



A Tradition of Stewardship
A Commitment to Service

Agenda Date: 4/4/2017
Agenda Placement: 10A

NAPA COUNTY BOARD OF SUPERVISORS Board Agenda Letter

TO: Board of Supervisors
FROM: Alice Hughey for Leanne Link - County Executive Officer
County Executive Office
REPORT BY: Helene Franchi, Deputy County Executive Officer - 253-4820
SUBJECT: Discuss status of new jail and re-entry facilities; adopt resolution re SB 844

RECOMMENDATION

County Executive Officer, Director of Corrections, Chief Probation Officer, and Director of Public Works request the following actions regarding the construction of a new jail and re-entry facility located at 2300 Napa Vallejo Highway:

1. Discussion of status of activities to date;
2. Adoption of a resolution assuring funding is available and compatible with State's lease revenue bond financing; and
3. Approval to submit the SB 844 and SB 863 documentation for \$22.8 million in funds to construct Phase 1 Core Jail and Treatment Facility.

ENVIRONMENTAL DETERMINATION: The proposed action is **not a project** as defined in Section 15378 of the CEQA Guidelines, which define a project as an action which has the potential for resulting in either a direct physical change in the environment or a reasonably foreseeable indirect physical change. A Final EIR was prepared and certified by the Board of Supervisors on February 11, 2014 for the Napa County Jail Project (SCH#2013012072). The Final EIR analyzed the potential impacts resulting from the General Plan Amendment and was prepared in accordance with CEQA, the State CEQA Guidelines and the County's Local Procedures for Implementing CEQA. No further environmental review is necessary.

EXECUTIVE SUMMARY

Today staff will present the Board with a brief history of activities to date regarding new jail facilities. Staff will present information on the status of the Re-entry Facility, which is largely funded through an award granted by SB 1022 in the amount of \$13.4 million. In addition, the County has conditionally been awarded \$2.8 million under Senate Bill (SB) 863 and \$20 million under Senate Bill (SB) 844 for the construction of the County's Phase 1 Core Jail and Treatment Facility located at 2300 Napa Vallejo Highway. The State of California Board of State and

Community Corrections (BSCC) staff have advised County staff to submit a "scope change" letter for the SB 863 funding and an "informational application" for the SB 844 funding. As part of SB 844, BSCC requires the Board to adopt a resolution assuring available funding. Approval of the scope change and application will allow the County to move forward to the next step of the State Funding Process, which is the Project Establishment Phase. Once the project is established, project design may begin.

PROCEDURAL REQUIREMENTS

1. Staff reports.
2. Public comments.
3. Motion, second, discussion and vote on the item.

FISCAL IMPACT

Is there a Fiscal Impact?	Yes
Is it currently budgeted?	No
What is the revenue source?	Revenue for the new jail will be provided by the State in the amount of \$22.8 million. The difference needed to complete construction will be funded through the Accumulated Capital Outlay fund and the sale of real property. A more detailed discussion of the funding will be discussed during the budget study session on April 18.
Is it Mandatory or Discretionary?	Discretionary
Discretionary Justification:	BSCC requires the County to submit a scope change for the SB 863 funding of \$2.8 million and an informational application for the SB 844 funding of \$20 million.
Is the general fund affected?	Yes
Future fiscal impact:	Funding for construction of the Phase 1 Core Jail and Treatment Facility will be included in the recommended budget for Fiscal Year 2017-2018. The County will be required to staff the facility within 90 days of opening including both operational and programmatic staff and must continue operations of the facility for the life of the bond, approximately 25-30 years.
Consequences if not approved:	The County will not be able to leverage the \$22.8 million in State funding to build the new jail and construction of the project would be delayed until sufficient resources could be identified.

