



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: May 26, 2015
Placement: Departmental
Estimated Time: 2 hours
Continued Item: No
If Yes, date from:
Vote Required: Majority

TO: Board of Supervisors
FROM: Sheriff Sheriff Bill Brown (805) 681-4290
Contact Info: Chief Deputy Laz Salinas
Commander (Ret.) Tom Jenkins (805) 681-4249
SUBJECT: Northern Branch Jail Operations Update (AB900 Phase and SB1022 Phase)

County Counsel Concurrence

As to form:

Auditor-Controller Concurrence

As to form:

Other Concurrence:

As to form:

Recommended Actions: That the Board of Supervisors:

- a) Receive and file a presentation from the Sheriff on the Northern Branch Jail Project; and
- b) After considering the Final Subsequent Environmental Impact Report (SEIR), State Clearinghouse No. 2007111099, that the Board of Supervisors certified on March 11, 2008, the December 6, 2011 SEIR addendum, and the October 8, 2013 SEIR addendum, determine pursuant to 14 CCR §15162(a) that no subsequent EIR or Negative Declaration is required for this project because: i) no substantial changes are proposed in the project which require major revisions of the 2008 Final SEIR; ii) no substantial changes have occurred with respect to the circumstances under which the project is undertaken which require major revisions of the 2008 Final SEIR; and iii) 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 SEIR was certified in 2008, has been received.

Summary Text:

The Sheriff will provide a presentation on the current status and applicable history of the Northern Branch Jail Project as it pertains to the AB900 and the SB1022 conditional awards.

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Background:

The Northern Branch Jail (NBJ) Project has been identified as a critical need for the County for several decades. The project has been listed in the Capital Improvement Program since 1997. In 2008, the Board of Supervisors approved the submission of an application for the initial AB900 conditional award (Ref. 08-00131). The application initially resulted in an award of approximately \$56.3 million. This award required a minimum 25% match from the County. This effort also resulted in the purchase of a 50 acre parcel of land at the southwest corner of Black and Betteravia Roads near the City of Santa Maria for a total cost of \$5,083,400. This parcel remains the project location for both the AB900 and SB1022 elements of the NBJ.

History

In 2011, the Sheriff and Board of Supervisors relinquished that original award to apply for an AB900 Phase II \$80 million conditional award with a reduced County match of 10% (Ref. 11-00849). The County successfully competed for that award, which it accepted on October 2, 2012 (Ref. 12-00752). The Sheriff's Office has been diligently working with the County's designated project lead, County General Services, and the County Executive Office, since that time to bring the project to a successful completion. The Sheriff has regularly approached the Board at important milestones to obtain approval for continuance, and to provide up-to-date reviews of the planning for the estimated cost of operations. These estimates are updated and refined as the project itself is defined in detail. By its nature, custodial operations are determined by the final structure and make-up of different housing units. Thus, until the shape of the building and make-up of housing units were determined through the different design steps, the exact cost of operations could not be ascertained with certainty. The Sheriff has gone to great lengths to consistently present the best and most realistic projection of the cost of operation for the facility when it opens in FY 2018/2019 (AB900 Phase), and is expanded in FY 2019/2020 (SB1022 Phase).

An overview of prior actions before the Board on the NBJ as it relates to the conditionally awarded projects (AB900 and SB1022) is included as Attachment C. Within the chart is a comparison of the operations cost estimate available at the times the items were before the Board. Changes to the estimate occurred when additional data was available, during which time the design of the building was being further defined.

Project Need:

Initially, the most pressing reason to build the new jail had been overcrowding in the existing Santa Barbara Main Jail. Court orders to reduce that overcrowding still remain in effect. The need to add beds and repair the existing structure has been discussed for many years. More than twenty Grand Juries and the Sheriff's Blue Ribbon Commission on Jail Overcrowding (2008) have recommended the construction of a new jail in the North County.

