

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



**ITEM: 3.14
(ID # 15263)**

MEETING DATE:

Tuesday, June 15, 2021

FROM: FACILITIES MANAGEMENT AND SHERIFF'S DEPARTMENT:

SUBJECT: FACILITIES MANAGEMENT (FM) AND SHERIFF'S DEPARTMENT: Robert Presley Detention Center Dayroom Emergency Floor Drain Repair Project - California Environmental Quality Act Exempt, Approval of In-Principle and Preliminary Project Budget, District 1. [Total Cost \$109,541, 100% Sheriff's Department Budget]

RECOMMENDED MOTION: That the Board of Supervisors:

1. Approve the Robert Presley Detention Center Dayroom Emergency Floor Drain Repair (RPDC Dayroom Floor Drain Repair) Project for inclusion in the Capital Improvement Program (CIP);
2. Find that the RPDC Dayroom Floor Drain Repair Project is exempt from the California Environmental Quality Act (CEQA) pursuant to State CEQA Guidelines Section 15269 Emergency Projects, Section 15301 Class 1 Existing Facilities Exemption, Section 15302 Replacement or Reconstruction Class 2 Exemption and Section 15061 (b)(3) "Common Sense" Exemption;
3. Approve in-principle the RPDC Dayroom Floor Drain Repair Project located in Riverside, California; to provide emergency repairs and replacement of the floor drain grates and delaminating concrete which pose immediate safety risk to inmates and Sheriff's personnel;

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ACTION: CIP, Policy

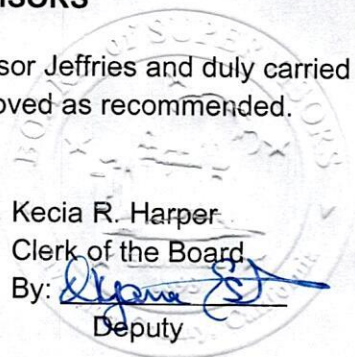
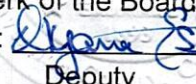

Rose Salgado, Director of Facilities Management 5/26/2021


Robert Gunzel, Assistant Sheriff 5/26/2021

MINUTES OF THE BOARD OF SUPERVISORS

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

Ayes: Jeffries, Spiegel, Washington, Perez, and Hewitt
Nays: None
Absent: None
Date: June 15, 2021
xc: FM, Sheriff, Purchasing


Kecia R. Harper
Clerk of the Board
By: 
Deputy

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RECOMMENDED MOTION: That the Board of Supervisors:

4. Approve a preliminary project budget in the not to exceed amount of \$109,541 for the Project;
5. Authorize the use of Sheriff's Department Budget not to exceed \$109,541 for the emergency work, including reimbursement to Facilities Management (FM) for incurred project related expenses;
6. Authorize the Director of Facilities Management, or her designee, to administer all necessary contracts in accordance with applicable Board policies;
7. Delegate project management authority for the Project to the Director of Facilities Management in accordance with applicable Board policies, including the authority to utilize consultants on the approved pre-qualified list for services in connection with the Project, and are within the approved project budget; and
8. Authorize the Purchasing Agent to execute pre-qualified consultant service agreements not to exceed \$100,000 per pre-qualified consultant, per fiscal year, in accordance with applicable Board policies for the Project, and the sum of all project contracts shall not exceed \$109,541.

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FINANCIAL DATA	Current Fiscal Year:	Next Fiscal Year:	Total Cost:	Ongoing Cost
COST	\$ 109,541	\$ 0	\$ 109,541	\$ 0
NET COUNTY COST	\$ 0	\$ 0	\$ 0	\$ 0
SOURCE OF FUNDS: Sheriff's Department Budget – 100%			Budget Adjustment: No	
			For Fiscal Year: 2020/21	

C.E.O. RECOMMENDATION: Approve

BACKGROUND:

Summary

The RPDC dayrooms contain floor drain grates made of metal that have reached the end of their life cycle and deteriorated beyond repair. The current condition of the grates pose a safety and security risk to the facility personnel, as inmates could potentially remove large pieces of metal from the grates and fashion them into a weapon.