Additional Information:

ENVIRONMENTAL IMPACT

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BACKGROUND AND DISCUSSION

The Board and members of the criminal justice system have been discussing and actively pursuing a new jail since the creation of the Adult Correction Master Plan Steering Committee in 2004. The Committee eventually became the Community Correction Partnership (CCP) as required under the 2011 Realignment Act. This innovative, collaborative partnership includes city and county law enforcement agencies, the District Attorney's office, the Public Defender's office, the Probation Department, the Department of Corrections, Health & Human Services Agency and the Superior Court. The original committee and now the CCP continue to focus resources on the use of evidence-based, research-tested practices and programs proven to reduce recidivism, increase public safety, improve re-entry outcomes, and ultimately reduce the number of jail beds needed in the future. A major component of the efforts to reduce offender recidivism included the creation of a Community Corrections Services Center. This was accomplished in 2009 with a seven day per week day reporting and treatment center for up to 100 probationers that provides intensive supervision and evidence-based programs and treatment services. This day reporting center also provides programming for a group of inmates still housed in the downtown facility and allows them to transition into the out-of-custody program, leading to higher rates of success with these individuals.

In 2012, after identifying and implementing a number of evidence-based practices designed to reduce offender recidivism in the Adult Corrections System, the Board agreed to proceed with jail planning based on the goal of building a new 366 bed jail with core facilities sized to accommodate 526 beds and with the preferred location being an out of downtown Napa site. The intent at the time was to provide enough space to meet 2025 bed need projections and allow for the cost-effective expansion of the jail beyond 2025 by just adding additional housing units, if needed.

In 2013, staff developed a needs assessment that included a reexamination of the original jail population projections mentioned above with a focus on the type of beds that the County would need to provide including higher security, mental health and medical beds. The assessment also included the need for programming space. With this information, together with the decision in November 2012 to locate jail facilities outside of the downtown area, the Board authorized the purchase of 27 acres along the Napa Vallejo Highway adjacent to Napa State Hospital.

Efforts to continue to manage the jail population were further achieved when in January 2014 the County was awarded \$13.4 million from the State for the creation of a Type IV re-entry facility in the northern California region. Napa County was the only county that proposed a Type IV facility among small counties. The facility is designed to house inmates for the purposes of work/education furlough and access into the community. The only other Type IV facility that staff found and evaluated is located in San Diego. From the time of the award until today, staff has been working with the Board of State and Community Corrections (BSCC), State Department of General Services (DGS), and State Department of Finance (DOF) to begin construction of the Re-entry Facility. On your Board's consent calendar today, staff is recommending the approval of the construction contract for a total of \$16.1 million. The contract includes offsite utility and demolition work for both the Re-entry Facility and Phase 1 of the Core Jail and Treatment Facility. Construction is expected to take approximately 18 months, with occupancy of the 72-bed facility in fall 2018. This facility will be operated by Napa County Department of Corrections (NCDC) with staff from the Probation Department assigned to the facility to provide community supervision, programming, and assistance for effective re-entry to the community.

On August 11, 2015 the Board adopted a resolution authorizing the submittal of an SB 863 jail construction funding application for State lease-revenue bonds in the amount of \$20 million. On December 17, 2015 the County received a conditional award in the amount of \$2,821,000. With the loss of State funding and the need for a new

jail, the Board authorized the placement of a sales tax increase on the June 2016 ballot. This measure was defeated. Recognizing the funding gap, County staff worked with State staff to obtain additional funding under SB 844 for State lease-revenue bonds in the amount of \$20 million. State funding under these two bills now totals \$22.8 million.

BSCC staff have requested a "scope change" letter for the SB 863 funding because the original SB 863 application requested \$20 million and the award was only \$2.8 million. The required letter reflects a project that can be built with the State award amount and associated County match.

BSCC released a request for proposals for SB 844 funding to counties on December 30, 2016 and the proposals were due on February 28, 2017. The County of Napa does not need to compete in this process because of the special funding approved through the SB 844 legislation in the amount of \$20 million. Although the County does not need to compete with other counties for the SB 844 funding as part of the current RFP process, the State has requested that the County of Napa complete and submit a completed "informational" application and Board of Supervisors resolution assuring matching County funds are available and compatible with the State's lease-revenue bond financing. The resolution includes the fair market land value of \$4.8 million for the project site, which was the value provided with the original SB 863 application resolution in 2015. Once the State receives and approves the SB 863 scope change request and the SB 844 application, the County will be able to move forward into the next phase of the State funding process, which is the project establishment phase.

