



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  
Department No.: 032  
For Agenda Of: September 2, 2008  
Placement: Departmental  
Estimated Tme: 1 ½ hours; and 1 hour  
on September 9, 2008.  
Continued Item: Yes  
If Yes, date from: August 19, 2008  
Vote Required: Majority

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TO: Board of Supervisors  
FROM: Department Bill Brown, Sheriff x 4290  
Director(s)  
Contact Info: Tom Jenkins, Commander x 4249  
SUBJECT: **Santa Barbara Northern Branch Jail – AB 900 Conditional Award Compliance –  
Reentry Program Facility Siting Agreement**

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**County Counsel Concurrence**

As to form: Yes

**Auditor-Controller Concurrence**

As to form: Yes

**Recommended Actions:** This Hearing allows the County to take certain necessary actions to comply with conditions set by the Corrections Standards Authority (CSA) for award of Conditional Funding pursuant to the Assembly Bill 900 (AB 900) Construction of County Jails Grant Proposal:

- a. **Adopt a Resolution** giving certain assurances for cooperation in the Central Coast Regional Secure Community Reentry Facility (CCRSCRF) between the Counties of San Luis Obispo, San Benito, and Santa Barbara with a planned location in the City of Paso Robles, in the County of San Luis Obispo (Attachment #A), as follows:
  - i. **Agrees to cooperate** with the California Department of Corrections and Rehabilitation (CDCR) in the Central Coast Regional Secure Community Reentry Facility (CCRSCRF) sited in the County of San Luis Obispo with the Counties of San Luis Obispo and San Benito, and the City of Paso Robles.
  - ii. **Assures that the reentry facility** will be located adjacent to the Estrella Correctional Facility, in the City of Paso Robles, in the County of San Luis Obispo.
  - iii. **Assures that a Reentry Planning Team** has been established in the County of Santa Barbara that will operate in conjunction with those planning teams already established in San Benito County and San Luis Obispo County as a CCRSCRF Planning Team.
  - iv. **Assures the City of Paso Robles and County of San Luis Obispo** to transport released parolees destined for Santa Barbara County directly from the CCRSCRF (from the City of Paso Robles within the County of San Luis Obispo, and returning them to the County of Santa Barbara) without expense to the County of San Luis or the City of Paso Robles.

## **Santa Barbara Northern Branch JAIL– AB 900 Conditional Award Compliance**

Page 2 of 13

- b. **Authorize the Chairman of the Board of Supervisors** to sign the Central Coast Regional Secure Community Reentry Program Facility Siting Agreement (Attachment # B) for a Regional Secure Community Reentry Facility (CCRSCRF) between the Counties of Santa Barbara, San Benito, and San Luis Obispo, and the California Department of Corrections and Rehabilitation (CDCR).
- c. **Set a Hearing** for September 9, 2008 (Time Estimate: 1 hour) as follows:
  - i. To respond to questions from the Board of Supervisors from the September 2, 2008 hearing, and provide any additional feedback data that may be required to authorize the Siting Agreement.

### **Summary Text:**

The purpose of this hearing is to allow the County to provide for final compliance to steps required to receive a grant of \$56.295 million from an application submitted in the AB 900 Grant process. (File Ref. #08-00131)

In response to its Proposal, the County was notified of an Intent to Award Conditional funding specifying two requirements to proceed to Conditional Funding Award, in a letter from the Corrections Standards Authority dated May 15, 2008 (Attachment # C). The two requirements indicated were:

- 1) Adopt a Resolution of Local Jail Site Assurance
- 2) Sign a Reentry Program Facility Siting Agreement

The County provided compliance with requirement #1 on August 19, 2008 when it adopted a Resolution of Site Assurance (File Ref. No. 08-00686, Attachment # D). That action provided confirmation to the Corrections Standards Authority of possession of the land for the intended construction of the Northern Branch Jail.

The Sheriff's original plan was to present a Reentry Siting Agreement for a collocated Secure Community Reentry Facility (SCRF) to be placed on a portion of the property obtained for the Northern Branch Jail. However, the language in the siting agreement was not recommended by Sheriff's staff, County Counsel, and County Executives. Attempts to negotiate an acceptable agreement with CDCR were unsuccessful. This placed the opportunity to fund almost  $\frac{3}{4}$  of the cost of a new jail in jeopardy.

