

COMMUNITY AFFAIRS COMMITTEE

DATE: June 22, 2009

CALLED TO ORDER: 5:34 p.m.

ADJOURNED: 7:34 p.m.

ATTENDANCE

ATTENDING MEMBERS

Mike Speedy, Chair
Paul Bateman
Susie Day
Benjamin Hunter
Maggie Lewis
Doris Minton-McNeill

ABSENT

Kent Smith

AGENDA

Presentation on Local Initiatives Support Corporation (LISC) – Bill Taft, Executive Director

PROPOSAL NO. 208, 2009 - approves an appropriation of \$450,000 in the 2009 Budget of the Marion County Guardian Home (County General Fund) to fund the ongoing operations and maintenance of the Guardian Home for 2009
"Do Pass" Vote: 6-0

Update on Children's Guardian Home – David Reynolds, City Controller

Public Comment on possible closure of the Children's Guardian Home

COMMUNITY AFFAIRS COMMITTEE

The Community Affairs Committee of the City-County Council met on Monday, June 22, 2009. Chair Mike Speedy called the meeting to order at 5:34 p.m. with the following members present: Paul Bateman, Susie Day, Benjamin Hunter, Maggie Lewis and Doris Minton-McNeill. Absent was Kent Smith.

Presentation on Local Initiatives Support Corporation (LISC) – Bill Taft, Executive Director, and Mary Clark, Co-chair of Neighbor Power

Ms. Clark stated that the Neighbor Power event is bringing together many of the different communities to uplift some of the great things happening in neighborhoods. She said that Neighbor Power is hoping that those communities will share with each other and talk about ways to make the city a better place to live, work and play.

Mr. Taft stated that LISC is excited about the opportunity to join with Neighbor Power to gather people who are giving their time everyday to make their neighborhood a better place. He said that this event will give them a chance to celebrate what the different neighborhoods have accomplished and to share with others on how they improved their neighborhood. Mr. Taft stated that Neighbor Power will be attended by neighborhood residents, community group leaders and business owners. Mr. Taft stated that LISC is a non-profit organization that supports neighborhood-based organizations and making neighborhoods more livable. He said that LISC uses loans, grants, technical assistance and training to support those neighborhood-based organizations and has been involved with those organizations since 1992. He said that technical assistance can be provided, but there need to be more people involved. Mr. Taft stated that the Neighbor Power event will be on October 16-17, 2009 at the University of Indianapolis. He said that there will be an awards program on the first night that will give awards for projects, programs and people from all over the city that are carrying forward some of the principals of healthy neighborhoods. He said that on the second day, there will be an all-day gathering where information will be shared through workshops and presentations for residents. Mr. Taft stated that this event is free to all participants. Mr. Taft stated that LISC and Neighbor Power is asking for the committee's help in spreading the word to their constituents about the event and asking if anyone has a story to share. He said that that the week preceding the event will become neighbor week, which will celebrate volunteers and other neighborhood-based organizations that are involved in the success of Indianapolis.

Councillor Minton-McNeill stated that her neighborhood is connected to Greater Indianapolis Neighborhood Initiatives (GINI). She said there have been some challenges on the west side of Indianapolis, and they have really been on task to change and she is grateful to be a part of that effort. Ms. Clark stated that those are the kind of stories that they are looking to tell.

Councillor Bateman stated that one thing that is essential is that LISC has a database of all of the programs in the different communities. He said that sharing that information is key, and it changes the paradigm on how communities are reinvented.

Councillor Lewis asked how someone can contact LISC. Mr. Taft stated that individuals can contact him at wtaft@lisc.org.

Chair Speedy asked if Neighbor Power has recruited all of the speakers for the event. Mr. Taft stated that they are sending out a call for entry in about a week. Chair Speedy asked if there is a way to register for the event ahead of time. Mr. Taft answered in the affirmative, stating that people can go to www.greatindyneighborhoods.org to get all of the information and register.

PROPOSAL NO. 208, 2009 - approves an appropriation of \$450,000 in the 2009 Budget of the Marion County Guardian Home (County General Fund) to fund the ongoing operations and maintenance of the Guardian Home for 2009

David Reynolds, City Controller, stated that this proposal transfer \$35,000 from Characters 02 and 03 to Character 01, Personal Services, and also appropriates an additional \$415,000, which represents the state reimbursement that has come to the Guardian Home since January, 2009. He said that these funds are not new money. At the time the budget was being worked on, it was unclear as to whether or not the state was going to provide a reimbursement. He said that the state has provided the reimbursement, so these funds are appropriating that reimbursement. Mr. Reynolds stated that the funds will be used to provide for the ongoing maintenance and upkeep of the facility upon its potential closure on June 30, 2009. Mr. Reynolds stated that those funds will be used for utilities, security, mowing of the grass, and paying employees the accrued leave that they are entitled to upon termination.

