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A Re-Examination of Public Consultation in Merced County: A Case Study of the Riverside Motorsports Project

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Running Head: A Re-Examination of Public Consultation

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A Case Study of the Riverside Motorsports Project

Capstone Presentation:

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TABLE OF CONTENTS

<u>Chapter 1:Introduction and Research Method</u>	3
<u>Chapter 2: Literature Review</u>	11
<u>Chapter 3: Research Method</u>	15
<u>Chapter 4: Results and Analysis</u>	18
<u>Chapter 5: Conclusion and Policy Recommendations</u>	31
<u>Works Cited:</u>	37

Chapter 1: Introduction of the Issue and Research Question

In 2006 the Riverside Motorsports Project Environmental Impact report was due to be delivered and put to a vote by the Merced County Board of Supervisors to certify its legitimacy. A no vote would have put a halt to the project thus stopping the project altogether. The problem however, lied in the area that the public believed that a yes or a no vote on the certification of the Environmental Impact Report meant that the no matter what the project would proceed further. This is where the assumption presents itself, in that in regards to citizen involvement of Merced County public consultation as a process is not working, mainly in the communication flow between members of the Merced County Board of Supervisors and the citizens of the city and county.

The questions to be answered in the following report are 1)Has there been effective adequate public participation, between the Board of Supervisors and the citizens; 2)In regards to the Riverside Motorsports Project what forms of active and passive communication have been used in getting the public involved and being able to provide consultation; 3)What sort of processes are in place to inform the citizens of their ability to partake in different consultation forums and what has been viewed as most effective?

In order to get a full understanding of the issue it is important to have a background of Merced County and the Riverside Motorsports Project.

Merced County is a county located in the Central Valley of California, north of Fresno and southeast of San Jose. As of 2000 the population was 210,554. The county seat is Merced. The county is named after the Merced River. Merced County was formed in 1855 from parts of Mariposa County. Parts of its territory were given to Fresno County in 1856.

The county derives its name from the Merced River, or El Río de Nuestra Señora de la Merced (River of Our Lady of Mercy); named in 1806 by an expedition, headed by Gabriel Moraga. According to the U.S. Census Bureau, the county has a total area of 1,972 square miles, of which, 1,929 square miles of it is land and 43 square miles of it (2.19%) is water.
(co.merced.ca.us)

According to the Merced County Website and the census of 2000 as well as wikipedia.org, there were 210,554 people, 63,815 households, and 49,775 families residing in the county. The population density was 109 people per square mile. There were 68,373 housing units at an average density of 36 per square mile. The racial makeup of the county was 56.21% White, 3.83% Black or African American, 1.19% Native American, 6.80% Asian, 0.19% Pacific Islander, 26.13% from other races, and 5.65% from two or more races. 45.34% of the population was Hispanic or Latino of any race. 6.6% were of Portuguese and 6.0% German ancestry according to Census 2000. 55.1% spoke English, 35.3% Spanish, 3.2% Hmong, 2.9% Portuguese and 1.0% Panjabi as their first language. (wikipedia.org)

There were 63,815 households out of which 45.4% had children under the age of 18 living with them, 57.8% were married couples living together, 14.1% had a female householder with no husband present, and 22.0% were non-families. 17.7% of all households were made up of individuals and 7.4% had someone living alone who was 65 years of age or older. The average household size was 3.25 and the average family size was 3.69.

In the county the population is spread out with 34.5% under the age of 18, 10.3% from 18 to 24, 27.9% from 25 to 44, 17.8% from 45 to 64, and 9.5% who were 65 years of age or older.

The median age was 29 years. For every 100 females there were 99.3 males. For every 100 females age 18 and over, there were 96.6 males.(www.co.merced.ca.us)

The median income for a household in the county was \$35,532, and the median income for a family was \$38,009. Males had a median income of \$31,721 versus \$23,911 for females. The per capita income for the county was \$14,257. About 16.9% of families and 21.7% of the population were below the poverty line, including 28.4% of those under age 18 and 10.7% of those aged 65 or over.

Most of the opposition to RMP came from the Merced County Farm Bureau. Merced County has strong agriculture roots and a rich history of providing food for the valley, state, and nation. According to the 2006 Annual Report of Agriculture showed the gross agricultural production value for Merced County was \$2,390,367,000. That figure is only considering the value of the raw products, not the processed or packaged goods. According to the Merced County Farm Bureau in order to measure the actual economic value a multiplier of 3 or 4 is needed and applied to the gross value of Merced County commodities. Therefore, the actual economic impact that agriculture has on Merced County can be estimated to be in the range of \$7 to \$10 billion infused into the economy each year. Merced County ranks 5th in the state and 6th in the nation for agricultural production. Over 250 commodities are produced in the Merced County region. The agricultural infrastructure in place in Merced County is extensive and is an important part of the county's local economy.(www.co.merced.ca.us)

Riverside Motorsports Park is a proposed 1,200-acre, motorsports-themed family entertainment park approved in December 2006 for construction in Merced County, California. The RMP site is next to the former Castle Air Force Base, which is now operated as Castle

Airport, and which is the third longest runway in the State of California. The project is currently completing extensive engineering documentation, including the Project Development Agreement and Project Development Plan, both of which will need to be submitted to Merced County.

(Hendrickson, Mark)

The Park will feature multiple racetracks for every form of automobile, truck, motorcycle and kart racing. With multiple venues, the facility will offer simultaneous, weekend-long motorsports events, meeting the needs of professional and club racing sanctioning organizations across the United States. In addition to motorsports events, the Park will feature technical motorsports schools, music concerts, car shows, and business center events.

