

**STAFF MEETING MINUTES
LANCASTER COUNTY BOARD OF COMMISSIONERS
COUNTY-CITY BUILDING, ROOM 113
THURSDAY, JULY 11, 2013
8:30 A.M.**

Commissioners Present: Larry Hudkins, Chair
Brent Smoyer, Vice Chair
Deb Schorr
Jane Raybould

Commissioners Absent: Roma Amundson

Others Present: Kerry Eagan, Chief Administrative Officer
Gwen Thorpe, Deputy Chief Administrative Officer
Dan Nolte, County Clerk
Cori Beattie, Deputy County Clerk
Ann Taylor, County Clerk's Office

Advance public notice of the Board of Commissioners Staff Meeting was posted on the County-City Building bulletin board and the Lancaster County, Nebraska, web site and provided to the media on July 10, 2013

The Chair noted the location of the Open Meetings Act and opened the meeting at 8:34 a.m.

AGENDA ITEM

1 APPROVAL OF THE STAFF MEETING MINUTES OF JUNE 27, 2013

MOTION: Smoyer moved and Raybould seconded approval of the minutes of the June 27, 2013 Staff Meeting. Raybould, Schorr, Smoyer and Hudkins voted aye. Amundson was absent from voting. Motion carried 4-0.

2 ADDITIONS TO THE AGENDA

- A. Request from Topher Hansen, Director, CenterPointe, Inc., to Meet with the County to Discuss Transition of Services from the Community Mental Health Center (CMHC) to CenterPointe (Exhibit A)
- B. Invitation for the Board to Tour the Newly Renovated and Expanded University of Nebraska-Lincoln's (UNL's) East Stadium (Exhibit B)

MOTION: Smoyer moved and Raybould seconded approval of the additions to the agenda. Smoyer, Schorr, Raybould and Hudkins voted aye. Amundson was absent from voting. Motion carried 4-0.

3 OLD JAIL REUSE PLAN - Don Killeen, County Property Manager; John Kay, Sinclair Hille & Associates Inc.; Dan Spiry, BVH Architects

Dan Spiry, BVH Architects, presented revised options for reuse of the current Adult Detention Facility once it is vacated by Corrections, the anticipated order of phasing, and an opinion of probable construction cost (Exhibit C).

Spiry referred to Option A and said the major change is the location of the new sally port which leaves the law enforcement parking area undisturbed and provides enough height for ambulance access. Traffic flow issues still need to be resolved. Adult Probation and the County Attorney's Child Support Division would move to the first floor. He said the space on the first floor is not sufficient to meet Adult Probation's needs so it could "spill over" into the space designated for Drug Court on the Lower Level if Drug Court remains in the 9th & J Street Building. Spiry noted the Alfred Benesh & Company Building (825 J Street) will become available for occupancy in 2017 and said Adult Probation could be relocated into that space, freeing up space on the first floor for the County Attorney's Office (the move would be triggered by the need for another juvenile courtroom on the fourth floor of the Justice and Law Enforcement Center). The Community Mental Health Center (Crisis Center) would be located on the second floor. Raybould noted the need for an entrance for voluntary commitments.

NOTE: There will be a dedicated elevator for individuals who are placed in Emergency Protective Custody (EPC's). Spiry said there will also be space for future courtroom expansion on the second floor. The third floor would be used primarily for storage and mechanical equipment.

Spiry also gave an overview of Option B, noting the primary differences are the Community Mental Health Center (Crisis Center) would be located on the first floor. Adult Probation would be temporarily located on the second floor and the County Attorney would move into that space when Adult Probation moves to the Benesh Building.

Schorr asked whether more people would access the building for Adult Probation or the Crisis Center on a daily basis. Gene Cotter, Chief Probation Officer, Adult Probation, appeared and said his office has approximately 3,500 site visits and performs approximately 4,000 drug tests a month.

Spiry noted it may be better to locate the Crisis Center on the first floor rather than across the hall from courtrooms on the second floor.

Joe Kelly, County Attorney, appeared and indicated a preference for locating his office on the second floor.

Kit Boesch, Human Services Administrator, appeared and suggested that Juvenile Probation be located in the unoccupied space on the second level (see Option B). Don Killeen, County Property Manager, explained that the timing for completion won't meet Juvenile Probation's needs and other arrangements will be made.

Discussion took place regarding costs and financing. Spiry said there shouldn't be a cost difference between the two schemes. He also reported an adjustment of costs from the original projection. The total cost for Phase 1 (Years 2014-2017) is now projected to be \$9,979,800. Total projected costs for Phases 1-5 (Years 2014-2032) is now projected to be \$15,422,300 (in current dollars). Killeen said the Public Building Commission (PBC) has budgeted the amount needed for the prisoner transfer and holding area so that portion could move forward. The Board could then decide on whether to have the PBC bond for the remainder of the project. Schorr said she would be comfortable bonding for Phase 1.

There was consensus to have Spiry and Killeen meet with representatives from the County Attorney's Office, Crisis Center and Adult Probation to get more information on the number of site visits, parking requirements and elevator movements.

Terry Wagner, Lancaster County Sheriff, appeared and expressed concern regarding the lack of access for individuals wanting to surrender on warrants.

Cotter noted the Pre-Sentence Investigation Officers (PSI's) are located in the area where the new sally port will be constructed and expressed concern regarding construction noise. Spiry said perhaps they could be temporarily relocated into the area currently occupied by Corrections Administration.

MOTION: Schorr moved and Smoyer seconded to direct the County Attorney and County Property Manager to prepare a lease agreement with the Public Building Commission (PBC) regarding the Adult Detention Facility Re-use Plan.

Raybould asked that Killeen schedule a summary on the PBC agenda.

ROLL CALL: Schorr, Smoyer, Raybould and Hudkins voted aye. Amundson was absent from voting. Motion carried 4-0.

4 BUDGET UPDATE - Dennis Meyer, Budget and Fiscal Officer

Dennis Meyer, Budget and Fiscal Officer, said the mental health fund balance is \$300,000 less than is needed to keep funding at the same level as last year. He said the Board also needs to decide how to fund the \$500,000 that it committed to assist with the transition of community behavioral health services from the Community Mental Health Center (CMHC) to a new provider(s). Meyer said he could reduce the overall budget by \$800,000 knowing the County will not have CMHC for the full fiscal year. He also noted Ron Sorensen, CMHC Executive Director, had indicated a change in how Region V will allocate unexpended revenues this year.

C. J. Johnson, Region V Systems Administrator, appeared and said Region V will not know until September or October whether there will be any unexpended revenues this year. He added that if there are any, Region V is required to fund the "fee for service" services first. **NOTE:** The Crisis Center is considered a non-fee service.

Sorensen appeared and said Region V has indicated only \$75,000 of the County's request might be eligible for the allocation.

Johnson said he believes the \$500,000 for the transition should be part of the normal budget, not an additional allocation. He added he anticipates the transition will happen by January 1, 2014.

Discussion then focused on the Region V match. Meyer said the County's match is projected to be over \$908,000 this year and said \$425,000 of that amount exceeds the match paid by the other counties in the Region. Johnson noted 64% of the Region's population resides in Lancaster County, 78% of the EPC's are from Lancaster County, 90% of all the services Region V purchases are from agencies in Lancaster County and 78% of the individuals that use the behavioral health system reside in Lancaster County. Kerry Eagan, Chief Administrative Officer, said many consumers migrated to Lancaster County for services. Johnson cautioned that if Lancaster County reduces its contribution, the other counties could ask that the funding distribution be consistent. He said that would be a \$4,000,000 shift. Raybould questioned whether that is realistic, noting the other counties lack the necessary infrastructure to offer those services. Johnson said there would be huge interest from agencies in rural areas, such as Blue Valley Behavioral Health, or counties that might want to centralize services. He also pointed out that the State contributes significant dollars into the Crisis Center and could decide to reduce that funding. Eagan said Lancaster County is paying a portion for the other counties that are using the services. Schorr noted the Crisis Center will incur administrative costs that had been covered by CMHC and proposed that the County reduce its match by \$184,000 (the amount Region V backed off funding the Crisis Center because it didn't meet the fee for service definition) to help cover those costs. It was noted another option would be to increase the \$120 per

diem at the Crisis Center. Schorr recommended the Board meet with the Region V Governing Board. Johnson suggested the Board wait and approach the other counties once the Crisis Center's budget has been determined and explain the Crisis Center has incurred additional costs since separating from CMHC that should be shared by the other counties. He said Region V could initiate that discussion. There was consensus to take that approach.

Smoyer exited the meeting at 9:57 a.m.

Dennis Keefe, Public Defender, appeared and discussed the contract with Legal Aid of Nebraska (LAN) for legal services in Juvenile Court which is part of the Justice Miscellaneous Budget (Exhibit D). He said the number of filings of 3(a) (abuse/neglect) cases declined in the fiscal year that ended June 30, 2013 and the number of LAN appointments declined as a result. Keefe recommended the County authorize him to renegotiate the last two years of the three year contract with LAN to:

- 1) Reduce the maximum number of new 3(a) cases per year from 266 to 236 and reduce the compensation for the cases by \$53,040 (the contract will continue to provide that LAN can accept new cases over the new maximum at a rate of \$1,768 per case); and
- 2) Include a clause that if LAN exceeds the maximums in one category of cases but is below the maximum in the other category, the payments for accepting cases over the maximum will be offset by the amount represented by the number of cases below maximum times the per case rate.

Smoyer returned to the meeting at 10:00 a.m.

Keefe discussed the microcomputer request (9 desktop computers, 5 tablet computers and 1 scanner). He noted they try to replace desktops that are four or more years old. The total request is \$20,000.

Keefe also discussed the request to hire an additional investigator. He said the office currently has one investigator and would need 4.5 investigators to meet national standards for the number of investigators to attorneys. The cost is projected to be \$33,564 for half the budget year (starting date of January 1, 2014).

In response to a question from Smoyer, Keefe said it would likely be more costly to contract for private investigator services.

MOTION: Schorr moved and Hudkins seconded to: 1) Authorize renegotiation of the contract with Legal Aid of Nebraska (LAN) for legal services in Juvenile Court; 2) Reduce the Public Defender's microcomputer request to \$10,000; and 3) Authorize an additional investigator position, beginning January 1, 2014.

Raybould said she would prefer to explore contracting out for the investigator position.

AMENDMENT: The maker of the motion and the seconder moved to amend their motion to: 1) Allocate \$33,564 for an investigator employee or private contractor for the Public Defender's Office; and 2) Direct the Public Defender to bring a cost/benefit analysis and recommendation on whether to hire or contract for the position back to the Board before November 1, 2013. Schorr, Smoyer, Raybould and Hudkins voted aye. Amundson was absent from voting. Motion carried 4-0.