The scope of the emergency repair work includes but is not limited to: removal and replacement of the grates, removal of the delaminating concrete surrounding the grates, cleaning of the surface, and installation of epoxy around the repairs. Failure to immediately address this security and safety event would pose immediate risk to the inmates and Sheriff's personnel.

Facilities Management recommends the Board of Supervisors (Board) approve the RPDC Dayroom Floor Drain Repair Project and the preliminary project budget in the not to exceed amount of \$109,541. FM intends to use the best cost-effective project delivery method to expedite the completion of the project.

The emergency repairs are necessary to maintain service essential to public safety and the actions were necessary to mitigate an emergency. The emergency maintenance and repairs will be conducted within the existing facility and performed to meet current standards of public health and safety. Therefore, the RPDC Dayroom Floor Drain Repair Project is exempt as the Project meets the scope and intent of the Common Sense Exemption identified in Section 15061 (b)(3); Statutory Emergency Projects Exemption identified in 15269 (b)(c), Class 1 Categorical Exemption identified in Section 15301, and Class 2 Replacement or Reconstruction Exemption identified in Section 15302. A Notice of Exemption will be filed by FM staff with the County Clerk within five days of Board approval.

Impact on Residents and Businesses

(Commences on Page 4)

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Impact on Residents and Businesses

The RPDC Dayroom Floor Drain Repair Project will ensure the safety of both inmates and Sheriff's personnel.

Additional Fiscal Information

The approximate allocation of the preliminary project budget is as follows:

PROJECT BUDGET LINE ITEMS	CATEGORY	PROJECT BUDGET AMOUNT
Architectural Design	1	0
Construction Management	2	0
Construction Contract	3	98,120
Offsite Construction	4	0
Project Management	5	0
Generator Lease, Fuel/Labor Maintenance	6	1,463
Other Specialty Consultants	7	0
Project Contingency	8	9,958
Minor Construction-Breaker Replacement	9	0
Preliminary Project Budget		\$109,541

All costs associated with this Board action will be 100% funded by Sheriff's Department Budget and will be expended in FY 2020/21.

RS:GG:SP:JA:FG;mg FM03250011358 MT #15263
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Emerg Decl - In-Princ & Prelim ProjBdgt_061521.doc


Tina Grande, Director of Purchasing and Fleet Services 5/24/2021


Meghan Hahn, Administrative Analyst 6/7/2021


Gregory J. Priarios, Director County Counsel 6/1/2021

Riverside County
Facilities Management
3133 Mission Inn Avenue, CA 92507

NOTICE OF EXEMPTION

May 12, 2021

Project Name: Riverside Presley Detention Center Dayroom Emergency Floor Drain Repair Project

Project Number: FM03250011358

Project Location: 4000 Orange Street, south of 10th Street, Riverside, California; Assessor's Parcel Number (APN): 215-112-001

Description of Project: The Riverside Presley Detention Center (RPDC) is a seven-story facility located in downtown Riverside at 4000 Orange Street and was constructed in 1990. The RPDC dayrooms contain floor drain grates made of metal that have reached the end of their life cycle and deteriorated beyond repair. The current condition of the grates pose a safety and security risk to the facility personnel, as inmates could potentially remove large pieces of metal from the grates and fashion them into a weapon.

The scope of the emergency repair work includes, but is not limited to, removal and replacement of the grates, removal of the delaminating concrete surrounding the grates, cleaning of the surface, and installation of epoxy around the repairs. Failure to immediately address this security and safety event would pose immediate risk to the inmates and Sheriff's personnel. The repairs to the RPDC dayroom drains is identified as the project under the California Environmental Quality Act (CEQA). No direct or indirect physical environmental impacts are anticipated from the repair of the floor drains.

Name of Public Agency Approving Project: Riverside County

Name of Person or Agency Carrying Out Project: Riverside County Facilities Management

Exempt Status: State California Environmental Quality Act (CEQA) Guidelines, Section 15269 Emergency Projects Exemption; Section 15301 Existing Facilities Exemption; Section 15302 Replacement or Reconstruction Exemption; Section 15061(b) (3), General Rule or "Common Sense" Exemption, Codified under Title 14, Articles 5, 18 and 19, Sections 15061, 15269, 15301, and 15302.