The Riverside Motorsports Park, LLC was founded in 2000 by John Condren, an entrepreneur and businessman whose background also includes more than 30 years in amateur and professional motorsports racing. The Riverside Motorsports Park development proposal was submitted to Merced County in August 2003, and was approved for development in December 2006.

According to RMP's website the reasons the founders selected Merced County as the site for the construction of the park were.

- Demographics: within 60 miles of the site reside 3.3 million persons, and within 100 miles of the site reside 9.1 million persons, making it the second highest demographic reach for any motorsports facility in the U.S.
- Location: central to the State and adjacent to Merced County's Castle Airport—the third longest runway in California
- Business: the pre-existence on the project site of an approved Foreign Trade Zone, supporting the development of motorsports-related business center

- Support: a long and strong history of motorsports, across a variety of racing classes and events, throughout the Central Valley and the Western U.S.
- Need: job creation and economic stimulus. An economic impact report developed for Merced County by the Fluor Corporation identified the creation of 1,200 jobs on-site and a potential \$300 million annually in park-related business revenue.

(www.rmpracing.com)

With the project approved, RMP started 2007 knowing that possible challenges to Merced County's certification of the project's environmental impact report (EIR) could arise. Merced County and RMP were served with three lawsuits. (mercedsun-star.com) This report will focus on the public consultation process in regards to this project through interviews, and comparisons of other projects of this scope that have been attempted elsewhere. What I will attempt to do is, reexamine public consultation in Merced County as it relates to the Riverside Motorsports Project.

According to Denhart, decision making represents one of the most critical functions of public and nonprofit organizations. Whereas that statement is partially correct, what is most important in that decision making is communicating efficiently that decision with the public.

An ethical posture toward work in public organizations requires not only knowing the right answers, but being willing and able to do what is right.(Denhart, pg. 127) Doing what is right in public administration means providing the public with efficient and comprehensive services through good communication. Every elected official wants to know what the public is thinking. Public opinion is considered as the ideas and attitudes that a significant number of Americans hold about government and politics. Officials measure the public opinion by meeting

with leaders of interest groups and most importantly talking with voters and through scientific polling data.(Frates 2007) Lately the public's opinion has not been favorable, not only for the federal government but for local governments as well. Throughout the policy making process those who are the decision makers, must act on behalf of the public. "It is important that policy makers be seen as good communicators of that policy that will benefit the public good."(Frates 2007) It is not only important to act on behalf of the public, but to act in a way so that you are able to provide the public with fast and efficient communication to help the public understand what the officials are doing to better the lives of their constituency.

"Efficiency was identified as an essential or very important driver of innovation by more than three-quarters of councils surveyed, as was pressure exerted by members, government and the community."(Frates, 2007) Governments in general, and local governments in particular, primarily provide services. Many public authorities feel in their bones that there is a communication deficit - their public do not understand and appreciate them. "Accountability suffers if people do not know enough to judge how well a public body is performing."(Lavelle 2006) Public bodies should be prepared to put all of their energy and full imagination into the task of providing efficient and comprehensive services to their public, as well as providing means in which they can provide a way to communicate with their constituencies in such a way that the communication is both efficient and effective. Improving the efficiency of government is a widely desired goal. No politician in the United States runs on a platform of encouraging bureaucratic inefficiency, and many have built successful campaigns around the widely held notion that government is a wasteful and inefficient enterprise. "Three factors are germane to understanding the current situation: (1) the size and number of local governments in the United

States; (2) the political limitations of their independence; and (3) the character of their key expenditures.”(Millan, 2007)

The scale and scope of local government activity in the United States is substantial. There are well over 87,000 state and local governments in the United States, including 3,034 counties, more than 13,000 school districts, and approximately 35,000 municipalities and townships. In addition, there are more than 35,000 special districts, and the number of such districts is growing (Millan, 2007). State governments are recipients of federal monies, typically with strings attached. The situation is even more complex for local governments, which also are subject to the same spectrum of federal influences that affect the state governments. No local government in the United States operates in a vacuum. To a substantial extent, every local government is affected by federal and state actions. State legislatures influence local government decision making by deciding what local taxes may be enacted, which fines, fees, or charges may be imposed, and what standards local governments must meet when providing particular services to constituents. Decisions about terms of employment, overtime, work rules, and other regulations made at the state level also affect the local decision making process. Changing processes and practices of governing have led to the emergence of an increasingly complex environment in which a plethora of organizations and agencies can be involved in the governance of local communities. “The successful forging of these systems of community governance depends on the capacity of the actors within the system to develop and manage complex and flexible networks of relationships.” (Heikkila, Isett, 2007)

Telematics - the integrated use of information and communication technologies - are increasingly recognized as fundamental to the development and maintenance of these systems

and networks. Taking the perspective of local authority, explores how the formation, maintenance and management of the organizational and political networks involved in community governance can be facilitated. Research findings in regards to effective performance measurement systems for local governments show subtle distinctions between city and county officials and indicate the importance of determining the real communication effects in local governments. Local government has a legal obligation and a political responsibility to ensure regular and effective communication with citizens. The citizens on the other hand have a right and responsibility to participate in local government affairs and decision-making. According to Mark A Glaser, Samuel J Yeager, Lee E Parker's study on "Involving Citizens In The Decisions Of Government and Community: Neighborhood-Based vs. Government-Based Citizen Engagement",

"It is becoming increasingly important that the resources of government and community be joined and strategically invested to preserve quality of life. Local government leadership is important for bringing the various agents of community together to answer these challenges, and citizen engagement is an important component in developing community solutions."

