

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

308



FROM: Probation Department and Riverside University Health System – Behavioral Health

SUBMITTAL DATE:
December 29, 2015

SUBJECT: Amendment to Bylaws of the Joint Exercise of Powers Agreement for the Establishment and Operation of the Van Horn Regional Facility for Emotionally Disturbed Minors (“Van Horn JPA” or “JPA”).

RECOMMENDED MOTION: That the Board of Supervisors:

1. Authorize an amendment to the Bylaws of the Van Horn JPA to include a specific termination date for the JPA.
2. Move and adopt Resolution 2016-053, authorizing the amendment to the JPA Bylaws.

BACKGROUND:

Summary

The Van Horn JPA was established on December 1, 1990 by and between the counties of Riverside, San Diego, Orange, Los Angeles and San Bernardino. The sole purpose of the JPA was to enable the five counties to pool resources, consisting of cash and real property, and to apply for state grant funds that would be used to create a secure, live-in, correctional treatment facility for emotionally disturbed minors.

(Continued on Page 2)

Steven Steinberg

Steven Steinberg
Interim Mental Health Director

Mark A. Hake

Mark A. Hake
Chief Probation Officer

FINANCIAL DATA	Current Fiscal Year:	Next Fiscal Year:	Total Cost:	Ongoing Cost:	POLICY/CONSENT (per Exec. Office)
COST	\$ 0	\$ 0	\$ 0	\$ 0	Consent <input type="checkbox"/> Policy <input checked="" type="checkbox"/>
NET COUNTY COST	\$ 0	\$ 0	\$ 0	\$ 0	

SOURCE OF FUNDS: N/A	Budget Adjustment: No
	For Fiscal Year: FY 15/16

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

County Executive Office Signature BY: *Elizabeth J. Olson*

Elizabeth J. Olson

MINUTES OF THE BOARD OF SUPERVISORS

On motion of Supervisor Jeffries, seconded by Supervisor Ashley and duly carried by unanimous vote, IT WAS ORDERED that the above matter is approved as recommended.

Ayes: Jeffries, Tavaglione, Washington, Benoit and Ashley
Nays: None
Absent: None
Date: January 12, 2016
xc: Probation, RUHS

Kecia Harper-Ihem
Clerk of the Board
By: *[Signature]*
Deputy

Prev. Agn. Ref.: | **District:** | **Agenda Number:**

3-6

FORM APPROVED COUNTY COUNSEL 12/29/15
DATE
BY: GREGORY P. PRIAMOS

Departmental Concurrence

- A-30
- Positions Added
- 4/5 Vote
- Change Order

**SUBMITTAL TO THE BOARD OF SUPERVISORS, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA
FORM 11: Amendment to Bylaws of the Joint Exercise of Powers Agreement for the Establishment and
Operation of the Van Horn Regional Facility for Emotionally Disturbed Minors (“Van Horn JPA” or
“JPA”).**

DATE: December 29, 2015

PAGE: 2 of 2

BACKGROUND:

Summary (continued)

The funds were used to construct a 30 bed-facility located at 10000 County Farm Road in the city of Riverside. Each County would have access to place qualified minors at the facility for treatment and rehabilitation.

Over the past several years, the facility has sat unused for various reasons – legal dispute with the prior third-party facility operator and the fact the building is not up to current building standards. As a result, the five member counties have relied on alternatives to the Van Horn Regional Facility.

In April 2015, the County of San Bernardino gave notice that it wished to withdraw from the JPA. Pursuant to the terms of the JPA agreement, the withdrawal would have been effective on July 31, 2016. However, the JPA Board of Directors voted to allow the withdrawal to be effective immediately. Thereafter, the counties of Orange and Los Angeles indicated that they wished to withdraw from the JPA. Their withdrawal would leave only Riverside and San Diego as member agencies.

As San Diego and Riverside would be unable to place enough minors in the facility to justify the ongoing costs to contract out the operation of the facility, the member agencies have determined that the purpose of the JPA has run its course and the JPA should be terminated. Currently, the Bylaws, only allow for termination in one of two situations: (1) when there are only two remaining member counties; or (2) until the JPA is rescinded or terminated.

On November 6, 2015, JPA Board of Directors met in Riverside, California and after discussion voted for a third option for termination. The JPA Board of Directors authorized the JPA member counties to seek an amendment to the JPA Bylaws from their respective County Board of Supervisors that would insert a specific termination date – specifically February 12, 2016. This date will allow the JPA Board of Directors to meet one additional time to wind up the affairs of the JPA.

The first sentence of Section 7 of the attached bylaws, which currently reads:

“This agreement shall take effect as soon as it has been executed by all of the Counties which have been designated as the parties to this Agreement, and shall continue in effect until it is rescinded or terminated; provided that the withdrawal from membership by any individual County shall not operate to terminate this Agreement.”

shall be amended to read:

“This agreement shall take effect as soon as it has been executed by all of the Counties which have been designated as the parties to this Agreement, and shall continue in effect until February 12, 2016.”

Impact on Citizens and Businesses

N/A

2
3 RESOLUTION NO. 2016-053

4 A RESOLUTION OF THE BOARD OF SUPERVISORS
5 OF THE COUNTY OF RIVERSIDE AMENDING THE BYLAWS OF
6 THE JOINT EXERCISE OF POWERS AGREEMENT FOR
7 THE ESTABLISHMENT AND OPERATION OF THE VAN HORN REGIONAL
8 FACILITY FOR EMOTIONALLY DISTURBED MINORS


9 **WHEREAS**, pursuant to Resolution No. 91-035, the Board of Supervisors
10 voted to authorize the creation of, and Riverside County's joining of, the Joint Exercise
11 of Powers Agreement for the Establishment and Operation of the Van Horn Regional
12 Facility for Emotionally Disturbed Minors (the "JPA"), and
13

14 **WHEREAS**, the purpose of the JPA is to provide a secure regional treatment
15 facility to provide residential bed space for emotionally disturbed minors at a facility in
16 Riverside County, and

17 **WHEREAS**, the JPA was originally comprised of five counties – Riverside, San
18 Diego, Orange, Los Angeles and San Bernardino – and the Board of Directors consist
19 of the Chief Probation Officer and the Director of Mental Health from each of the
20 member counties, and

21 **WHEREAS**, San Bernardino County has withdrawn from the JPA and Orange
22 County and Los Angeles County have expressed a desire to withdraw from the JPA
23

24 **WHEREAS**, the JPA Board of Directors has determined that the JPA is no
25 longer relevant and needed and that the JPA should be terminated through an

FORM APPROVED COUNTY COUNSEL
BY:  ERIC STOFFER
DATE: 12/29/15

1 amendment of the JPA Bylaws by amending the Bylaws to include a termination date
2 of February 12, 2016, and

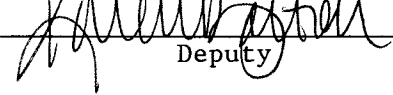
3 **NOW, THEREFORE, BE IT RESOLVED**, by the Board of Supervisors of the
4 County of Riverside, assembled in regular session on Tuesday, 1/12/16, that
5 Board hereby adopts and approve the amendment to the JPA Bylaws.
6

7
8 ROLL CALL:

9 Ayes: Jeffries, Tavaglione, Washington, Benoit and Ashley
10 Nays: None
11 Absent: None

12 The foregoing is certified to be a true copy of a resolution duly
13 adopted by said Board of Supervisors on the date therein set forth.

14 KECIA HARPER-IHEM, Clerk of said Board

15 By  Deputy