman of the Board of Supervisors