

Vallejo Veterans Memorial Building 2003 - 2004 Grand Jury Report

I. Reason for Investigation

The Grand Jury elected to investigate the near-total deterioration over nearly four decades of the Vallejo Veterans' Memorial Hall and the lack of progress made in meeting remedial maintenance or replacement requirements.

II. Procedure

The Grand Jury

Reviewed:

- Solano County Superior Court Interlocutory Judgment of *Ozzie Boler et al vs. Board of Supervisors, Solano County et al*, case no. L 006307.
- A facility condition assessment by the 3D International Architectural/Engineering firm in 2000 and forwarded to the 2003-2004 Grand Jury by the Solano County General Services Department.

Interviewed:

- Solano County Department of General Services staff.
- Past Commander, American Legion (AL) Post 603
- Past Commander, Veterans of Foreign Wars (VFW) Post 1123
- Counsel for Veteran plaintiffs in *Ozzie Boler, et al*
- County Supervisor

Contacted:

- Solano County Counsel

Visited and inspected:

- The Vallejo Veterans Memorial Hall at 444 Alabama St, Vallejo, CA.

III. Background

1. When the Vallejo Veterans Memorial Hall was completed in 1930 it was a three story building with a classic facade and an elegant interior. It was a recognized showpiece in the City of Vallejo. It was used with pride by the American Legion, the Veterans of Foreign Wars, the Disabled American Veterans, the Submarine Veterans of Vallejo, other veterans' groups and by a number of civic organizations for various functions.

2. Through 1977 the Vallejo Veterans' Welfare Commission (VVWC) oversaw management through leases from the County. But in the latter years of that period revenues declined and custodial services deteriorated. Some veterans claim that sufficient funds were generated by the VVWC facility but were not plowed back in for maintenance. In 1977 due to the insolvency of the VVWC, the County assumed management. Maintenance continued to slip and as a consequence it became more difficult to retain groups which had been paying to use the hall. Deterioration spiraled downward. In the

early 1990's much of the building was closed down due to the confirmation of widespread asbestos contamination. A low point came when a group of veterans together with their legal counsel were denied entrance for a walk through of their own building because, according to the maintenance supervisor, they would require "moon suits" for their safety against the asbestos, and no such protective gear was available. Since that time only the first floor, essentially the basement, of the Memorial Hall has been open to and in use by Vallejo veterans. Soon thereafter, the VFW moved out of the Memorial Hall into a nearby AL facility which was privately owned, and later into a club which VFW members rented privately. A VFW commander cited these reasons for moving from the Veterans' Memorial Hall: dirty bathrooms, unclean cooking facilities, rats present, "look of the building was a disgrace" and veterans feared for their safety in that neighborhood.

3. In 1996 a pro-bono attorney filed a lawsuit (*Ozzie Boler, et al*) on behalf of four veterans' groups: Manuel Quezon Post 603 of the American Legion; Disabled American Veterans Chapter 21; Veterans of Foreign Wars Post 1123; and U.S. Submarine Veterans, Inc, Mare Island Base. It argued that the County had failed to maintain the building as it was required to do. In 1998 the Superior Court of Solano County found in a non-trial interlocutory judgment that the County must make repairs or dedicate alternative space.

4. In the ensuing years of mediation, efforts to find other suitable space have been made by County officials and veterans together to locate acceptable rental locations in Vallejo. The former Non-Commissioned Officer (NCO) club on Mare Island has attractive physical possibilities, but there are serious complications with availability. Another solution could be the construction of a new facility as part of a proposed County complex upgrade on Tuolumne Street in Vallejo. But whether the overall project will actually be built any time soon is uncertain. Other proposals, which include the Solano County Fairgrounds, the tentative availability of the Vallejo JFK Library and vacant downtown buildings have failed to measure up. A major difficulty is that the veterans are entitled to and actively seek, "dedicated" alternative space as opposed to a simple rental which could easily be revoked at some future date leaving the veterans with nothing. And there is a strong sense by the veterans that the space should be honorable and worthy.

5. The other alternative is to restore the existing Veterans Memorial Hall. The 3D International assessment puts the replacement cost of the building at \$5,870,000. The cost for renovation, which is supported by exhaustive detail, is summed up at \$4,488,128. And that does not include required Americans with Disabilities Act improvements, seismic retrofit, and additional parking. The assessment states, "We do not believe there is a halfway renovation project which would result in a safe, code-conforming building. The antiquated utilities could not be replaced, nor the life safety and access changes made, without complete abatement and renovation of the interior of the building." In other words, the interior of the building would have to be ripped out.