There was also general consensus to prepare the budget by: 1) Using 1.3 cents of the Railroad Transportation Safety District's (RTSD's) levy; 2) Transferring \$1,000,000 from the Keno Fund into the General Fund; 3) Reducing the delinquent tax amount by \$840,000; 4) Reducing the County Court budget by \$35,000; 5) Reducing the Mental Health Board budget by \$10,000; 6) Transferring a total of \$800,000 from the Lancaster Manor Fund to the Self Insurance and Workers' Compensation Funds and an additional \$830,000 to cover the payout of benefits to Community Mental Health Center (CMHC) employees.

5 PENSION PLAN RESTATEMENT (ACTION REQUIRED) - Doug Cyr,
Chief Administrative Deputy County Attorney

Eagan said he and Doug Cyr, Chief Administrative Deputy County Attorney, talked to Prudential about amending the plan to include the employer's ability to pay different contribution rates. Prudential stated the County has a responsibility to restate its plan every five years to the Internal Revenue Service (IRS) and provided four options: 1) Restate the Plan as an Individually Designed Plan by January 31, 2014, the Cycle C deadline; 2) Restate the Plan as an Individually Designed Plan by January 31, 2016, the Cycle E deadline; 3) Restate the Plan using a Volume Submitter Plan Document; and 4) Arrange for someone other than Prudential to make legally required updates to the plan document. He said he and Cyr favor the third option. Cyr noted the pre-approved plan follows a six-year, rather than a five-year, filing cycle.

In response to a question from Raybould, Cyr said the plan will still have to be amended to make adjustments to the employer contribution rate.

MOTION: Smoyer moved and Raybould seconded to proceed with the option to restate the Plan using a Volume Submitter Plan Document and to authorize signature by the Chair on the plan restatement authorization form. Raybould, Smoyer, Schorr and Hudkins voted aye. Amundson was absent from voting. Motion carried 4-0.

- 6 **A) COUNTY TEXT AMENDMENTS 13008 AND 13010, AMENDMENT OF COUNTY ZONING AND SUBDIVISION RESOLUTIONS; AND B) COUNTY CHANGE OF ZONE 13012, RE-ZONING OF FORMER HICKMAN EXTRA TERRITORIAL ZONING JURISDICTION (AGRICULTURE (AG) DISTRICT TO AGRICULTURE RESIDENTIAL (AGR) DISTRICT AND AGR DISTRICT TO AG DISTRICT)** - Sara Hartzell, Planner

A) County Text Amendments 13008 and 13010

Sara Hartzell, Planner, gave an overview of County Text Amendments 13008 and 13010, requests from the Planning Director to: 1) Amend the Lancaster County Zoning Resolution to add a definition of "Outlot", clarify the jurisdictional boundaries of the County Zoning Resolution, define uses that may be allowed on outlots, reorganize general provisions for amendments and add a procedure for amendments which are protested, and remove the requirement for publication of hearing notices in newspapers of neighboring counties; and 2) Amend the Lancaster County Land Subdivision Resolution to change the definition of "Outlot". Planning staff and the Planning Commission have recommended approval. **NOTE:** The Planning Commission also recommended approval of similar amendments to the City Zoning Ordinance and Land Subdivision Ordinance (Text Amendments 13007 and 13009).

B) County Change of Zone 13012

Hartzell gave an overview of County Change of Zone No. 13012, requested by the Planning Director, from Agriculture (AG) District to Agriculture Residential (AGR) District on property generally located at South 72nd Street and Leisure Place and from AGR District to AG District on property generally located at South 68th Street and Martell Road. The change of zone request is in response to changes made by the City of Hickman to their extraterritorial jurisdiction (ETJ) (an area beyond the corporate limits of a municipality within which they are allowed to exercise authority for zoning, subdivision and building permits). Hickman reduced their one-mile ETJ to more closely follow property boundaries and parcel lines in order to reduce split jurisdictions on a parcel. That moved some lots into the County's jurisdiction and the zoning automatically changed. Lancaster County's zoning regulations state that when territory becomes part of the Lancaster County jurisdiction, it is automatically changed to AG zoning. The AG District has a minimum lot size of 20 acres and is intended for land that is substantially in farm use. The proposed change of zone is intended to have the zoning more closely match the actual use of the lots. Hartzell noted two other changes: 1) Add a provision in Article 22.003 of the Lancaster County Zoning Regulations to require a favorable two thirds majority vote when a change of zone is protested and not in conformance with the Comprehensive Plan; and 2) Strike language in Article 22.005 of the Lancaster County Zoning Regulations requiring

advertisement of a public hearing on any proposed amendment, supplement, change, modification or repeal in a newspaper of any county which has territory within three miles of the affected property.

Schorr asked that staff no longer copy the entire Planning Fact Sheets for the agenda packet.

7 INTRODUCTION OF PAT HAVERTY, LINCOLN PARTNERSHIP FOR ECONOMIC DEVELOPMENT (LPED) COORDINATOR - Pat Haverty, Lincoln Partnership for Economic Development (LPED) Coordinator

Pat Haverty, Lincoln Partnership for Economic Development (LPED) Coordinator, introduced himself to the Board.

8 COMMUNITY MENTAL HEALTH CENTER (CMHC) STAFFING - Richard Grabow, Deputy County Attorney; Ron Sorensen, Community Mental Health Center (CMHC) Executive Director

Richard Grabow, Deputy County Attorney, noted community behavioral health services will transition from the Community Mental Health Center (CMHC) to new providers (Lutheran Family Services, will take over core services; CenterPointe, Inc., will take over day rehabilitation services and the 24-hour Crisis Line; and Omni Behavioral Health, will take over psychiatric residential rehabilitation services) and employees are leaving their positions. He said C. J. Johnson, Region V Systems Administrator, has suggested the County consider contracting with Lutheran Family Services (LFS) to staff operations. Lutheran Family Services would hire employees to fill the vacancies and the County would cover their pay and benefits.

Ron Sorensen, CMHC Executive Director, said Lutheran Family Services is willing to discuss the matter.

Gwen Thorpe, Deputy Chief Administrative Officer, said she will check with Johnson on the status of the contracts with the new providers.

9 PER DIEM REIMBURSEMENT FOR DRUG COURT TRAINING - Kim Etherton, Community Corrections Director; Brittany Behrens, Deputy County Attorney; Tim Genuchi, Accounting Operations Manager, County Clerk's Office

Kim Etherton, Community Corrections Director, said the Substance Abuse and Mental Health Services Administration (SAMHSA) grant for Adult Drug Court requires attendance at the annual National Association of Drug Court Professionals (NADCP) Conference. This year the conference is in Washington D.C. and Drug Court staff, two

district court judges, one deputy county attorney and one deputy public defender will attend. She said the grant allows the federal per diem rate to be used for travel and so she used that rate when submitting the grant.

Brittany Behrens, Deputy County Attorney, said the Internal Revenue Service (IRS) allows two reimbursement methods for a state entity to use: 1) High/Low Cost Localities; and 2) Federal per diem rate. The Board adopted a policy governing the expenditure of public funds for payment or reimbursement of expenses incurred by elected and appointed officials, employees or volunteers (County Resolution No. R-07-0034), using a high/low substantiation. She said the Board does not have to choose the same rate for all county employees but an employee must be reimbursed by the same method for the entire calendar year. Behrens said the Board could adhere to the method of reimbursement specified in the resolution or could choose to approve the federal per diem rate for this set of employees in this special circumstance.

Thorpe noted the State uses the federal per diem rates and reimburses on what is reasonably acceptable within the per diem. She said the State does not require employees to submit receipts but they are required to retain them for the retention period.

Raybould asked whether County employees are required to provide receipts. Behrens said the resolution states that it is up to the department head on whether to require receipts.

Schorr inquired about reimbursement under the County's other federal grants. Behrens said the County is not administering reimbursement for those grants so the rules do not apply the same way.

MOTION: Raybould moved and Schorr seconded to approve the federal per diem rate for employees that qualify for this trip only and the high/low cost localities per diem for employees that traveled earlier in the calendar year. Smoyer, Schorr, Raybould and Hudkins voted aye. Amundson was absent from voting. Motion carried 4-0.

Schorr asked that discussion of the per diem reimbursement rate be scheduled on a Management Team agenda.

10 POTENTIAL LITIGATION - Brittany Behrens, Deputy County Attorney

MOTION: Smoyer moved and Raybould seconded to enter Executive Session at 11:15 a.m. for the purpose of protecting the public interest with regards to potential litigation.

The Chair restated the motion for the record.

ROLL CALL: Raybould, Schorr, Smoyer and Hudkins voted aye. Amundson was absent from voting. Motion carried 4-0.

MOTION: Schorr moved and Smoyer seconded to exit Executive Session at 11:40 a.m. Schorr, Smoyer, Raybould and Hudkins voted aye. Amundson was absent from voting. Motion carried 4-0.

ADMINISTRATIVE OFFICER REPORT

- A. Claim for Review from Corrections, Payment Voucher No. PV406080, in the Amount of \$12,390.00 to Sampson Construction Company. The Claim Exceeds the Amount Needing to go Through the Purchase Order Process.

Mike Thurber, Corrections Director, appeared and gave an explanation of the claim.

MOTION: Schorr moved and Raybould seconded to handle the claim through the regular claims process. Raybould, Smoyer, Schorr and Hudkins voted aye. Amundson was absent from voting. Motion carried 4-0.

11 ACTION ITEMS

- A. Juvenile Accountability Incentive Block Grant (JAIBG) Crime Commission Grant Revised Budget Summary

MOTION: Schorr moved and Raybould seconded to authorize signature by the Chair. Schorr, Smoyer, Raybould and Hudkins voted aye. Amundson was absent from voting. Motion carried 4-0.

12 CONSENT ITEMS

There were no consent items.

13 ADMINISTRATIVE OFFICER REPORT

- A. Claim for Review from Corrections, Payment Voucher No. PV406080, in the Amount of \$12,390.00 to Sampson Construction Company. The Claim Exceeds the Amount Needing to go Through the Purchase Order Process.

Item was moved forward on the agenda.

B. Extension of Abbott Motocross Visitors Improvement Fund Grant Period

Eagan said the Abbott Sports Complex-Abbott Motocross Park has requested another extension to allow time to complete the electrical work on the project.

The Board scheduled the item on the July 16, 2013 County Board of Commissioners Meeting.