The majority of the Main Jail's design is obsolete and inefficient, consisting of linear structures with an indirect supervision mode of operation. This design limits visibility of the inmates while in custody, and provides the opportunity of illicit behaviors, assaults and damage. Newer designs are podular and provide a direct supervision mode of operations. Such design and operational advances in supervision provide a greater opportunity to positively affect the behavior of the jail population, protect the capital

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investment, and reinforce the training and guidance that are part of inmate reentry and treatment programs.

Needs assessments were presented to the Board at the approval of both the AB900 Application submittal, and the SB1022 Application submittal.

- AB900 Needs Assessment:
 - <https://santabarbara.legistar.com/View.ashx?M=F&ID=697310&GUID=A96E4ACA-BDEE-44B7-BCD0-48BBBBB26493F> (2008 Full Assessment)
 - <https://santabarbara.legistar.com/View.ashx?M=F&ID=1636860&GUID=CCD6EFD2-955E-4C3C-B61C-0144998A315C> (2011 Update to the 2008 Assessment)
- SB1022 Needs Assessment
 - <https://santabarbara.legistar.com/View.ashx?M=F&ID=2645196&GUID=67084785-A1DE-470E-937B-D26986298442>

Though some of the arguments in these documents provide population assessments that support the need for additional beds, they also provide a description of the conditions in the jail that indicate a need to replace existing beds. Specifically, the condition of the basement dormitories were described as “dismal.” (2013 Needs Assessment, page ES13) The construction of the SB1022 facility will make it possible to close these dormitories.

The Main Jail’s infrastructure continues to deteriorate. The kitchen had to be recently remodeled due to the failure of sewer infrastructure beneath it. Continued use of the Main Jail housing areas will require future repairs of the jail sewer system (See Attachment D – Sewer). Also referenced in this study was the poor condition of the hot water supply and return lines.

In 2006, the National Institute of Corrections (NIC) conducted an assessment of the justice system and jail in Santa Barbara County.

“The Sheriff’s Department and General Service’s maintenance workers have done an unbelievably good job in maintaining the buildings that they do have. The jail is clean and reflects competent and professional supervision.... In spite of the Herculean efforts by Sheriff’s and County staff to maintain the jail building, they are falling apart at the most basic level.”
(The Justice System Assessment, National Institute of Corrections, by Bill Crout and Kevin Warwick, April 2006; page 30) (See Attachment E)

The conditions referenced in this study have not improved substantially since it was conducted.

Additionally, other sections of the Main Jail building and infrastructure are in need of repair or replacement. Areas where significant investment is necessary are:

- Replacement of locks and sliding mechanisms, (\$1,500,000 estimated cost)
- Solar water heating systems,
- Emergency generator, and
- Roofing in most areas.

Neither of the conditional awards already received could be converted to repair or remodel the existing facility.

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Transition and Opening:

The funding plan for the NBJ was devised to ensure the safe opening and operation of the new jail within 90 days of substantial completion of construction. Sheriff's staff analyzed the requirements to hire additional staff in a timely fashion in order to successfully open the new facilities as required. Included in this plan is a facility 'shake-down' process to ensure all systems work correctly when inmates are introduced to the structures. To accomplish this, some staff must be hired and trained in advance.

The experience of hiring sworn staff previously has shown that only a limited number of qualified applications are received in a single recruitment. This necessitates the plan to have multiple hiring and training processes over time. Following a 10 week custody academy, the new trainees must be accompanied by a Custody Training Officer for approximately 14 weeks before they are permitted to work independently. The plan takes into account the need to provide this level of training and supervision.

Though it would be preferable to concentrate solely upon hiring only those staff needed for the new facilities, the existing Sheriff and Jail operations still have other ongoing staffing and recruitment needs related to the normal separation, promotion, and hiring of employees. This was reflected in the need to adjust the transition hiring plan which was discussed with the Board on April 15, 2014 (Ref. 14-00296).

