



BOARD OF SUPERVISORS
AGENDA LETTER

Agenda Number:

Clerk of the Board of Supervisors
105 E. Anapamu Street, Suite 407
Santa Barbara, CA 93101
(805) 568-2240

Department Name: Sheriff/General Services
Department No.: 032, 063
For Agenda Of: April 15, 2014
Placement: Departmental
Estimated Time: 90 minutes
Continued Item:
If Yes, date from:
Vote Required: Majority

TO: Board of Supervisors

FROM: Department Bill Brown, Sheriff (805) 681-4290 *JB*
Director(s): Matthew P. Pontes, Director, General Services (805) 568-1011 *Jennifer Slayton for Matthew Pontes*
Contact Info: Thomas Jenkins, Commander-Ret. (805) 681-4249
Doug Martin, Chief Financial Officer (805) 681-4293
Greg Chanis, Assistant Director, General Services (805) 568-3096

SUBJECT: Northern Branch Jail Project 8600-Update; Approval of Preliminary Staffing Plan and Operating Cost Analysis; Receive Local Vendor and Labor Outreach Plan, District 3

County Counsel Concurrence

As to form: Yes

Auditor-Controller Concurrence

As to form: Yes

Other Concurrence: County Executive Office

As to form: Yes

Recommended Actions:

That the Board of Supervisors considers the following actions:

- a) Receive a presentation from the Sheriff and General Services on the status of Northern Branch Jail Project 8600;
- b) Approve the Preliminary Staffing Plan and Operating Cost Analysis from the Sheriff's Office for the Northern Branch Jail Project;
- c) Adopt a Resolution authorizing the Sheriff, or his designee, to submit to the Board of State and Community Corrections certain required documents pursuant to Title 15, Section 1750 of the California Code of Regulations, as provided in the Preliminary Staffing Plan, and the Operating Cost Analysis (AB900 – State Project A05-120);
- d) Direct staff to make all necessary future submissions to comply with the requirements of the State and the Board of State and Community Corrections requirements as it relates to the Northern Branch Jail project AB 900 Phase II Conditional Award;
- e) Receive and file the Local Vendor and Labor Outreach Plan, as prepared by Kitchell/CEM. Inc.;
- f) Consider whether to direct General Services staff to return to the Board with a presentation regarding utilizing Local Construction Workforce Agreements; and

- g) After considering the Final Subsequent Environmental Impact Report (EIR) that the Board of Supervisors certified on March 11, 2008, and the Addendum to that EIR that the Board of Supervisors received and considered on December 6, 2011 and October 8, 2013, determine pursuant to 14 CCR § 15162(a) that no subsequent EIR or Negative Declaration is required for this project because of the following: 1) No substantial changes are proposed in the project which require major revisions of the 2008 Final Subsequent EIR; 2) No substantial changes have occurred with respect to the circumstances under which the project is undertaken which require major revisions of the 2008 Final Subsequent EIR; and 3) No new information of substantial importance concerning the project's significant effects or mitigation measures, which was not known and could not have been known with the exercise of reasonable diligence at the time that the Final Subsequent EIR was certified in 2008, has been received.

Summary Text:

The Northern Branch Jail Project is an ongoing Capital Project (GS Project # 8600). The project was approved by the Board on October 2, 2012. (Ref. 12-00752). The capital construction is partially funded by an up to 90% Conditional Award from the State under AB900 Phase II. County match funding was approved on February 19, 2013 (Ref. 13-00120), and appropriate budget revisions made at that time.

Subsequent actions by the Board took place on May 14, 2013 (Ref. 13-00372) when the Board authorized the execution of the needed Professional Services Agreements for the Project; and on September 3, 2013 (Ref. 13-00665) modifying one agreement.