C. Legislative Retreat (Invitation to State Senators, Request for Legislative Proposals, Agenda)

The following agenda items were suggested: 1) Welcome by Paul Durban, Executive Director, Lincoln Children's Museum; 2) A presentation by the OpenSky Policy Institute or a representative of the Legislature's Tax Modernization Committee on tax reform efforts; 3) A report on fiscal impact of juvenile justice reform; and 4) Discussion of County reimbursement issues.

Schorr asked that an invitation also be extended to Larry Dix, Nebraska Association of County Officials (NACO) Executive Director.

D. Visitors Improvement Fund Grant Request from Lincoln Parks and Recreation Department (\$300,000)

Board consensus was to forward the request to the Visitors Promotion Committee (VPC) for review and recommendation.

E. Board of Equalization (BOE) Schedule

Cori Beattie, Deputy County Clerk, appeared and said tomorrow is the final day of referee hearings on property valuation protests. She asked that final action on the protests be rescheduled from July 25th to July 30th, to allow additional time for the referees to complete their work and for the County Clerk's Office to send letters to the property owners that filed protests. The Board concurred with the request and scheduled the meeting for July 30th at 1:30 p.m.

RETURNING TO ITEM 10

Brittany Behrens, Deputy County Attorney, appeared and asked that the Board take action to direct the County Attorney's Office to engage Wiss, Janney, Elstner Associates, Inc. (WJE).

MOTION: Smoyer moved and Schorr seconded to engage Wiss, Janney, Elstner Associates, Inc. (WJE) for work to be performed at the new Lancaster County Adult Detention Facility (LCADF), for an amount not to exceed \$9,600. Schorr, Raybould, Smoyer and Hudkins voted aye. Amundson was absent from voting. Motion carried 4-0.

ADDITIONS TO THE AGENDA

- A. Request from Topher Hansen, Director, CenterPointe, Inc., to Meet with the County to Discuss Transition of Services from the Community Mental Health Center (CMHC) to CenterPointe (Exhibit A)

There was consensus to have Raybould, Eagan and Dennis Meyer, Budget and Fiscal Officer, meet with Hansen.

- B. Invitation for the Board to Tour the Newly Renovated and Expanded University of Nebraska-Lincoln's (UNL's) East Stadium (Exhibit B)

Hudkins, Raybould and Smoyer indicated an interest in participating in the tour.

14 PENDING

There were no pending items.

15 DISCUSSION OF BOARD MEMBER MEETINGS

- A. Railroad Transportation Safety District (RTSD) - Amundson, Schorr, Smoyer

Schorr said Roger Figard, City Engineer and Railroad Transportation Safety District (RTSD) Executive Director, gave an update on projects and said it may be beneficial to have Figard come talk to the Board about the Southwest 40th Street Viaduct Project. She said the RTSD allocated \$13,000,000, beginning in Fiscal Year (FY) 2014-2015, for the South Beltway. The project involving intersections at North 33rd Street and Cornhusker Highway and North 35th Street and Adams Street will be the focus at the next meeting.

- B. Chamber Coffee - Amundson, Smoyer

Meeting was cancelled.

C. Meeting with Mayor - Hudkins, Smoyer

Hudkins and Smoyer reported on a discussion of parking at Pioneers Park and the possibility of an entertainment scheme for the Pinnacle Bank Arena, Pershing Auditorium and Lancaster Event Center. Hudkins said the Mayor agreed to have Dave Landis, Urban Development Director, look into what is holding up commercial development near the Lancaster Event Center.

D. Board of Health - Amundson

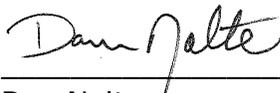
Meeting was cancelled.

16 EMERGENCY ITEMS AND OTHER BUSINESS

There were no emergency items or other business.

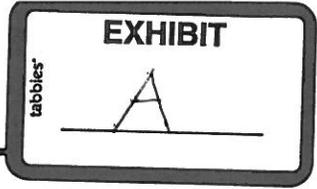
17 ADJOURNMENT

MOTION: Smoyer moved and Schorr seconded to adjourn the meeting at 12:07 p.m. Schorr, Smoyer, Raybould and Hudkins voted aye. Amundson was absent from voting. Motion carried 4-0.



Dan Nolte
Lancaster County Clerk





Kerry P. Eagan

Subject: FW: CMHC Transition Meeting

From: Topher Hansen [<mailto:thansen@CenterPointe.org>]
Sent: Wednesday, July 10, 2013 12:03 PM
To: Minette M. Genuchi
Subject: CMHC Transition Meeting

Minette:

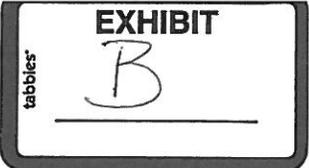
Would you help me schedule a meeting to discuss the transition of services for CenterPointe, including money that will be allocated to our transition of services. Let me know several dates/times that will work and I'll try to match my schedule. Let me know if you have any questions or problems with this.

Thank you.

Topher

Topher Hansen, JD
President/CEO
CenterPointe, Inc.
2633 P Street
Lincoln, NE 68503
402-429-2278 mobile

Join CenterPointe on October 15th for Discovering the Future – Celebrating 40 Years. Congressman Jeff Fortenberry will speak at the event and Patrick Kennedy will share his passion for “Fighting the Stigma of Mental Illness.” 2013 marks CenterPointe’s 40th Anniversary and the 50th Anniversary of the Community Mental Health Act. For more information please contact development@centerpointe.org or phone (402) 475-8717.



Kerry P. Eagan

From: Minette M. Genuchi
Sent: Wednesday, July 10, 2013 4:21 PM
To: Brent Smoyer; Brent T. Smoyer; Deb E. Schorr; Deb Schorr (debschorr@aol.com); Jane M. Raybould; Jane Raybould; Roma Amundson; Roma B. Amundson
Cc: Kerry P. Eagan; Gwen K. Thorpe
Subject: Please email or let the County Board know of this opportunity (Please send final list and times to me!)

Hardcopy – Larry H

From: Jeff Maul [<mailto:jmaul@lincoln.org>]
Sent: Wednesday, July 10, 2013 4:06 PM
To: Minette M. Genuchi
Subject: Please email or let the County Board know of this opportunity (Please send final list and times to me!)

VPC Committee members and County Board –

We are officially past the half-way point for the year. Before we know it, the fall and a new Husker football season will be upon us. Dan Vokoun with Sampson Construction has graciously agreed to take several groups on a tour of the newly renovated and expanded East Stadium. There are two options for a tour, Wednesday, July 24th and Thursday, July 25th. The time will be late afternoon, around 4:00 p.m. depending on the construction schedule.

Please RSVP to this email to reserve a space on one of the dates. This is a great opportunity to see the new space before opening day kick-off.

Again...

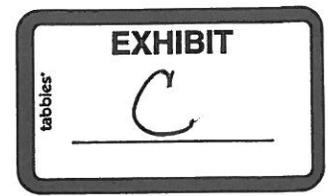
What: Tour of the newly renovated East Stadium and Skyboxes
Date: Wednesday, July 24 –or– Thursday, July 25
Time: 4:00 p.m.
Time Commitment: 1 hour

Thanks!

JEFF MAUL | EXECUTIVE DIRECTOR – VICE PRESIDENT
LINCOLN CONVENTION & VISITORS BUREAU | **LINCOLN CHAMBER OF COMMERCE**
1135 M STREET, SUITE 300 | LINCOLN, NE 68501
P: 402.434.5343 | [JMAUL@LINCOLN.ORG](mailto:jmaul@lincoln.org) | WWW.LINCOLN.ORG



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Lancaster County Adult Detention Facility Reuse Study – DRAFT Revision 11 July 2013

Background

In January 2012 the Lancaster County Commissioners hired Bahr Vermeer Haecker Architects and Sinclair Hille Architects to conduct a planning study to chart a course for the adaptive re-use of the current Lancaster County Adult Detention Facility (LCADF). Lancaster County is currently in the process of occupying a new Adult Detention Facility in west Lincoln. The operational start date for the new facility is scheduled to be August 1, 2013. As a result the existing facility will soon be unoccupied and available for the relocation of several Lancaster County agencies to this central governmental campus. Additionally, it will provide space that will allow the Juvenile, County and District Court systems to expand well into the foreseeable future.

Implementation Phasing

The following describes the anticipated order of phasing that concludes with the full occupancy of the facility:

Year 2014:

Prisoner Transfer and Holding/

- Construct new prisoner transfer sally port on Lower Level and remodel the existing northwest cellblock on 2nd and 3rd floors for the holding of prisoners awaiting court appearance.

Building Preparation/

- Total demolition of interior usable shell space.
- Install windows on the 1st, 2nd and 3rd floors.
- Construct new west exit stairway.
- Upgrade, mechanical, electrical and plumbing systems infrastructure including additional HVAC capacity.

Initial Tenant Fit Out/

- Construct tenant spaces for Drug Testing, Drug Court, Sheriff's Morgue, Child Support, Community Mental Health Crisis Center and the temporary home of Adult Probation.
- Vacate Trabert Hall, 900 "J" Street and 2200 St. Mary's Avenue.

Year 2017:

Benesch Building Occupancy/

- The Benesch Building becomes available for occupancy. Adult Probation vacates their temporary space in the JLEC-South building and moves into the Benesch Building.

Relocate County Attorney/

- Relocate the County Attorney's office from the 4th Floor of JLEC- North to JLEC-South.

Juvenile Court expansion and Juvenile Probation relocation/

- Add a new Juvenile Courtroom and Judge's Chamber on JLEC-North 4th Floor.
- Relocate the core administrative portion of Juvenile Probation to the JLEC-North 4th Floor.

Year 2022:

County Court and District Court expansion/

- Add a new County Courtroom, Judge's Chamber and Jury Room on JLEC-South 2nd Floor.
- Add a new District Courtroom, Judge's Chamber and Jury Room on JLEC-South 2nd Floor.

Year 2027:

Juvenile Court expansion/

- Add a new Juvenile Courtroom and Judge's Chamber on JLEC-North 4th Floor.

Year 2032:

County Court and District Court expansion/

- Add a new County Courtroom, Judge's Chamber and Jury Room on JLEC-South 2nd Floor.
- Add a new District Courtroom, Judge's Chamber and Jury Room on JLEC-South 2nd Floor.



Plan Diagrams - Option "A"

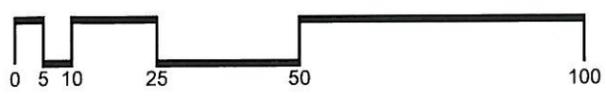
The following plan diagrams illustrate the plan option where the County Attorney's office is located on the 1st Floor and the Community Mental Health Crisis Center on the 2nd Floor.