Chapter 2: Literature Review

To come up with a comprehensive research question and assumptions, I looked at an issue that I believed has plagued Merced County. I then set out looking to make sure there would be enough related journal articles and other information that would benefit my study. I started looking not only for information relative to Merced County but through different articles that had something to do with public consultation procedures, and what has worked best in other areas that allows for the most efficient processes in trying to elicit public consultation. Following is a list of articles both journal and newspaper, books, interviews, accompanied with a caption to illustrate the information that I took from each.

Improving Government Efficiency and Effectiveness and Reinvigorating Citizen Involvement

Steven B Frates. Perspectives on Political Science. Washington: Spring 2004. Vol. 33, Iss. 2; p. 99 (5 pages)

The journal article that was used as the basis of the study. Gathered most of the information in regards to numbers of local governments, and government sizes. Also gathered information on best strategies for efficient government communications.

Involving Citizens in the Decisions of Government and Community: Neighborhood-Based vs. Government-Based Citizen Engagement

Mark A Glaser, Samuel J Yeager, Lee E Parker. Public Administration Quarterly. Randallstown: Summer 2006. Vol. 30, Iss. 2; pg. 177, 38 pgs

Gathered information germane to citizen involvement or lack thereof, as well as the general public's general apathy towards their governing boards. Also used the information from the studies that were done regards to helping improve the communication and deliverance of efficient services, and how the public can become more involved.

Citizen Involvement and Performance Management in Special-Purpose Governments

Tanya Heikkila; Kimberley Roussin Isett

Public Administration Review; Mar/Apr 2007; 67, 2; ABI/INFORM Global

pg. 238

More information about citizen involvement, and its relation to the effective efficient delivering of services.

It's All About Context and Implementation: Some Thoughts prompted by: Unlocking the Potential for Public Sector Performance

John Lavelle Public Personnel Management; Fall 2006; 35, 3; ABI/INFORM Global pg. 217

This was a study of government official's performance, and goals in regards to providing quality public administration.

Public Performance

Luis Millan. CGA Magazine. Toronto: May/Jun 2007. Vol. 41, Iss. 3; pg. 36

More information regarding to not only the public's part in dealing with local governments, but also provided information in regards to how the local governments can help improve the efficiency and communications.

wikipedia.org

Gathered information on e-government.

Reilly, C. (2007, October 10). Supervisor's Considering Changes to Castle's Name. Merced Sun-Star, A1.

Gathered information about Castle Air Force base name change.

Gerston, L. (2004). Public Policy Making; Process and Principles. Armonk, NY: M.E. Sharpe, INC.

Principles of evaluation

Denhardt, R., & Denhardt J. (2006) Public Administration an Action Orientation. Belmont, CA: Thompson Wadsworth.

Indiana Chamber of Commerce; www.indianachamber.com

Information in regards to the 1999 COMPETE study.

www.rmpracing.com

This site provided me with information on the main points of the project. Namely the reasons for Merced county as the site and information on the size and scope of the project.

www.co.merced.ca.us

This site was visited to gather census information on Merced County.

<http://www.oag.govt.nz/1998/public-consultation/docs/public-consultation.pdf>

This site contained a study that was done in New Zealand on the state of public consultation in certain parts of the country. I thought this study was relevant to because it added information and recommendations that could be used to develop more efficient ways to solicit public consultation.

<http://www.interactweb.org.uk/papers/ODPMPublicParticipationinLG.pdf>

This site contained a study done in Great Britain on the state of Public Participation in regards to local governments. It contained surveys from various local agencies that helped me form interview questions for my three interviews.

County wants public input on general plan. CORINNE REILLY. Knight Ridder Tribune Business News. Washington: Jun 26, 2007. pg. 1

This article highlighted certain areas in which the public wanted more say in the development and implementation of the general plan, that surrounded the RMP decision.

Reiter, Carol. (28 March 2008) Farmers fearful of disappearing Ag Land. Merced Sun-Star.

This article provided input and main concerns from farmers in the area who were concerned that their lives and livelihoods would be affected by the disappearance of the land surrounding the proposed project.

University of California Agriculture and Natural Resources, University of California Cooperative Extension. Land Use Fact Sheet Series. University of California, September 2007.

Provided me with facts and information in relation to California Environment Quality Act regulations.

Hendrickson, Mark. Personal Interview. March 17, 2008.

Director of Government Relations for Merced County. Gave opinion on various communication attempts that the county attempted.

Pedrozo, John. Personal Interview. March 30, 2008.

Supervisor District One for Merced County. Mr. Pedrozo gave first hand information on his vote and his involvement and efforts to gain public input.

Westmoreland-Pedrozo, Diana. Personal Interview. April 8, 2008. Executive Director of the Merced County Farm Bureau who offered a citizen's input.

Kingdon, John W. Agendas, Alternatives, and Public Policies. 2nd Edition. Addison-Wesley Educational Publishers.

This book was consulted for information on agenda setting and public participation in regards to the agenda setting.

Lee, Y.S. (2005) A Reasonable Public Servant: Constitutional Foundations of Administrative Conduct in the United States. New York: M.E. Sharpe.

This book was used to get a better understanding of the rights and responsibilities of elected officials and strategies they use to solicit citizen involvement.

Becket, Julia and Heidi Koenig. (2005) Public Administration and Law. New York: M.E. Sharpe.

