



**Probation Department
COUNTY OF TULARE
AGENDA ITEM**

BOARD OF SUPERVISORS

KUYLER CROCKER
District One

PETE VANDER POEL
District Two

AMY SHUKLIAN
District Three

J. STEVEN WORTHLEY
District Four

MIKE ENNIS
District Five

AGENDA DATE: December 4, 2018- **REVISED**

Public Hearing Required	Yes	<input type="checkbox"/>	N/A	<input checked="" type="checkbox"/>
Scheduled Public Hearing w/Clerk	Yes	<input type="checkbox"/>	N/A	<input checked="" type="checkbox"/>
Published Notice Required	Yes	<input type="checkbox"/>	N/A	<input checked="" type="checkbox"/>
Advertised Published Notice	Yes	<input type="checkbox"/>	N/A	<input checked="" type="checkbox"/>
County Counsel Sign-Off	Yes	<input checked="" type="checkbox"/>	N/A	<input type="checkbox"/>
Meet & Confer Required	Yes	<input type="checkbox"/>	N/A	<input checked="" type="checkbox"/>
Electronic file(s) has been sent	Yes	<input checked="" type="checkbox"/>	N/A	<input type="checkbox"/>
Budget Transfer (Aud 308) attached	Yes	<input type="checkbox"/>	N/A	<input checked="" type="checkbox"/>
Personnel Resolution attached	Yes	<input type="checkbox"/>	N/A	<input checked="" type="checkbox"/>
Agreements are attached and signature line for Chairman is marked with tab(s)/flag(s)	Yes	<input checked="" type="checkbox"/>	N/A	<input type="checkbox"/>

CONTACT PERSON: Steven Horton PHONE: (559) 713-2716

SUBJECT: Approve an agreement with BI Incorporated.

REQUEST(S):

That the Board of Supervisors:

1. Approve a multi-year agreement with BI Incorporated in an amount not to exceed \$145,000, retroactive to July 1, 2017 through June 30, 2019, to provide electronic monitoring (EM) services to juvenile offenders. The Agreement is retroactive due to extenuating vendor circumstances, including a new line of equipment and the departure and replacement of the account manager resulting in an interruption, delay and restart of an extensive negotiation process.
2. Find that the Board had the authority to enter the proposed agreement as of July 1, 2017 and that it was in the County's best interest to enter into the Agreement on that date.
3. Authorize the Chairman of the Board to sign four (4) copies of the Agreement.

SUMMARY:

Effective July 1, 2013, the Board of Supervisors approved Tulare County Agreement No. 26492 with BI Incorporated to obtain electronic monitoring services for juvenile offenders released from the Juvenile Detention Facility by the Court pending further hearing and/or following Court disposition. The Agreement expired July 1, 2016 and Amendment No. 26492-A extended the term one additional year to July 1, 2017. This Agreement will allow for continued electronic monitoring services for juvenile offenders.

Electronic monitoring has proven to be a valuable resource in helping to facilitate

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successful transition from confinement to the community. Supervision services are provided for juvenile offenders released on probation requiring electronic monitoring. The majority of these juveniles are subject to terms and conditions of probation that include: gang terms, search/test clauses, counseling requirements, the payment of victim restitution and restitution fines. During FY 2017/2018, electronic monitoring services were provided to 273 juvenile offenders.

The Tulare County Superior Court has recognized the value of the advanced electronic monitoring equipment, which includes an increased capacity to monitoring the activities of juvenile offenders subject to electronic monitoring, to promote personal responsibility and leading to an expected reduction in recidivism. Accordingly, the Court has directed the Probation Department to implement, to the highest degree possible, the use of the advanced monitoring equipment for monitoring juvenile offenders.

This agreement has been approved as to form by County Counsel and deviates substantively from the standard County boilerplate in that it includes a multi-year term and contains a limitation of liability clause which limits BI's liability to actual damages for injury relating to the provision, performance, or use of the service or equipment under this agreement which prevents the County from obtaining special, incidental or consequential damages arising from the provision of services, performance or use of the service or equipment. Actual cost damages, however, can be recovered. The Agreement does not include any additional provisions that deviate from the standard County boilerplate.


FISCAL IMPACT/FINANCING:

There will be no additional net County cost to the General Fund. The total amount of the contract for both fiscal years is \$145,000. \$78,300 (54%) will be paid for by General Fund. The remaining balance of 66,700 (46%) will be paid by state funding for Youthful Offender Block Grant (YOBG) and Juvenile Justice Crime Prevention Act (JJCPA). All costs associated with electronic monitoring services are included in the Probation Department's approved budget for FY 2018/19. Costs for services in FY 2017/18 are accrued and will be paid in FY 2018/19.

LINKAGE TO THE COUNTY OF TULARE STRATEGIC BUSINESS PLAN:

The County's five-year strategic business plan includes the Safety and Security initiative. The Public Safety Realignment Act and the electronic monitoring program support the goal of promoting personal responsibility and public safety.

ADMINISTRATIVE SIGN-OFF:



Michelle Bonwell
Chief Probation Officer

CC: Auditor-Controller

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County Counsel
County Administrative Office (2)

Attachment(s) BI Incorporated Agreement (4)

**BEFORE THE BOARD OF SUPERVISORS
COUNTY OF TULARE, STATE OF CALIFORNIA**

IN THE MATTER OF APPROVE AN)
AGREEMENT WITH BI INCORPORATED.) Resolution No. _____
) Agreement No. _____
)

UPON MOTION OF SUPERVISOR _____, SECONDED BY
SUPERVISOR _____, THE FOLLOWING WAS ADOPTED BY THE
BOARD OF SUPERVISORS, AT AN OFFICIAL MEETING HELD _____
_____, BY THE FOLLOWING VOTE:

AYES:
NOES:
ABSTAIN:
ABSENT:

ATTEST: JASON T. BRITT
COUNTY ADMINISTRATIVE OFFICER/
CLERK, BOARD OF SUPERVISORS

BY: _____
Deputy Clerk

* * * * *

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