DRAFT

2013 JULY 11

Lower Level - Option A 2014+

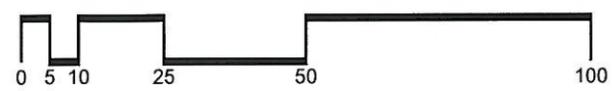
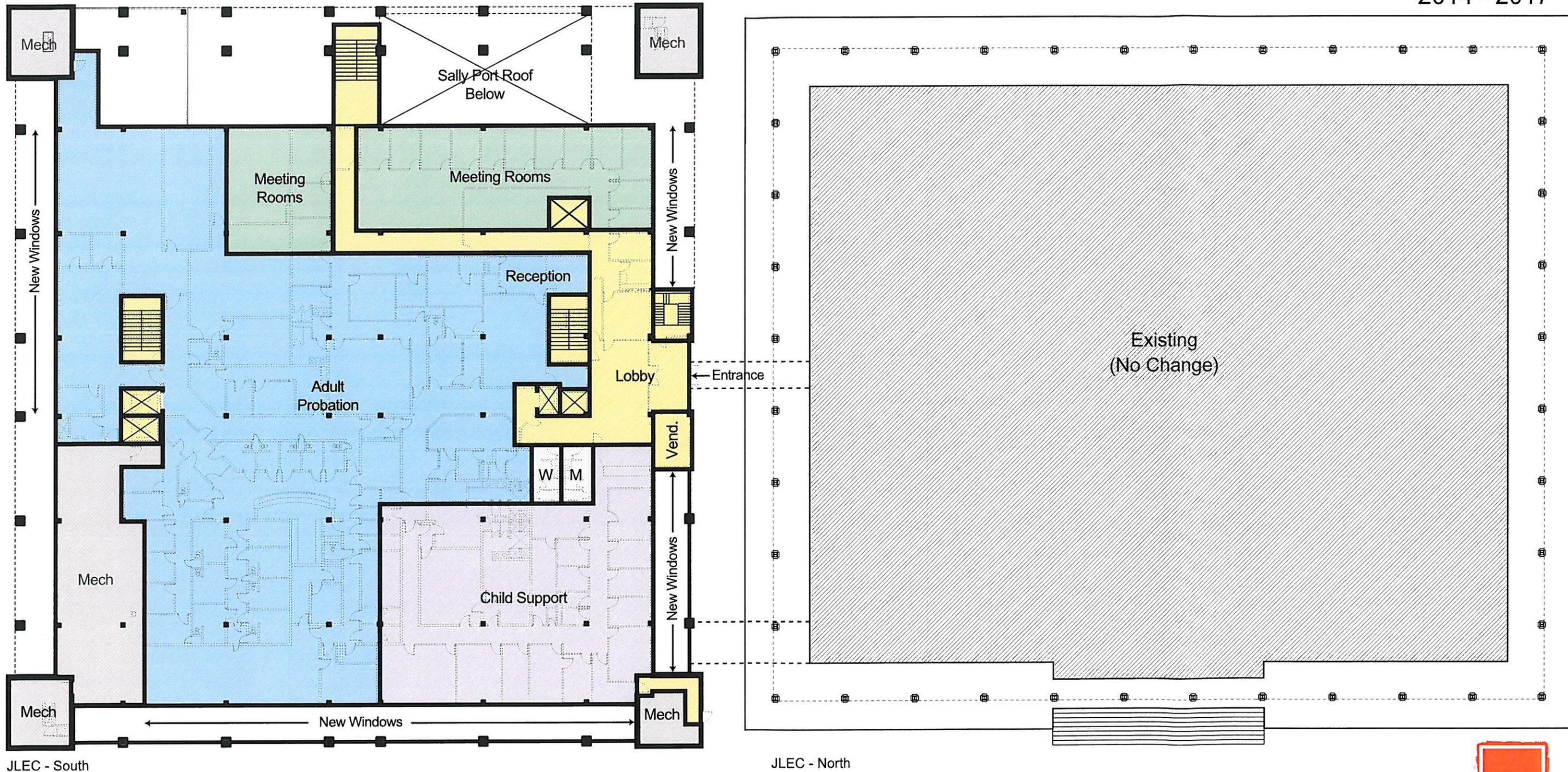


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2013 JULY 11

Lancaster County
Adult Detention Facility
Reuse Study

First Floor - Option A 2014 - 2017

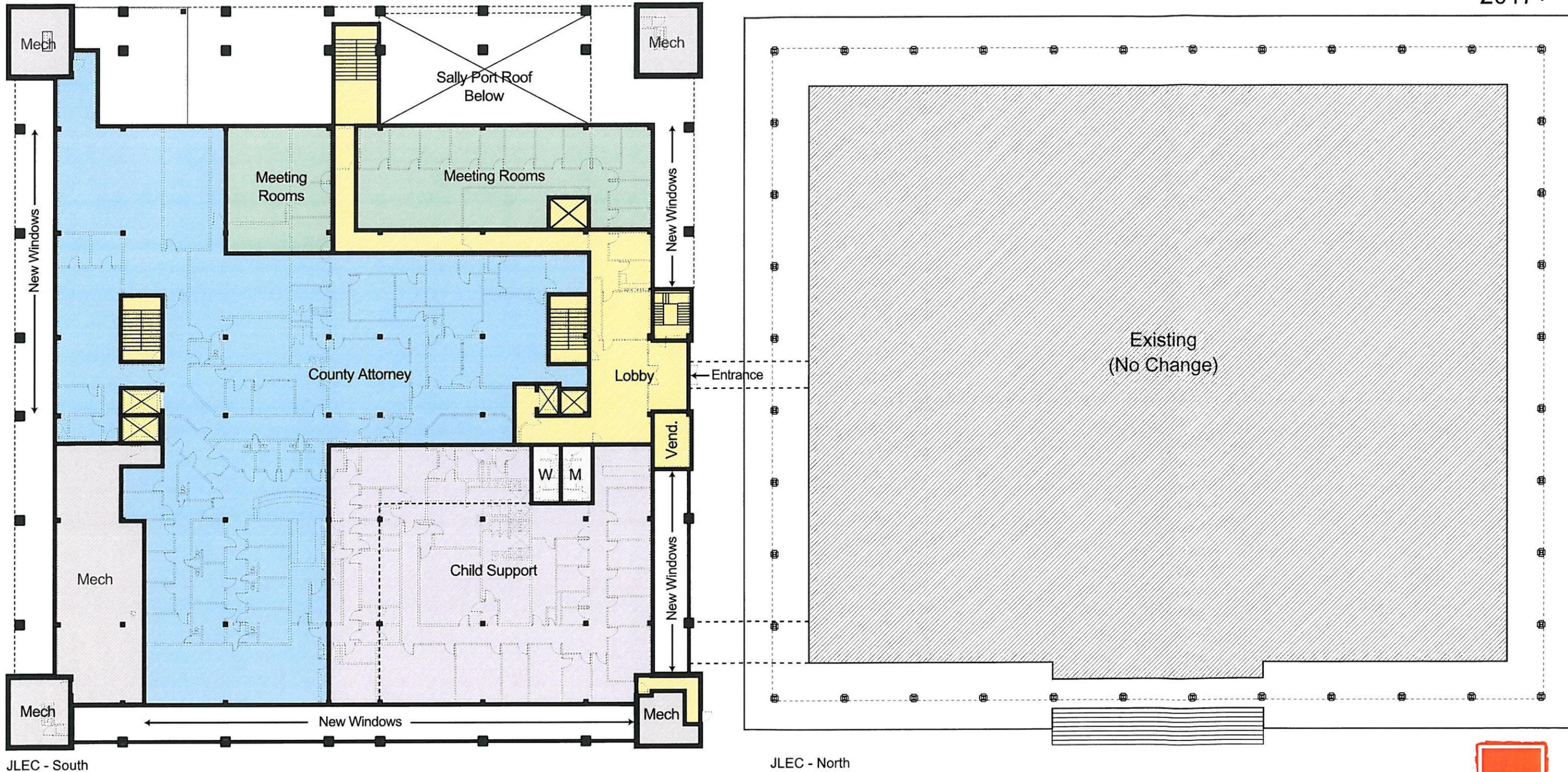


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2013 JULY 11

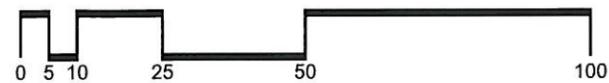
Lancaster County
Adult Detention Facility
Reuse Study