I employed this book to help me gain a better understand of public administration and law. It proved to be an adequate source as it helped me to gain a working knowledge of certain legal parameters in regards to public service and administration.

Chapter 3: Research Method

In regards to finding information regarding the communication between the Merced County Board of Supervisors and the public regarding Riverside Motorsports Project, I have had to rely on quite a bit of secondary data analysis. The sources of information used in this case study include documents, archival information, and interviews with key informants.

My research and interview method can be described as qualitative in that I have a suggested set of questions that are asked as the situation dictates. Based on the response from one question, I tend to desert the list of questions and ask one that I feel is more appropriate to the previous response. I feel this forces me to ask the question, listen, interpret, and phrase a follow-up question. This method was chosen because I believe it allows for a more spontaneous flow as opposed to the structured flow of prepared questions that have answers to questions that have already, possibly been asked. In at least one instance when I requested in an email an interview with one of my key informants, I received in response a prepared statement on the project that has nothing to do with the information I am looking for. I feel this is not beneficial to any study that I can do as it leaves me with the same information that is already out there and thus nothing new.

I have found this to be the most appropriate method as the goal was to generate theories and explanations as to why the communication and consultation between the public and the board has been described as poor, at best. Since my case study involves understanding the process and the success or failure of my hypothesis that in regards to public consultation the county has done a poor job. I have been successful, to my knowledge, of being granted unlimited access to those with power and influence to investigate their motivations and behaviors

to learn more about the degree of public consultation and communication between the board and the public, in regards to this issue.

I have found that the interviews I have engaged in have helped me identify appropriate measures in regards to the evaluation of my hypothesis. The interviewing I have done has greatly improved my study. The interviews have produced important background information I feel is necessary to understand the problem, how it came to be, what solutions (if any) have been tried, and if any of those were successful.

For my study I have interviewed three key informants and studied numerous articles both supporting and criticizing its development. I have felt that in order to determine whether or not my hypothesis was correct that it would be important to get a feel of the support and criticism of the project to determine fact from fiction, and to determine the public's knowledge and input about the decision.

The three people I interviewed were Mark Hendrickson, John Pedrozo, and Diana Westmoreland-Pedrozo. These subjects were chosen because of their first hand accounts and knowledge of the issue. First, Mark Hendrickson is the Director of Governmental Relations for Merced County. It is his job to inform the public of the decisions and process that go into helping the board of supervisors make proper decisions. Along with his assistant Katie Alberston, the Public Information Officer for Merced County, are who inform the public of times when consultation is needed and warranted to assist the county in making decisions and alerting the public when those decisions have been made.

John Pedrozo is an elected member of the Merced County Board of Supervisors charged with the task of representing his constituents from numerous backgrounds. Mr. Pedrozo cast a yes vote that allowed for the development of the land in consideration, but a no vote that did not

allow for the certification of the Environmental impact report. He was heavily criticized for this vote as many in the public did not understand this complicated vote. On the face of it, it looks as though Mr. Pedrozo was trying to sit on both sides of the fence. However, had he voted no on both issues then it would have set a precedent that no other development questions would ever be able to be brought to the board for consideration.

Diana Westmoreland-Pedrozo is the Executive Director of the Merced County Farm Bureau. The Merced County Farm Bureau has issued a statement condemning the EIR and RMP's public consultation. The Merced County Farm Bureau to date has voiced the most discontent with the project as well as opposition over the validity of the EIR. Ms. Westmoreland-Pedrozo's task is to be the voice of the agriculture industry of Merced in charge of dealing with, and voicing concerns dealing with issues that pose a significant threat to Merced County Agriculture.

These interviews combined with the numerous amounts of literature that I have reviewed and researched have contributed to the findings I have produced in this study. It is important to note that as a qualitative investigator my investigation has not been flawless. More than once I have had to re-work my hypothesis and assumptions to gain knowledge that would be beneficial to solving the communication gaps that are evident and present in the county. Also, because of my relationships to the interview subjects I have tried to be as unbiased as possible so as to provide an adequate amount of information without distorting any of the facts that have led to my findings and recommendations. All interview subjects have given me expressed consent allowing me to quote them freely as I see fit.

Chapter 4: Results and Analysis

“The California Environmental Quality Act is a state law that requires state and local agencies to regulate activities with consideration for environmental protection. If a proposed activity has the potential for a significant adverse environmental impact, an Environmental Impact Report must be prepared and certified as to its adequacy before taking action on the proposed project. A project is defined by CEQA as any action that has the potential for a direct or indirect impact on the environment.” (University of California Agriculture and Natural Resources) Although not required by law public participation is an essential part of any CEQA. Each public policy agency should be required to include provisions in its procedures for wide public involvement. The public was not provided enough information on this proposed decision. The public felt largely that a developer was the driving force behind updating the general plan of the county. In making my recommendations for changes to policy I have encountered first and foremost in this project that my assumptions have been subsequently proven to be invalid.

