

THE BOARD OF SUPERVISORS OF THE COUNTY OF STANISLAUS
ACTION AGENDA SUMMARY

DEPT: Chief Executive Office

BOARD AGENDA # *B-1

Urgent Routine

AGENDA DATE August 23, 2011

CEO Concurs with Recommendation YES NO
(Information Attached)

4/5 Vote Required YES NO

SUBJECT:

Approval to Amend the Contract with Crout and Sida Criminal Justice Consultants Inc. to Update the Public Safety Center Needs Assessment and Master Plan for Various Adult Detection Future Facility Needs as a Requirement to Obtain Future State Jail Construction Funds

STAFF RECOMMENDATIONS:

Approve an Amendment to the Contract with Crout and Sida Criminal Justice Consultants Inc. to update the Public Safety Center Needs Assessment and Master Plan for various Adult Detection Future Facility needs as a requirement to obtain future state Jail Construction Funds at a cost not to exceed \$47,000, funded by public facility fees previously budgeted for jail facility master planning.

FISCAL IMPACT:

This series of recommended actions will initiate updating the County's Jail Needs Assessment in preparation to submit an application for AB 900 Phase II State of California jail construction program funding and support the previously approved Public Safety Center Expansion Operational and Architectural Program and Site Master Planning efforts.

(Continued on Page 2)

BOARD ACTION AS FOLLOWS:

No. 2011-481

On motion of Supervisor O'Brien, Seconded by Supervisor Withrow

and approved by the following vote,

Ayes: Supervisors: O'Brien, Chiesa, Withrow, DeMartini, and Chairman Monteith

Noes: Supervisors: None

Excused or Absent: Supervisors: None

Abstaining: Supervisor: None

1) X Approved as recommended

2) _____ Denied

3) _____ Approved as amended

4) _____ Other:

MOTION:

ATTEST:



CHRISTINE FERRARO TALLMAN, Clerk

File No.

FISCAL IMPACT: (Continued)

On June 26, 2007, the Board of Supervisors approved the Updated Public Safety Center Jail Needs Assessment and Public Safety Services Master Plan prepared by TRG Consulting. The report outlined facility, staff and operational cost estimates for expanded jail and law enforcement facilities well into the future.

On March 4, 2008, the Board of Supervisors approved proceeding with the Public Safety Center Expansion Project, authorized staff to submit a grant application to the State of California for the 2007 Local Jail Construction Funding Program (AB 900) for the Stanislaus County Public Safety Center/Jail Expansion and approved a Capital Project budget of \$2 million.

On June 3, 2008, the Board of Supervisors approved entering into a contract agreement with Crout & Sida Criminal Justice Consultants, Inc., in association with Rosser International, for architectural programming services for the Public Safety Center Jail Expansion Project for the lump sum amount not to exceed \$128,670 as outlined in the chart below:

Crout and Sida Contract Approved June 3, 2008		<i>Amount</i>
Architectural Programming		\$128,670
Total		\$128,670

On June 9, 2009, the Board of Supervisors approved Amendment No. 1 to the contract with Crout and Sida Criminal Justice Consultants, Inc. for the lump sum amount not to exceed \$12,000 to evaluate staff shift patterns and processes used by the Sheriff's Adult Detention Division. With the Board's approval of Amendment No. 1, the contract increased from \$128,670 to \$140,670 as outlined in the chart below:

Crout and Sida Contract Approved Contract June 9, 2009		<i>Amount</i>
Architectural Programming		\$128,670
Amendment No. 1		\$12,000
Total		\$140,670

On May 24, 2011, the Board of Supervisors approved Amendment No. 2 to the contract with Crout and Sida Criminal Justice Consultants, Inc. for the lump sum amount not to exceed \$25,000 to update the Public Safety Center Expansion Operational and Architectural Program and Site Master Plan. With the Board's approval of Amendment No. 2, the contract increased from \$140,670 to \$165,670 as outlined in the chart below:

Approval to Amend the Contract with Crout and Sida Criminal Justice Consultants Inc. to Update the Public Safety Center Needs Assessment and Master Plan for Various Adult Detection Future Facility Needs as a Requirement to Obtain Future State Jail Construction Funds

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Crout and Sida Contract	
Approved Contract May 24, 2011	Amount
Architectural Programming	\$128,670
Amendment No. 1	\$12,000
Amendment No. 2	\$25,000
Total	\$165,670

Phase II AB 900 Jail Construction Funding

Several bills have recently been passed by the State, including Assembly Bill 109 realigning state and local prison/jail responsibilities, initiating community corrections and redirecting inmate sentencing procedures, and Assembly Bill 111; these realignment programs will provide a funding mechanism for construction of local detention facilities which will impact the County's Public Safety Center Master Plan now and into the future.