The Board of State and Community Corrections (BSCC) requires that with submission of Design Development plans, the Preliminary Staffing Plan and Operating Cost Analysis must also be submitted. The Preliminary Staffing Plan and Operating Cost Analysis (Attachments A-1 and A-2) requires Board approval prior to submission to the BSCC, and must include, pursuant to 15 CCR § 1750:

1. Staffing Requirements for the Northern Branch Jail Project.
2. Shift and post identification of staff for the Northern Branch Jail.
3. Transition team program statement and costs.
4. Operating Cost Analysis, including the 30 year lifecycle operating cost.
5. Identification of, and revenue sources for, additional funds needed to support the staffing levels and operating costs for the proposed facility.

The recommended action provides compliance with BSCC requirement.

Some submissions do not require Board approval. To maintain the submittal timeline, staff requests permission to make all future BSCC submissions that do not specifically require Board authorization directly.

This Board has previously requested an examination of how the use of local vendors can legally be maximized in the construction of the Northern Branch Jail Project. Throughout the planning and design phases to date, General Services has kept this directive at the forefront, and has sought design opportunities as well as information with regards to other public agencies within California that have established similar programs, in order to facilitate development of a Northern Branch Jail local outreach

plan. Included in this effort is the “Local Vendor and Labor Outreach Plan” developed by the Construction Management (CM) consultant firm, Kitchell, CEM.

The listed actions, analysis and estimates are only with regard to the previously authorized Phase II AB 900 Northern Branch Jail Project of 376 beds (344 Rated Beds + 32 Special Use Beds). Although the Sheriff has received a letter of conditional award via SB1022 in the amount of \$38.9 million from the Board of State and Community Corrections dated March 18, 2014, the proposed SB 1022 project is not discussed or included in the estimates or analysis.

Background:

The Northern Branch Jail Project has been planned for more than twenty years, due to the need to reduce jail crowding, to limit the continued early release of persons convicted of crimes, and to upgrade and replace the aged existing jail facilities, specifically the Medium Security Facility.

On December 6, 2011, the Board authorized the Sheriff to submit an application to the BSCC for a Conditional Award under the AB900 Phase II program, to pay for up to 90% of approved costs to construct a 376-bed facility. The award was limited to up to \$80 million (Ref. 11-00849). Santa Barbara County was successful in the award process, resulting in the Board actions listed previously.

Following those prior Board actions, staff has begun and is now actively involved in the design of the project. The architectural programming phase, which is the first step in the design process, is complete, with each component of the Jail now carefully planned and sized in accordance with the minimum County Space Standards and State Correctional standards for detention facilities.

Design Development documents have been completed, and pursuant to BSCC regulations for the AB900 program, those drawings have been submitted to the State for review. Design Development is the third step in the design process, preceded by Schematic Design, which is also complete. Certain other documents must also be submitted to the BSCC to be reviewed in conjunction with those drawings.

They include:

- Preliminary Staffing Plan,
- Operating Cost Analysis, and
- Operational Program Statement.

Two documents require approval by the Board prior to formal submission to the BSCC; the Preliminary Staffing Plan and Operating Cost Analysis (Attachments A-1 and A-2). They are included as part of the Resolution in compliance with the submission requirements and California Code of Regulations, Title 15, section 1750.

The Preliminary Staffing Plan and Operating Cost Analysis, along with written comments from the detention administrator for local jails, pursuant to his/her review, must be reviewed and approved by the board of supervisors in a public hearing. At a minimum, this plan shall include the following:

- (1) Staffing requirements under the proposed design capacity.
- (2) Shift and post identification of staff for the proposed facility, delineated by custody and support staff.

- (3) Transition team program statement and costs.
- (4) Analysis of 30-year lifecycle operating costs and maintenance and energy costs for the proposed facility.
- (5) Identification of, and revenue sources for, additional funds needed to support the staffing levels and operating costs for the proposed facility.

The Preliminary Staffing Plan (Attachment A-1) and Operating Cost Analysis (Attachment A-2) provided include the details listed above.

Action Item b: Approve the Preliminary Staffing Plan and Operating Cost Analysis for the Northern Branch Jail Project, as funded by AB900

The Preliminary Staffing Plan and Operating Cost Analysis (Attachments A-1 and A-2) represent the latest refinements to estimates that have previously been presented to the Board. They represent the status of those estimates based upon the current level of design of the Northern Branch Jail. The cost plans and estimates are further discussed in the 'Fiscal and Facilities Impacts' and 'Staffing Impacts' sections of this letter.

