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**SUBMITTAL TO THE BOARD OF SUPERVISORS  
COUNTY OF RIVERSIDE, STATE OF CALIFORNIA**

**FROM:** Executive Office

**SUBMITTAL DATE:**  
June 22, 2010

**SUBJECT:** FY 2010/11 Budget Update

**RECOMMENDED MOTION:** That the Board of Supervisors:

- 1) Receive and file the attached report (Attachment A) updating the Board on various matters pertinent to the FY 2010/11 budget;
- 2) Approve in principle a budget adjustment of \$2.0 million for Probation's Van Horn facility and direct the Executive Office to formalize the budget adjustment during budget hearings;
- 3) Approve in principle a budget adjustment of \$1.0 million for Animal Services' three new facilities, staging a limited opening of the San Jacinto shelter, and direct the Executive Office to formalize the budget adjustment during budget hearings; and
- 4) Direct Animal Services to return to the Board in the first quarter budget report with options to expand services in the San Jacinto shelter.

**BACKGROUND:** (Continued on Page 2)

Christopher Hans  
Deputy CEO

<b>FINANCIAL DATA</b>	<b>Current F.Y. Total Cost:</b>	\$ 0	<b>In Current Year Budget:</b>	No
	<b>Current F.Y. Net County Cost:</b>	\$ 0	<b>Budget Adjustment:</b>	No
	<b>Annual Net County Cost:</b>	\$ 0	<b>For Fiscal Year:</b>	2010/11

**SOURCE OF FUNDS:** N/A

<b>Positions To Be Deleted Per A-30</b>	<input type="checkbox"/>
<b>Requires 4/5 Vote</b>	<input type="checkbox"/>

**C.E.O. RECOMMENDATION:**

**APPROVE**

**County Executive Office Signature**

BY:   
Ed Corser

Policy  
 Policy

Consent  
 Consent

Dept's Recomm.:  
Per Exec. Ofc.:

**Prev. Agn. Ref:**

**District:** ALL

**Agenda Number:**

3.67

Departmental Concurrence

**BACKGROUND:** (Continued)

When the Board wrapped up FY 10/11 budget workshops in mid-May, there were a few items outstanding. The CEO was asked to report back by June 29 on:

- Health and Mental Health services under Title 15 for the Larry D. Smith expansion
- Animal Services costs for new shelters
- The need for and cost of expanded Assessment Appeals hearings
- The cost to keep Probation's Van Horn Youth Center facility operational

At the same time the Board requested additional information on items that could have budget impacts. It is convenient to address these items in this same report:

- Feasibility of crediting FY 09/10 department savings into FY 10/11 for Sheriff, DA, and Fire.
- SB90 costs, department responsibilities, and state receivable amount.

It is recommended that action be taken during budget hearings for the most pressing items, Probation and Animal Services. Any budget enhancements approved by the Board will then be incorporated into the final adopted budget. Clerk of the Board and Animal Services will return to the Board within four weeks to update or initiate their fees. All other matters can be deferred to the end of the first quarter.

Attachment A follows: it is a collection of progress reports on each of the six topics listed above.

## **TITLE 15 REGULATIONS**

Section 1200 (a) of Title 15 of the California Code of Regulations requires that emergency and basic health care services be provided for all inmates. This includes, but is not limited to, an initial screening for medical and mental health problems, developmental disabilities and communicable diseases. The facility is required to have a plan in place to provide the required care for any inmate found in need of, or who requests, medical, mental health, or developmental disability treatment.

The Eighth Amendment of the U.S. Constitution entitles inmates to protection under the statutes with the right not to be treated unreasonably. In addition, California Penal Code section 673 makes it criminally unlawful "... to inflict any treatment or allow any lack of care whatever which would injure or impair the health of ...[a] prisoner, or person confined..." .

### **Detention Health Services (DHS)**

There are currently 11 staff (nine permanent and two temporary) providing medical services to the 936 inmates incarcerated at the Banning Smith Correctional Facility (Banning). Limited services are provided 20 hours per day. Inmates with chronic diseases are not treated at Banning but are transferred to Southwest or Riverside to receive treatment. The primary responsibility of DHS nursing staff in Banning is the administration of medication which consumes a significant portion of their time. In addition, staff administers both medical and psychotropic medications, monitors reactions to medications, and provides care to ambulatory inmates that do not require hospitalization and to those who have returned after hospitalization.

Each inmate is required to have an initial screening at the intake for medical and mental health problems. DHS has developed an intake screening tool used by corrections staff to refer those in need of medical care who then receive further evaluation by the medical staff.

At this time, the schedule of prisoner count increases is unknown, so no adjustment is needed. One option that will come to the Board later this year is to gradually increase funding and staff commensurate with an increase in inmate population system wide. To maintain a similar staffing ratio, seven additional staff will be required. Annual funding is estimated at \$690,000; the FY 10/11 cost will not exceed \$350,000.

### **Mental Health Detention Services (MHDS)**

There are currently seven staff in the mental health unit at Banning providing services to 936 inmates. Intake assessment, response to crisis referrals and the prescription of medication are the primary services provided by mental health staff. It is estimated that system-wide 41% of all inmates are seen and 31% require on-going services.