Subsequently, Assembly Bill (AB) 94 signed by Governor Brown on May 9, 2011, structured the competitive process by which counties could compete for construction project financing in Phase II. Approximately \$1.2 billion of jail construction funding is available. The financing mechanism used to fund approved projects is a short-term interim financing of the project using funds from the State's pooled money investment account and with long-term lease revenue bond financing. Stanislaus County may apply for up to \$80 million in jail construction funding subject to the State's finalization of the terms of the grant, including a County match requirement and project eligibility guidelines. This is the approach to facility construction funding used for the juvenile justice realignment and for which Stanislaus County has been awarded \$18 million for construction of a 60 bed Juvenile Commitment Facility.

Given the changes in legislation, implementation on October 1, 2011 of the Adult Corrections programs, transferring responsibilities to Counties (Sheriff and Probation) and pending funding opportunities, staff recommends that the Board of Supervisors approve Amendment No. 3 to the contract with Crout and Sida Criminal Justice Consultants, Inc. to assist the County with updating its 2007 Jail Needs Assessment (3A) in preparation of submitting an application for AB 900 Phase II State of California Jail Funding, to initiate the program and master plan for a Day Reporting Center (3B), and to initiate the study of an operational plan to utilize Video Visiting (3C). Approval of this amendment will increase the contract with Crout and Sida Criminal Justice Consultant's, Inc. from \$165,670 to \$212,670 as outlined in the chart below:

Approval to Amend the Contract with Crout and Sida Criminal Justice Consultants Inc. to Update the Public Safety Center Needs Assessment and Master Plan for Various Adult Detention Future Facility Needs as a Requirement to Obtain Future State Jail Construction Funds
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Crout and Sida Contract	
Recommended Contract August 23, 2011	Amount
Architectural Programming	\$128,670
Amendment No. 1: Evaluate Scheduling	\$12,000
Amendment No. 2: Update Public Safety Center Master Plan	\$25,000
<i>Subtotal- Previously Approved Contract</i>	\$165,670
<i>Recommended Contract- August 23, 2011</i>	
Amendment No. 3A: Update Jail Needs Assessment	\$29,600
Amendment No. 3B: Conceptual Design for Programs Building	\$9,750
Amendment No. 3C: Develop Operational Plan to Utilize Video Visiting	\$7,650
Subtotal- Recommended Contract	\$47,000
<i>Total with Recommendations</i>	\$212,670

Existing appropriations previously approved by the Board of Supervisors in the Public Safety Center Expansion Plan Capital Project budget are available to fund these professional services as outlined in the attached Budget Journal form.

DISCUSSION:

Background

On June 26, 2007, the Board of Supervisors accepted the Updated Public Safety Center Jail Needs Assessment and Public Safety Services Master Plan prepared by TRG Consulting. At that time, the Board of Supervisors also authorized staff to develop an overall implementation strategy which included the development of phasing options, funding options, and professional programming services, which included the expansion of the Stanislaus County Public Safety Center. The report outlined the current and future facility, staffing and operational needs and cost estimates for expanded jail and law enforcement facilities at the County’s Public Safety Center and future replacement of the Men’s Jail and Honor Farm. The plan also outlined future jail expansion beyond 2010 and future closure of the Honor Farm and Downtown Jail.

On June 3, 2008, the Board of Supervisors approved a contract with Crout and Sida Criminal Justice Consultants, Inc. for the architectural programming services for the Public Safety Center Jail Expansion Project. This recommendation was consistent with the updated Public Safety Center Needs Assessment and Master Plan approved by the Board on June 26, 2007. On June 9, 2009, the Board of Supervisors approved Amendment No. 1 to the contract with Crout and Sida Criminal Justice Consultants, Inc. to evaluate staff shift patterns and processes used by the Sheriff’s Adult Detention Division. With the Board’s approval of Amendment No. 1, the contract increased from \$128,670 to \$140,670.