In summary, the staffing model represents a total of 124 positions, 88 sworn of various ranks and 36 civilian positions of various job classes. The shift of existing staff has been slightly modified to 24, leaving the need to hire 100 new positions (65 sworn, 35 civilian) to operate the new facility. The effect of these changes is an estimated gross cost to run the AB900 facility of \$20.1 million FY2018-19 dollars. After accounting for existing services and staff to be shifted to the new facility, and including the addition of 5 new staff assigned to General Services to maintain the facility, the net cost to run the Northern Branch Jail is estimated at \$15.8 million in FY2018-19 dollars.

Action Item c: Adopt a Resolution to submit to the Board of State and Community Corrections, certain required documents pursuant to Title 15, Section 1750 of the California Code of Regulations

The Resolution provides the means and authority to comply with the above regulation (Attachment C). The attachments to the resolution are the same documents provided for Board approval in Action 'b' above. Staff recommends the Board adopt the resolution for submission of the documents to the BSCC.

Action Item d: Direct staff to make further submissions

Other document submissions are necessary to remain in compliance with the Regulations pursuant to AB900. Those include the Design Development drawings, the Operational Program Statement (Attachment F), and other periodic submissions required by the BSCC. As such, staff is requesting the authority to continue to make those submissions as are necessary. The attached North Board of Architectural Review (NBAR) Concept submission for NBAR's April 25, 2014 meeting (Attachment E) represents the latest status of design. The Design Development drawings are complete at the docketing of this letter and provide a greater level of detail.

Staff will return to the Board for all items requiring approval both in accordance with County policy, and State requirements associated with the AB900 Conditional Award.

Action Item e: Local Vendor and Labor Outreach Report

Maximizing local vendor participation has been reiterated by the Board as a clear goal for the Northern Branch Jail Project. While the County has programs in place to encourage the purchase of goods and services from local vendors, under California law, the same preferences cannot be applied to publicly bid capital projects. Staff continues to work closely with the consultant team throughout the planning and design phases in order to keep opportunities for local contractor involvement intact and seek specific local materials or approaches that could be incorporated into the design. The most significant feature of the Northern Branch Jail facility is the detention cells. The marketplace offers a number of options for this vital component ranging from site constructed concrete masonry to pre-manufactured fully equipped modular cells and a variety of choices in between. Cell construction options were carefully evaluated to determine the most appropriate option for the Northern Branch Jail. In addition to local participation, evaluation criteria included cost, quality, schedule and long term maintenance. Steel pre-fabricated panel cells erected on site were determined to be the best fit for this project, and offer an equitable balance between local participation, quality and value.

In addition to exploring design elements which increase local participation, the Professional Services Agreements with the consultants include deliverables directly assessing the local vendor climate and providing recommendations on how best to foster local participation. The "Local Vendor and Labor Outreach Plan, Northern Branch Jail Project" (Attachment G), prepared by the County's CM firm Kitchell/CEM, analyzes the local construction market, presents case study projects in the region and data related to local contractor participation, and discusses approaches taken by other municipalities within California. Additionally, the report makes recommendations intended to maximize local vendor outreach on the Northern Branch Jail Project while complying with California Public Contracts Code. While the report notes significant challenges in having available local contractors undertake the highly technical scopes of work and levels of risk associated with constructing a detention facility of this size and estimated construction value, it highlights significant design components included in the project specifically to enhance the opportunities qualified local forces could reasonably accomplish. Vendor includes contractors, subcontractors, labor, and suppliers of goods and services as used in this plan.