“Conventional wisdom tells us that participation in public hearings is often ineffective. The implication of this conventional wisdom is that regulators listen to citizens, but take their signals from staff.”(Beckett pg. 136) In the case of RMP many citizens believe that this was truly the case and believe that the public administrators may not have practiced complete discretion in informing the public of the votes and what would happen had the votes gone in complete favor with RMP. Perhaps, the officials thought along the same lines as Cooper that “Discretion does not have a straight-line correlation with efficiency. No discretion would paralyze the Board but on the other hand complete discretion may undermine efficiency.” (Phillip J. Cooper. Pg. 96 beckett). If this is the case then I agree with the county. What the public according to Mark Hendrickson didn’t realize was that the board was faced with an

Environmental Impact Report, and nothing else. "What the citizens didn't fully understand was that the county was weighing the environmental impact, and had nothing to do with the economic impact of the project." Mr. Hendrickson contends that it was a lack of discretion on RMP's behalf and that while they "continued to preach to the choir (supporters of the project), which is always easier to talk with those who support your cause as opposed to those who don't. RMP failed to deliver any of their proposed Economic Benefits to the general public who did not agree with them or were simply ignorant of the issue."

"The Board's job was to inform the public of the Environmental Impact of the project, and took an active approach to do this by holding town-hall style meetings in the different districts and constituent areas to inform them of the process and provided citizens with an opportunity to ask questions and provide important feedback and comments regarding their issues. Should the Board have done a better job informing the public of the vote? Of course they could have but a majority of the citizens were unaware of the process, and the job of informing the public on the bigger aspects of the project lay with RMP. "RMP didn't fail because of adequate public opposition. RMP failed because they did not adequately address the issues.

Mr. Hendrickson paints a picture that I think is relevant in any development project that is in the early stages of creation. Who is responsible for the communication? Is it the board that is undoubtedly going to face criticism regardless of what happens, or is it the job of the developer who is petitioning for the right to develop?

RMP was and still is the largest development project ever to come across Merced. And if you recall from the beginning Merced is a community that has a rich history in agriculture and citizens who have lived here for decades. "There is a group of citizens in the county who will always oppose everything and support nothing, regardless of the communication strategy

proposed and subsequently carried out. This was a very emotional issue for citizens who believed that all it would do was harm their way of life. Public consultation will always be difficult because emotions on issues that are large will always cloud judgment, because of the fear of the unknown and the fear of change." However, change in a developing community like Merced County is inevitable. And according to Thomas Friedman, "Change is hardest on those caught by surprise, and on those who have difficulty changing too. But change is natural, not new and important." (Friedman, pg. 51)

"The mixed functions of public administrators as conflict resolvers, observers, and parties to conflict often confuse public administrators themselves as well as complicate the public's expectations of them." (Beckett, pg. 220) This is evident in this case because what the public did not understand and what the board did not address was that the EIR was the first step in a long list of steps that go into the final determination if such a project is allowed to start. What the community seemed to want was a Community benefit plan that would lay out the benefits to them, and what it could do for the county and community. However, the problem resides in the fact that there is no such thing as a Community Benefit plan and legally a county is not required to submit one. "Conventional wisdom suggests that involvement of the public in decision making tends to decrease public officials' professional autonomy." (Manning Beckett, pg. 185)

I believe however that this conventional wisdom to be false, because the more input from an elected officials' constituents will result in a true democratic process to take place, in that the official will be obliged to follow the will of the people. In this case it seems as though the Board of Supervisors did just that. The majority of those who voiced concern over the matter had ties to the agriculture industry in both the 1st and 5th districts of the county, represented by Supervisors John Pedrozo and Deidre Kelsey. It was Supervisor Kelsey however, that voted no

on both developing the land in question and not certifying the EIR. Supervisor Pedrozo took a more proactive approach with his vote. Recognizing that a no vote on developing the land in question would set a dangerous precedent that would prevent any further development projects to come to fruition, and petition the board for approval resulting in a stagnant economic situation. Seeing this he voted yes on the development of the land, but no on the Environmental Impact Report because there were still too many unresolved issues, and important questions that remained.

According to Diana Westmoreland-Pedrozo, Executive director for the Merced County Farm Bureau the CEQA did not adequately address the all-encompassing affect on agriculture, both short and long term. Also, Ms. Westmoreland-Pedrozo states that the, "Planning Director for the County knew nothing of the CEQA or its findings, and did not offer recommendations because they felt the project was too big for them to offer their professional opinion." A large issue in and where my assumption on whether or not there was effective, adequate public participation comes into place is the fact that although multiple public hearings were held, public comments on the CEQA were closed in January of 2006 and a report was not delivered on any findings until the beginning of November of 2006. A vote to certify that project came up in the middle of December, thus not allowing for the public to adequately review the document. According to Ms. Westmoreland-Pedrozo that, "had there been more consultation and more time to review the document a settlement could have been reached. When things are done properly and with the public insight it is a win/win because all parties are involved in the decision."

Ms. Westmoreland-Pedrozo's organization main challenge on the project was the fact that there was not enough time taken to review the final EIR and believes that had there been an extension granted, certain issues could have been ironed out. "Because the plan was amended at

the last minute no one had an opportunity to review any of the changes. I then I asked Ms. Westmoreland-Pedrozo if there had been adequate public involvement and communication in this project she again reiterated what most of those whom I spoke with said which is, "yes there had been, but that the information flow did not necessarily start with the Board of Supervisors, and that is okay. RMP told those in the surrounding areas what they wanted to hear and did not provide an adequate amount of information. So when the public then approached the Board with questions that is where they failed because they to did not have all the information, and were led to believe other things."

