

NEVADA COUNTY BOARD OF SUPERVISORS RESPONSES TO

2022 Nevada County Civil Grand Jury Report

Report on responses to the 2021-2022 Grand Jury Report: Nevada County Department of Public Works County Roads: Take Me Home

DATED September 13, 2022

In accordance with California Penal Code § 933.05(b), the Nevada County Board of Supervisors is responding to the Nevada County Civil Grand Jury FY 2021/22 Report entitled *Nevada County Department of Public Works County Roads: Take Me Home*. The responses to findings and recommendations are based on examination of official County records, review of the responses by the County Executive Officer, County Counsel, Director of the Community Development Agency, and County staff. The responses contained herein also represent the Acting Director of the Nevada County Department of Public Works, the Road Services Manager, Principal Civil Engineer and Fleet Services Manager responses as requested by the Grand Jury.

In summary, our Public Works Department in Nevada County is well managed and operated thanks to our experienced and knowledgeable staff and as evidenced by our track record of being financially stable, reliable, appreciated in the community, responsive to emergencies and proactive with capital improvements. Public Works is also audited by the State Controller's Office, the Board of Supervisors and the State Controller's Office (see Annual Road Reports at www.sco.ca.gov/aud_locinstr_annual_road) and is found to be in compliance with all local, State and Federal requirements.

In addition, the Nevada County Transportation Commission, Caltrans, and the Federal Highway Administration also audit budget and project documentation that allow the County to continue to receive funding for road projects.

We thank the Grand Jury for its hard work investigating issues of interest to the public and providing the County with an opportunity to respond to its recommendations as listed below.

A. RESPONSES TO RECOMMENDATIONS

R1: Develop and implement procedures to notify residents affected by road work prior to starting, especially in closed neighborhoods such as cul-de-sacs.

The recommendation will not be implemented because it is not reasonable.

Residents are notified of significant planned projects in accordance with project specifications. However, it is impractical and would be an inefficient use of resources to require notification of all road work, which would require substantial administrative resources to implement. The Road Maintenance Division is out in the field every day doing road maintenance work, of which most of their work minimally impacts the travelling public.

R2: Develop and implement a policy and procedure to inspect work done by Road Maintenance in line with what is required of private contractors.

The recommendation will not be implemented because it is not warranted.

It is not necessary to inspect work completed by Road Maintenance in the same manner that private contractors' work is reviewed and inspected. Private contractors are hired to do larger jobs (i.e. large paving jobs, bridges, etc.) that are required to meet Nevada County and Caltrans Standards and Specifications.

Instead, Road Maintenance work, such as potholing, patching, etc. is performed on an ongoing basis by qualified County crews, who are trained in the specifications and requirements as the County's regulatory agency for public roadways. Members of the public are also encouraged to notify Public Works on any needs or to report a problem by submitting a road maintenance service request on the Public Works website at www.NevadaCountyCA.gov or by calling 530-265-1222.

R3: Develop and implement a daily inspection report for all Road Maintenance jobs, including downtime caused by equipment failure.

The recommendation will not be implemented because it is not warranted.

This recommendation is not warranted because basic daily inspection reports are already prepared for Road Maintenance work; however, the level of detail needed is minimal since the work is performed by Nevada County staff who are trained and qualified to perform the work to applicable road standards. Any downtime is accounted for in the overall cost of our road maintenance work.

R4: Residential cul-de-sacs have a low daily trip value compared to through streets and therefore have a lower budgetary priority. Recommend the Public Works include in CIP, low daily trip County streets, based on road condition need.

This recommendation will not be implemented because it is not reasonable.

The recommendation to include low daily trip county roads within the County's CIP would be impractical because it would require substantial resources and staff time to separately list out low daily trip County roads. Instead, all county roads are ranked and prioritized based on need, the PCI, available funds, and practicality. Often, low volume roads are typically repaired when adjacent higher volume roads are repaired.

R5: The Jury recommends the County revise their stated goal of average PCI 62 in the CIP to an average PCI of 71 or better.

The recommendation will not be implemented because it is not warranted.

The recommendation will not be implemented because it would require substantial resources in the amount of approximately \$10 million annually which would surpass the current resources without other revenue sources. Additionally, the stated goal of PCI 62 is considered Fair/Good, which is based on the County's road system and reasonable approach to pavement management that balances resources and other factors when prioritizing road improvements.

R6: Recommend the RPI list, with estimated replacement costs, be presented to the BoS annually, requesting funding for equipment and/or funding for ISP at the same time as the annual budget request.

The recommendation will not be implemented because it is not warranted.

The Roads Equipment ISF budget is presented to the budget subcommittee which is then used to develop the annual budget approved by the Board of Supervisors through the County's annual budget process. Included with the budget is estimated replacement costs, age of equipment, and an explanation of the RPI. All vehicles and equipment showing their respective RPI are included in the Fleet Budget Workbook spreadsheet submitted as part of the budget and presented by the Director of Public Works.

R7: Recommend adequately funding the ISP for equipment replacement, and clearly define fund balances in the budget.

The recommendation will not be implemented because it is not warranted.

While the County has taken significant steps to fund equipment replacement with the implementation of an ISF, FY22-23 will be the first year to fully collect annual depreciation, adding \$669K to the replacement fund. The fund

balances are defined in the 4292 Fund Balance Validation Report included in the FY22-23 Budget presented at the Budget Subcommittee and approved by the Board of Supervisors. The intent is to have the ISF fully funded while balancing the available resources, road maintenance and repair needs. However additional funding is needed to fully fund the ISF and/or equipment replacement needs. Grants and other funding solutions are consistently applied for and/or implemented as needed.

R8: Recommend Road Commissioner present to BoS tentative road budget covering all proposed expenditures for the ensuing fiscal year for County Road purposes.

This recommendation has been implemented.

The Road budget is presented to the BOS Budget Subcommittee and to the entire Board of Supervisors as required on an annual basis.

R9: Recommend the BoS, per SHC, section 2010, make reasonable inspection from time to time of the roads within their district and submit a report at a public board meeting outlining their inspection.

This recommendation will not be implemented because it is not warranted.

The Board of Supervisors already conduct regular inspection of the County's maintained roads, including within their respective district, as required by California Streets and Highway Code §2010. Additionally, each member of the Board of Supervisors submits a quarterly reimbursement form for their inspection to the Clerk of the Board and to the Department of Public Works; however, there is no need to have the Board submit a report of their inspections at a Board meeting as Public Works is provided any feedback directly.