Sheriff staff approached the County of San Luis Obispo, County of San Benito, and the City of Paso Robles to partner with their previously proposed CCRSCRF. The Counties of San Luis Obispo and San Benito submitted their applications for AB 900 funding, siting the CCRSCRF, located in the City of Paso Robles.

Partnering with these entities provides an acceptable method of compliance to maintain funding preference under AB 900, and still provide long-term access to reentry programming to Santa Barbara destined parolees within a neighboring community.

Two actions are required during this hearing to confirm the Cooperative Agreement and provide compliance to the tentative Conditional Award. The first action, 'a' is to pass a resolution giving certain assurances for cooperation in the CCRSCRF between the Counties of San Luis Obispo, San Benito, and Santa Barbara with a planned location in the City of Paso Robles, in the County of San Luis Obispo (Attachment # A).

## Santa Barbara Northern Branch JAIL– AB 900 Conditional Award Compliance

Page 3 of 13

The critical components to this resolution are:

- a. Agreement to cooperate with the California Department of Corrections and Rehabilitation (CDCR) on the Central Coast Regional Secure Community Reentry Facility (CCRSCRF) sited in the County of San Luis Obispo with the Counties of San Luis Obispo and San Benito.
- b. Assurance that the CCRSCRF will be located adjacent to the Estrella Correctional Facility, in the City of Paso Robles, in the County of San Luis Obispo.
- c. Assurance that a Reentry Planning Team has been established in the County of Santa Barbara that will operate in conjunction with those planning teams already established in San Benito County and San Luis Obispo County for the CCRSCRF.
- d. Assurance to the City of Paso Robles and the County of San Luis Obispo of immediate transportation of released parolees from the CCRSCRF destined for the County of Santa Barbara, to Santa Barbara County without cost to either the City of Paso Robles or the County of San Luis Obispo.

Adoption of this Resolution provides the ability for staff to recommend to the Chairman of the Board of Supervisors to sign a Reentry Program Facility Siting Agreement (Attachment # B). By signing this Agreement, the County is agreeing to the placement of the CCRSCRF on property owned by the State of California under the jurisdiction of the California Department of Corrections (CDCR). This property is adjacent to the Estrella Correctional Facility in the City of Paso Robles, within the County of San Luis Obispo. Signing the Siting Agreement provides the final compliance element to the Intent to Award Conditional Funding.

The status of compliance with the requirements set for the County in the Intent to Award will be reviewed at the Corrections Standards Authority (CSA) Board meeting on September 18, 2008.

According to County Counsel, approval of the Central Coast Regional Secure Community Reentry Facility Siting Agreement would commit the County to the level of participation specified, and is the next step in securing the County's entitlement to preference points in the awarding of AB 900 grant funds. The proposed Siting Agreement would obligate the County to transport inmates on a bi-weekly basis directly from the facility to the appropriate destination in Santa Barbara County, which is estimated to cost approximately \$17,000 per year.

However, approval of the proposed Siting Agreement would still not commit the County to accept the grant and construct the proposed county jail. The County would be committed to do so only in the event that it signs an agreement accepting the grant funds in return for such a commitment. This conclusion is supported by the language of the proposed documents and has been confirmed with CSA/CDCR staff.

The detail and complexity of these events has led staff to also schedule an additional hearing on September 9, 2008 to consider and provide additional research the Board may need before making a final decision.

There are two options available for the Board to take.

**Option 1: The Board may elect to adopt the Resolution and authorize signing of the Siting Agreement, thereby continuing to pursue the tentatively awarded \$56.295 million grant from the CDCR.**

## **Santa Barbara Northern Branch JAIL– AB 900 Conditional Award Compliance**

Page 4 of 13

This option allows the County to remain eligible to receive AB 900 funding, currently tentatively awarded at \$56.295 million.

The several *advantages* of this option are that the action will show the County's diligent intent to comply with the requirements set by CDCR by the given deadlines in order to receive the Conditional Award. This action continues the strong commitment by the County toward the original proposal.