Chair Speedy asked if the \$415,000 is already in the budget. Mr. Reynolds stated that the \$415,000 is a new appropriation, along with a transfer of \$35,000, for a total of \$450,000 that is going into Character 01; and it is not included in the budget.

Councillor Hunter asked if the \$450,000 is a new appropriation in Character 01. Mr. Reynolds answered in the affirmative. Councillor Hunter asked if that amount is to pay out existing salaries and benefits if there is a closure on June 30, 2009, and asked if Mr. Reynolds made the reference that this amount was to keep the lights on at the facility. Mr. Reynolds answered in the affirmative, stating that the Guardian Home is operating with a shortage in their Character 01 budget. He said that there are excess funds in Characters 02 and 03 to transfer to Character 01 to deal with those salaries and personnel issues. Mr. Reynolds stated that the \$450,000 has to go toward that. Councillor Hunter asked if this appropriation is being put into Character 01 to address the salary issues. Mr. Reynolds answered in the affirmative. Councillor Hunter asked if these funds were appropriated at the time of the budget. Mr. Reynolds stated that at the time Office of Finance and Management (OFM) was preparing the budget; these funds were not appropriated because it was not clear if the state was going to provide for a reimbursement to the Guardian Home.

Councillor Speedy asked how far in arrears the Guardian Home is on personal services. Mr. Reynolds stated that OFM is projecting that if this appropriation does not occur, Character 01 will be \$350,000 short.

Councillor Hunter asked what the total cost to fund Character 01 for the whole year will be. Mr. Reynolds stated that if the Guardian Home continued to operate at the same level it has, in the following six months, the total for personal services would be \$826,000 for the Guardian Home. Councillor Hunter asked if the Marion County Commissioners voted to keep the Guardian Home facility open. Mr. Reynolds stated that the Commissioners did reverse their resolution, which closed the Home, in order to spend some more time to ensure that all of the children were being dealt with in a satisfactory method. He said that OFM is continuing to work with the Commissioners to make sure there is a plan in place that deals with all of the children.

Councillor Hunter asked if the Commissioners were comfortable with closing down the Guardian Home because of lack of support from Department of Child Services (DCS) or if the Commissioners are envisioning reversing their decision to keep the facility open and functioning. Greg Bowes, County Assessor, stated that there were two steps taken in this process. He said that at the April 16, 2009 meeting of the County Commissioners, a resolution was passed that recommended that the Guardian Home cease its operation to provide emergency shelter care for children on June 30, 2009. Mr. Bowes stated that there was an effort pledged at the first meeting that concerns from the Commissioners be addressed, like how the remaining children being served by the Home would be served at an adequate alternative setting. Mr. Bowes stated that since the April, 2009 meeting and up until their May 27, 2009 meeting of the Commissioners, there was discussion with Mr. Reynolds, and representatives from the Juvenile Court, the Probation Department and DCS where there were many alternatives explored. Those alternatives, in his opinion, were not adequate to ensure that the children were being taken care of. He said that caused him to recommend a proposal to the Commissioners that the recommendation to close the Home be rescinded. He said that the Commissioners voted 3-0 unanimously to rescind the recommendation to close. Mr. Bowes stated that the official word from the Commissioners is that there will be emergency shelter care services offered until further notice. He said that if the Guardian Home continuing to operate at the same level it has been does not take into account the fact that the referrals of children have shrunk dramatically. Councillor Hunter asked if the referrals are from DCS. Mr. Bowes stated that DCS is only one source. He said that the other source is the Juvenile Court. Councillor Hunter asked if the director of DCS, James Payne has stated that he will not send children to the Guardian Home. Mr. Bowes answered in the affirmative. Mr. Bowes stated that the services that the Guardian Home provides are very good. The children that come there receive an immediate health, dental and mental needs assessment. He said that it is a licensed childcare facility that provides food, shelter and a safe and healthy environment. He said that the Guardian Home is not as rigid as going into a foster home.

Councillor Hunter asked Mr. Bowes to walk him through the referrals from the Juvenile Court. Mr. Bowes stated that the cases that are referred by the Juvenile Court would be children who are status offenders. He said that status offenders are children who may have curfew violations, truancy cases, runaways and others who are brought into the court system because they are accused of criminal activity at a low level and they do not pose a threat if they are released. Mr. Bowes stated that those children are not quite ready to go back to their particular home setting, so they are sent to an institutional or foster care setting.