I was also curious with whether or not emotions played any role in the public's involvement and communication with the issue. One of the most common problems that I have encountered in conducting my research has been the fact that although this paper is on public communication and involvement, the community is more apt to respond to issues that evoke both positive and negative emotions. According to Ms. Westmoreland-Pedrozo this finding in this case is completely accurate. "Because of too much unknown information people became very emotional. Because there was a giant mistrust between the Board of Supervisors and the public, people truly believed that their lively hood and their land would have been affected. That would have basically eliminated prime farm land, more importantly small family farms. And in regards to public involvement and communication these people formed grassroots organizations and were able to organize the people in order to communicate their concerns to the Board. So in this case has there been effective adequate public consultation with the board yes and no." "Part of our responsibility as citizens is to hold our elected officials accountable and responsible for their decisions. Public involvement and society as a whole has gotten away from this notion because they have become apathetic."

Expectations of government services in terms of outcomes unfortunately are not high. Government is seen as having at its disposal more than adequate resources and full command of the latest technology. In the public mind, government has no excuse for getting it wrong, regardless of the communication attempted or carried out. Frustrating because this neither validates nor invalidates my assumption but lends to the idea that it must be amended to that citizen involvement in regards to Merced County public consultation the process of communicating information and decisions is working only when strong emotions are involved.

Whereas, overall in this community I felt there was a disconnection between the Board of Supervisors and the local community, I cannot however, place complete blame on the Board of Supervisors. According to Supervisor John Pedrozo, "what else could they have done?" "I received more information in the forms of letters, public comments, than with any other decision that I have been a part of. During the meeting we set up closed-circuit television and put it in the lobby in order for a wider population to participate in the process. Everything from my part was opened up and I was made accessible to all in my district." This is where I believe that Mr. Pedrozo took both an active and a passive approach to solicit constituent participation. On his own admission he believes that the other supervisors did similar things but can not fully know because he is not; nor has he ever been a scheduler. But again what else could they have done?

According to John Kingdon, in his book *Agendas, Alternatives and Public Policies*, "no one really controls the information system, but in order for a project to take hold someone must pass the information onto the public. Regardless if some government officials make judgments that the state of public opinion will affect their agendas." (Kingdon, pg. 66)

It is here where I would hold the Board of Supervisors accountable for the communication gap. Instead of relying on the developer and the media to control the outflow of

information, the Board of Supervisors should play a larger role in control the release and spread of information. Public opinion can have either positive or negative effects, but one will never know what effects if that opinion is not elicited and in this case I believe that the public was fully informed and had all opportunity to communicate their concerns, support or opposition to the project. The problem however was not that there was a gap between the Board and the community, the problem was that the community was told and heard what they wanted to hear from the developers. "RMP could have and should have communicated better with everybody, including the board, as opposed to only doing the bare minimum."

RMP did not communicate their vision, basically contending that the entire board needs to better understand all projects. What I will admit to however, is that I did not have a complete understanding of the project as a whole and I think that is what upset some of my constituents. However, I did all that I could to communicate my displeasure with the developers, the board and the community, and believe that I made the best decision with the information given to me by staff, and from comments made from constituents."

Mr. Pedrozo had a very controversial vote ahead of him and voted the way that staff had recommended.

This is where my assumptions/questions are answered and or validated. Yes there has been adequate public participation in decision making. And no the process is not broken but seriously flawed. There were both active and passive attempts taken to approach the community to solicit involvement and consultation. Active attempts included going out in to constituent areas and holding public forums to get public comments, and passive attempts were that the board advertised their contact information and made themselves available at all times to take comments from the public. The communication process between the Board of Supervisors and

Citizens is working, on the side of the Board, but not on the public's side. Because of a deep mistrust in the process, apathy, and a lack of informed voters the public has only become to view themselves as not having a say when in fact they have more of an opportunity than they think.

For local governments to communicate effectively the local government needs to develop a comprehensive communication strategy. In all of these strategies, it is important to evaluate the quality of the communication and assess its effectiveness in terms of its original purpose.(Frates, 2007) For instance, some of the strategies used for communication, simply involve feedback meetings that are purely meant to inform the citizens about one development or the other. While it may be difficult for managers and academics to articulate satisfactorily what the manager actually does. "She or he is the chief administrative officer of the community, a multimillion-dollar operation with X number of employees that ensures public safety, cleans your water, treats and eliminates your sewage, picks up your trash, manages the jail and courts, fixes your streets, plans for the community's future, maintains open space and parks, and administers X number of programs and other services probably conveys more than enough information to average citizens."(Lavelle, 2006)

Effective and cost-efficient communication delivery of government services is something that should be expected at all times. It becomes even more important in trying financial times that are posing formidable challenges for local government entities, or when big issues come across a local governing board.

In regards to effective and efficient communication local governing boards should follow the steps outlined by Peters and Waterman as cited by Denhart, (pg 183)

1. A bias for action-Local governments should have a willingness to take risks, and not only take those risks but take those risks knowing that by taking these risks they are bettering the life of their public. However these risks should be taken after properly communicating this information to the public.
2. Close to the customer-Local officials should have a near obsession with providing their constituents with quick and efficient service.
3. Autonomy and entrepreneurship-Allowing government to develop new ideas in regards to providing a more positive and efficient communication pathway for the public and the local governing body.
4. Productivity through people-Treat the public as adults by giving them the trust and respect that they deserve.
5. Hands on, value-driven-Local government officials need to pay attention to their values and work hard to express and communicate those values to the public.
6. Sticking to the knitting-Local officials doing what they know best, and not trying to do to much to where they are overwhelmed and lose sight of the public's best interest.

The legislature as well as local governments charged with making policy, should be responsive to the people. Public administrators should be proponents of the "Citizens First" idea.

