

**MINUTES OF THE JOINT INFORMAL MEETING OF JOHNSON COUNTY
BOARD OF SUPERVISORS AND CRIMINAL JUSTICE COORDINATING
COMMITTEE:
JULY 6, 2011**

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Chairperson Harney called the Johnson County Board of Supervisors to order in the Johnson County Health and Human Services Building at 4:31 p.m. Members present were: Pat Harney, Terrence Neuzil, Janelle Rettig, Sally Stutsman, and Rod Sullivan.

Criminal Justice Coordinating Committee Members present were: Department of Corrections Supervisor Jerri Allen, MECCA Director Ron Berg, Iowa City City Council Member Connie Champion, Citizen Representative Bob Elliott, Iowa City Public Library Adult Service Coordinator Kara Logsdon, County Attorney Janet Lyness, County Sheriff Lonny Pulkrabek and Consultation of Religious Communities Representative Dorothy Whiston; absent were: Attorney John Robertson, Judge Doug Russell, Citizen Representative Professor Emeritus John Stratton. Staff present were: Executive Assistant Andy Johnson and Auditor’s Office Recording Secretary Nancy Tomkovicz.

**REPORT FROM ALTERNATIVES AND TREATMENTS SUBCOMMITTEE
Jail Alternative Program**

Sheriff Lonny Pulkrabek said he thinks they made the transition to all the things they need to do. There are just some minor things. There is not any disruption and change. He has been working with Jail Alternatives Program Coordinator Jessica Peckover and Captain David Wagner who is her direct supervisor. It is a critical program that he is glad the Board is continuing to fund. Harney said that will be funded through that source for at least one year; then the Board will take a second look at it at budget time to think about how they are going to fund the program.

Pulkrabek said they did have to make some changes. There are some things they are changing about the program. There are some additional times where they are going to do substance abuse evaluations. The current program has counselors from the Mid-Eastern

Council on Chemical Abuse come in to do substance abuse assessments on people required to have such assessments. They have to be indigent and follow specific guidelines. They found through the Public Defender's Office, Defense Bar, and the Sheriff's Office that there are other situations where it would help the Jail if they could get an evaluation done on someone. Additional evaluations are going to be picked up by that program.

Stutsman said she would like to have a report on this program. She has not seen numbers in quite some time. Pulkrabek said he will contact Executive Assistant Andy Johnson. Iowa City City Council Member Connie Champion said she would like to see that report as well. Harney said they could present the report at a Board meeting and a Criminal Justice Coordinating Committee (CJCC) meeting.

REPORT FROM PUBLIC INFORMATION/OUTREACH SUBCOMMITTEE

Neuzil said that Bar Association Representative James McCarragher is unable to be at this meeting. He reported that the Public Information and Outreach Subcommittee task was to update a brochure written in 2008 addressing questions about the justice center. The other task was to determine a possible election date in 2012. After communicating with Auditor Tom Slockett, he indicated that if the CJCC wants a special election in August 2012, they would have to have materials and things of that nature ready on June 23, 2012. If they want a general election, the deadline for having things ready would be later in August 2012. They have plenty of time if they want a special election. The Subcommittee is waiting for the CJCC to refine when they want to have the election. With the initial schedule of events, they would have everything mostly in order by the end of March 2012.

Neuzil said that with reference to the Safety, Security, and Space Questions and Answers document, he sent a draft the CJCC members and would like it approved by sometime August 2011. The handout does provide the who, what, where, when and why of what is going on for the proposed Johnson County justice center. Neuzil said if members have questions or suggestions they can email him or McCarragher. He said all the subcommittees are asked to stay on task in reaching the upcoming deadlines on the initial timeline.

REPORT FROM FACILITIES SUBCOMMITTEE

Letter to General Services Administration Regarding Property South of the Courthouse

Harney said the Board approved a letter sent to the General Services Administration (GSA) and he expects a representative from GSA will respond soon. GSA still wants the 200 parking spaces, but they are not locked in to having all that indoors. The bottom line is that the CJCC has to look at the future of the proposed justice center without the GSA lot in mind. Perhaps the County can provide GSA parking in that lot until such time as the County needs the lot. The Board will continue to negotiate with GSA.

Request for Qualifications for Pre-Schematic and Final Architectural and Engineering Design

Johnson said he, Facilities Manager David Kempf and Former University of Iowa Campus Planner Larry Wilson prepared the Request for Qualifications (RFQ) for pre-schematic design and asked for input and suggestions in advance. The only question that was raised was a concern about the timeline. They questioned if having a pre-schematic in April 2012 was too late to prepare for a referendum in August 2012.