Although the Banning expansion was designed with a 64 bed mental health unit to meet the needs of the eastern county, inmates in need of hospitalization will continue to be transferred to Riverside's 80-bed mental health unit.

At this time, the schedule of prisoner count increases is unknown, so no adjustment is needed. One option that will come to the Board later this year is to gradually increase funding and staff commensurate with an increase in inmate population system wide. To maintain a similar staffing ratio, five additional staff will be required. Annual funding is estimated at \$1.45 million; the FY 10/11 cost will not exceed \$725,000.

### **Detention Health and Mental Health Services**

- Each facility is required to provide for emergency and basic health care services for all inmates.
- An initial screening for medical, mental health, developmental disabilities and communicable disease is to be done at intake.
- Mental health services must include screening for mental health problems, crisis intervention and management of acute psychiatric episodes, stabilization and treatment of mental disorders and medication support services.

### **Banning Facility**

<i>Current Situation</i>	Count	Ratio
Inmates	936	
Detention Health staff	11	1 to 85
Mental Health staff	7	1 to 134
<i>Expansion</i>		
Inmates	580	
Detention Health staff	7	1 to 82
Mental Health staff	5	1 to 116
<i>Total</i>		
Inmates	1,516	
Detention Health staff	18	1 to 84
Mental Health staff	12	1 to 126

## **DEPARTMENT OF ANIMAL SERVICES**

### **Fees and Rates**

The department of Animal Services is in the process of updating fees and contract rates charged for services. Staff is working with the Auditor-Controller and the Executive Office and anticipates requesting Board approval to initiate an ordinance amendment in June or July. New and increased fees and rates, if approved, might generate an additional \$400,000 annually to offset the costs of providing services.

### **City Contracts**

The cities of Hemet and San Jacinto have terminated their contracts for field and shelter services with the department, citing budget reductions and the need to find a less costly provider. This loss of approximately \$1.3 million has not yet been adjusted in the department's budget. Negotiations continue with other cities throughout the County.

### **New/Expanded Facility Costs**

- Riverside

The department moved into this new larger facility in May. The facility houses animals from the western county and the city of Riverside. The increased cost of the larger shelter is estimated to be approximately \$750,000 annually.

- Blythe

Revenue from the City of Blythe for field and shelter services will partially offset the increased costs to operate the facility. The increased annual net county cost to operate the expanded facility is estimated to be approximately \$30,000.

- San Jacinto

A phased opening of this new facility is possible: for example, housing officers in the facility without providing any other services will cost about \$235,000. This option would allow the department additional time to phase in additional services to match service demands. It would also allow the department to explore other options, including public-private partnerships.

With additional funding, the department would be able to open the new facility in July. At full capacity, the facility would house approximately 8,000 animals from the unincorporated county. The department proposes a minimum staffing level to provide care and feeding of the animals, office support functions, and veterinarian services. Annual operating expenses are projected at approximately \$3.2 million of which \$2.5 million would be new net county cost. The department will continue to pursue contracts with surrounding jurisdictions; any additional revenue would offset these operational costs.

A phased opening is recommended at this time to allow the department, together with the Executive Office, to research and return with other options for the Board to consider. Any solution should take into account county-wide future and present city contracts, current staffing and program levels, and the effects of revenue gains and losses.

## **ASSESSMENT APPEALS**

There are two questions before the Board: should an assessment appeals application fee be charged, and should the number of hearings per week be increased:

- There is ample precedent and justification for adding an application fee. Many other counties are currently charging a fee, typically about \$30. A fee of about that amount should recover most of the filing and processing costs of the Clerk of the Board. Non-residential cases require much more support, especially by County Counsel, so a higher fee of approximately \$50 would be required to recover these costs. Neither fee would cover the Assessor's costs. The Assessor does not support a new fee; if a new fee is passed, the Assessor will not receive any of the revenue. One added advantage of a new fee is that it could discourage frivolous filing by "predatory" third-party businesses.

The Clerk of the Board and County Counsel are preparing a F11 and Resolution for the Board to consider the new fees, and they plan to have it on a Board agenda in early July. Some state review will be required should any new fee be approved by the Board. The Clerk of the Board is doing everything possible to expedite this process so that – should the Board desire – the new fee can go into effect early in the fiscal year.

- There is a chance that we will not be able to hear all pending cases within the two years required by law. A definite conclusion can't be made at this time for two reasons. First, since the hearing officers are new, they are relatively inefficient, hearing a small percentage of the number of cases a full board can hear. With time and experience, this should change. Also, the Clerk of the Board is planning to add one or more additional officers. Second, we do not know the number or type of new appeals that will be filed in the new filing period which opens in July.

All of these factors will be evaluated in the first quarter and a report will be given to the Board explaining why (or why not) an expansion of appeals is needed.