First Floor - Option A 2017+



JLEC - South

JLEC - North



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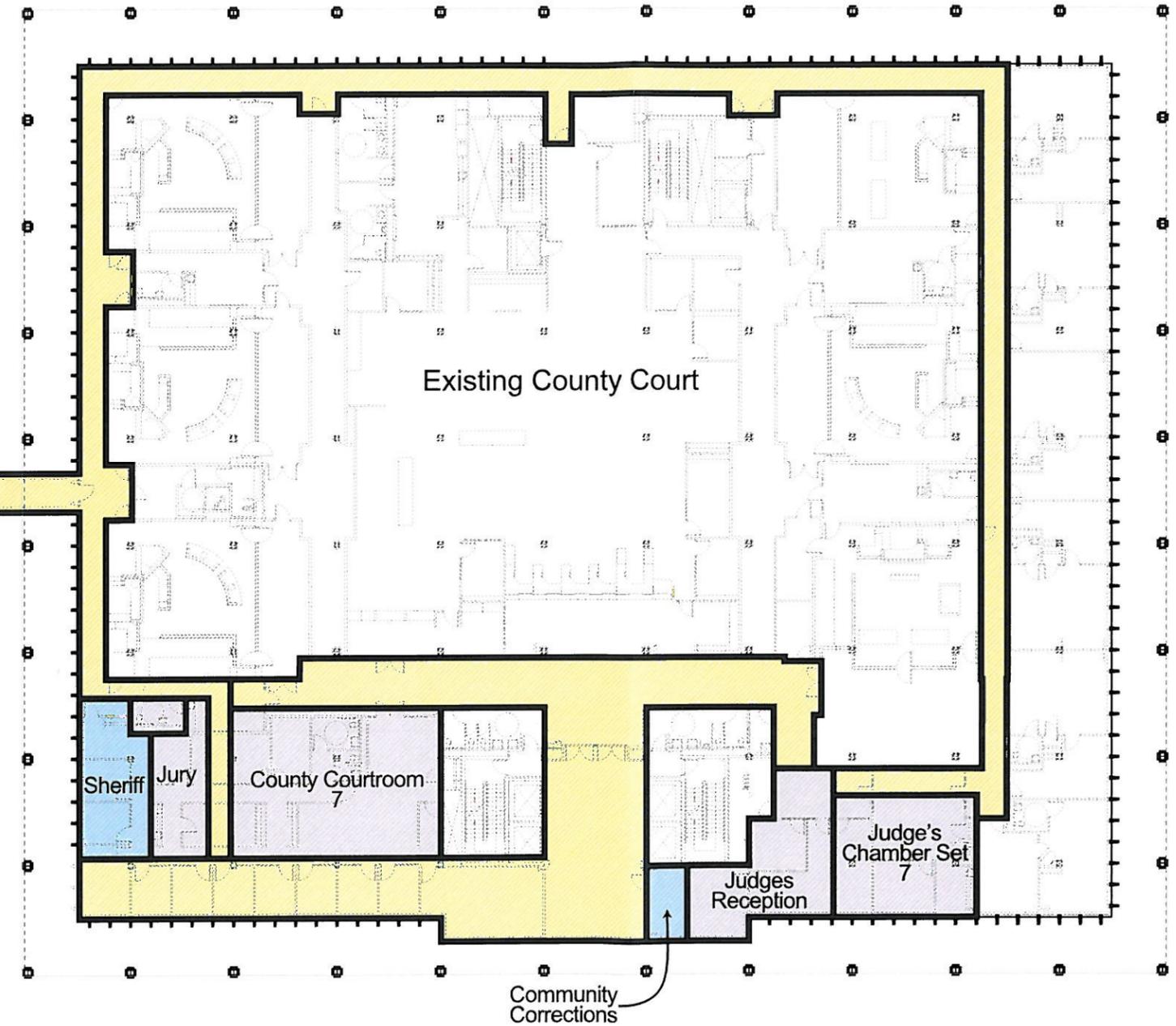
2013 JULY 11

Lancaster County
Adult Detention Facility
Reuse Study

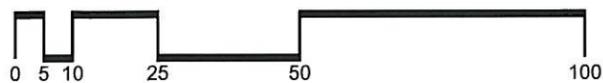
Second Floor - Option A 2014 - 2022



JLEC - South



JLEC - North

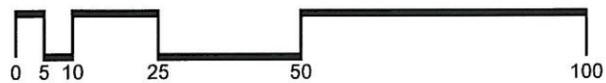


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2013 JULY 11

Lancaster County
Adult Detention Facility
Reuse Study

Second Floor - Option A 2022 - 2032

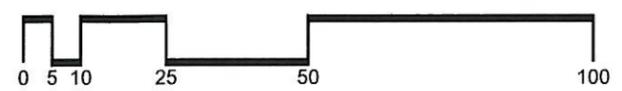


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2013 JULY 11

Lancaster County
Adult Detention Facility
Reuse Study

Third Floor - Option A 2014+

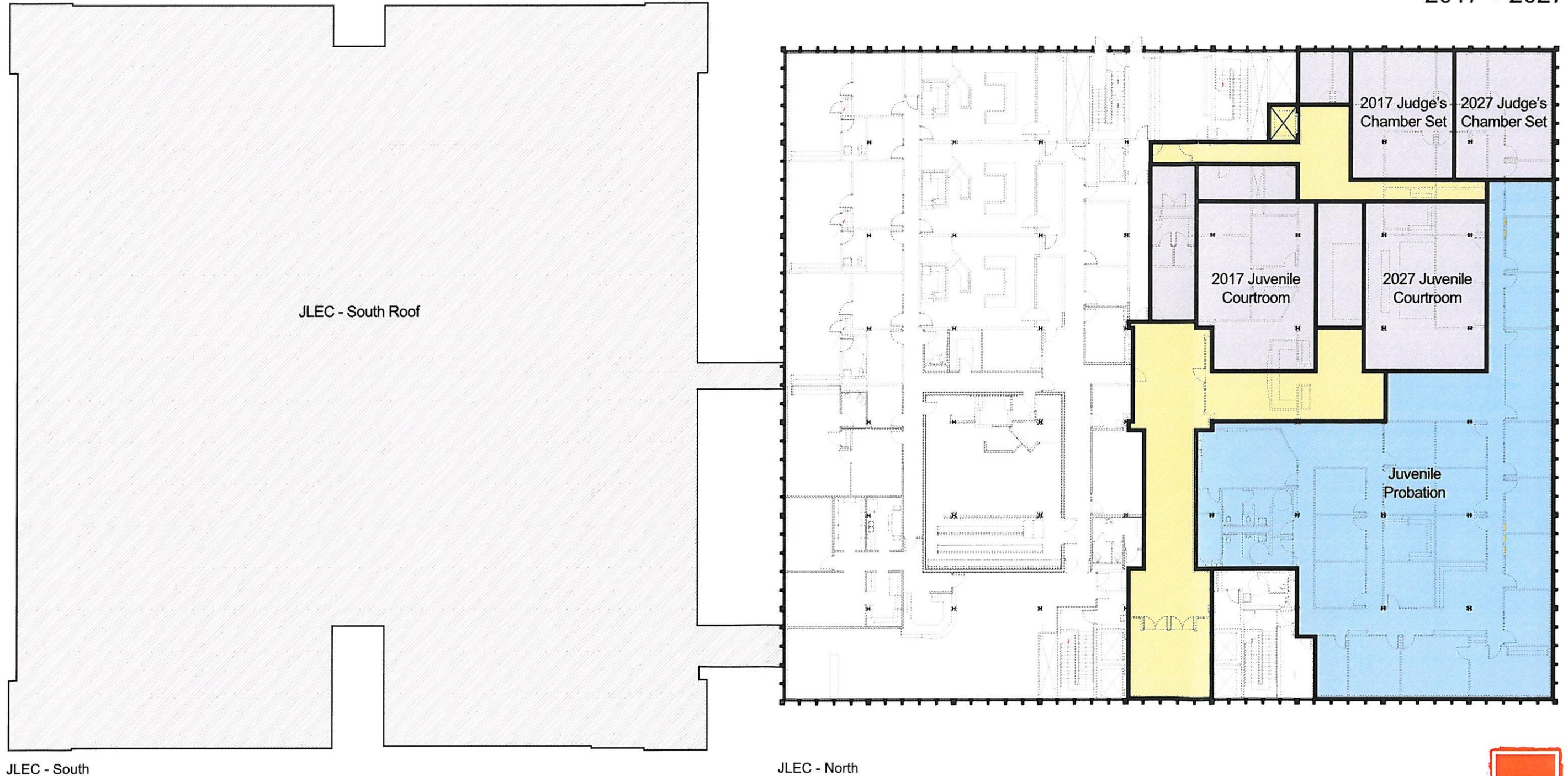


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2013 JULY 11

Lancaster County
Adult Detention Facility
Reuse Study

Fourth Floor - Option A 2017 + 2027



JLEC - South

JLEC - North



Plan Diagrams – Option “B”

The following plan diagrams illustrate the plan option where the County Attorney’s office is located on the 2nd Floor and the Community Mental Health Crisis Center on the 1st Floor.