In accordance with the report's recommendations, General Services, in conjunction with the Sheriff, endeavors to craft an outreach plan to communicate the scope, bidding and construction schedule to the local market to increase project visibility, and implement a "good faith effort" based program to ensure prime contractors are encouraged to seek local participation wherever possible. In addition, General Services is working with the Auditor Controller to implement programs which may maximize the sales tax collected by the County on materials and goods procured outside of Santa Barbara County on behalf of the Northern Branch Jail Project. Staff expects to further refine the plan and continue to communicate progress to the Board as the design is completed, and the contract documents are drafted for the bidding phase.

Action item f: Direct General Services Staff to Return with a Presentation on Construction Workforce Agreements

The Board has in prior hearings mentioned an interest in Construction Workforce Agreements, also known as Project Labor Agreements or Project Stabilization Agreements. General Services has been

studying the impact that such agreements may have on the Northern Branch Jail Project. That analysis is not yet complete. If the Board remains interested in the effect of a Construction Workforce Agreement, General Services will return at a later date for a discussion.

Action item g: Findings Related to the Environmental Impact Report

The proposed actions are consistent with the Final Subsequent Environmental Impact Report (EIR) that the Board of Supervisors certified on March 11, 2008, (Ref. 08-00202) and the Addendum to the EIR that the Board received and considered on December 6, 2011 (Ref. 11-00849) and October 8, 2013 (Ref. 13-00760). Staff is not proposing any substantial changes to the Northern Branch Jail Project. Accordingly, the Board may find that no subsequent EIR or Negative Declaration is required pursuant to CEQA Guidelines Section 15162(a).

Fiscal and Facilities Impacts:

Budgeted: No

Fiscal Analysis:

In October 2012, it was presented to the Board that the estimated cost to operate the Northern Branch Jail (as a 376-bed facility per AB900 Phase II) would be \$17.3 million in FY2018-19 dollars (Ref. 12-00752). This budget covered the cost of additional staff plus non-personnel costs such as medical, food and facility utilities.

In October 2013, the Sheriff presented cost estimates to run the proposed S.T.A.R. facility, including an update on the cost of the AB900 facility. Reductions in costs related to PEPRAs and an understatement of transferred costs from the existing facility resulted in a net cost for AB900 of \$16.2 million.

Since that last update, salary and benefit costs for FY2014-15 have been developed and incorporated into the cost forecast for the AB900 facility. The impact of PEPRAs continues to have a positive impact on the model, resulting in reduced salary & benefit costs. A 3% annual increase is still assumed in the model for future fiscal years. Non-personnel costs such as medical, pharmaceutical and food for the inmates have been left unchanged with 3% growth in all costs except medical, which is assumed at 7% growth.

The staffing model has been reviewed by our project consultant Liebert & Associates, Inc., as well as state authorities. The result of the review was a slight modification of the model to a total of 124 positions: 88 sworn of various ranks, and 36 civilian positions of various job classes. The shift of existing staff has been slightly modified to 24, leaving the need to hire 100 new positions (65 sworn, 35 civilian) to operate the new facility.

The effect of these changes is an estimated gross cost to run the AB900 facility of \$20.2 million FY2018-19 dollars. After accounting for existing services and staff to be shifted to the new facility, and including the addition of 5 new staff assigned to General Services to maintain the facility, the net cost to run the Northern Branch Jail is estimated at \$15.9 million in FY2018-19 dollars. The benefit of PEPRAs retirement costs for sworn employees continues to reduce cost to staff the new facility.

