



**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: County Executive
Office and General
Services
Department No.: 012 and 063
For Agenda Of: May 16, 2022
Placement: Departmental
Estimated Time: 45 minutes
Continued Item: No
If Yes, date from:
Vote Required: Majority

TO: Board of Supervisors

FROM: Department: Mona Miyasato, County Executive Officer
Director(s): Kirk Lagerquist, Director, General Services

DocuSigned by:
Mona Miyasato
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Contact Info: Tanja Heitman, Assistant County Executive Officer
Jeff Frapwell, Assistant County Executive Officer
Patrick Zuroske, General Services Assistant Director

SUBJECT: Santa Barbara Main Jail Renovation Project - Direction on Design of Renovations at the Main Jail (Second District) and Possible Construction at the Northern Branch Jail (Fifth District) Project No. 20041

County Counsel Concurrence:

As to form: Yes

Auditor-Controller Concurrence:

As to form: NA

Other Concurrence: Risk Management

As to form: NA

Recommended Actions:

It is recommended that the Board of Supervisors:

- a) Receive a report on conceptual options for renovations at the Main Jail and new construction at the Northern Branch Jail;
- b) Regarding the Main Jail, direct staff to proceed with a minimized renovation plan that addresses the Inmate Reception Center, makes Americans with Disabilities Act (ADA) improvements, and eliminates use of other beds, as detailed in this report;
- c) Regarding the Northern Branch Jail:
 - (1) direct staff to proceed with obtaining designs for Option 1 (new construction of one pod for a total jail system of 728 beds) and prior to final design, return to the Board with targeted diversion strategies to addresses jail population management, sustainable jail staffing, and identified savings or other revenues to fund the strategies, OR

- (2) direct staff to proceed with obtaining designs for Option 1.5 (new construction of 1.5 pods for a total jail system of 859 beds), OR
- (3) direct staff to proceed with obtaining designs for Option 2 (new construction of 2 pods for a total jail system of 984 beds);
- d) Provide other direction as appropriate; and
- e) Find that these actions are exempt from the provisions of the California Environmental Quality Act (CEQA) pursuant to State CEQA Guidelines Section 15262 as a feasibility and planning study for possible future actions that have not been approved, adopted, or funded, and direct staff to file a notice of exemption on that basis.

Summary Text:

This report is provided to the Board to receive direction on 1) renovating and downsizing the Main Jail, and 2) potentially developing plans for new construction at the Northern Branch Jail to replace some of the bed capacity that would be lost at the Main Jail.

Regarding the Main Jail: Staff recommends that the Board give General Services staff authorization to proceed in soliciting a design that builds on work already completed for modifications to the Main Jail, from Nacht and Lewis (N&L), to include the creation of an expanded recreation yard to provide additional out-of-cell time; Americans with Disabilities Act (ADA) improvements within the Inmate Reception Center (IRC); and renovations to the IRC to accommodate an improved intake area. This would ultimately reduce the Main Jail used capacity from 751 to 128 beds, maintain capacity in south county for booking and arraignment, and generate some operational savings that could be invested in debt service to construct new capacity at the Northern Branch Jail. With the approval of this report, GS will begin the process of confirming the scope of work and cost to complete the improvements at the Main Jail, including the deferred maintenance projects.

Regarding new construction at the Northern Branch Jail: Staff is providing options for increased jail bed capacity at the Northern Branch Jail to replace some of the rated beds that would not be used at the Main Jail. The County Executive Office is recommending Option 1, which would create 256 rated beds (one pod) at an estimated cost of \$76 million, which would be funded by savings from reduced operations at the Main Jail. If the Main Jail is to be renovated as recommended, Option 1 would reduce the jail bed capacity from 1,095 to 728 beds systemwide. The recommended action also includes a referral to the criminal justice agencies to continue their joint work focused on safe reductions in the jail population while placing a greater emphasis on mental health diversion strategies. Within the next year, and before final design, they should be prepared to report out on their progress and provide population projection analysis to ensure their strategies will sufficiently decrease the population to achieve targets prior to the closure of significant portions of the Main Jail. Should their efforts not yield the desired results or other unexpected changes impact the jail population and more than one additional pod be required, CEO staff will work with the Sheriff's Office to identify additional savings within their budget to offset all or a significant portion of the additional debt service required. Providing a report back to the Board in this timeframe would allow staff to augment the design plans should the Board seek more jail bed capacity without jeopardizing the ultimate construction timeframe for new construction at the Northern Branch Jail.

