

MEMORANDUM
OFFICE OF THE
COUNTY EXECUTIVE
COUNTY OF PLACER

TO: Honorable Board of Supervisors

FROM: David Boesch, Placer County Executive Officer
By: Bekki Riggan, Principal Management Analyst

DATE: July 9, 2013

SUBJECT: 2012-13 Grand Jury Final Report – *New Tahoe Justice Center, Options for Moving this Project Forward*

Action Requested

Authorize the Chairman to sign a letter in response to the Placer County Grand Jury's 2012-13 Report on the New Tahoe Justice Center.

Background

On October 25, 2012 and on January 17, 2013 the Grand Jury inspected the County's Burton Creek facility and toured the Tahoe Basin visiting potential sites being considered for a replacement facility. At the conclusion of these visits the Grand Jury issued a report entitled *New Tahoe Justice Center, Options for Moving this Project Forward*. The report includes a summary of actions taken, facts derived from the inspections, along with findings and recommendations.

The Placer County Board of Supervisors, the County Executive Office, the Sheriff's Office, and the Director of Facility Services were asked to provide responses to the Grand Jury report. In collaboration with County departments, County Executive Office staff prepared a response on the behalf of the Board of Supervisors, which is subject to your approval today. Upon approval by your Board, the Board's response will be provided to the Presiding Judge of the Placer County Superior Court and to the Placer County Grand Jury.

The report's findings indicate the Jail at Burton Creek is being used as a temporary holding facility, and while the County has not been able to replace the facility, steps have been taken to reduce overcrowding, as well as addressing ADA, seismic and fire issues associated with the facility. The report emphasizes that failure to replace the facility is not due to a lack of desire or effort, but that it has been complicated by many factors over the years. Additionally, the report concludes that funding is available to begin planning efforts to determine facility needs, citing \$2.7 million in the FY 2012-13 Final Budget for a New Tahoe Justice Center capital project, that funds previously diverted from the project should be restored and that the County should take the lead on site acquisition.

Recommendations include continued use of the Burton Creek Jail as a court holding facility, transporting arrestees to either Nevada or Placer County Main Jails for booking and detention, and that the County commit to proceed with design and construction of a

Sheriff's Substation separate from the Court facility should the Administrative Offices of the Courts (AOC) be unable to commit to funding a co-located facility, and that Facility Services taking the lead on immediate planning efforts. Lastly, the report recommends the County embark on pre-planning efforts for co-located buildings adjacent to a new Sheriff's Substation and Court, to include County Administrative Offices and a new Tahoe Jail facility.

Board of Supervisors Response

Details of the Grand Jury's finding and recommendations are included within the attached response which states that the Board of Supervisors agrees with all of the Grand Jury's findings related to the New Tahoe Justice Center and continued use of the Burton Creek holding facility. In regards to the recommendation that Facility Services takes the lead in pre-planning a replacement facility, the responses states this is being implemented with the development of a Request for Proposals (RFP) for architectural programming and preliminary design anticipated to result in a contract in early 2014. In regards to the recommendation that the County proceed with the design and construction of a separate Sheriff's Substation should the AOC be unable to commit to a co-located facility, the response states further analysis is required as this could trigger a 2008 Deferred Transfer Agreement requirement to compensate the Courts for full-replacement costs plus rent and moving expenses. In regards to the recommendation that the County pre-plan for co-located County Administration Offices and a Tahoe Jail facility adjacent to the Sheriff's Substation and Court building, the response states that further analysis is required prior to implementation as County Administrative Offices are currently located in the Customs House in Tahoe City, a County owned building, and that the New Tahoe Justice Center Holding facility would provide adequate correctional services in the Tahoe Basin.

Fiscal Impact

There is no fiscal impact associated with this response to the Grand Jury report.

Attachments: Board of Supervisors 2012-13 Grand Jury Response to: *New Tahoe Justice Center, Options for Moving this Project Forward*

County of Placer Board of Supervisors

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July 9, 2013

Albert Erkel, Foreman
Placer County Grand Jury
11490 C Avenue
Auburn, CA 95603

Re: 2012-13 Grand Jury Final Report – *New Tahoe Justice Center, Options for Moving this Project Forward*

Dear Mr. Erkel,

This letter is in response to the 2012-13 Grand Jury's Findings & Recommendations from the report titled *New Tahoe Justice Center, Options for Moving the Project Forward*. The Placer County Board of Supervisors would like to thank the members of the 2012-13 Grand Jury for their efforts associated with the New Tahoe Justice Center.

Findings of the Grand Jury

1. The Jail facility at Burton Creek is only being used as a temporary holding facility for inmates while awaiting their day in court and is adequate for the purpose it is being used.

Board of Supervisors Response: The Board of Supervisors agrees with this Finding.

2. While the County has not been able to replace the facility, it has taken steps to reduce the overcrowding and has attempted to address the ADA, seismic, and fire-safety issues associated with the facility.