Kempf said they decided they would need at least six to seven months for the pre-schematic design to take place in order to have the product and all the information necessary to move forward. They also wanted any entities interested in submitting proposals to understand that they did have a deadline that they needed to meet in order to get information out. It is a little arbitrary, but the entities need to understand there is a deadline because it will come up quicker than they realize.

Neuzil said he thinks a deadline should be the beginning of April, 2012. Each of the four subcommittees have deadlines at the end of March 2012, so the timing of it could be ideal as long as each of the subcommittees are doing their work. It does not give them much time. Kempf agreed that that does not give much time.

Rettig said that is assuming someone wanted to spend \$80,000 on a special election in August 2012 when nobody is in town. Neuzil agreed. Iowa City City Council Member Connie Champion said that might be the time to do it. Consultation of Religious Communities Representative Dorothy Whiston said she raised the issue because she has seen reports come in late and incomplete. She is concerned that if they are going to have a late deadline, somebody needs to communicate with the entities along the way to make sure the CJCC gets a complete and usable product by the deadline.

Wilson said the intent was to have a pre-schematic design that would give all the information needed for an election. It needs to be based on enough fact that once the bond issue is finished they will not have to say they did not have everything in order. The idea is that the selected firm would progress and check the current data because they are experts in this sort of thing and make sure the CJCC is on track. The concept being that the pre-schematic design would be an intermediate step toward the schematic design phase. He would expect by the time they finish the pre-schematic phase, there will be decisions the CJCC will need to make in several areas. Wilson suggested that when firms are interviewed and told about the deadline, they should be asked if they think they can complete a good job within the timeframe.

Citizen Representative Bob Elliott asked Johnson when the RFQ will be made available. Johnson said it could go out in a final form on July 14, 2011 if the Board approves it on that date at the Formal Meeting. The deadline is August 22, 2011, and by the end of September 2011 a firm would be selected. Elliott clarified that the pre-schematic design work would be starting in October 2011. Johnson said correct.

Champion said she is concerned that CJCC members will need these materials to start campaigning. They cannot campaign with just a line drawing. She asked Wilson for his thoughts on this. Wilson said Champion would be a better judge of how much time a campaign might take, but the CJCC needs to set the deadline for having the materials ready for that. If the selected firm cannot meet the deadline then another firm could be selected. Champion said they could start the campaign for this quite early at service clubs throughout the County. She thinks CJCC members need to get a jump on public education.

Neuzil agreed and said the Public Information and Outreach Subcommittee has education materials and will be compiling more. A newly hired intern is going to be spending 90 hours on this project and the final piece of publicity will be pretty extensive as far as background materials. If they decide to go with the special election in August 2012, they want to provide enough information by April, May and June next year before people would potentially leave for the summer and come back to participate in the vote. Neuzil thinks there was value to getting outside assistance from other organizations like the attorneys, who could potentially purchase the communications part of this.

Rettig said the only other countywide referendum, besides the sales tax vote, is the Conservation Bond issue. The campaign started with not very good materials, but it did start in May at Project Greens sale and was in full force by parade season for a November special election. She thinks a similar timeline is desirable for this project.

Wilson said he thinks much of this depends on when they all feel they need a brochure which explains the project. He sees the timeline as verifying the data, going to a schematic design, agreeing on costs and what will be in the proposal to voters. And then all that information is compiled into a brochure which he thinks should be ready in April or May. He asked if there is a way for CJCC members to begin public education talking about what could be called the coming attraction letting people know the brochure is forthcoming. Elliott said he thinks deadlines should be set in accordance with the election date. Strategies and tasks need to be mapped out four to six months before the election.

Rettig said the elected officials have to be careful because they are just putting educational pieces together, and whatever happened beyond that would be the responsibility of a political action committee. From past experience, they should go backwards from whatever day the Board decides to put it on the ballot and then decide when people wanted to be out with educational materials.

County Attorney Janet Lyness said she does not see any reason why the educational component could not be ongoing. They have information now and the fact that they do not have the schematic design should not hold them back from talking about it. They know basically how much it is going to cost, what the needs are, what it is going to provide. Not having the schematic design for four to six months before the election is not going to prevent any group from campaigning for it. She agrees with giving the

architects enough time to put together a quality project as opposed to rushing it for a schematic design.

Wilson said the only questionable point is the cost. They do not know exactly if they will be able to get what they need for the first phase for the cost they have targeted. Hopefully it will not be far off. If the cost changes they will need to figure out how to explain that after they have already mentioned another figure. Neuzil said in the RFQ there is a top amount, so that will be the highest the bond would be. Wilson said it could also come down from that.

Rettig asked when the RFQ would come before the Board. Johnson said it is on the July 7, 2011 Informal Meeting agenda and if there is consensus to move forward, it will be on the July 14, 2011 Formal Meeting agenda. Rettig said although they have absorbed the cost of a special election outside of the approved budget, she does not like doing it. That was forced upon the Board by another individual. She would have rather planned for having that \$80,000 expense. If they are in the mindset to have a special election, she would prefer to put that in the FY13 budget and tax for it as opposed to taking it from Reserve Funds. If a special election is pending, she would want to make that decision during the budgeting process.