The County would still remain eligible to fund nearly  $\frac{3}{4}$  of the capital cost of the new county jail facility in the Santa Maria area. The County will need to provide approximately \$23.9 million toward construction of a 304-bed jail facility that will actually cost \$80.2 million. The County has been presented with the cost options to construct a new jail solely from its own funding sources on several occasions.

The need for a new county jail has been underscored in repeated Grand Jury recommendations and several studies.

The *disadvantage* of this option is that it has not yet been determined how the ongoing operations would be funded. The projected new operating cost would require either a reduction in other County operations, or the creation of new or expanded revenue streams. In addition, the County is responsible for overrun costs on the construction project for the county jail, if any were to occur, based on the conditions of the proposal. The overrun cost disadvantage is typical and manageable. Funding the operating cost is more difficult.

Previous staff analysis concluded that a transaction and use tax (also known as a "sales tax") was the most feasible means of generating the required additional revenues to avoid reductions from other county operations. A countywide transaction and use tax for the purpose of public safety may be recommended as the most appropriate based on the countywide nature of the service provided. A two-thirds vote of those voting at the election would be required to pass a special tax dedicated solely to the construction and/or operation of the new jail. If a transaction and use tax was proposed as a general tax not strictly dedicated to the operation of the new jail, but rather to be used to fund general County operations, thus making some General Fund monies to be allocated for this purpose, such a tax would require only a simple majority vote for passage. The transaction and use tax can be increased in increments of  $\frac{1}{4}$  percent by statute. A  $\frac{1}{4}$  percent increase is estimated to generate \$16.9 million per year and a  $\frac{1}{2}$  percent increase is estimated to generate \$33.8 million per year (FY 08-09).

In addition, much discussion has taken place into the possibility of an oil extraction tax. If put before the voters, this tax could be another alternative to be earmarked to provide a revenue source to support the additional costs to operate a jail.

### **Option 2: The Board may elect to decline to adopt the Resolution or to authorize signing the Siting Agreement, thereby ending the pursuit of AB 900 funding.**

Selection of this option would end the County's competition and possible award of Phase I, AB 900 grant funding. The County would not receive \$56.295 million under the AB 900 grant process for construction of the jail. The CDCR has reported that counties not completing these steps would no longer be eligible for Phase I funding. The County would have made no financial commitments to CDCR for this action. The funding previously awarded to the County would likely be diverted to another county that was not awarded funding, based upon their placement on the funding list. Phase II

## Santa Barbara Northern Branch JAIL– AB 900 Conditional Award Compliance

Page 5 of 13

funding is not assured at this time, nor has a process for selection been defined. It is unknown if declining Phase I funding would make the County ineligible to apply for Phase II funding.

The *advantages* of this option are that the County would not be faced with the possibility that discretionary funds, which are currently funding existing County operations, would need to be redirected to fund the operations of the new jail if new revenues are not realized. The County would also have the flexibility of starting jail construction and operations in accordance with overall County strategy and economic conditions.

The *disadvantages* of this option are that the County will lose the opportunity to have the State pay for approximately  $\frac{3}{4}$  of the construction costs of the new jail (up to \$56.295 million). The County will continue to be faced with the worsening problem of jail overcrowding. Further effort without the assistance of AB 900 funding would require that the County fully fund construction, debt service, and the cost of operations. Other steps to mitigate the problem of jail overcrowding must be taken pursuant to the court's order until a new facility is approved and built. These may include:

- Further early releases prior to completion of sentence
- Increased use of additional restrictions in booking practices
- Immediate citation release of most misdemeanor arrestees
- Remodeling of existing jail facilities and addition of custody staff

Not addressing the jail overcrowding problem will, over time, lead to further declines in the safety of the general public, custody staff, and inmates alike. Based upon two previous needs assessments (1999 and 2008 by Rosser International), and a National Institute of Corrections Justice System assessment (2005), the problem of jail overcrowding cannot be effectively managed without the new facility and without potential impediments to the criminal justice system and to public safety.