Direction today would allow General Services staff to engage in soliciting designs to meet the requirements of the Stipulated Judgment and Remedial Plan in the *Murray et al. v. County et al.* class action litigation. The Board will have other opportunities in the future to discuss and refine cost estimates as the design process proceeds. Subject to your Board's direction, General Services expects to return to your Board for initial design approval of the approved scope for the Main Jail renovations described previously; for individual deferred maintenance projects as applicable; and potentially for design of the NBJ expansion option(s).

Main Jail Renovation

Background: In December 2017, the County hired Vanir Construction Management, Inc. (Vanir) for master planning services associated with the Main Jail Implementation Plan. Vanir, General Services, and the Sheriff's Office researched options to develop a plan for prioritizing, packaging, and phasing improvements to the County's Main Jail including strategies for relocating inmates. In 2019, Vanir completed the Main Jail Implementation Plan.

In November 2021, the Board directed staff to proceed with the Main Jail rehabilitation project and assess the longer-term inmate housing and program space needs. The assessment was to take into consideration the results of a jail population projection study as well as input from both internal and community criminal justice system stakeholders.

In early 2022, General Services conducted a competitive, qualification-based selection (QBS) process soliciting Requests for Qualifications (RFQ's) from interested firms. Two (2) design teams responded to the RFQ and N&L was selected to provide professional design programming services for the Main Jail Renovation project. N&L is a regional design firm that specializes in corrections design. The firm has demonstrated competence and the professional qualifications necessary for the satisfactory performance of the services required (Gov. Code 4525 (architectural services)).

On March 1, 2022, the Board of Supervisors awarded a Professional Services Agreement to N&L to conduct planning and programming for the Main Jail Renovation (Project # 20041) located at 4436 Calle Real, Santa Barbara, California. The planning and programming services included an assessment of the physical structures that comprise the Main Jail complex; identification of deferred maintenance items and recommendations for improvements based on the continued operation of portions of the site; a thorough code review; and the development of a scope and concepts that address litigation requirements.

New Focus for Main Jail Renovation: As the result of the planning and programming efforts, which were conducted by representatives from the Sheriff's Office, General Services and N&L, it was determined that the potential cost to renovate each of the primary housing areas would be cost prohibitive. As an alternative, the project team considered options for a smaller footprint at the Main Jail through renovations of the IRC (ADA and Renovation) and the Main Jail Yard, and the possibility of increasing the capacity and footprint at the NBJ to at least partially compensate for the reduction of beds used at the Main Jail.

Through the modified planning efforts, staff considered options to move the Main Jail functions to the NBJ and maintain the South Jail to perform as a booking and arraignment facility only. GS evaluated options for reducing the IRC intake area, continuing with the IRC ADA improvements, and designing an improved and expanded Main Jail yard.

Project Description	Estimated Cost	Jail System Beds	Duration in Months	Funding source
IRC Intake Renovation	\$8,026,377			Project cost is anticipated to be debt financed as part of larger debt financing for several county projects. The estimated annual debt service of \$1.8 million associated with this project has been included in the County's five-year financial forecast.
IRC ADA Improvements	\$2,456,831			
Yard Separation	\$1,470,188			
Required Deferred Maintenance	\$5,600,000			
TOTAL	\$17,553,396	128	27	

Northern Branch Jail New Construction

Background: The Northern Branch Jail currently has 344 rated beds plus 32 medical specialty beds. The jail was opened in January 2022 after years of planning, development and construction and initiated due to years of overcrowding conditions at the Main Jail. The County received a grant of \$80 million from the Board of State Community Corrections (BSCC) that paid for a large share of construction costs. The costs of operating a second jail in the County has been approximately \$21 million in General Fund annually, for a total systemwide jail cost (Main Jail and Northern Branch Jail) of \$90 million annually.