Staged Closure of Main Jail Housing Modules

A part of the original plan for opening both the AB900 and the SB1022 elements of the jail called for the closure of certain portions of the Main Jail campus. The housing areas chosen for closing were selected based upon the physical condition that each housing unit and/or the undesirable environment it created for inmates and staff.

The opening of the AB900 Phase will result in the closure of two areas; the Medium Security Facility (MSF) and the Santa Maria Branch Jail. The MSF was chosen as it is the oldest building in the jail system (1961), and it is also used in a manner that does not fit its originally designed purpose as an honor farm. The Santa Maria Branch Jail, which originally opened in 1971, was also selected for closure as it would be no longer needed with the opening of the NBJ.

The opening of the SB1022 Phase of the NBJ will result in the closure of any remaining use of the Female MSF (FMSF), and the Main Jail basement dormitories. These spaces were not originally designed for inmate housing, and were the obvious choice for the next phase of closures.

Two recent legislative changes have impacted our jail population. Passed in 2011, AB109, the Public Safety Realignment Act, had an immediate and apparent lasting impact to increase the jail population. Proposition 47, passed in November 2014, has had the initial effect of reducing the jail population. The lasting impact of Proposition 47 is not yet clear.

A review of how a continuing reduction of the inmate population would affect jail beds and operations will be included in the presentation. Sheriff's custody staff has developed a systematic plan to close housing units based on inmate population. The oldest housing units in terms of age and design style

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were chosen first (East, West, and South), leaving the most up to date housing units to remain open (The Northwest and Inmate Reception Center-IRC).

The composition of the inmate population and site conditions at the Main Jail campus would be factors in determining actual closures. Random population numbers should not be utilized to dictate housing closures. Instead, the rated bed count within a housing unit and the classification of inmates would determine when a housing unit should be considered for closing. Closure of housing related to the Main Jail system may affect the total rated bed capacity and the net increase in jail beds. Those actions may effect fulfilling the requirements of AB900 Phase II. (Reference Board Legal Opinions dated April 8, 2015 and August 31, 2012).

Correctional Treatment Center

When the 2011 AB900 application was submitted, it originally referenced a Correctional Treatment Center (CTC). Unfortunately, the licensing requirements for the construction and operation of such a facility presented an insurmountable obstacle.

Meetings were held with the CEO's Office and Alcohol Drug and Mental Health staff prior to and during initial programming of the AB900 facility in which it was agreed that a CTC or other licensed facility was not feasible. The project's scope was prepared by the BSCC and approved by the County of Santa Barbara and the State Public Works Board within both Exhibit A to the 2013 Project Delivery and Construction Agreement and Exhibit B to the 2013 BSCC Jail Construction Agreement. Both the PDCA and the JCA stated the project's scope as including for medical/mental health housing approximately 32 special use beds for mental health and medical purposes, but did not require a licensed CTC.

The Operational Program Statement approved in April 2014 and submitted to the BSCC also did not reference a licensed facility or CTC. (Attachment G). This document includes the outpatient clinic and 32 special use beds, and has been approved by the BSCC, which also provides for no obligation to construct a CTC.

The discussion on whether the NBJ should include a licensed medical facility, either in the AB900 element or the SB1022 element, was renewed in November of 2014. On January 29, 2015, a meeting was convened by the Sheriff to discuss this issue. Attending this meeting were members of the County Executive Office, Alcohol Drug and Mental Health Services, Public Health, General Services, County Counsel, the Sheriff's Office, and representatives of each of the project consultants (Rosser Intl., Kitchell CEM, and Dennis Liebert and Associates) working on the AB900 and SB1022 facilities. At the end of that meeting, Staff decided not to recommend or direct design changes at that time what would be needed for a licensed Correctional Treatment Center.

Fiscal and Facilities Impacts:

In April 2014, the Board was presented an Operating Cost Analysis and Preliminary Staffing plan with a Resolution to submit those documents to the BSCC. (Ref. 14-00296). The Staffing plan remains the same for the AB900 phase of the Northern Branch Jail (NBJ) Project as presented in that document (See Attachment F).