If the County chooses to act independent of the CDCR, the debt service cost of the same sized facility would increase substantially from the \$2.4 million County share on a cooperative project. The Treasurer provided an updated estimate of the cost of debt service for an \$80.2 million jail, i.e., the cost for the County to fund the project independent of CDCR finding. This debt service cost would be between \$5.8 and \$7.2 million annually depending on amortization schedule (20 years and 30 years respectively) and may vary based upon interest rates.

The additional expense for debt service equates to the approximate annual cost of 34 to 49 Custody Deputies, depending upon the amortization schedule chosen. Effectively the grant provides an indirect state subsidy to the operational cost of the new jail. If the County chooses to act alone, this indirect benefit of the grant would be lost. The County would then also be forced to identify those funds from other sources (i.e., existing program budgets or revenue streams).

Finally, the County's exposure to liability stemming from lawsuits and court sanctions with regard to jail overcrowding would significantly increase under this option.

### **Background:**

The necessity for a new County Jail facility has been present for over thirty years. Since 1986 the County has been subject to court orders to limit overcrowding and the impacts therein (Superior Court # 152487). This has resulted in capacity limits to the Main Jail, the formulation of limitations to the intake of inmates into the jail system, and early release programs. These actions allow convicted criminals to

## **Santa Barbara Northern Branch JAIL– AB 900 Conditional Award Compliance**

Page 6 of 13

avoid substantial portions of court ordered sanctions upon their behavior. Over 20 Grand Jury reports have reiterated the need for a new jail.

The North County Jail project has been presented to the Board several times, and is part of the Capital Improvement Plan (CIP), where it has been the largest project presented.

A study conducted by County staff in 2005 proposed construction of an 808-bed facility with the infrastructure to support up to 1520 inmate beds, at a cost of \$153 million. That facility would cost well in excess of \$30 million annually to operate today, and was planned to cost \$31.2 million annually to operate in 2005 (\$19.2 operations + \$11.9 debt service). That study also presented several options for funding the construction and operation of the facility (File Reference No. 05-01065). The most feasible of these was the transaction and use tax, (commonly referred to as a sales tax). It is estimated that a countywide  $\frac{1}{2}\%$  tax would generate \$33.8 million annually (FY 08-09).

### 2007 Local Jail Construction Funding Program (AB 900):

Assembly Bill 900 (AB900) was enacted and became law on May 7, 2007. This bill authorizes jail construction funding totaling \$1.2 billion in two phases. Phase I (\$750 million) is targeted to build more than 4000 local jail beds and 2000 Secure Community Reentry Facility (SCRF) beds in the State of California. The second Phase of funding (\$470 million) will not be authorized unless certain benchmarks are attained during Phase I. The CDCR published an RFP on Dec 20, 2007, for the Construction or Expansion of County Jails. The grant required that counties commit to a match of 25% of the eligible construction costs. County agreement to provide the 25% match for construction made the county eligible for up to 75% of the cost of local jail construction paid for by the AB 900 grant.

The State of California is faced with Prison overcrowding problems also, and the problem of continuing recidivism of parolees released to communities. The grant offered up to 300 grant funding preference points to those counties that:

- Signed a Letter of Agreement to Cooperate with CDCR;
- Established a reentry planning team ; and,
- Agreed to assist CDCR in siting a secure community reentry facility, and passes an appropriate resolution identifying the location.

### Santa Barbara County Proposal:

Santa Barbara County prepared a Proposal pursuant to AB 900 for a grant to construct the Santa Barbara County Jail–Northern Branch. The Board was presented with that Proposal at a hearing on March 11, 2008 (File Reference No. 08-00131). In addition, the Board was asked in the same hearing to adopt a Resolution Authorizing the Submission of the Application for Local Jail Construction Grant Funds and providing for the County's Participation in, and Other Assurances required under Assembly Bill 900 at the same hearing. The Board adopted the Resolution and authorized the Sheriff to submit the AB 900 Proposal.

Santa Barbara County's proposal is to build a 304-bed Type II county jail. The project included necessary supporting infrastructure; including inmate receiving, laundry, kitchen, administration, programming and related functions. The facility will house both male and female inmates, in a mix of medium and high security, and isolation cells. When designed, the facility will take advantage of construction elements that reduce the cost of materials and to reduce long- term operational cost.

