

MONTEREY COUNTY BOARD OF SUPERVISORS

MEETING: December 6, 2011	AGENDA NO: S-1
SUBJECT: Adopt a Resolution: <ul style="list-style-type: none">a. Authorizing Sheriff Scott K. Miller to sign and submit an application for a local adult detention facility AB 900 construction grant in the amount of \$80 million, and making other necessary and appropriate findings and declarations supporting the AB 900 construction grant application;b. Authorizing the expenditure of \$684,207 from Capital Projects Fund 404, Budget Unit 8174, Appropriation Code RMA015, to cover grant preparation costs and other grant related expenses; andc. Authorizing the Auditor-Controller, CAO, Resource Management Agency Director, Public Works Director, and County Counsel to take such other and further actions necessary or appropriate, consistent with this action, to apply for the AB 900 construction grant.	
DEPARTMENT: Sheriff's Office	

RECOMMENDATIONS:

It is recommended that the Board of Supervisors adopt a Resolution:

- a. Authorizing Sheriff Scott K. Miller to sign and submit an application for a local adult detention facility AB 900 construction grant in the amount of \$80 million, and making other necessary and appropriate findings and declarations supporting the AB 900 construction grant application;
- b. Authorizing the expenditure of \$684,207 from Capital Projects Fund 404, Budget Unit 8174, Appropriation Code RMA015, to cover grant preparation costs and other grant related expenses; and
- c. Authorizing the Auditor-Controller, CAO, Resource Management Agency Director, Public Works Director, and County Counsel to take such other and further actions necessary or appropriate, consistent with this action, to apply for the AB 900 construction grant.

SUMMARY:

This action provides approval for the submission of a grant application to acquire up to \$80 million toward a \$88.9 million, Monterey County Jail Expansion Project. A future appropriations request of \$8.9 million will be required if a conditional award of grant funding is made to the County in March 2012. This resolution provides assurance to the Corrections Standard Authority that the County will provide the 10% local match. The maximum grant funding available for medium-sized counties is \$80 million. If the State provides less funding, the County is obligated to make up the difference. This would increase the County's funding obligation. The formal assurance of future appropriation is a requirement of the grant application and the application will be deemed "incomplete" without it. Costs of the needs assessment, grant preparation, project scope development and other technical services required to support due diligence, site assurance and master planning during the remainder of FY11/12 are included in the requested expenditure authority. **Exhibit A** identifies the grant milestones. **Exhibit B** shows the proposed location for the jail expansion adjacent to the existing facility. **Exhibit C** represents the key grant submittal consideration points the Board should consider in its deliberations. This project will be presented to the Capital Improvement Committee on December 5, 2011 but must be submitted to the Budget Committee via a memorandum because they meet after it must be presented to the Board of Supervisors on December 6, 2011. This will

allow timely submittal of the final draft of the grant application to the CSA for technical review before the grant is submitted on January 11, 2011.

DISCUSSION:

The existing jail facility, which is currently rated for 829 beds, is severely overcrowded with the 2006 population exceeding the jail's rated capacity by 41%. Although the County's 2007 Jail Needs Assessment is currently being updated, preliminary results indicate that without the AB109 state mandated realignment of inmates, 1548 beds will be needed by 2020 and with AB109 that need will grow to 2385 beds. This represents nearly a threefold increase in inmates within the next 8 years.

AB 900, the Public Safety and Offender Rehabilitation Services Act of 2007, was approved by the Governor and chartered by the Secretary of State on May 3, 2007. On April 4, 2011, the Governor signed AB 111, the 2011 Realignment Legislation Addressing Public Safety. Subsequently the Governor signed AB 94 on May 9, 2011 with additional provisions for the 2011 Realignment Legislation Addressing Public Safety. Both AB 111 and AB 94 amended the provisions of the second phase of jail construction financing originally outlined in AB 900, with AB 111 specifically authorizing access to Phase II financing. These bills authorize the California Department of Corrections and Rehabilitation (CDCR), a participating county, and the State Public Works Board (SPWB) to enter into a series of agreement in order to acquire, design, and construct a local jail facility approved by the Corrections Standards Authority (CSA). Two key changes in Phase II are the elimination of the requirement to site a Secure Re-Entry Facility within the County and a reduction of the local match to 10%.

The Board previously approved Jail Expansion as a medium-term implementation (3 to 7 years) priority. On May 1, 2007, the Board authorized the Sheriff to sign an agreement with the California Department of Corrections and Rehabilitation (CDCR) to work together to resolve Jail and Prison overcrowding and the development of Re-Entry Facilities in Monterey County. On May 22, 2007 the Board received and accepted the final report on "Jail Facility Needs Assessment," directed staff to proceed with an Environment Impact Study, directed staff to hire an architect to design the appropriate facility, and directed staff to continue to explore funding sources.

OTHER AGENCY INVOLVEMENT:

RMA-Department of Public Works, California Department of Corrections and Rehabilitation.

FINANCING:

If approved, the FY11/12 grant preparation, project planning and due diligence cost of \$684,207 would be funded from the ultimate \$8.9 million General Fund appropriation that is proposed for the Jail Expansion. These funds will be drawn from the existing Fund 404 balance. The General Fund will also be impacted by increased operation & maintenance expenses that will be incurred for this facility expansion. These costs have not yet been quantified. It is recommended

that the Board makes its final determination regarding accepting a grant award in early April 2012, after conditional grants are announced by CSA.

Prepared by:

Approved by:

Richard P. Sauerwein, P.E.

Scott K. Miller, Sheriff-Coroner

Paul H. Greenway, P.E.
Acting Director of Public Works

Benny J. Young
RMA Director

Dated: November 28, 2011

Attachments: Resolution; Exhibit A (AB 900 Schedule Milestone Summary); Exhibit B (location map); Exhibit C (grant submittal consideration points)