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2013 JULY 11

Lancaster County
Adult Detention Facility
Reuse Study

Lower Level - Option B 2014+

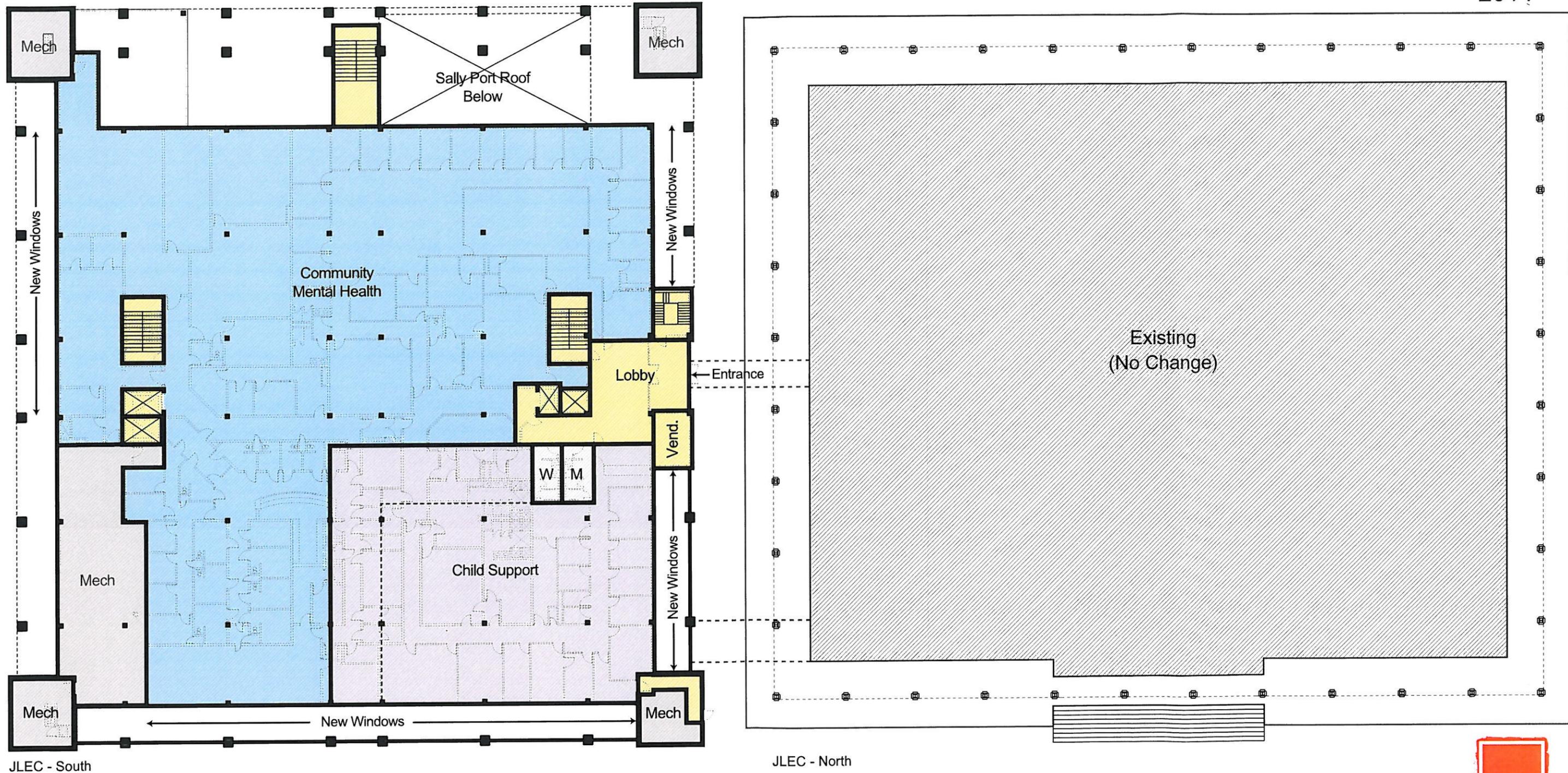


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2013 JULY 11

Lancaster County
Adult Detention Facility
Reuse Study

First Floor - Option B 2014+



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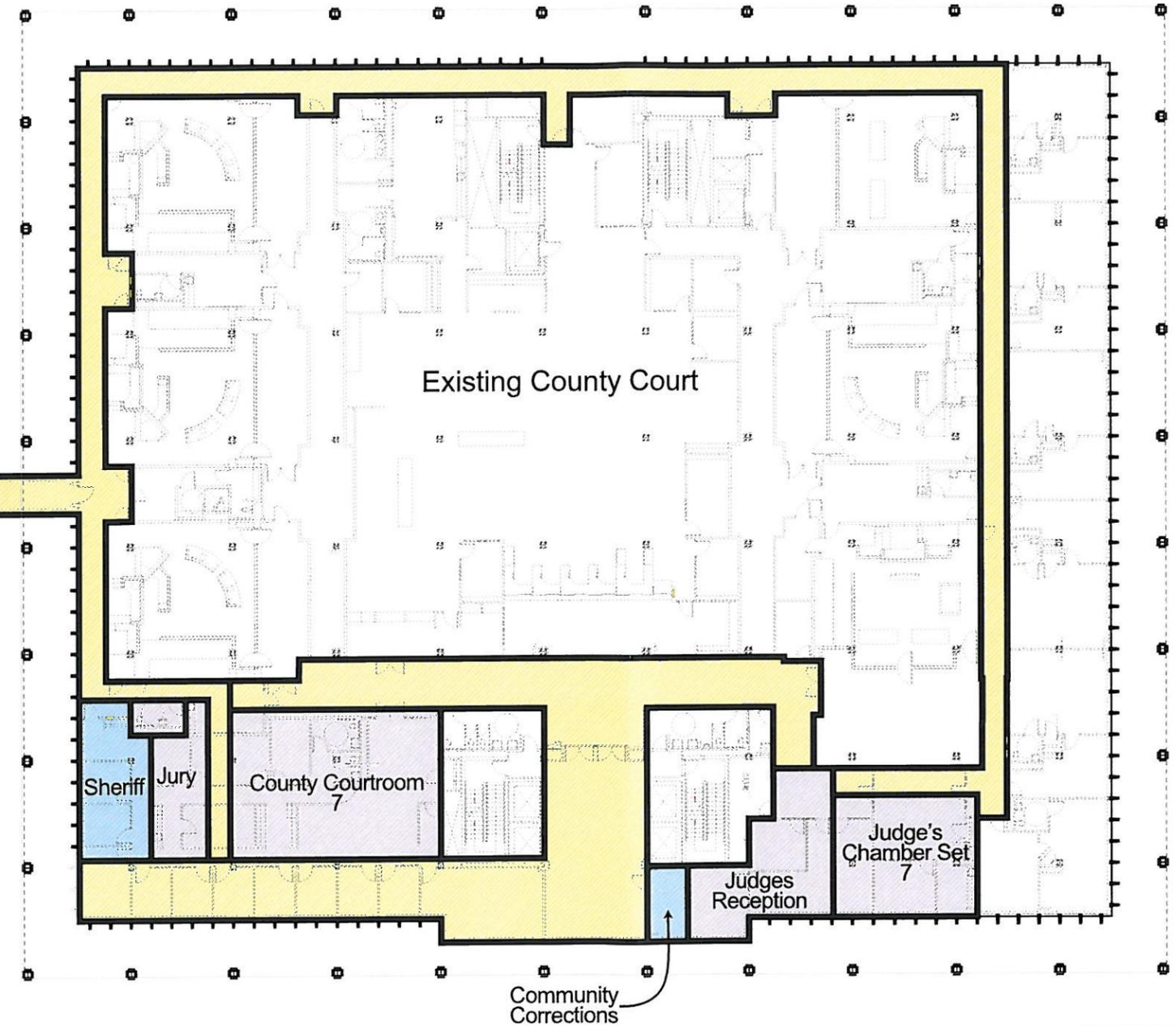
2013 JULY 11

