

THE BOARD OF SUPERVISORS OF THE COUNTY OF STANISLAUS
ACTION AGENDA SUMMARY

DEPT: Chief Executive Office

BOARD AGENDA # *B-1

Urgent Routine

AGENDA DATE July 16, 2013

CEO Concurs with Recommendation YES NO
(Information Attached)

4/5 Vote Required YES NO

SUBJECT:

Approval to Establish the Project Budget for Repairs Due to Vandalism at the 2846 Finch Road Facility in Modesto, California from Insurance Proceeds

STAFF RECOMMENDATIONS:

1. Direct the Auditor-Controller to establish a project budget in the amount of \$152,825 within the Chief Executive Office County Facilities Budget for repairs resulting from theft and vandalism at 2846 Finch Road, Modesto, California.
2. Authorize the Project Manager to finalize and pursue reimbursement of the Finch Road Facility vandalism and theft repairs project costs utilizing insurance proceeds upon completion of the repairs.
3. Direct the Auditor-Controller to increase appropriations and estimated revenue for this project in the attached Budget Journal form.

FISCAL IMPACT:

On March 22, 2011, the Board of Supervisors approved the Final Acceptance of the Design-Build Construction of the Thomas W. Mayfield Regional Animal Services Facility located at 3647 Cornucopia Way, Modesto, California 95358. The new location of the Stanislaus Animal Services Agency, a joint effort between the County and its five partner cities of Modesto, Ceres, Hughson, Patterson and Waterford, was designed and constructed to meet the needs of its members and the community in providing animal shelter and related animal services. Currently, the Stanislaus Animal Services Agency on Cornucopia
(Continued on Page 2)

BOARD ACTION AS FOLLOWS:

No. 2013-347

On motion of Supervisor De Martini, Seconded by Supervisor Withrow

and approved by the following vote,

Ayes: Supervisors: O'Brien, Withrow, De Martini and Chairman Chiesa

Noes: Supervisors: None

Excused or Absent: Supervisors: Monteith

Abstaining: Supervisor: None

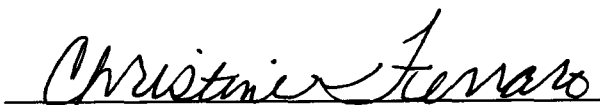
1) X Approved as recommended

2) _____ Denied

3) _____ Approved as amended

4) _____ Other:

MOTION:



ATTEST: CHRISTINE FERRARO TALLMAN, Clerk

File No.

FISCAL IMPACT: (Continued)

Way performs pet adoptions, spay and neuter assistance, licensing, investigations, veterinary care and low cost rabies vaccinations. The new building also assists the County and its partner cities with providing a well maintained, state of the art facility that aids in support of field operations and services.

The Former Animal Shelter located at 2846 Finch Road, Modesto, California 95354, was vacated when the Thomas W. Mayfield Regional Animal Services Facility opened its doors to the public at its new location. The County has been solely responsible for the Finch Road site since then, from budgeted appropriations from the Chief Executive Office County Facilities budget including the costs of providing services for site utilities, electronic security monitoring and weed abatement.

While vacant, this last year, the 2846 Finch Road, Modesto facility was vandalized by the theft of copper wire throughout the facility including disconnection of the main service panels, disconnection of the burglar alarm system and harvesting of copper wire throughout the structures. Destructive vandalism to the plumbing system, animal kennels and fencing also occurred.

On June 18, 2013, the Board of Supervisors approved a Lease Agreement with Wags and Whiskers Rescue of Modesto, California, for the interim reuse of the Former Animal Shelter located at 2846 Finch Road, Modesto, California 95354, to provide animal rescue and adoption services. Additionally, the Board of Supervisors authorized the Project Manager to take all necessary actions, negotiate and sign contracts, work authorizations, and purchase orders for professional and construction services to perform repairs resulting from the theft and vandalism.

The Project Manager is now returning to the Board of Supervisors for authorization to establish a full project budget in the Chief Executive Office-County Facilities Budget for repairs resulting from the vandalism event. The insurer has provided the County with an initial cash value payout from insurance proceeds in the amount of \$53,939. The Project Manager is requesting the Board of Supervisors establish a full project budget in the amount of \$152,825 to repair the facility to a habitable condition. This budget includes all estimated construction, construction contingencies, repairs and project administrations costs. The County will perform the repairs and will be reimbursed by the insurer for the actual costs of this repair work, less a \$20,000 property insurance deductible. Funds not used for this work will be returned the Chief Executive Office County Facilities budget. These repairs will allow Wags & Whiskers Rescue to occupy the facility on August 1, 2013 as planned.

DISCUSSION:

Project Background

In 1956, Stanislaus County and the City of Modesto were granted the parcel on Finch Road for use as a future facility that provided animal services functions for the community. Under an Agreement dated February 28, 1972 between Stanislaus County and the City of Modesto, the parcel was later granted by official recorded grant deed on November 1, 1972, to Stanislaus County in fee simple for construction and operation of an animal services "pound". In 1973, the Facility at 2846 Finch Road, Modesto was constructed to facilitate this purpose.