Board of Supervisors Response: The Board of Supervisors agrees with this Finding.

3. The failure of the County and the Courts to replace the facility is not the result of lack of desire or good faith efforts to do so. The planning of either a co-located facility or separate replacement facilities in the Tahoe basin is complicated by many factors. Yet there still remains a need for a replacement Sheriff Substation and Court facilities in the Tahoe basin.

Board of Supervisors Response: The Board of Supervisors agrees with this Finding.

4. Placer County has budgeted \$2.7 million in the current fiscal year for a New Tahoe Justice Center capital project. That means there should be sufficient funds to begin planning and determine the facility needs and requirements of all affected agencies. Additional funds will need to be identified to make this project happen. Also, any funds previously diverted from this project will need to be restored to the project fund.

Board of Supervisors Response: The Board of Supervisors agrees with this Finding.

5. If a replacement facility is to include a co-located Court, Sheriff Substation, and County offices, the County will have to take the lead and purchase a suitable site.

Board of Supervisors Response: The Board of Supervisors agrees with this Finding.

Recommendations of the Grand Jury

1. Because it will be a multi-year process to construct a replacement for the current facility, the Sheriff should continue the current practice of utilizing the existing Burton Creek facility only as a court holding facility. Continue the practice of transporting arrestees to either the Nevada or Placer County jails for booking and detention.

Board of Supervisors Response: This Recommendation has been implemented, as the Sheriff will continue to utilize the Burton Creek facility under the same operational model currently in place.

2. The County commit to the construction of a replacement Sheriff Substation facility by giving this project sufficient priority on the Facilities Financing Master Plan. Facility Services take the lead and begin immediate planning for a replacement facility. Planning is contingent on whether or not the AOC can commit to a co-located facility and on what basis – as a partner or a tenant.

Board of Supervisors Response: This Recommendation is being implemented. The Director of Facility Services is drafting a Request for Proposals (RFP) for architectural programming and preliminary design of the Tahoe Justice Center. The initial phase of this process is expected to provide analysis of the existing Burton Creek site, in addition to alternate sites being considered for acquisition, and is also intended to incorporate a co-located Court facility. It is anticipated a contract for the architectural programming and preliminary design will be in place during the first quarter of calendar year 2014.

3. If the AOC is able to partner in a co-located site, then it must be determined if that can be accomplished at the Burton Creek site. If not, then the County must purchase a suitable site while the property costs are relatively low.

Board of Supervisors Response: This Recommendation requires further analysis prior to implementation. Previous analysis by the County has indicated that while the existing Burton Creek site could potentially accommodate proposed new justice facilities, the analysis also assumes existing land coverage would be acceptable to the Tahoe Regional Planning Agency (TRPA). Alternative sites for a New Tahoe Justice Center will be evaluated with the intent to provide the greatest opportunity and highest benefit available in the existing market.

4. If the AOC is unable to commit at this time, the County should proceed with the design and construction of a replacement Sheriff's Substation in a building separate from the Court facility.

Board of Supervisors Response: This recommendation requires further analysis. AOC funding for construction of a new Courthouse at Lake Tahoe has been indefinitely delayed. Placer County entered into a Deferred Transfer Agreement with the Administrative Office of the Courts in 2008. While this Agreement did not compel the County to include the Court in its relocation plans, any project to relocate the Sheriff's Substation without the Courts could trigger a requirement to agree

on the value of the Court's equity in the existing building and could result in increased operational costs to both organizations. This value is expected to be commensurate with new construction costs to replace their facility plus rent and moving expenses. Consequently, including the Court in the County's planning would be the most prudent approach to ensuring cost-effective operations and service delivery.

5. The County should pre-plan for co-located buildings adjacent to the Sheriff's Substation and Court buildings for County Administration Offices and a Tahoe Jail facility which can be justified and constructed at a future date.

Board of Supervisors Response: This Recommendation requires further analysis prior to implementation. County Administrative Offices are currently located in the Customs House building in Tahoe City, a County owned building. Should a viable location be identified in the Tahoe Basin to sufficiently house an expanded Justice Center and Administrative Offices, the site will be evaluated and considered. Current programming for the New Tahoe Justice Center includes a Holding facility, assumed to provide adequate correctional services in the Tahoe Basin given the County's existing Main Jail in Auburn and the recently constructed South Placer Adult Correctional Facility (SPACF) in Roseville, currently scheduled for opening in the summer of 2014.

The Board of Supervisors appreciates the work of the 2012-13 Placer County Grand Jury in their report regarding the New Tahoe Justice Center.

Sincerely,

Jim Holmes, District 3
Chairman, Placer County Board of Supervisors

cc: Alan V. Pineschi, Presiding Judge of the Superior Court
David Boesch, Placer County Executive Officer
Edward N. Bonner, Placer County Sheriff-Coroner-Marshal
Mary Dietrich, Director of Facility Services