## **Santa Barbara Northern Branch JAIL– AB 900 Conditional Award Compliance**

Page 7 of 13

Though the infrastructure will be what is necessary for initial operation of the 304 beds, the design will take into account the ability to expand important support functions if future expansions and additions are required. These design principles will maximize the value of investment while minimizing initial costs.

This jail facility was planned for construction at a 50-acre site, formed from portions of two parcels at Black and Betteravia Roads, near the City of Santa Maria.

The project is scoped to balance the cost of construction, debt service payments, and operational costs in conjunction with the number of beds needed. The facility was estimated to cost \$80.2 million. The County's proposal identified and requested a grant of \$56.295 million in eligible costs from AB 900 funding for the project.

The County's proposal qualified for the maximum 300 grant funding preference points by submitting an agreement to cooperate that was passed by Board action on December 19, 2006 (File Ref, #06-01151). Resolution #08-073 adopted by the Board on March 11, 2008 identified a portion of the property at Black and Betteravia Roads adjacent to the new jail as the location for the SCRF (File Ref # 08-00131, Attachment # E). That resolution also provided assurance to the formation of a Reentry Planning Team.

The County's proposal was submitted by the March 18, 2008, due date.

### Tentative Conditional Intent to Award:

A letter dated May 15, 2008, from the Corrections Standards Authority (CSA) notified the Sheriff's Department of Intent to Award Conditional Funding in the amount of \$56.295 million. Two conditions were listed in the letter that the County was required to complete within 90 days of receipt of the notice. Upon completion of these conditions, the County would proceed from a tentative award to a conditional funding award. The conditions were:

1. Submit a Board of Supervisors Resolution giving assurance of site possession; and
2. Produce a signed Reentry Facility Siting Agreement.

Compliance with these conditions is scheduled for review by the CSA at a Board meeting on September 18, 2008.

### Board of Supervisors Resolution of Site Assurance and Property Acquisition:

In a separate action on March 11, 2008, the Board also took action to acquire portions of two parcels at Black and Betteravia Roads, near the City of Santa Maria, for the Northern Branch Jail. The Board adopted a Resolution of Necessity to acquire approximately 50 acres in fee simple interest in the property. (File Reference No. 08-00194).

On August 19, 2008, the Board of Supervisors adopted a Resolution of Site Assurance (Attachment # D, File Ref. # 08-00686). That action completed the first requirement established by the CSA for a Conditional Funding Award. The Resolution provides assurance to the CSA that the County has site possession of property for construction of the county jail as listed in our submitted proposal. During the hearing August 19, 2008, this hearing date was set. This hearing is to complete the subsequent actions required by the CSA.

## **Santa Barbara Northern Branch JAIL– AB 900 Conditional Award Compliance**

Page 8 of 13

### Reentry Program Facility Siting Agreement:

The second condition to proceed to a Conditional Award is the approval of a Reentry Program Facility Siting Agreement. This agreement identifies the location that the State will construct the CCRSCRF.

Previously, Santa Barbara County intended to site a SCRF on a portion of the land purchased for the Northern Branch Jail, adjacent to the planned new jail. The Sheriff planned to operate the SCRF under agreement with CDCR. Placement of these two operations adjacent to each other and having both operated by the County provided significant cost saving opportunities in construction, and cost of operations to both the County and to CDCR. This adjacency would also allow both facilities to develop and share program elements that one facility may not otherwise be able to support alone.

The actual Siting Agreement for placement of the facility at Black and Betteravia Roads in Santa Maria was not received until June 27, 2008. This forced the Sheriff to request an extension for completion of this requirement to allow adequate opportunity to negotiate an acceptable agreement for Santa Barbara County. The CSA Board granted an extension of that requirement until September 13, 2008.

On August 13, 2008, despite the fact that for more than a year and a half the Sheriff's Department and CDCR had been discussing the Sheriff's proposal to operate the SCRF under contract to the State, CDCR notified the County that they would not approve the County's proposal for the County to operate the SCRF. This has been the long standing intent of the Sheriff and the plan had been presented to the Board during previous discussions of this project.