"Citizens First!", starts with the proposition that people acting as citizens must demonstrate their concern for the larger community, their commitment to matters that go

beyond short-term interests, and their willingness to assume personal responsibility for what happens in their neighborhoods and the community.” (Denhart pg. 137)

This responsibility to the public includes communicating their concerns and their commitment beyond short-term interests, in an efficient and positive way. According to Denhart, the real key to managerial success is not what you know, but what you can do, and how you can relate your message to your public.

Evaluation is very important in regards to policy implementation. In order of importance it has to go planning, implementation and evaluation. Evaluation accounts for all problems and takes into consideration the errors in planning so that managers may fix whatever problems that arise.

Policy evaluation is a powerful tool of the policy-making process because of its potential to reframe an issue once thought to be resolved by policy makers. (Gerston pg. 119) Evaluation also enables the community to relay their concerns and their issues in regards to their feelings of poor communication by the local board. Regardless of the job that administrators put into implementing a policy, it still needs to be evaluated so that the next time it can be perfected. No plan can be executed perfectly, which is why evaluation is such an important part of the policy process. Evaluating the plan, and implementation of the plan allows the manager and governing board to make necessary changes so that the same mistakes do not become repeating mistakes. In any organization evaluation is important not because it shows the managers their lack of foresight in policy planning, but in the implementation process. Evaluation shows the managers what works and does not work, so that they see where they failed in communicating to the public in an efficient matter the policy they are either trying to change or implement.

The Improvement and Development Agency (IDeA) developed benchmarks for communications. These descriptions were used by IDeA in the Local Government Improvement Program peer reviews. Authorities were asked to self-assess where they were against these benchmarks currently, with Level 3 being most advanced, and where they thought they would be in a year's time in the light of any plans in place for improvement.(Millan, 2007)

-19 percent of authorities say they are currently at Level 1 or less; 60 per cent say they are at, or working towards, Level 2; 20 per cent say they are working towards Level 3; and one per cent say they have reached Level 3;

-In a year's time eight percent of authorities say they will be at Level 1 or less; 46 per cent at, or working towards, Level 2; 34 per cent working towards Level 3; and 12 per cent say they will have reached Level 3.

Developing communications capacity

The most important current issues for local authorities' communications function are:

-78 percent - addressing the role of communications within their councils;

-72 per cent - dealing with Best Value; and

-67 per cent - dealing with community strategies. Issues of lower current priority are:

-49 per cent - assessing best mediums for communicating messages;

-48 per cent - effective monitoring and analysis; and

-29 per cent - learning from campaigns.

The most important ranked issues are:

-addressing the role of communications within the council and;

-structuring the communications function in the best way; dealing with Best Value; and budget issues.

One of the areas local governments (and even the federal government as displayed by the President's e-government initiative office), are turning to is e-government to help bolster effective and efficient communication in the form of technology.

E-government is the government's use of information technology to exchange information and services with citizens, businesses, and other arms of government. e-Government may be applied by governing bodies to improve internal efficiency, the delivery of public services. The primary delivery models are Government-to-Citizen or Government-to-Customer (G2C), Government-to-Business (G2B) and Government-to-Government (G2G) & Government-to-Employees (G2E). (wikipedia.org, 2007) The most important benefits of e-government include improved efficiency, convenience, and better accessibility of public services, and in general better communication between constituents and local government authorities. e-government is often thought of as "online government" or "Internet-based government," many non-Internet "electronic government" technologies can be used in this context. Some non-internet forms include telephone, fax, PDA, SMS text messaging, MMS, wireless networks and services, Bluetooth, CCTV, tracking systems, RFID, biometric identification, road traffic management and regulatory enforcement, identity cards, smart cards and other NFC applications; polling station technology, TV and radio-based delivery of government services, email, online community facilities, newsgroups and electronic mailing lists, online chat, and instant messaging technologies.

There are many benefits, and positive outcomes that can come from instituting e-government into your community; most important of which is a sense of a faster and more efficient way of communicating and delivering services to public. In the United Kingdom, there is interest in using electronic government to re-engage citizens with the political process. The development and implementation of e-government involves consideration of its effects on the organization of the public sector (Frates, 2007) and on the nature of the services provided by the state including environmental, social, cultural, educational, and consumer issues, among others.

Chapter 5: Conclusion and Policy Recommendations

A 1999 study titled COMPETE (Coalition on Monitoring Public Efficiency and Tax Expenditures) was done by the Indiana Chamber of Commerce that delivered a set of recommendations to improve the communication effectiveness of local government.

The key principles that were outlined as part of the COMPETE study were:

- Local government structure should reflect clear lines of accountability
- Where practical, those who benefit from public services provided should bear the cost of those services
- Neighboring units of government should work with one another to achieve economies of scale
- Fiscal responsibility in local government should be encouraged and rewarded
- Elected offices requiring specific skills should be held by individuals possessing the training and qualifications necessary to carry out the functions of those offices

The follow-up study reviewed each of the more than 30 recommendations in the original report. Those recommendations carry varying degrees of potential financial savings. All, however, apply to the overriding concepts and would help establish a government structure that eliminates duplication, moves quicker, adapts to changing priorities and serves its citizens in the most efficient manner, and provides individuals a better more comprehensive public consultation process.

I believe something of this regard should be looked at in California to find specific areas that local government are lacking in. If a study to this regard was done in the state or even at more local level governments would find that they are severely lacking in the way of communicating and providing their constituents fast and efficient solutions to their problems.