Lancaster County
Adult Detention Facility
Reuse Study

Second Floor - Option B 2014 - 2017



JLEC - South



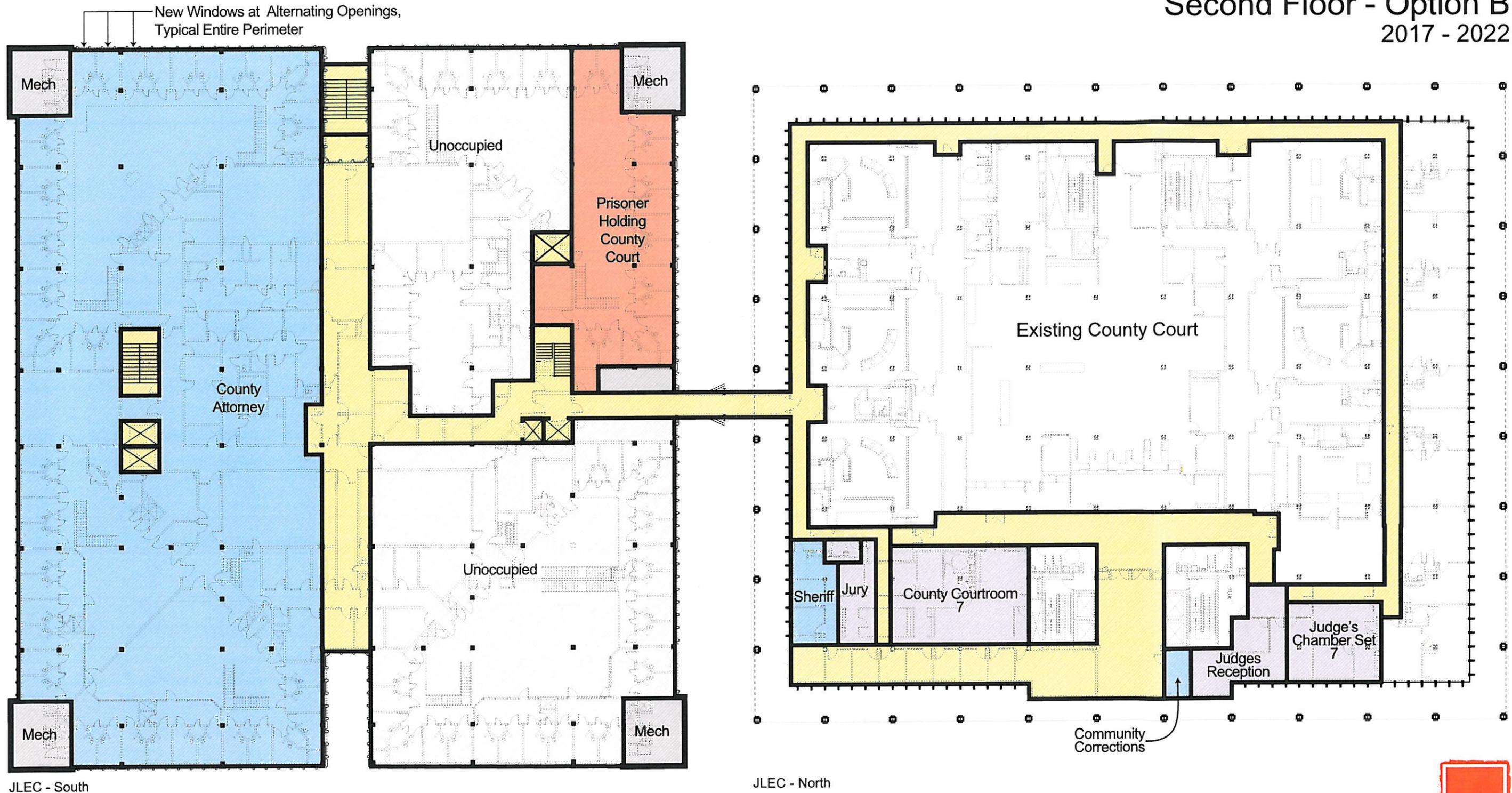
JLEC - North



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2013 JULY 11

Second Floor - Option B 2017 - 2022



JLEC - South

JLEC - North



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2013 JULY 11

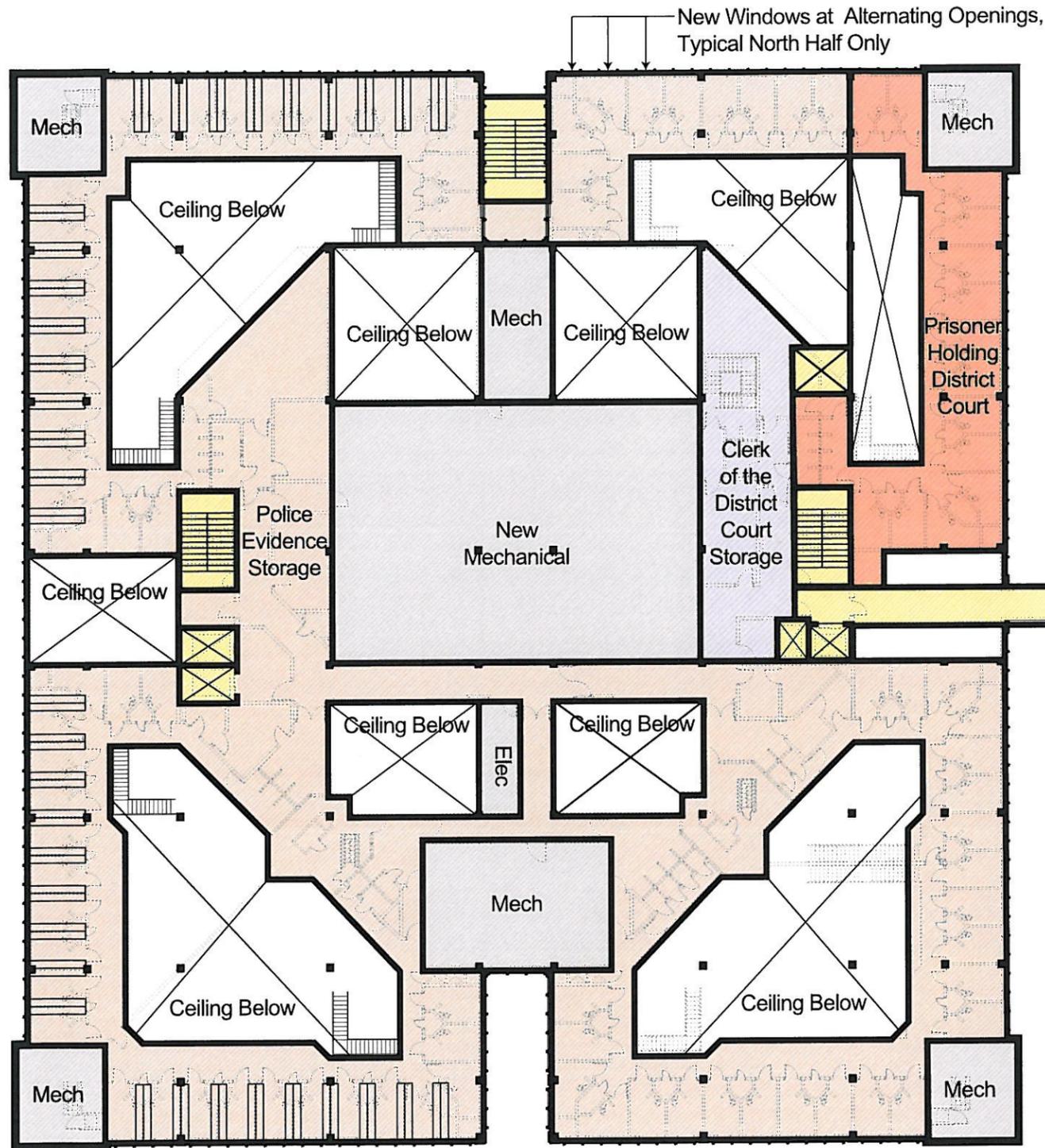
Second Floor - Option B 2022 - 2032



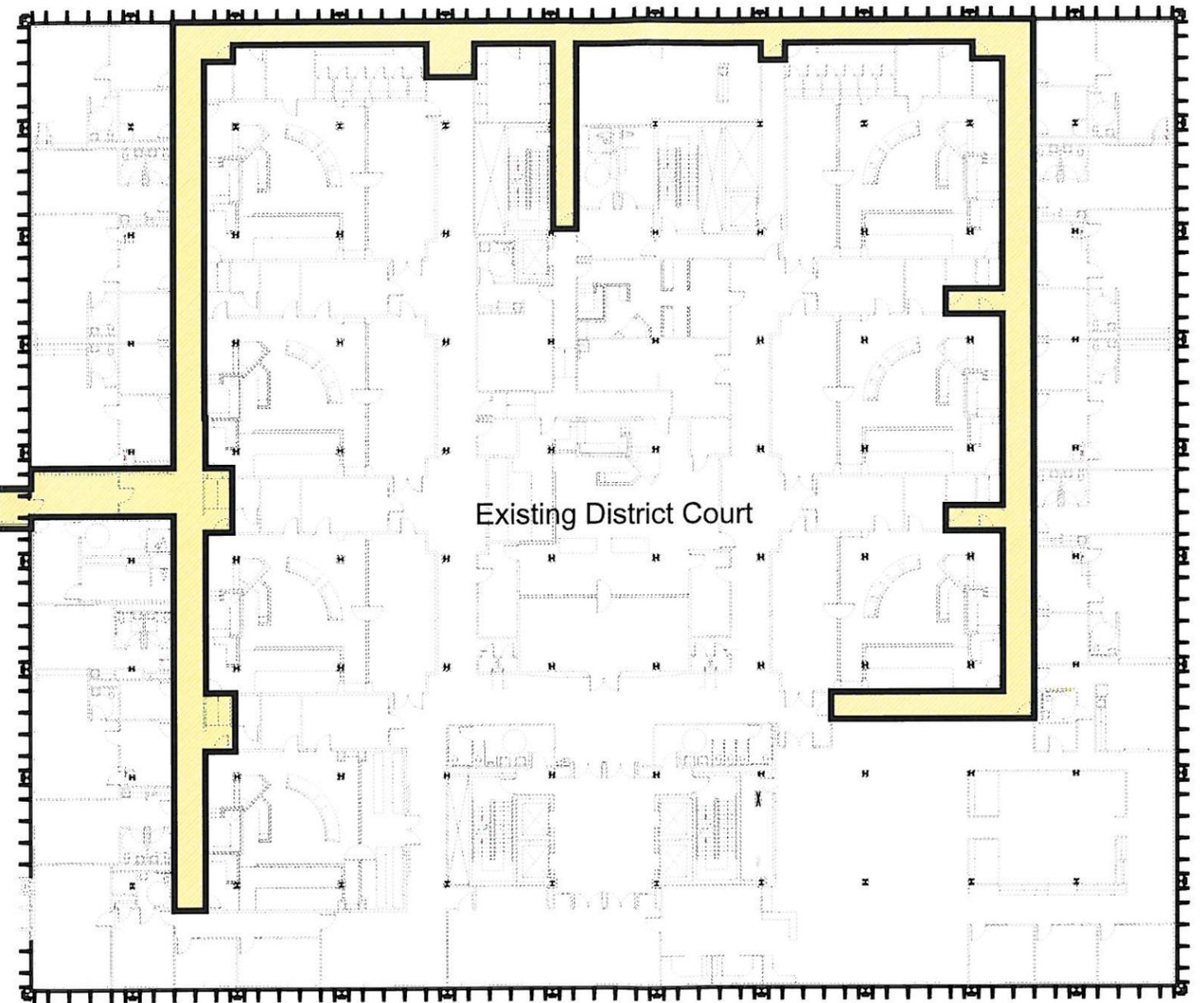
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2013 JULY 11

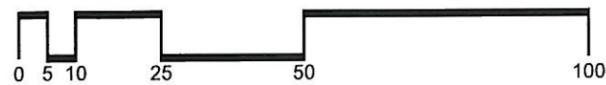
Third Floor - Option B 2014+



JLEC - South



JLEC - North



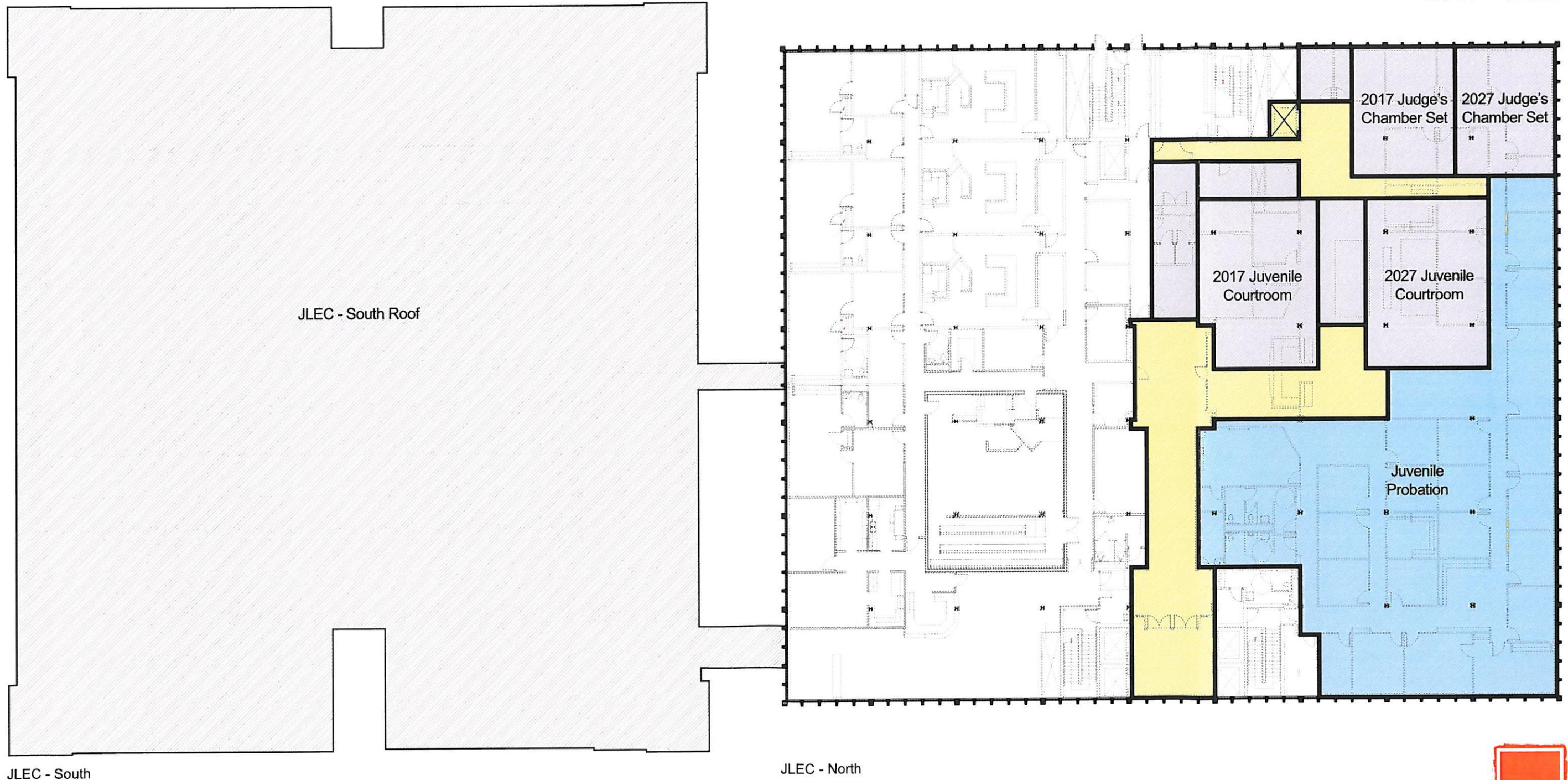
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2013 JULY 11

Lancaster County
Adult Detention Facility
Reuse Study

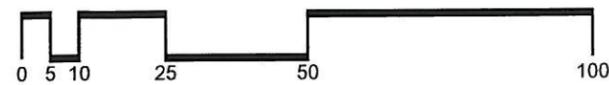
Fourth Floor - Option B

2017 + 2027



JLEC - South

JLEC - North



Opinion of Probable Construction Cost

The following Opinion of Probable Construction Cost is based on average projected square footage costs (\$/sf) applied to the corresponding areas of the conceptual plan diagrams. The intent of this estimate is to provide "order of magnitude" costs that will guide the County as it implements a plan to adapt and reuse the facility. The costs have been organized in steps that parallel the anticipated implementation sequence as previously outlined.