Efforts to negotiate an acceptable agreement allowing the County to operate the SCRF in Santa Maria were unsuccessful. The Sheriff has assured the community on multiple occasions that the County would operate the SCRF when it was placed in Santa Maria. The CDCR's new position effectively ended the plan to have a collocated county jail and SCRF in Santa Maria. That left Santa Barbara County in jeopardy of losing its Conditional Award of \$56.295 million for construction of a new county jail.

However, Sheriff staff became aware of another option that would allow the County to remain compliant with the requirements, and still retain its conditional award. That option was to partner with another AB 900 applicant as part of a Regional SCRF facility.

### Regional Reentry Facility – County of San Luis Obispo:

The Counties of San Luis Obispo and San Benito partnered to submit AB 900 grant proposals and agreed to site a Regional Secure Community Reentry Facility in Paso Robles.

The Sheriff's Department has been in discussion with staff from San Luis Obispo County (SLO), the City of Paso Robles (CiPR), County of San Benito (CoSBe), and CDCR to make Santa Barbara County a participant in a regional CCRSCRF. This facility will be located on CDCR land adjacent to the Estrella Correctional Facility, in the City of Paso Robles, in San Luis Obispo County (SLO). The attached Central Coast Regional Reentry Program Facility Siting Agreement identifies the location of the CCRSCRF on the subject property.

San Luis Obispo County's AB 900 Grant Proposal for the expansion of their county jail, agreed to site a regional SCRF in cooperation with San Benito County. San Luis Obispo County was not selected for funding under its proposal, but it is the next eligible county on the priority list for AB 900 Phase I funding amongst large and medium counties. SLO should get funding if other counties are unable to



## **Santa Barbara Northern Branch JAIL– AB 900 Conditional Award Compliance**

Page 9 of 13

comply with the Conditional Award requirements and lose their conditional award placement. Both San Luis Obispo and Santa Barbara Counties were in competition for AB 900 funding as medium sized counties. Staff analysis indicates that Santa Barbara's failure to secure AB 900 funding alone would not allow grant funding to San Luis Obispo or San Benito Counties.

An agreement to cooperate with a CCRSCRF allows the County to remain compliant with the steps required to receive Conditional Award funding under AB 900, and to accomplish those requirements within the deadlines previously set by CDCR. The change in the location of the reentry siting required to earn preference points in the AB 900 Grant application necessitates some additional assurances by the County by adopting the Resolution (Attachment A).

One expectation that the City of Paso Robles and SLO desired as part of a regional agreement, concerned the transportation of parolees who were released from the CCRSCRF who were destined to the County of Santa Barbara. Both partnering agencies wanted Santa Barbara and San Benito Counties to provide assurance that the parolees who were being returned to those counties be taken from the CCRSCRF immediately upon release to their destination counties. This and other assurances necessary to affirm the change of the Reentry Siting to the CCRSCRF require the County to adopt the additional Resolution.

Sheriff's staff has discussed several ways to accomplish this function without significant cost or impact to the County. With the construction of the Northern Branch Jail, daily long distance inmate transportation trips between Santa Barbara and Santa Maria will be greatly reduced, as will the hours necessary to accomplish those trips. Coordinating with CDCR for two-day a week trips from the CCRSCRF to Santa Barbara County is one possible option. County staff estimates that this would cost less than \$17,000 annually. However, ongoing out-of-county inmate transports that are otherwise necessary could also decrease the impact and cost of these transports. Sheriff staff does not believe this transportation assurance will have a significant impact to operations and feels that additional ways to lower costs can be found.

The County of San Benito is also taking action to adopt a similar resolution and provide similar assurances.

### Resolution Supporting CDCR Use of State Property:

The attached Resolution for adoption provides certain additional assurances (Attachment #A) that are now needed to comply with the AB 900 grant tentative Conditional Award. These additional assurances became necessary due to the decision to partner with the San Luis Obispo Regional SCRF. These assurances provide:

- Agreement to Cooperate with the CCRSCRF partners;
- Assurance as to the location of the CCRSCRF, i.e., adjacent to the Estrella Correctional Facility in the County of San Luis Obispo;
- Assurance that the Reentry Planning Team previously established will operate in conjunction with a CCRSCRF Reentry Planning Team; and,
- Assurance to the other CCRSCRF partners that Santa Barbara County will immediately transport their parolees to Santa Barbara County.