Wilson said another thing they could be working on is to determine who will be on the selection committee for the firm hired to do the pre-schematic design. Due to the nature of the project, he has recommended that there should be an architect on the committee and somebody who is not interested in taking on the job. Other committee members have been suggested as well. Stutsman said the RFQ is due August 22, 2011 and asked if they should talk about the committee now or next month. Wilson said he thinks they have time to talk about it next month, but with other things to focus on it could slip away.

Rettig said she is not clear since the Board has set aside September 29, 2011 and September 30, 2011 for firm interviews. She asked if there would be a selection committee prior to the interviews to narrow down the finalists who interview with the Board. Johnson said correct. Someone suggested that the initial committee should consist of Pulkrabek, Lyness, Wilson, Kempf, Johnson and a couple other citizens. They have not decided whether they would like a Supervisor or two on the initial committee. They would review all the proposals received and narrow it down to a determined number; then the Board would interview the finalists at the end of September. Stutsman said she does not know if a Supervisor needs to be on the committee if the Board is going to review the final selections. She is comfortable with the people Johnson has just identified.

Rettig asked Wilson if he is willing to be on the committee. Wilson said sure. Rettig confirmed that the committee would include Johnson, Kempf, Wilson, Lyness, Pulkrabek and an architect. Wilson said he thinks they should have an architect. Rettig clarified that it would need to be an architect who would not bid on a project like this. Wilson said correct. Stutsman asked if they would advertise for that. Kempf said one thought is

to approach the University of Iowa to see if one of their architects like University of Iowa Planning, Design and Construction Director Rod Lehnertz would be willing to sit on the committee. They will not be interested in bidding it and have experience with large projects. Stutsman said that could be one, but she would like to open it up to the community to see if there is anybody else who is interested. Harney said it would not hurt to ask, but he would bet that most architects would be tied up with rebuilding flood properties. Rettig said she does not have a problem asking a University of Iowa architect or sending out a press release saying they are willing to appoint two citizens, particularly an architect. Stutsman said it is important to use any opportunity to get the community involved.

Harney asked if there would be someone from the Iowa Bar Association who would be willing to be involved in the committee. Kempf said the Facility Subcommittee thought it would work best to have a manageable number of people review all of the information and bring forward to the Board no less than two and no more than six individuals for final consideration. He agrees they need to keep the number at a manageable size because it is going to require a lot of meetings.

Wilson said he suggests each of the major departments be represented to get their perspective, but also to get buy-in to the process and become involved. Sullivan said that is why he thinks it would be good to exclude Supervisors from the initial reviewing committee. The Supervisors will be making the final decision and will have an actual interview with whoever is chosen.

Rettig said she is fine with Pulkrabek, Lyness, Kempf and Johnson representing the County and Wilson representing citizens. They will put out a press release saying the CJCC is accepting letters of interest from other citizens, and they are particularly looking for an architect who would have no financial interest in this project. Neuzil said that sounds good. CJCC members should tell any suitable committee members to send a letter. Wilson asked if people could send their letter of interest via email. Rettig and Neuzil said yes.

Johnson said they discussed having the selection committee members sit in on the final interviews, while recognizing the Board will make the final decision. Stutsman said she is assuming all the information will be available to the public, even the RFQs. Sullivan said it has to be.

Harney asked if the payment schedule is generally broken down in the RFQ. Wilson asked if he was talking about cash flow. Harney said yes. Wilson said he would think it would be paid out at the end of the pre-schematic task unless they request otherwise for the Board to consider. Kempf said this information is usually discussed in the contract. Wilson said they would have a cash flow for the construction portion. Rettig clarified that by April 2012, they will have paid for the pre-schematic design, but not the actual design, until they pass the vote. Wilson said hopefully the RFQ is clear in the fact that nothing beyond the pre-schematic design goes forward until after the bond issue is settled.

REPORT FROM FUNDING/GRANTS SUBCOMMITTEE

Rettig said while she was preparing a written report for today's meeting the electricity went off and much of her document was lost. She was not able to finalize it before this meeting.

Rettig said Sheriff's Major Steve Dolezal has joined this subcommittee in addition to Slockett, Treasurer Tom Kriz, Budget Coordinator Rich Claiborne, Kempf, and Rettig. She, Pulkrabek and Dolezal spent a long morning trying to figure out how to staff the proposed justice center. They concluded that this has a lot to do with the design. Rettig referred to page two of the report she provided committee members, and said \$1.2 million of additional staffing costs remains as the estimate. They cannot find many issues with that estimate though there is a serious ongoing discussion about how the justice center will be designed, how it will be staffed, and which kind of employee will be at what station and when. She said the report is not worth the paper it is written on because they still do not have a good answer for that because a lot has to do with how the facility is designed. Hopefully an architectural company will come up with efficient designs.