Councillor Bateman asked what the current level of occupancy at the Guardian Home is. Mr. Reynolds stated that he believes that there are two children there. Councillor Bateman asked if the occupancy varies from day to day. Mr. Reynolds answered in the affirmative. Councillor Bateman asked what the average number of children at the Guardian Home in a week's time is. Mr. Bowes stated that the average population count from the beginning of the year through the end of April, 2009 was just under 14 children. Councillor Bateman asked if there is a plan B just in case. Mr. Reynolds answered in the affirmative, and said that there was a memo distributed to the committee stating that the state feels that they have appropriate settings for their children. On the county side, the children that are the City's responsibility to make sure that they are placed. He said that the Juvenile Court has been working with Lutherwood, Washington Place and the Family Support Center, and they believe that they have identified sufficient beds at those facilities to deal with the children that will be presented to them. Councillor Minton-McNeill asked if all of the children are referred from the Juvenile Court or are there any referrals from schools. Rosie Butler, Director, Marion County Guardian Home, stated that referrals come through DCS or the Juvenile Court. She said that the children have to come to the Guardian Home in an official capacity, and that has just been in the last couple of years. Ms. Butler stated that in the past, the Guardian Home received referrals from police officers and schools.

Councillor Minton-McNeill stated that Mr. Bowes said that there will be no more children after June 30, 2009 from the Juvenile Court. She asked what will happen to the other children that are funneled into the system. Ms. Butler stated that, apparently, there are three or four agencies that are being utilized to take the place of the Guardian Home. Councillor Minton-McNeill asked if there was meaningful placement for the children at the Guardian Home in case something happens. Ms. Butler stated that she has nothing to do with that issue. She said that her understanding is that DCS has made arrangements.

Councillor Day asked if these funds were needed whether the Guardian Home closes at the end of June, 2009 or continues to function. Mr. Reynolds answered in the affirmative.

Councillor Day moved, seconded by Councillor Hunter, to send Proposal No. 208, 2009 to the full Council with a "Do Pass" recommendation. The motion carried by a vote of 6-0.

Update on Children's Guardian Home – David Reynolds, City Controller

Mr. Reynolds stated that prior to 2009; the Guardian Home was funded with County General Fund dollars and funding from the Family and Children's Fund. He said that the Family and Children's Fund was funded through a property tax levy, and it was roughly a 50/50 split. Mr. Reynolds stated that with the passing of House Bill 1001, 2008, the state did major changes with property tax reform, and one of the changes is that they took over the Family and Children's Fund. In 2009, the state is now funding that program, so any of those services are the state's responsibility. Mr. Reynolds stated that when that shift occurred, the state notified the county that funding the Guardian Home out of the Family and Children's Fund was not going to continue. He said that effective January 1, 2009 the state ceased funding the Guardian Home. Mr. Reynolds stated that the County built their budget with the ongoing County General Fund money and passed a budget of \$1.1 million of County General Fund dollars, and that is what the Guardian Home has been operating under. Mr. Reynolds stated that OFM started working with the state to have more time to

work through what the state has told them. He said that the state agreed to fund the Guardian Home through June 30, 2009. Mr. Reynolds stated that the state has done what they said they were going to do. They have dramatically reduced the number of placements to the Guardian Home, and effective June 1st, the state's plan is in place and there have been only three or four placements at the Guardian Home. He said that the state is continuing to refine their program to make sure that they have services for all of the children.

Mr. Reynolds stated that there has been a lot of work since April to understand that the children are being dealt with in the most appropriate way. He said that the County has identified resources through Lutherwood, Washington Place and the Family Support Center that will be in place by July 1, 2009, so that children that need those services can be placed. Mr. Reynolds stated that the state has agreed to fund the first forty-eight hours of emergency shelter care, as long as the facility is a licensed titled 4E eligible facility. Mr. Reynolds stated that OFM feels that they have put in place a plan that deals with providing the services necessary for the children in Marion County. He said that the Guardian Home has a great support network, and there are people that have been volunteering their time, talent and resources to the Guardian Home. He said that the Guardian Home has asked OFM to be mindful of those donations and commitment, and has asked them to work with them to make sure that it is not as simple as going in and boarding the place up and auctioning all of the assets. He said that OFM is working with the Guardian Home on that.

Councillor Lewis asked if the recommendation is to stop operation of the Guardian Home on June 30th. Mr. Reynolds answered in the affirmative. Councillor Lewis asked if that is adequate time for Mr. Bowes and the Commissioners to get the answers they need. Mr. Bowes stated that he does not have an answer for that question.