New Construction Options: To replace some of the lost capacity of the Main Jail, options were developed for new construction at the Northern Branch Jail that could allow for more efficient operations, a direct supervision model and improved environment for the staff and inmates. These all have varying levels of costs for which the County has no currently identified funding. To fund these would require debt service, which requires a stream of revenue from either new sources, savings or diversion from other programs. The costs and financing options are provided in the Budget Section.

NBJ Expansion Options	# of Additional Jail Beds at NBJ	# Jail Beds to Be Used at Main Jail (as recommended)	Total Jail System Beds
Option 1: NBJ Construction - 1 Pod	256	128	728
Option 1.5: NBJ Construction - 1.5 Pods	384	128	856
Option 2: NBJ Construction - 2 Pods	512	128	984

Through closure of all areas of the Main Jail other than a remodeled Inmate Reception Center (which would include 128 rated beds) and shifting of staffing resources to NBJ, sufficient savings to fund the debt service for one additional pod (256 beds) at NBJ could be achieved. This scenario would provide a total system wide capacity of 728 beds. This option includes full relief factor staffing levels that would mitigate potential for excessive long-term overtime costs while also ensuring that jail housing is fully compliant with the most current standards as well as litigation requirements. However, given current population levels of approximately 750, it would require further reduction in the population and would diminish the county's jail bed capacity for the future.

This reduction of capacity, however, is not without concern by some of the criminal justice partners. The criminal justice partner agencies have achieved significant reductions to the jail population that have persisted well past the lifting of COVID-19 emergency rules and restrictions. Nonetheless, the jail continues to house a large number of inmates who would be better served outside of a jail environment, such as those with severe mental illness. Current efforts have focused primarily on pretrial strategies and enhancing alternative sentencing options to reduce the jail population. While those strategies have served the county well and have potential for continued incremental expansions, additional strategies are needed, including those focusing specifically on the mentally ill inmates. These will be required both to address the Incompetent to Stand Trial (IST) population as well as to decrease the use of the jail environment to address untreated mental illness. Targeting jail population management strategies to achieve further reductions while ensuring that some replacement beds are provided at NBJ, where the facility design meets current requirements and staffing needs can be better addressed, is a preferable long-term strategy.

The Sheriff has cautioned that his office's primary concern is ensuring a rated bed for each inmate, now and in the future, which includes ensuring enough space to adequately house and classify inmates and absorb temporary fluctuations. Per the Sheriff's staff, this means operating at or below industry standards of 85% capacity. The current average daily population hovers around 750 inmates. The Sheriff's Office strongly believes that our

County's plan should be based on long-term jail population projections of 850 inmates (average daily population) allowing for necessary classification and flex factors.

Overview of Potential Development Options and Cost Estimates

The following tables provide an overview of the refined project options for both the Main Jail and potential expansion of capacity at the NBJ.

NBJ Expansion Options	Total Jail System Beds	NBJ Estimated Cost	Funding source for NBJ New Construction Costs only	Main Jail Improvements & Deferred Maintenance	Total Estimated Cost
Option 1: NBJ Construction - 1 Pod	728	\$76,597,174	Est. \$5.4M annually in debt service, funded through staffing and operational savings.	\$17,553,396	\$94,150,570
Option 1.5: NBJ Construction - 1.5 Pods	856	\$114,895,761	Est. \$8.3 M annually in debt service. Gap of \$2.4M annually.	\$17,553,396	\$132,449,157
Option 2: NBJ Construction - 2 Pods	984	\$142,607,318	Est. \$10 M annually in debt service. Gap of \$4M to \$5.8M annually.	\$17,553,396	\$160,160,714

Budgetary Considerations:

The cost associated with the proposed renovations at the Main Jail are intended to be funded through the issuance of certificates of participation, resulting in approximately \$1.8 million in annual debt service beginning once the project is constructed. County budget staff have set aside this amount as part of the larger COP debt issuance and has assumed this cost in the five-year financial forecasts annually presented to your Board. As a note, the County's recent five-year forecast shows deficits in upcoming years, even with planned set-asides. These funding plans assume debt service would begin in five years out once the facilities are developed.