On October 18, 2016 the Board approved an agreement with Nacht & Lewis Architects Inc. to assist the County with preparing for the project establishment phase by updating conceptual plans and estimates. Nacht & Lewis Architects Inc. has assisted the County with these tasks and has provided project estimates. Given that the estimates were higher than anticipated, staff recommended and on December 20, 2016 the Board approved further work in validating the latest estimates prior to moving forward with the next steps in preparing for the project establishment phase. The validation work is now complete and the County now has the information required to prepare for the project establishment phase and complete the scope change request for the SB 863 funding and the "informational" application for the SB 844 funding.

Napa County Phase 1 Core Jail and Treatment Facility - Conceptual Design Elements

Over the last several months, staff has worked on a master plan concept that will allow the new jail facility to grow in stages as funding becomes available. With this initial phase, staff is proposing to construct the majority of the core for the facility (including kitchen, laundry, medical, central control, and intake areas), as well as an initial 96-bed housing unit. The construction of this facility will help meet a critical need for maximum custody single cells.

Along with providing critical maximum security cell space, the facility will offer dedicated on-unit program classrooms, individual counseling rooms, and a modern medical/mental health unit. These components meet the priorities of the SB 863 and SB 844 legislation. More importantly, the new facility allows NCDC to improve program offerings that will complete the continuum of care from secure jail custody to the Re-entry Facility to supervision under Probation and finally full integration back into the community, improving public safety and reducing recidivism. A modern 17-bed medical/mental health unit will allow NCDC the ability to house the seriously mentally ill (SMI) population within the jail, allowing for appropriate access to medical and mental health care, behavioral program spaces, and a rehabilitative environment. These elements help the County to meet the proposed priorities of the legislation as well as to help meet the identified needs of the County.

With the County's architects, staff has thoughtfully considered design elements that will allow the facility to be efficiently expanded over time as future funding becomes available to add needed housing units and finish the core section of the facility. The first phase includes the required site work and extension of utilities that will service the entire master planned campus, including the Re-entry Facility. The intake area that will serve as the internal transfer point under a split operations model will also initially house temporary offices for facility administrators but

will be designed to allow for transition to a full booking center. Hallways have been positioned to allow for natural breaks between construction phases. These types of decisions have been considered throughout the conceptual design process, with a forward thinking approach to make future phases of construction easier to complete as funding becomes available.

Operational Impacts and Future Construction Funding

With the construction of the Phase I Core Jail and Treatment Facility, NCDC will be required to operate multiple secure jail facilities in order to meet the projected inmate population. Upon completion of the new campus - Phase 1 of the Core Jail and the Re-entry Facility and the completion of the Basement Project at the downtown facility, NCDC will be operating a total of 462 beds.

Through the adoption of today's resolution, the County is committing to operating the new facility beginning 90 days after construction is complete through the life of the State issued bond. The impact to operating multiple facilities is significant. Staff is estimating that approximately 60 additional positions, most of which are correctional staff, would be required to operate the facilities and meet security and safety standards. There would also be increases to service costs, such as medical contract costs, and supplies costs that would result from managing multiple facilities. This translates into an increase of approximately \$7 million from the Department's Fiscal Year 2015-2016 budget. With this significant increase, staff has discussed strategies such as: 1) renting out space in the existing downtown facility, and 2) limiting the amount of time the Department would actually be required to operate under a split operations model.

Today's action will provide direction to staff to proceed with the SB 863 scope change letter and the SB 844 application proposal and approve the required resolution to submit with the proposal. Staff will return during the Budget Study Session on April 18 with a detailed discussion on additional funding for the Phase 1 project needed to address the gap between the State awards and the projected construction costs.

SUPPORTING DOCUMENTS

A . Resolution

CEO Recommendation: Approve

Reviewed By: Carlos Solorio