Councillor Speedy asked if there has been a study on possible reuse of the facility and the cost analysis on using that facility. Mr. Reynolds stated that he is not sure if there was a meeting to discuss the reuse of the facility. He said that there has not been a cost analysis done, because the state has made it clear that they are not going to send children to the Guardian Home. He said that the Guardian Home continues to exist, but if the state is not going to send children there, there is no point in keeping it open.

Councillor Hunter asked if there are any arrangements to keep those employees on anywhere in the County. Mr. Reynolds stated that the Human Resources Department has been out to the Guardian Home working with those employees to let them know there are other opportunities in city and county employment. He said that some employees have already left the Guardian Home and have taken employment in the city and county.

Councillor Hunter asked who makes up the reuse authority and who grants that authority. Mr. Bowes stated that he does not remember who makes up the authority. He said that they wanted an appointment from someone in the Irvington community, an appointment from the Mayor's Office, someone who had expertise in reusing a facility like the Guardian Home and one of the Commissioners.

Councillor Hunter asked if Mr. Bowes would object to an amendment contingent to the funding. Mr. Bowes stated that the objection he has is that the latest official word about

whether that facility will cease operation as an emergency childcare facility is that it will not close. He said that he objects to talking about doing something with an assumption that the home will be closed. He said that there should not be any discussion.

Councillor Bateman said that he is sure that there was a cost analysis on what it would cost to run the facility as opposed to how much it would cost to parcel it out to the different agencies. Mr. Reynolds stated that the per diem that the state agreed to between January and June, 2009 was \$121 dollars per day per child, and that was based on the operating costs at the Guardian Home. Brant Ping, Best Practices Group, stated that he has talked with all three facilities, and the advantage that all three facilities offer is that they are 4E eligible. He said that DCS has agreed to pay the initial funds for the first forty-eight hours and then seek federal reimbursement. Mr. Ping stated that if it is 4E reimbursement, it is 60% of their per diem. Mr. Ping stated that they are waiting on information from the three facilities on what their per diem will be. Mr. Reynolds stated that it will be a combination of state and federal funding that will provide for the care of those children. Councillor Bateman asked if the committee can get the per diem information at a later date. Mr. Reynolds answered in the affirmative.

Councillor Lewis asked if the three facilities are prepared to take the children on July 1st. Mr. Reynolds answered in the affirmative, stating that although he has not talked directly with them, Mr. Ping has been in contact with them and they are prepared to accept the children.

Chair Speedy asked what the decision was at the state to stop referring children to the Guardian Home. He asked if this decision was executive or if it was responsive to state or federal legislation. Mr. Reynolds stated that he is not the appropriate person to answer that question. Mr. Ping stated that Children In Need of Services (CHINS) statute requires that they seek the most restrictive home-like setting anytime a child is removed. He said DCS started to seek out and place the children with relatives.

Public Comment on possible closure of the Children's Guardian Home

John Barnes, State Representative, District 89, stated that he is a lifelong eastside resident who grew up in Irvington. He said that growing up in Irvington; individuals went to school and church and at some point, were involved with the Guardian Home. He said that not only is the facility located in Irvington, but it is embraced by the community. Mr. Barnes stated that people in his district are concerned over the closing of the Guardian Home and by the fact that there does not seem to be a plan that would provide the same 24-hour emergency service that would shelter children at risk and keep siblings together in the same way the Guardian Home has been able to do. He said that his constituents' concern is that there really has not been much of a chance for public input. He said that the public is asking why this is happening so quickly and why the public was not informed. Mr. Barnes stated that his concern is that they make sure that it is done slowly and the community is involved.

Lettie Oliver, Associate Director, American Federation of State, County and Municipal Employees (AFSCME), stated that her concern is what will happen to the children in the community. She said that it was not known until a vote was taken that the Guardian Home was going to close. Ms. Oliver stated that what gravely disturbed her is that no one on the committee was of color, and everyone does not understand what is happening to all children culturally. She said that what is great about the Guardian Home is that the staff is very diverse, and they reflect the people that come into the community and the Guardian Home. Ms. Oliver stated that there are a lot of questions that have not been answered. She asks that the Guardian Home continue to stay open.

Kathryn Stewart, citizen, said that the Guardian Home is part of the culture in Irvington. She said that Institutional placement is not the trend right now, and it seems that foster parents are supposedly the best model. Ms. Stewart stated that they have lost sight of what is best for the children. It seems that it is all about saving the County money on the backs of the children. Ms. Stewart asked if the City can provide funding for Lucas Oil Stadium (LOS) and the Convention Center, why it is so hard to provide funding for the children.