Rettig said the FY12 budget has \$1.65 million budgeted for housing and transport. They have a new deal with Muscatine County to do transport so the number is going to vary. They did make budget this year at \$1.3 million. They put an additional \$350,000 in this budget for FY12 and until they get more information in the coming months, they are not clear about that cost.

Rettig referred to page two of the report and the line "Sheriff Inmate Food, etc." Currently \$130,000 is spent on feeding the inmates housed in Johnson County. About half of the inmates are housed out of the County. She just doubled the number in the report. They may be able to find some efficiency there, but they have not identified them yet. Rettig said the next three lines of the report are Annual Building Maintenance, Annual Building Custodial, and Annual Utilities. She said since the last time they created a report the building size has been decreased, so Kempf lowered those numbers.

Rettig said a \$40 million bond is more expensive now then when they talked about it last time. The annual principal and interest is just about \$2.8 million. It varies based on the interest rates and the market is flexible right now; there was a big crisis in the municipal bond market in the last few weeks. The County has identified the need to come up with a financial reserve policy and they are very close to finishing this. This would better position the County for a better bond rating. Rettig said the County's Reserve Policy has not been firmed up. This is the right thing to do, and if the County asks for a bonding of \$40 million, they want to have a good rating.

Rettig said she subtracted the Current Housing/Transport Costs while retaining a little bit for transport. She just plugged a number in; she is not sure \$25,000 is accurate. She deducted current maintenance, custodial, and utilities costs at the Jail building. Even if

they reutilize the Jail building for other purposes it might reduce some space to go into phase two. The rough annual estimate to build and operate a new justice center will cost \$2.85 million per year in the first year. She wants to caution against the bonding example provided on the first page. They will need to crunch those numbers again because she had conflicting data and nobody could get to the computers to figure out why it was conflicting. It should be considered relatively unreliable. Next month, they will bring back a better report.

Stutsman said the bond amount does not include additional operating costs. Rettig said no, they would not bond the additional operating cost. Stutsman said yes she knows that but it would still have an impact on the costs. Rettig said the additional operating costs get offset by the current costs of transport. Sullivan said they are almost exactly the same. Rettig said Pulkrabek asked for \$500,000 more for inmate housing. The Board reduced that to \$350,000. Before they added the \$350,000 it was almost identical. New operating costs were identical to transport costs. Stutsman asked if there are going to be additional operating costs with the Attorney's Office. Rettig said she did not ask that. Lyness said there will be more court rooms and space to do things. She does not think the Attorney's Office will require more, but it will make the Courthouse more usable. She said it should not change anything. Rettig said heating, cooling, cleaning and maintaining costs for the new space are included.

Pulkrabek said when they submitted budgets, they were on pace to spend \$1.5 million for the fiscal year. The numbers steadily declined. Part of that decline occurred because the jail population declined. When that was going on they were managing around 200 inmates per day. The Sheriff's Office manages 160 to 180 inmates most of the time. The first couple of months of the budget year were big months for the Jail population. That is why the Sheriff's Office came in under budget. Stutsman said it is a good start.

Rettig said they will refine the report said Pulkrabek and Dolezal will figure out how to staff the justice center, and she will figure out the math in doing that.

Lyness said she suspects there will be more staffing needed for security in the Courthouse. That may be something they need to include. Stutsman said Lyness should think about it. Sullivan said he hopes not as he is hoping they will benefit from the technology of people entering from one place. Harney said that would have to be staffed. Pulkrabek said currently if one of the deputies is on vacation and the other deputy calls in sick, they do not backfill unless something is going on and it is absolutely necessary. In the past, Pulkrabek has said it is likely they would need to increase staff if they are going to have a secure facility where the entrance is much like an airport where people go through screening. They are going to have a deputy or two assigned to manage just that. They will also want one deputy, a floater, to do some of the things they do now.

**ADDITIONAL COMMENTS FROM CRIMINAL JUSTICE COORDINATING
COMMITTEE MEMBERS**

Champion congratulated the CJCC on making a major decision to move forward with this after 14 years. Rettig said she thinks it is time for the people to contribute their opinions. Harney said they will need more help from the City of Iowa City though, and he thanked Champion.

SET NEXT MEETING DATE

Harney said the next meeting is scheduled for August 3, 2011 at 4:30 p.m. in the Health and Human Services Building.

Adjourned at 5:23 p.m.

Attest: Tom Slockett, Auditor
By Nancy Tomkovicz, Recording Secretary