## **Santa Barbara Northern Branch JAIL– AB 900 Conditional Award Compliance**

Page 10 of 13

The Santa Barbara County Reentry Project Steering Committee (SBCRP) agreed to act as the Reentry Planning Team. A motion to approve modifying that decision to include acting in that same manner in conjunction with a Regional SCRF Planning Team was scheduled to be considered at their monthly meeting on August 21, 2008 (Copy of Agenda, Attachment # F).

The City of Paso Robles will also need to pass a Resolution to approve siting of the Regional SCRF adjacent to the Estrella Correctional Facility. That action is anticipated to occur on September 2, 2008.

Adoption of the Resolution (Attachment #A) by the County provides the completion of those necessary steps, and accomplishes all needed compliance requirements for the County by the September 13, 2008 deadline.

### Reentry Programming

Parolees presently being released on parole are failing the conditions of their parole approximately 70% of the time within three years, according to CDCR statistics. This rate of failure negatively affects the communities into which those parolees are released.

Reentry programming is designed to provide intensive programming to State prison inmates during the last year of their incarceration. During this last year, these inmates would be involved in programs that are evidence-based and are intended to improve their chances for success. Inmates would be involved in transition plans that address needs revealed by individualized assessment of factors that contribute to failure. Training and programming would include, but not be limited to:

- Transition Planning
- Vocation skills
- Substance Abuse
- Life Skills
- Anger Management
- GED/ESL classes

Inmates destined to return to Santa Barbara County would otherwise be paroled to Santa Barbara County regardless of the existence of a reentry facility. The placement of a reentry facility in either Santa Barbara County or San Luis Obispo County has no additional impact on the community to which these parolees would return. The County will not receive additional parolees that it would not otherwise receive, or a different risk level of parolees. However, the parolees that it does receive, in many cases, will have received additional services to prepare them for release and will continue to receive services after their release to mitigate the difficulties of returning to the community after a prison sentence.

The opportunity for these inmates to be better prepared for return to our community is anticipated to improve their opportunities for success. Their success would serve to reduce crimes subsequently committed in our community and that victimize local residents.

### Financial Impacts of the Regional SCRF:

Under this option, the proposed capital cost of construction of the new jail in Santa Barbara County would not otherwise change. The cost of Santa Barbara County's initial proposal assumed a stand-alone

**Santa Barbara Northern Branch JAIL– AB 900 Conditional Award Compliance**

structure with the necessary infrastructure. The opportunity to generate potential savings in construction of collocated infrastructure elements would be lost under this option. However, this option does allow the County to remain compliant with the conditions to proceed to Conditional Award. The total construction cost is still estimated to be \$80.2 million, offset by the AB 900 grant award of \$56.295 million.

The reduced operational costs that a collocated jail and SCRF in Santa Maria offered are also lost. This accounted for approximately \$3.6 million annual reductions in the planned operation of the Northern Branch Jail. There will be some costs for occasional transports of released parolees from the Regional SCRF to Santa Barbara County. This is estimated to be less than \$17,000 annually, which is offset by the reduced transportation costs between Santa Barbara and Santa Maria jails. This impact has been reflected in the Operating Costs Estimates chart displayed later. Though the chart is similar to one provided in previous studies, this chart reflects the latest estimates. However, the indirect benefit of not paying the additional debt service on the entire \$80.2 million to construct a 304-bed jail is still retained. This indirect benefit is estimated to account for the cost difference of between 34 and 49 Custody Deputies.

**Fiscal Analysis:**

<u>Funding Sources</u>	<u>Current FY Cost:</u>	<u>Annualized Ongoing Cost:</u>	<u>Total One-Time Project Cost</u>
General Fund	\$ 2,400,000.00		\$ 23,900,000.00
State			\$ 56,295,000.00
Federal			
Fees			
Other:			
<b>Total</b>	<b>\$ 2,400,000.00</b>	<b>\$ -</b>	<b>\$ 80,195,000.00</b>

**Narrative:**

Adoption of the current recommendation will fulfill the conditions for acceptance of the AB 900 award in the amount of \$56.295 million. Given that the project is continued as planned, the estimated capital cash flow needed in FY2008-09 is \$2.4 million. The total construction cost of the jail project is estimated to be \$80.2 million, \$56.295 of which will come from the State if all conditions are met. Per conditions of the grant, the County will be reimbursed on a quarterly basis. The estimated cash flow by fiscal year is shown below, with the County’s total project cost to construct the facility to the County at \$23.9 million, not including potential Certificates of Participation (COP) issuance costs, should the COP option of funding be chosen for the construction match.