Councillor Lewis asked even if there was funding to keep the facility open, if the state not referring any children there will still stand. Councillor Hunter stated that his understanding is that the state is really driving the issue that they are not going to use the facility and not going to send children there. Councillor Lewis stated that if the state is not going to send any children there, and the city continues to drop money into the facility with no one there; they will look silly funding a facility with no purpose.

Councillor Minton-McNeill asked if Lutherwood, Washington Place and the Family Support Center are located in residential neighborhoods. Mr. Ping stated that the Family Support Center is located on Martin Luther King Boulevard at 16th Street, Lutherwood is located on Ritter Avenue across from Community Hospital East, and Washington Place is located on Washington Boulevard. Councillor Minton-McNeill asked if these current facilities are servicing the type of children that DCS will be sending there. Mr. Ping answered in the affirmative.

Betty Metts, Chaplain, Guardian Home, stated that she would like to see a monitoring system for foster care so that the children who have come to the Guardian Home have been treated equally. She said that during this meeting, she has not heard anyone mention what is best for the children.

Margie Nackenhorst, citizen, stated that she has been volunteering at the Guardian Home for over 30 years. She said that she loves the Home and the children that are there. She said that she cannot believe what is happening. Ms. Nackenhorst asked what will happen to the children when this facility closes. She said that the Guardian Home is a fully licensed facility in the Irvington neighborhood, and Marion County needs it. She asked that the director of DCS be required to use the Guardian Home.

Debbie Nackenhorst, citizen, stated that she has been involved with the Bible club at the Guardian Home. She said that she is not sure that foster care fits with everyone and does not know where the children will go. It has been a blessing to her and her family to have

the Guardian Home in her community and she would like more options for the children. Councillor Hunter stated that he knows that hearing that the Guardian Home is closing is painful, but this committee is not who has made that decision.

Ernie Shearer, citizen, stated that Indiana cannot pass the state budget, and asked how are they going to deal with these issues and keep the Guardian Home open. He said that the system is failing these children by sending them back into the situations that they should have never been in to begin with. Mr. Shearer stated that they can open up a thousand Guardian Homes, but until DCS, the state and county take control of the situation, the children will continue to suffer.

Reverend Mmoja Ajabu stated that he does not know about this issue to the depth of some of the people that have spoken. He said that if the City is making a decision about children that decision needs to be in their best interest. The city and state needs to find the funding for the Guardian Home.

Candy Faulkner, citizen, stated that she was a resident of the Guardian Home several times as a child, and if it was not for the Guardian Home, she would not be standing here. Ms. Faulkner stated that when the improvements were done at the Guardian Home, there was a consensus taken from the public, the Mayor, City-County Council, County Commissioners and DCS director, James Payne. All were in agreement to raise \$8 million to go toward the Guardian Home. She asked how the city can squander a resource like the Guardian Home. Ms. Faulkner stated that the city and the community need to get together to find a solution to the problem.

Councillor Bateman stated that he looks at this situation the same as when Central State was closed. He said that it was the wrong decision for that facility to close, and closing the Guardian Home is the wrong decision.

Councillor Hunter asked if some funding can be found in Character 01 to staff 30 people to finish out the year at the Guardian Home. He asked if it would take about a half million dollars. Mr. Reynolds stated that they are projected to spend \$800,000 from January through June 2009. He said that it would probably take \$500,000 to \$600,000 to fund a smaller staff. Councillor Hunter asked if it is wise to fund a smaller staff in Character 01 while dealing with the issues with DCS sending children to the Guardian Home. Mr. Reynolds stated that, ultimately, the funding decision rests with the Council. Councillor Hunter asked where that funding would come from to reduce the staff. Mr. Reynolds stated that the Council will have to appropriate those funds from the County General Fund balance. He said that there will be no additional reimbursements from the state, and it would be 100% county dollars. He said that the fund balance of the County General Fund when the budget was passed in September 2008 was about \$943,000. He said that it was a projected balance at the time, and it has improved because of actions taken to reduce spending. He said that the General Fund balance is probably closer to \$3 million.

Councillor Minton-McNeill thanked everyone in attendance for their heartfelt testimony. She said that she has heard each and every person, and she appreciates them coming forward to express their concerns.

New Business

Councillor Bateman stated that Saturday, June 27, 2009 is National Day of Health. He said that the Devington Community Development Corporation is providing a Health Fair on that day from 10 a.m. to 4 p.m. at 6004 East 46th Street, and all are welcome to attend.

With no further business pending, and upon motion duly made, the Community Affairs Committee of the City-County Council was adjourned at 7:34 p.m.

Respectfully submitted,

Mike Speedy, Chair
Community Affairs Committee

MS/law