Option 1: NBJ Housing Option - 1 pod - To fund debt service for the \$76.6 million in estimated project costs would require an additional \$5.4 million in annual debt service over 30 years beyond that needed for the base renovations at the Mail Jail. Savings of \$5.4 million to support this option could be achieved through Sheriff identified staffing reductions of \$1.5 million, estimated additional staffing reductions of \$2.2 million identified by budget staff, and an additional \$2 million in overtime savings. This option achieves a potential resolution (and an excess savings of approximately \$340k) that is fiscally viable, meets the litigation requirements, and provides adequate long-term jail staffing through a funded full relief factor. It would require the criminal justice partner agencies and Behavioral Wellness to continue their collaborative work focused on reducing the jail population as mentioned in other parts of this report.

Option 1.5: NBJ Housing Option - 1.5 pods - To fund debt service for the \$114.8 million in estimated project costs associated with this option would require \$8.3 million in annual debt service over 30 years beyond that needed for the base renovations at the Mail Jail. Savings of \$8.3 million to support this option were not able to be fully identified. Sheriff found staffing reductions of \$1.5 million (as in above), and other savings were identified for a total savings of \$5.9 million. This leaves a gap of \$2.4 million that would require the need for the Sheriff to identify

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other savings or budgetary reductions within other ongoing funding, or utilizing other discretionary new funding (General Fund, Prop 172 or other).

Option 2: NBJ Housing Option - 2 pods - To fund debt service for the \$142.6 million in estimated project costs associated with this option would require \$10 million in annual debt service beyond that needed for the Base renovations at the Mail Jail. Additional savings to support \$10 million for this highest cost were not able to be identified. This leaves a gap of between \$4.1 and \$5.8 million (depending on the number of housing units to be staffed) that would require other ongoing funding, as described above.

Other Considerations

Further refinement of debt service costs and strategies would need to continue. Developing a strategy for debt service and financial strategies for focused diversion to safely reduce the jail population could occur with any of these options, not just Option 1. However, funding those as well as filling the gaps described above could be challenging in the future. As important in considering any of these options, however, is ensuring adequate staff to operate the jail system. Currently, this has been challenging with our existing system, and the circumstances may not abate despite best efforts, even with constructing a more efficient facility at the Northern Branch Jail. In that event, ensuring a system that is sized appropriately to allow for sustainable levels of staffing, avoidance of excessive overtime for staff, adequate medical attention and efficient use of resources is critical.

California Environmental Quality Act (CEQA) Documentation:

A CEQA categorical exemption and determination that this action is exempt from CEQA pursuant to State CEQA Guidelines Section 15262 as a feasibility and planning study for possible future actions that have not been approved, adopted, or funded, and direct staff to file a notice of exemption on that basis.

Fiscal and Facilities Impacts:

Budgeted: Funding for the Nacht & Lewis Planning and Programming contract was included in the FY2021-22 Approved Budget and will be accounted for in the Capital Outlay Fund (Fund 0030). Future modifications to that agreement will be presented to your Board, as required. The construction cost associated with the proposed renovations to be performed at the Main Jail are anticipated to be financed through the issue of certificates of participation, with the resulting debt service coming from the General Fund in future fiscal years.

Funding for additional studies, analysis and design associated with the options presented regarding expansion of the NBJ, are not yet identified or funded and will be provided to your Board at future meetings, as appropriate.

Fiscal Analysis:

This report is to receive direction from the Board. There are no immediate fiscal impacts or actions associated with this Board Report. However, there will be fiscal impacts and costs depending on the option selected.

Special Instructions:

Please send one (1) copy of the minute order to Diane Dodson Galt, Project Manager, GS / Support Services Division, Courthouse East Wing, 1105 Santa Barbara St, Santa Barbra, Ca. 93101, as well as a copy of the fully executed resolution and minute order to dgalt@countyofsb.org.

Attachments:

1. Attachment No. One (1) Power Point presentation
2. Attachment No. Two (2) Notice of Exemption

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Authored by:

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