	<b>FY2007-08</b>	<b>FY2008-09</b>	<b>FY2009-10</b>	<b>FY2010-11</b>	<b>FY2011-12</b>	<b>FY2012-13</b>
Total Cash Spent						
less Payments						
Received from the State	\$ (3,300,000)	\$ (2,400,000)	\$ (2,500,000)	\$ (6,700,000)	\$ (11,000,000)	\$ 2,000,000

# Santa Barbara Northern Branch JAIL– AB 900 Conditional Award Compliance

Page 12 of 13

## Operating Cost Estimates:

The net ongoing operational cost of the proposed Santa Barbara Jail-Northern Branch is \$12.9 million (measured in FY 08/09) and is estimated to increase by approximately 5.5% annually according to salary increases and other inflationary factors over time.

Item	Cost
Staffing Estimate - 304-bed facility (Gross)	\$ 11,642,232
Services and Supplies-S&S (Gross)	\$ 4,365,837
Less Existing Staff-Transferred to facility	\$ (2,648,101)
Less Existing S&S-Santa Maria Branch Jail	\$ (150,000)
Less Reduced Inmate Transportation Overtime	\$ (160,000)
Less Reduced Inmate Transportation Mileage	\$ (100,000)
<b>Net Cost - Stand alone Jail</b>	<b>\$ 12,949,968</b>
Debt Service	\$ 2,400,000
<b>Total Annual Cost (Including Debt Service)</b>	<b>\$ 15,349,968</b>

The listed staffing estimates include the following additional fulltime positions:

- o 60 additional Custody Deputies at various ranks.
- o Approximately 40 civilian support positions including: Custody Records, Utility Workers, Accounting, Food Services, Maintenance, and Laundry staff.

The Services and Supplies estimate takes into account all the costs relative to the inmates housed in the facility based upon Sheriff's current experience (Adjustments for cost impacts from the CCRSCRF are included).

To fund operation of the new facility would require increasing revenues by \$15.3 million annually, or redirecting funds from other discretionary programs. Some level of "phase-in" of the project is planned. Portions of the main jail where actual beds exceed the rated number of allowed beds could be reduced with some reduction in costs to Services and Supplies and possibly personnel costs.

## **Special Instructions:**

Upon Approval and Execution

- 1) Copy of the signed Resolution Sheriff's Department – Attn: Cmdr. Tom Jenkins
- 2) Copy of the signed Siting Agreement Sheriff's Department – Attn: Cmdr. Tom Jenkins

## **Attachments:**

- A) Copy of Resolution providing Certain Assurances for the Central Coast Regional SCRF in San Luis Obispo County.
- B) Reentry Program Facility Siting Agreement for the Central Coast Regional SCRF in the City of Paso Robles, County of San Luis Obispo.
- C) Copy of Intent to Award Conditional Funding, dated May 15, 2008
- D) Copy of Resolution # 08- 291, Providing Assurance as to Site Possession

## **Santa Barbara Northern Branch JAIL– AB 900 Conditional Award Compliance**

Page 13 of 13

- E) Copy of Resolution #08- 073, Authorizing the Submission of the Application for Local Jail Construction Grant funds and Providing for the County's Participation in, and Other Assurances required under Assembly Bill 900 (AB-900).
- F) Copy of Agenda for Santa Barbara Reentry Project Steering Committee meeting scheduled August 21, 2008.

### **Authored by:**

Commander Tom Jenkins – Sheriff’s Department, Ext. 4249.

### **cc:**

Xenia Tihomirova - County Executive Office

Grady Williams - General Services, Capital Projects

Mark Paul - Auditor-Controller

Stacy Matson – Treasurer-Tax Collector-Public Administrator