Using the direct approach to communicate with residents may well be more effective than going through third parties such as news media. Local councils continue to have a generally poor reputation. "Low-profile, remote and bureaucratic were just some of the adjectives used by residents to describe their local authority in a recent survey conducted by the Local Government Association (LG A)." (Millan, 2007) Getting close to people is what councils do best. They actually take care of an awful lot of our day to-day needs and services. This gives them a unique opportunity to demonstrate how often they work for us-and get things right, but this can not be done efficiently without proper communication.

Conclusion:

In order to provide sufficient evidence as to whether or not my assumptions and sub assumptions have been validated I am going to provide a list with supporting evidence as I see fit.

Major Assumption:

In regards to citizen involvement of Merced County; the public consultation process isn't working involving the communication flow between Supervisors and Citizens. This assumption has been invalidated. I feel that the Merced County Board of Supervisors took both an active and a passive approach in trying to involve the residents in the consultation process. Throughout

the process of gathering information and preparing my research for my capstone, findings that I have made have both validated and in validated my assumptions. I have found that consistent with the requirements of CEQA, a good faith effort was made by the Merced County Boards of Supervisors during the preparation of the EIR Draft to contact affected agencies, organizations, and individuals who may have had an interest in the project. The Draft EIR was circulated to federal, state, and local agencies, and to interested organizations and individuals who may have wished to review and comment on the report. During the 45-day public review period, written comments were received by the County's Senior Planner Mr. James Holland.

Public hearings were held throughout the various districts and constituent areas that allowed for individuals to provide input. As mentioned earlier in the report numerous letters, postcards, emails and phone calls were received by the members of the board of supervisors that relayed citizen concerns and questions. During the actual meeting when the vote took place closed-circuit television was set-up as to allow all those who came to the meeting an opportunity to take part in the proceedings.

Findings:

What I have found in regards to this first assumption is that the developers who were the main force behind Riverside Motorsports Park were less than honest with the public and the Board of Supervisors, only giving enough information to make the project sound as if it were the best thing that had ever happened to Merced. I feel that it was their responsibility to provide both the board and the public all the information that they had and should have gone out and tried to solicit inputs from the entire public not just those who were in favor of the development. I believe that had this been done less public opposition would have occurred. With this claim however I do feel the Board of Supervisors did their best to acquire input and consultation from

the public. What they did not do however, was hold the developers accountable or be prepared to answer tough questions that were raised by some of their constituents because they too did not have all the information nor do I believe that they fully understood the complete project and all that came with it.

Sub-Assumptions:

1) Has there been effective adequate public participation?

Yes. I believe that the public played a very large part in this process and was given ample opportunity to provide input and consultation in connection with the Board of Supervisors. As evidenced in how many people were in attendance and the outpouring of support and opposition, combined with the numerous pieces of correspondence each member of the Board received the public played a very active part and were awarded by having the ability to adequately participate in the process.

2) What forms of active and passive communication were used in citizen and public involvement and consultation?

Forms of active and passive communication involved: public hearings on the findings of the EIR, and public hearings held in constituent areas not only on the EIR but on questions and concerns related to the project. The EIR was available for viewing and was posted as mandated by the CEQA regulations.

3) What sort of process is used to inform the citizens and what is most effective?

It seems many communication strategies and processes are used to inform the public. What has been most effective in this case is general public hearings and town hall style meetings held in constituent areas that allow for citizen involvement. An active approach in this case has

proven to be the most effective because instead of waiting for the public to come to you, it worked better for the Board to go to the public and involve them that way.

Recommendations:

In the future there are three major recommendations that I would offer to communities considering large development projects.

- 1) A complete and utter understanding of the project by all elected individuals and staff, with all questions answered before delivering any information to the public. I feel without an encyclopedic knowledge on an issue as large as this potential development was; you will be unable to give enough information to the public, regardless of the efforts undertaken to solicit public consultation.
- 2) Background checks should be done on those people who are the main developers to weed out any conflict of interest or to determine if the persons involved have ever been investigated for or committed crimes. Further information was later made public that showed the main sponsor of the project, John Condren had filed for bankruptcies twice and lied about his personal, professional, and financial background to both the board of supervisors, investors of the project and the public. I feel that if background checks are done on those people who approach communities with promises of great projects information will surface that will be able to show whether or not a person can be trusted to provide for the betterment of a community and in that sense be held accountable to the county and community they wish to impact with their project.
- 3) I feel that although not required by law an all encompassing economic benefit plan should be done at the expense of the developer. I believe that an economic benefit plan will be able to provide the public with hard data that will show how a project will not

only affect an environment but also how it will financially affect a community. This plan would also allow the public to have all questions answered and grant the public an opportunity to provide input and consultation on certain things they would like to see or have accomplished in regards to any projects. Things that could be contained in such a report would include; a realistic number of jobs that will be added, realistic revenue projections, ways that it would affect local businesses including surrounding farms in the area.

Faced with high public expectations, public officials should give priority to establishing systems that provide greater accountability, better management and more efficient public services; this also means being strong focused leaders who are working to develop good communications skills that will enable them to convey information in a clear and transparent manner.

The discussions need to continue. State-mandated solutions are not the answer. State-enabling legislation, to allow local communities to decide how to most effectively and efficiently provide service to their constituents, is a critical step. The one-size-fits-all approach does not work today. Government must evolve to continue to meet the growing demand for services and being able to involve the public in regards to consultation procedures and processes. I believe in this certain situation Merced County has started the evolution process by allowing the community to provide input and consultation. This process has illustrated that my main assumption has been proven wrong and that Merced County although going through a period of great change and growth is on the right track by allowing the public a significant say on the future of their community.

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