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The impact of the Public Employees' Pension Reform Act (PEPRA) continues to have a positive impact on the model, resulting in reduced salary and benefit costs. A 2% annual increase is still assumed in the model for future fiscal years. Contracted medical and non-personnel costs are assumed at 3% growth. Outside non-contracted medical costs (such as hospitalization and specialists) are assumed at 7% growth.

There is a need to hire and train 109 new employees in the next three to four years in preparation for the opening of both the AB900 Phase in 2018, and the SB1022 Phase in 2019. 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. The benefit of this early hiring is a greater number of staff on hand to manage the Main Jail, reducing overtime costs in FY2016-17 and FY2017-18.

Certain assumptions were applied to cost projections. These include:

- Costs are base-lined on the Recommended Budget for the Sheriff's Office for FY2015-16. All of the custody system is accounted for and includes costs for Salaries and Benefits, Services and Supplies and Others Charges. Since negotiations with the Deputy Sheriffs' Association (DSA) and Sheriff's Managers Association are ongoing as of the date of this analysis, no impact as a result of those negotiations is included in the Salary & Benefit costs in FY2015-16.
- Salaries and Benefits are increased 2% per year starting with FY2016-17. This includes increases such as the County's cost for retirement and health benefits.
- Starting in FY2016-17, it is assumed that 15 Custody Deputies will separate from service each fiscal year. Therefore, existing staff costs for the replacements for these employees are priced at the PEPRA rates, not the legacy retirement plan. This assumption carries through the remaining fiscal years, growing by 15 positions each year.
- Most Services and Supplies and Other Charges costs are assumed to grow at a 3% rate per fiscal year. Notable exceptions are contracted medical services, which are based on an estimate from the provider using the two-facility model and the year that services will be implemented, and outside medical services, which are assumed at 7% per year.

The first step in utilizing this model was to forecast the cost of the custody system if no changes were implemented. In other words, the services remain status quo through FY2019-20. Table 1 represents the forecast for custody system costs for the next five years utilizing the assumptions noted above. These costs should serve as a base-line to which any changes made with AB900 and SB1022 is compared to.

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TABLE 1					
Custody System Costs, Status					
Quo by Fiscal Year	FY 2015-16	FY 2016-17	FY 2017-18	FY 2018-19	FY 2019-20
Salary & Benefits	35,738,089	36,139,768	36,543,184	36,948,243	37,354,849
Services & Supplies	8,940,090	9,213,005	9,511,686	9,820,887	10,141,033
Other Charges	2,047,906	2,109,343	2,172,623	2,237,802	2,304,936
Total Costs Custody System	46,726,085	47,462,117	48,227,493	49,006,932	49,800,819
Total number of beds	847	847	847	847	847
Costs per bed per year	55,167	56,036	56,939	57,859	58,797
Cost per bed per day	151.14	153.52	156.00	158.52	161.09

As noted in other sections of this Board Letter, the 376 bed AB900 portion of the North Branch Jail is expected to open in 2018. 124 staff, both sworn and civilian, will be needed to run this facility of which 100 will be new hires to the County. Total beds will grow from 847 to 1,075 custody system wide. Custody system costs per bed will also grow from \$57,859 per bed to \$60,828 per bed, as two facilities will be staffed with support and administrative staff and costs.

	FY2018-19		FY2018-19		
TABLE 2	Existing System		Proposed with NBJ		
	Cost	FTE	Cost	FTE	\$ Change
Salary & Benefits	36,948,243	254	49,463,373	354	12,515,130
Services & Supplies	9,820,887		13,003,033		3,182,146
Other Charges	2,237,802		2,923,851		686,048
Total Costs Custody System	49,006,932		65,390,257		16,383,325
Total number of beds	847		1,075		228
Costs per bed per year	57,859		60,828		2,969
Costs per bed per day	158.52		166.65		8.13

In 2019, the S.T.A.R. portion of the North Branch Jail will open, which will add 228 beds to the custody system while reducing additional beds in the Main Jail in South County. From a cost perspective, the efficiencies of the North Branch Jail become a positive. This table shows that, when compared to the status quo model of the existing custody system, the combined 1,199 bed model costs \$56,660 per bed, \$2,137 lower than the status quo model.