Reasons Why Project is Exempt: The proposed project is categorically exempt from the provisions of CEQA specifically by the State CEQA Guidelines as identified below. The project will not result in any specific or general exceptions to the use of the categorical exemption as detailed under State CEQA Guidelines Section 15300.2. The project will not cause an impact to an environmental resource of hazardous or critical concern nor would the project include unusual circumstances which could have the possibility of having a significant effect on the environment. The project would not result in impacts to scenic highways, hazardous waste sites, historic resources, or other sensitive natural environments, or have a cumulative effect to the environment. No significant environmental impacts are anticipated to occur with the replacement of the floor drains at RPDC.

- **Section 15269 (b)(c) –Emergency Projects:** This Statutory exemption consists of emergency projects that are exempt under CEQA. Under (b), emergency repairs to publicly or privately owned service facilities necessary to maintain service essential to the public health, safety or welfare are exempt. Under (c), specific actions necessary to prevent or mitigate an emergency are exempt. The repair of the floor drains at RPCDC satisfies both of these conditions, as the jail is an essential public facility that provides detention services to protect public safety. The deterioration of the floor drains has created a dangerous situation within the facility as the drains could be broken into pieces that could be used as weapons, endangering the life and safety of inmates and sheriff personnel. Therefore, the project is exempt as it meets the scope and intent of the Statutory Exemption identified in Section 15269, Article 18, Statutory Exemptions of the CEQA Guidelines.
- **Section 15301 (d)–Existing Facilities:** This Class 1 categorical exemption includes the operation, repair, maintenance, leasing, or minor alteration of existing public or private structures or facilities, provided the exemption only involves negligible or no expansion of the previous site’s use. The repair of the floor drains at the existing jail is necessary to restore and maintain an appropriate level of public safety. RPDC is an essential public facility that provides detention services and the repairs at the facility are required to address an emergency that is a threat to public safety. The repairs and maintenance to the existing facility to protect and maintain public safety are exempt as they meet the scope and intent of the Categorical Exemption identified in Section 15301, Article 19, Categorical Exemptions of the CEQA Guidelines.
- **Section 15302 Replacement or Reconstruction Exemption:** This Class 2 categorical exemption consists of the replacement or reconstruction of existing structures and facilities where the new structure will be located on the same site as the structure replaced and will have substantially the same purpose and capacity as the structure replaced. Under (c), replacement or reconstruction of existing utility systems and/or facilities involving negligible or no expansion of capacity. The project, as proposed, is the repair and replacement of existing floor drains of similar size and capacity. The drains are part of an existing facility that supports the provision of detention services and the replacement would have the same purpose as the existing infrastructure. Therefore, the project is exempt as it meets the scope and intent of the Categorical Exemption identified in Section 15302, Article 19, Categorical Exemptions of the CEQA Guidelines.
- **Section 15061 (b) (3) – “Common Sense” Exemption:** In accordance with CEQA, the use of the Common Sense Exemption is based on the “general rule that CEQA applies only to projects which have the potential for causing a significant effect on the environment.” State CEQA Guidelines, Section 15061(b) (3). The use of this exemption is appropriate if “it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment.” *Ibid*. This determination is an issue of fact and if sufficient evidence exists in the record that the activity cannot have a significant effect on the environment, then the exemption applies and no further evaluation under CEQA is required. See *No Oil, Inc. v. City of Los Angeles* (1974) 13 Cal. 3d 68. The ruling in this case stated that if a project falls within a category exempt by administrative regulation or ‘it can be seen with certainty that the activity in question will not have a significant effect on the environment’, no further agency evaluation is required. With certainty, there is no possibility that the project may have a significant effect on the environment. The proposed repairs conducted at the existing RPDC are to address an emergency situation and will not result in any direct or indirect physical environmental impacts.

Based upon the identified exemptions above, the County of Riverside, Facilities Management hereby concludes that no physical environmental impacts are anticipated to occur and the project as proposed is exempt under CEQA. No further environmental analysis is warranted.

Signed:  Date: 5-12-2021

Mike Sullivan, Senior Environmental Planner
County of Riverside, Facilities Management