The County moved forward with planning for the replacement of the Finch Road Facility to meet the needs of the County and its partner cities, including the City of Modesto as the County's largest partner city, in managing the growing animal population. Stanislaus County broke ground on a new Animal Services Agency site on Cornucopia Way in Ceres, California in 2008 and completed construction of a new state-of-the-art facility in early 2011. An Animal Services Agency Joint Powers Authority (JPA) was created with the County's partner cities in 2009 for ongoing operational cost, facility costs and servicing of construction-related debt of the new Thomas W. Mayfield Regional Animal Services Facility to provide for a safe boarding capacity to over 300 animals.

On March 22, 2011, the Board of Supervisors approved the Final Acceptance of the Design-Build Construction of the Thomas W. Mayfield Regional Animal Services Facility located at 3647 Cornucopia Way, Modesto, California 95358. The new home of the Stanislaus Animal Services Agency, a joint effort between the County and its five partner cities of Modesto, Ceres, Hughson, Patterson and Waterford, was designed and constructed to meet the needs of its members and the community in providing animal shelter and related animal services.

As a result of commissioning the new facility, the Former Animal Shelter located at 2846 Finch Road, Modesto, California 95354, was vacated and has remained vacant since January 17, 2011 when the Thomas W. Mayfield Regional Animal Services Facility opened its doors to the public. The County has maintained the Finch Road site since the move with funding allocated from the Chief Executive Office County Facilities budget including the costs of providing services for weed abatement, site utilities, electronic security monitoring and general property maintenance costs of the vacant property.

Last year, the Finch Road Facility was severely vandalized through the theft of the electric service main copper wire throughout the main structure and former adoption trailer. Thieves went to the extent of disconnecting the main electric service panels, disconnection and theft of the burglar alarm, stealing kennel gates, plumbing fixtures,

laundry water heater and major destruction of the air conditioning and ventilation systems.

The Chief Executive Office issued a Request for Proposals (RFP) on December 19, 2012 for reuse of the 2846 Finch Road Facilities. Only one Proposal was received on the closing date of January 16, 2013, from Wags and Whiskers Rescue of Modesto, California. County staff and the non-profit negotiated terms based on the condition of the existing facility.

On June 18, 2013, the Board of Supervisors approved an interim reuse of the Finch Road Facility by Wags & Whiskers Rescue of Modesto, California. Wags and Whiskers Rescue shall use the facility for rescue, rehabilitation and re-homing of abandoned animals. Funding for Wags & Whiskers Rescue is generated from private adoptions of rescued animals and through community-based donations. The nonprofit is considering providing animal training, animal boarding and other retail components as part of its overall strategy for reuse of the Finch Road Facility and generates income for the cost of operations and facility upkeep. Wags and Whiskers Rescue expects to hold about 100 animals at the Facility at any one given time.

The reuse of the Finch Road Facility has the ability to reduce Stanislaus County's direct property holding costs, while allowing a 501(c)(3) nonprofit animal service provider to provide a community based approach to reducing the animal euthanasia rates. Additionally, the County would seek to dispose of the property at the end of year three (3), or with approval by the Board of Supervisors, at the end of five (5) years through soliciting interest in a private sale of the real property. This interim, transitional period is expected to allow the value of the property to increase over time. Given the age and condition of the facility, a long term use is not considered feasible without a significant capital outlay, funding for which is not available.

The Project Manager is seeking authorization from the Board of Supervisors to establish a full project budget in the Chief Executive Office County Facilities Budget in the amount of \$152,825 to make the theft related repairs using insurance proceeds. The costs of the repairs are to be reimbursed by insurance proceeds, less an applicable deductible, upon completion of the work. Any budgeted funds not expended for this work will be sent back to the Chief Executive Office County Facilities budget. Consistent with the Board approved Lease Agreement, Wags and Whiskers Rescue is expected to take over operations of the Finch Road Facility on August 1, 2013.

Repairs to the facility are ongoing at this time to meet this scheduled occupancy date. The electrical, heating, ventilation and air conditioning, roofing and plumbing systems will be repaired as efficiently and effectively as possible. The County is seeking to fund these repairs from insurance proceeds and will seek to minimize any cost in turning over the facility to Wags and Whiskers Rescue.

POLICY ISSUES:

Approval of this item supports the Board of Supervisors' priorities of A Safe Community, A Health Community, Effective Partnerships and Efficient Delivery of Public Services by increasing opportunities for community-based effort to lowering the animal euthanasia rate within Stanislaus County. This important partnership, involves partnering with a nonprofit organization, citizens of the community and local government, to assist in the rescue and adoption of animals that may of otherwise have been euthanized. Additionally, this opportunity may create and further support a model for community-based animal services organizations to better address concerns of euthanasia, responsible pet ownership and animal care among our residents.

This effort will also substantially reduce the County's direct cost and liability exposure for maintaining the vacant facility at 2846 Finch Road, Modesto. This effort will also allow for future property development opportunities at the end of the proposed transitional use period.

STAFFING IMPACT:

Staff from the Chief Executive Office-Capital Projects, Risk Management and General Services Agency are coordinating close out of the insurance claim to perform repairs paid for with insurance proceeds. Chief Executive Office and General Services Agency staff will manage the lease and coordinate or perform major systems repairs where applicable.

CONTACT PERSON:

Patricia Hill Thomas, Chief Operations Officer. Telephone: (209) 525-6333