	FY2019-20		FY2019-20		
TABLE 3	Existing System		Proposed with NBJ & STAR		
	Cost	FTE	Cost	FTE	\$ Change
Salary & Benefits	37,354,849	254	50,955,169	363	13,600,319
Services & Supplies	10,141,033		13,925,521		3,784,487
Other Charges	2,304,936		3,054,893		749,957
Total Costs Custody System	49,800,819		67,935,582		18,134,763
Total number of beds	847		1,199		352
Costs per bed per year	58,797		56,660		(2,137)
Cost per bed per day	161.09		155.23		(5.85)

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Table 3 also shows that cost to operate the custody system in 2019 will increase \$18.1 million, from \$49.8 million to \$67.9 million. This is exclusive of the General Services costs to maintain the new facilities.

Recent changes in inmate population may allow for the closure of housing units in the Main Jail. To that end, Sheriff's Office staff developed a tiered approach to such closures and the associated cost savings. These were predicated on sustained reductions to the jail's average daily population (ADP). Table 4 below represents the fiscal, staffing and capacity impacts of four tiers of closures.

TABLE 4		Housing Units to be closed							
Custody System FY2019-20	Totals	Tier 1 - West		Tier 2 - South		Tier 3 - East		Tier 4 - NorthWest	
		Savings	Net of closure	Savings	Net of closure	Savings	Net of closure	Savings	Net of closure
Costs	67,935,582	(1,399,839)	66,535,744	(666,282)	65,869,462	(1,399,839)	64,469,623	(1,845,285)	62,624,338
Staff	363	(10)	353	(5)	348	(10)	338	(15)	323
Beds	1,199	(166)	1,033	(60)	973	(166)	807	(75)	732
Population Triggers (System ADP)		850		800		659		595	
Cumulative costs saved		(1,399,839)		(2,066,121)		(3,465,959)		(5,311,244)	
Cumulative staff positions reduced		(10)		(15)		(25)		(40)	
Cumulative beds reduced		(166)		(226)		(392)		(467)	

Staffing Impacts:

The total positions to run the 376 bed (344 rated and 32 Special Use medical/mental health) Northern Branch Jail Facility (AB900 Project), based on the current design, is estimated at 124. However, 24 positions will be transferred from the existing allotments at the Santa Maria Branch Jail and the male portion of the Medium Security Facility (MSF) in Santa Barbara. The total positions needed to run the 228 bed Sheriff's Treatment and Reentry (S.T.A.R.) facility (SB1022 Project) is 29. Of these, 20 will be transferred from the existing Main Jail when the basement dormitory and the remainder of the MSF is closed.

New FTEs:

AB900 Facility	100
SB1022 Building	9

Due to selection, hiring and training requirements, new employees will need to be hired in advance of the new facilities opening. Table 5 indicates the number of positions, and cost by fiscal year, when the hiring should occur.

TABLE 5		Positions
	Salaries & Benefits	
FY2015-16	1,171,514	17.0
FY2016-17	4,000,749	55.0
FY2017-18	8,116,592	92.0

Special Instructions:

None

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Attachments:

- A. Presentation
- B. Northern Branch Jail-Past Present and Future –April 16, 2015
- C. History of Board Actions: Northern Branch Jail Project (AB900 and SB1022)
- D. Main Jail Sewer Study; 2007.
- E. NIC Justice System Assessment, April 2006;
- F. Preliminary Staffing Plan
- G. Operational Needs Assessment

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