	AB900 Cost Estimate 10/2012	AB900 Changes	Adjusted AB900 October 2013	Adjustments for FY2014-15	AB900 Cost Estimate 4/2014
Gross Operating Costs:					
Personnel	\$ 16,989,700		\$ 16,989,700	\$ (1,700,165)	\$ 15,289,535
Non-personnel	\$ 3,515,100		3,515,100	\$ 1,433,757	4,948,857
Adjustments:					
Retirement costs (PEPRA)		(1,278,000)	(1,278,000)		
Inmate Medical Costs		823,900	823,900		
Other Services & Supplies		487,600	487,600		
Adj. Gross Costs	\$ 20,504,800	\$ 33,500	\$ 20,538,300	\$ (266,408)	\$ 20,238,392
Transfer costs to No. Co. Jail:					
Staffing	(3,824,100)	114,100	(3,710,000)	19,697	(3,690,303)
Inmate Medical		(660,922)	(660,922)	(100,663)	(1,411,963)
Services & Supplies	(63,000)	(587,378)	(650,378)		
Total costs transferred	(3,887,100)	(1,134,200)	(5,021,300)	(80,966)	(5,102,266)
General Services Staff & Materials	727,600		727,600	(732)	726,868
Adjusted Total Net Operating Costs	\$ 17,345,300	\$ (1,100,700)	\$ 16,244,600	\$ (348,106)	\$ 15,862,994
AB900 Operating Cost Estimate 10/2012					\$ 17,345,300
Net Decrease in Costs					\$ (1,482,306)

An emerging issue that will impact this project is the demand on Sheriff's Office Human Resources and Training units to hire and orient 100 new employees in the next three to four years. Physical limits on the number of recruitments that can be run and the number of candidates processed through the background, medical and psychological tests require that new staff for the facility be hired earlier, as early as 2016. Benefits of such early hiring will include a greater number of staff on hand to manage the Main Jail, thereby reducing overtime costs in FY2016-17 and FY2017-18. This benefit will be calculated and included in the next update.

Staffing Impacts:

The attached Preliminary Staffing Plan is a refined update from the previous versions provided. This Preliminary Staffing Plan is devised to provide adequate staffing numbers for the Northern Branch Jail, consisting of 376 beds, at the level of Design Development, which has been completed. The proposed Preliminary Staffing Plan was created using the most recent Net Annual Work Hour calculations based upon the actual proposed design of the Northern Branch Jail. The Net Annual Work Hour calculation used is the same as was used in the Jail Staffing Assessment (Attachment H) dated 1-31-13. The staff numbers provided in the Preliminary Staffing Plan has been adjusted following review by our project consultant Liebert & Associates, Inc. The Preliminary Staffing Plan has been reviewed by all Lieutenants and those of higher rank in Custody Operations of the Sheriff's Office. This plan insures minimum and safe staffing levels for the facility when opened, based upon the existing phase of design.

The total positions required to run the 376-bed (344 rated and 32 Special Use medical/mental health) Northern Branch Jail facility, based on the current proposed design, is estimated at 124. However, 24 positions will be transferred from the existing allotments at the Santa Maria Branch Jail and the Medium Security Facility in Santa Barbara.

New Legal Positions:

100

New FTEs:

100

Prior staffing position estimates provided to the Board were not based upon an actual facility design. The Operating Cost estimate discussed during the May 14, 2013 Board Hearing to approve the project Professional Service Agreements (Ref. 13-00372), assumed a total 93 new FTE positions. The changes included the reorganization of staff classifications and assignments during design, and the addition of Custody Deputy FTE's as indicated by our project consultant Liebert & Associates, Inc., following completion of the Schematic Design Phase. These additional numbers are included in the latest version of the Preliminary Staffing Plan and Operating Cost Analysis.

Special Instructions:

Request the Chair of the Board sign both original resolutions, and the Clerk of the Board return one signed original resolution to Lt. James Meter to submit to and be retained by the Board of State and Community Corrections. Also request a certified copy of the resolution and minute order be sent to Lt. James Meter.

Attachments:

- A. Preliminary Staffing Plan (A-1) and Operating Cost Analysis (A-2)
- B. Presentation
- C. Board of Supervisors Resolution to Submit Required Documents pursuant to Title 15, Section 1750 of the California Code of Regulations. (Two Originals)
- D. AB900 Phase II Application Timeline – As submitted to the BSCC (Ref. 11-00849)
- E. North Board of Architectural Review Concept Submission
- F. Operational Program Statement
- G. Local Vendor and Labor Outreach Plan, Northern Branch Jail Project, by Kitchell/CEM.
- H. Jail Staffing Assessment by Crout & Sida, Criminal Justice Consultants, Inc.

Authored by:

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