6. Notes from a casual walk through of the Veterans' Memorial Hall in December 2003 by the 2003-2004 Grand Jury show the following: 1. Exterior: some window panes boarded over, facade needs paint, some metal rusted and general run down appearance. 2. First floor/basement: dreary, sign over kitchen sink "do not use, faucet is leaking," window boarded up and bathrooms serviceable but old. 3. Second floor/foyer: elevator permanently out of operation. 4. Second floor, kitchen/bar: locked, dark, gloomy; broken utensils and equipment visible. 5. Second floor, general meeting rooms: abandoned in ruins, broken/torn furniture scattered about, broken glass on floor and chandeliers with no bulbs or with naked bulbs askew. 6. Third floor, main ball room: overhead paneling ripped and drooping down in sheets, littered and filthy floor, some window panes boarded up, dead bird on floor and a hand-held fire extinguisher not inspected in past three years.

7. Veterans generally agree that their needs include space for two concurrent meetings, a kitchen, office and storage space, accessibility to public transportation, and parking. A governing use factor stems from the Court's interlocutory judgment that, "The County can permit the use of such building for other purposes so long as such use does not interfere with the ordinary and accustomed use of such building by the veterans' association." In the past, there has been a reported reluctance by some veterans to share the building. However, the Court ruling, remunerative sharing of facilities by other veterans' halls in the County and the long history of civic events at the existing Vallejo Veterans' Hall all point to a wider use.

8. The veterans themselves have not always presented a unified front in their long drive for relief. Only four groups took part in the lawsuit. Others which did not, but which are mentioned in various supporting documents, include another American Legion post, a Filipino War Veterans' and Families and Friends group and a Vietnam Veterans' group. There are legitimate interests which separate all these groups, ranging from quests for differing benefits, the place, time and nature of their service and their actual need for a facility. Nevertheless, the County needs a single body representing all Vallejo Veterans as a point of contact for decisive negotiations. A 1997 Vallejo Veterans' Building Association Constitution took a step in that direction by asserting that it is "established...for the benefit of all veterans."

9. Documents revealed a potpourri of suggestions toward solving this issue.

Procedural:

- Reenergize the Vallejo Veterans' Building Association.
- Establish a procedure to keep that Association and other interested parties abreast of developments and to collect feedback
- Reactivate or establish anew a management/oversight structure to govern the use of the building
- Establish policies and procedures for use of the building by other agencies and organizations.

Funding:

- Establish a process whereby all rents received will revert to the building fund
- Prioritize use activities so that veterans' affairs will come first, revenue generating activities second, and public use third.
- Seek grants from all user oriented sources, and if the decision is to refurbish the existing Memorial Hall, then it should be, if it is not already, put on the National Register of Historic Buildings which does have funds available.
- Recruit volunteer labor.

IV. Findings and Recommendations

Each finding is referenced to the background paragraph number

Finding #1 - The Superior Court interlocutory judgment of 1998 requires, in essence, that repairs be made to the existing facility or that alternative dedicated facilities be provided for the veterans. No solid headway has been made in six years. (2)(3)(4)(5)(6)(7)(8)

Recommendation #1 - That all concerned muster their will and Solano County finally adopt a plan which is mutually agreeable to the interested parties, is backed by committed funds and is time-specific to achieve a dedicated Vallejo veterans' facility.

Finding # 2 - The Court judged that the County “can permit the use of such building for other purposes so long as such use does not interfere with the ordinary and accustomed use of such building by the veterans’ associations.” Fiscal benefits, precedents in the existing Memorial Hall and practices in other veterans’ centers support such a policy. (1)(2)(7)(9)

Recommendation #2 - That “house rules” for a new or refurbished facility provide for multiple use, so long as the veterans’ ordinary and accustomed uses have first priority.

V. Comments

Evidence shows that the interested agencies were striving for a fair solution before this Grand Jury investigation ever began. The General Services Administration staff appeared sympathetic to veterans and cooperative in search of a solution. Veterans’ groups seemed ready to accept reasonable compromise. More than once in the course of this investigation, a group has credited another with “good faith.”

The collective mood for a fair solution is high. But each new proposal collides with a seemingly insurmountable barrier, such as cost, timeliness, availability or suitability. What is needed now is a proactive collective will to override difficulties, commit resources and make it happen.

VI. Affected Agencies

- Solano County Board of Supervisors
- Solano County Administrator
- Solano County Department of General Services
- Solano County County Counsel

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- Veterans Association