Phase 1: Years 2014 – 2017 Initial Occupancy

Building Preparation – The following are the estimated construction costs associated with preparing the building shell for tenant fit out and occupancy:

- Demolition	97,840sf @ \$10/sf =	\$ 978,400.
- New exit stairway	1,056sf @ \$200/sf =	211,200.
- New windows (1 st Floor)	7,000sf @ \$60/sf =	420,000.
- New windows (2 nd & 3 rd Floors)	168 @ \$2000ea =	336,000.
- Existing elevator modifications	4 @ \$10,000ea =	40,000.
- Mechanical/Electrical infrastructure	116,164sf @ \$25/sf =	2,904,100.
- New mechanical room	4,480sf @ \$50/sf =	224,000.
		<u>5,113,700.</u>
<u>Contingency (10%)</u>		<u>511,400.</u>
Total Building Preparation		\$5,625,100.

Prisoner Transfer & Holding – The following are the estimated construction costs associated with the new Sally Port, new secure elevator and holding areas on 2nd & 3rd Floors.

- New Sally Port.	4,350sf @ \$100/sf =	\$ 435,000.
- Prisoner Holding.	5,350sf @ \$25/sf =	133,800.
- <u>New 3-stop elevator.</u>	<u>Allowance =</u>	<u>100,000.</u>
		668,800.
<u>Contingency (10%)</u>		<u>66,900.</u>
Total Prisoner Transfer & Holding		\$ 735,700.

Initial Tenant Fit Out – The following are the estimated costs associated with finishing tenant spaces for initial occupancy.

- JLEC-South tenant finish.		
o Lower Level	8,070sf @ \$75/sf =	\$ 605,250.
▪ Drug Testing & Drug Court		
▪ CMH Crisis Center Entrance		
▪ Police Evidence Holding		
▪ Sheriff's Morgue		
o 1 st Floor	30,040sf @ \$50/sf =	1,502,000.
▪ Temporary Adult Probation		
▪ Child Support		
o 2 nd Floor	22,500sf @ \$75/sf =	802,500.

<ul style="list-style-type: none"> <ul style="list-style-type: none"> ▪ CMH Crisis Center ○ 3rd Floor <table style="margin-left: 20px;"> <tr> <td>19,000sf @ \$20/sf =</td> <td style="text-align: right;">380,000.</td> </tr> </table> <ul style="list-style-type: none"> ▪ Police Evidence Storage ▪ Clerk of the District Court Storage 	19,000sf @ \$20/sf =	380,000.	3,290,000.
19,000sf @ \$20/sf =	380,000.		
<u>Contingency (10%)</u>	<u>329,000.</u>		
Total Tenant Fit Out	\$3,619,000.		

Total Phase 1: Years 2014-2017 Initial Occupancy Construction Cost \$9,979,800.

Phase 2: Year 2017+ Occupancy

The following are the estimated costs (in current dollars) associated with the future need for an additional Juvenile Court judge and courtroom on the 4th Floor of JLEC-North and the resulting need to relocate the County Attorney to either the 1st or 2nd Floor of the south building. This corresponds to the relocation of Adult Probation from their temporary location in the JLEC-South building to a permanent home in the then available Benesch Building across South 9th Street to the west. This would allow a significant portion of Juvenile Probation to relocate to their permanent location on the 4th Floor of JLEC-North.

- Adult Probation relocation to Benesch Building.		
<ul style="list-style-type: none"> ○ 25,000sf demolition @ \$5/sf = ○ <u>25,000sf tenant fit out @ \$25/sf =</u> 	\$ 125,000. 625,000. 750,000.	
<u>Contingency (10%)</u>		<u>75,000.</u>
		825,000.
- JLEC-South.		
<ul style="list-style-type: none"> ○ 1st Floor demolition ○ 1st Floor tenant finish <ul style="list-style-type: none"> ▪ County Attorney 	18,700sf @ \$5/sf = 93,500. 18,700sf @ \$50/sf = 935,000.	
		1,028,500.
<u>Contingency (10%)</u>		<u>102,900.</u>
		1,131,400.
- JLEC-North.		
<ul style="list-style-type: none"> ○ 4th Floor demolition ○ 4th Floor tenant finish <ul style="list-style-type: none"> ▪ Juvenile Probation ○ 4th Floor tenant finish <ul style="list-style-type: none"> ▪ Juvenile courtroom & judge's chamber 	12,345sf @ \$5/sf = \$ 61,700. 5,300sf @ \$75/sf = 397,500. 3,600sf @ \$100/sf = 360,000.	
		819,200.
<u>Contingency (10%)</u>		<u>81,900.</u>
		901,100.
Total Phase 2: Year 2017+ Occupancy Construction Cost		\$2,857,500.

Phase 3: Year 2022 Occupancy

The following are the estimated costs (in current dollars) associated with the future need for an additional County Court Judge, Courtroom and Jury Room and District Court Judge, Courtroom and Jury Room on 2nd Floor. The new secured skywalk link on 2nd Floor would also be added at this time.

- JLEC-South.			
o 2 nd Floor tenant finish	8,000sf @ \$100/sf =		800,000.
o 2 nd Floor skywalk link	Allowance =		<u>400,000.</u>
			1,200,000.
			<u>Contingency (10%)</u>
			120,000.
Total Phase 3: Year 2022 Occupancy Construction Cost			\$1,320,000.

Phase 4: Year 2027 Occupancy

The following are the estimated costs (in current dollars) associated with the future need for an additional Juvenile Courtroom and Judge’s Chamber.

- JLEC-North.			
o 4 th Floor tenant finish	3,500sf @ \$100/sf =		\$ 350,000.
			<u>Contingency (10%)</u>
			35,000.
Total Phase 4: Year 2027 Occupancy Construction Cost			\$ 385,000.

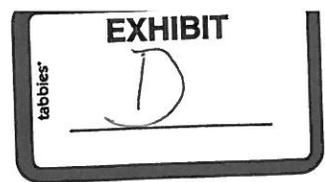
Phase5: Year 2032 Occupancy

The following are the estimated costs (in current dollars) associated with the future need for an additional County Court Judge, Courtroom & Jury Room and District Court Judge, Courtroom & Jury Room.

- JLEC-South.			
o 2 nd Floor tenant finish	8,000sf @ \$100/sf =		\$ 800,000.
			<u>Contingency (10%)</u>
			80,000.
Total Phase 5: Year 2032 Occupancy Construction Cost			\$ 880,000.

Summary of Phases 1 - 5 Opinion of Probable Construction Costs:

- Prisoner Transfer & Holding		735,700.
- JLEC-South		12,575,500.
- JLEC-North		1,286,100.
- <u>Adult Probation at Benesch Building</u>		<u>825,000.</u>
Total Construction Value Summary (in current dollars)		\$15,422,300.



**LAW OFFICES OF THE
LANCASTER COUNTY PUBLIC DEFENDER**
COURTHOUSE PLAZA
633 SOUTH 9TH STREET
LINCOLN, NE 68508
(402) 441-7631

MEMORANDUM

TO: Lancaster County Board of Commissioners

FROM: Dennis R. Keefe, Lancaster County Public Defender

DATE: July 11, 2013

SUBJECT: Contract with Nebraska Legal Aid

Lancaster County has a contract with Legal Aid of Nebraska (LAN) for legal services in Juvenile Court. The new contract term is for 3 years beginning July 1, 2012. In that Agreement, LAN agreed to accept 266 new 3(a) (abuse/neglect) cases per contract year and the County is paying a lump sum based upon \$1768 per case. The Agreement also provides that they will accept 200 law violation/status cases per year (mostly conflicts for our office) and the county pays a lump sum based upon the figure of \$241 per case. If the contractor agrees to accept cases in excess of the maximums, they are compensated at the rate of \$1768 per case for the abuse/neglect cases and \$241 per case for the law violation/status cases.

The maximum number of 3(a) (266) and law violation/status cases (200) in the contract was based upon recent years of experience with the number of new filings. However, the number of new filings of 3(a) cases declined in the most recent fiscal year ending June 30, 2013 and the number of LAN appointments declined as a result.¹ When I last visited you about this issue at the budget hearings it appeared as though we may end up the first year of the contract 50 cases below the 3(a) maximums. The Lancaster County Indigent Defense Advisory Committee recommended that we try to renegotiate the numbers with LAN. On the recommendation of the juvenile court, we decided to monitor the appointments through the end of the first contract year because the filings

¹ Liz Neeley, a member of the Nebraska Foster Care Review Board and our consultant, has indicated the decline in cases may be due, at least in part, to a new procedure implemented by NDHHS that has a goal of reducing formal court referrals and handling more cases on a voluntary basis. The filings of 3(a) cases have actually been declining for several years. In the period of January 1 to June 30, the number of new and transferred 3(a) cases was 231 in 2010, 197 in 2011, 170 in 2012 and 154 in 2013.

and appointments picked up considerably at the end of the fiscal year. Here are the final numbers for FY13:

3(a) Abuse/Neglect Cases

Law violation/Status

Month	# of Cases	Month	# of Cases
July 2012	21	July 2012	19
Aug 2012	18	Aug 2012	15
Sep 2012	9	Sep 2012	26
Oct 2012	16	Oct 2012	13
Nov 2012	24	Nov 2012	16
Dec 2012	17	Dec 2012	18
Jan 2013	16	Jan 2013	20
Feb 2013	14	Feb 2013	17
Mar 2013	16	Mar 2013	27
April 2013	29	April 2013	23
May 2013	34	May 2013	12
June 2013	29	June 2013	4
Totals	243	Totals	210

In summary, we ended the first year of the contract 23 3(a) cases short of the maximum and 10 Law violation/Status cases over the maximum. Based upon the previous recommendation by the Advisory Committee, I would recommend that you authorize me to renegotiate the last two years of the contract with LAN in the following respects:

1. Reduce the maximum number of new 3(a) cases per year from 266 cases to 236 cases and reduce the compensation for these cases by \$53,040 (30 cases x \$1768). The contract will continue to provide that LAN can accept new cases over the new maximum and be paid \$1768 per case for those cases.

2. Include a clause that if LAN exceeds the maximums in one category of cases but is below the maximum in the other category, the payments for accepting cases over the maximum will be offset by the amount represented by the number of cases below maximum times the per case rate.