## ***Van Horn Youth Center***

The Van Horn Youth Center is located at 10000 County Farm Road in the City of Riverside. It is a residential treatment facility for boys ages 13 to 16. The focus is therapeutic and the setting is communal. The Probation Department works with Mental Health and the Office of Education to ensure a balanced curriculum and adequate therapy during the eight months boys stay at the center. The focus is holistic. Each cadet is assigned a room which is kept in pristine condition. Boys do their own laundry, do chores inside the center, attend school and participate in recreational programs including CIF baseball and cross country. Staffing is based on a 1.7 computation ratio that allows adequate staff for primary functions: managing the living units, or handling daily activities and performing specific yet essential duties such as taking a cadet to the dentist. Six months of aftercare is provided and caseworkers work with the entire family to strengthen relationships, encourage open communication and secure assistance that can lead the boys toward active, productive lives.

Chief Probation Officer Alan Crogan asked for \$2.3 million above his FY 10/11 NCC to fund the Van Horn Youth Center. Following discussions with the Executive Office and a willingness to stretch all available resources, to include staffing, services and supplies, the final request by the Probation Department is \$1,976,000.

<b>The budget for Van Horn follows:</b>	
Salaries and Benefits	2,320,437
Services and Supplies	595,939
Subtotal	2,916,376
Revenue	940,376
<b>Net County Cost</b>	<b>1,976,000</b>

***SAVINGS TRANSFER FOR SHERIFF, DA, FIRE***

Savings for an individual department can be calculated after the books are closed each year. Significant activity goes on each fiscal year even after a new year begins. Typically, it is the first week of September before the Auditor-Controller declares that all old-year activity has ceased and is recorded in our financial system. At that point, reports can be generated to calculate if a department met or exceeded budget targets.

Sheriff, Fire, and the DA estimate likely budget savings for FY 2009/10. It is impossible at this time to confirm the accuracy of these estimates. Accurate calculations will be prepared in September and presented to the Board during the first quarter budget report. The Board has the option of moving all or part of any savings into the FY 2010/11 budget of each department. Any amount not given to a department can go toward increasing the Board's reserves.



## **SB 90 STATE-MANDATED PROGRAMS UPDATE**

### **Outstanding payments**

As of March 31, 2010, the state owes Riverside County \$39.9 million in unpaid SB 90 claims. Assembly Bill 138, approved in 2005, allows the state until 2021 to repay \$28.6 million of the outstanding amount. The most recent claim, just under \$5 million, is due October 15, 2010, or sixty days after the date the appropriation for the claim is effective, whichever is later. The remaining \$6.3 million is currently due to the County for FY 2004/05 through FY 2007/08.

### **Program suspensions**

The state's FY 09/10 budget and the Governor's proposed FY 10/11 budget provide for the suspension of various mandates. Based on the latest information available, three of the programs suspended for FY 09/10, animal adoptions, crime victims' rights and mentally disordered offenders extended commitments, account for \$1.1 million of the FY 08/09 claim, while the remaining suspended programs total less than \$63,000 of the \$4.95 million claim. The District Attorney claimed \$315,184 for the Crime Victims' Rights program in FY 08/09, and the Governor has proposed funding be reinstated for FY 10/11.

Departments were surveyed to find out if they plan to continue the suspended programs and if so, how they would be funded. The Department of Animal Services claimed nearly \$600,000 in FY 08/09 for the Hayden program which has been discontinued. The Public Defender indicated that they will continue several programs and absorb the costs, which totaled \$23,000 in FY 08/09. The Fire Department claimed almost \$6,000 for Fire Safety Inspection of Care Facilities in FY 08/09 which they will continue and have included in the budget.

The Sheriff and District Attorney claimed \$156,444 and \$379,866, respectively, for a variety of programs in FY 08/09 that have now been or are proposed for suspension. The Sheriff claimed \$156,444 in FY 08/09 for programs that have now been suspended. The department will continue to provide the programs using existing general fund support.

The District Attorney claimed \$379,866 for a variety of programs in FY 08/09 that have now been or are proposed for suspension. The District Attorney's office indicated to the Executive Office that it will continue four of the suspended programs: Search Warrant AIDS, Mentally Disordered Offender, Mentally Disordered Sex Offender, and Not Guilty by Reason of Insanity. The department will absorb the estimated \$65,000 cost into its existing budget.

**SB 90 State-mandated programs dollars****Outstanding payments as of March 31, 2010**

\$4,950,000	Due October 2010
\$6,300,000	Due for FY 04/05 - FY 07/08
\$28,600,000	Due 2021
<b>\$39,850,000</b>	<b>Total</b>

**Program suspensions****FY 09/10 suspended programs based on FY 08/09 claims**

\$589,547	Animal Adoptions
\$315,184	Crime Victims' Rights
\$187,394	Mentally Disordered Offenders' Extended Commitments Proceedings
\$62,693	Others
<b>\$1,154,818</b>	<b>Total</b>

**FY 10/11 programs proposed for suspension based on FY 08/09 claims**

\$589,547	Animal Adoptions
\$187,394	Mentally Disordered Offenders' Extended Commitments Proceedings
\$62,693	Others
<b>\$839,634</b>	<b>Total</b>