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Since that time, the detention facility environment has significantly changed, including:

1. Significant reductions in discretionary revenue forcing staffing reductions in the Sheriff's budget;
2. The fire that destroyed Honor Farm Barrack's 1 and 2 and resulted in the loss of jail bed space; and
3. The effects of Public Safety Realignment including Assembly Bill (AB) 109 and AB 111 and Phase II AB900 funding now available for counties to construct additional local jail facilities.

On May 24, 2011, the Board of Supervisors approved amending the contract with Crout and Sida Criminal Justice Consultants, Inc. to update the Public Safety Center Expansion Operational and Architectural Program and Site Master Plan. This update is currently in progress and will include the consideration of the following additional factors in the Master Plan:

1. Determine how siting the minimum security jail bed at the Public Safety Center fits within expansion plans detailed in the Public Safety Center Expansion Operational and Architectural Program and Site Master Plan.
2. Compare and contrast bed spacing needs detailed in the 1989 Public Safety Center Architectural Program and Site Master Plan completed by Kitchell, with the 2008 Public Safety Center Expansion Operational and Architectural Program and Site Master Plan to confirm bed spacing needs into the future.
3. Analyze any recent legislative and funding changes to determine the impacts these will have on the 2008 Public Safety Center Expansion Operational and Architectural Program and Site Master Plan completed by Crout and Sida.

Next Recommended Actions

Update Jail Needs Assessment

The next steps recommend that the Board of Supervisors approve an amendment with Crout and Sida Criminal Justice Consultants, Inc. to assist the County with updating its 2007 Jail Needs Assessment in preparation of submitting an application for AB 900 Phase II State of California Jail funding and to support Public Safety Center Expansion Operational and Architectural Program and Site Master Planning currently in progress.

The Updated Needs Assessment will include the following:

1. Update the analysis of the type and classification of inmates in detention;
2. Update the Needs Assessment based on the number of inmates expected to be retained in custody at Stanislaus County Detention Facilities as a result of realignment of the State of California's prison population. As detailed in AB 109, current law provides that persons sentenced to State Prison for 16 months, and two and three years may be incarcerated at local adult County detention facilities or programs if they meet specific behavioral evaluation criteria. Furthermore, current law provides that persons sentenced to six months of continual incarceration, may be awarded six months of equal time credits. Therefore those persons who meet the specific evaluation criteria and are sentenced to six years of continual state prison time may only need to serve three years within local county detention facilities or programs.; and
3. Update the Master Plan for development of jail facilities to reflect the updated Needs Assessment and inmate forecast.

Staff is also recommending the Board of Supervisors approve initiating the program and master planning for long term community corrections needs including future needs for a Day Reporting Center. A Day Reporting Center is a much needed element to support existing detention bed limitations and provide an alternative to jail placement. The Stanislaus County Probation and Sheriff's offices have collaborated to implement an initial Day Reporting Center (DRC) using State Grant Funding. The initial three-year grant program was established in the vacated Salida Sheriff's Substation at 4600 Broadway Avenue, taking advantage of the end of the existing lease for that facility.

The Day Reporting Center provides programs for persons released from custody or on jail alternative programs (electronic monitoring, work release, alternative work programs, etc.) for check-in and verification, testing, counseling, training and work assignments. The program is beneficial for the training and preparation of former inmates for success as they return to the community with the goal of reducing the number that fail recidivate.

The initial success of the DRC program will become a key feature in the Public Safety Center Master Plan to accommodate the additional persons in-custody resulting from the State's realignment of inmates from the State prison system back to Stanislaus County. This proposed element of the Public Safety Center Master Plan update will allow consideration of a permanent, expanded DRC facility potentially included in a future State AB 109 Phase II grant funding application.

Video Visitation

Staff is recommending the Board of Supervisors approve to initiate the program and master plan for a Video Visitation (V/V) System to provide efficiencies and delivery of required visiting services within the Sheriff's detention facilities. Video Visitation is a system by which inmates in the County's detention facilities can receive visits as required by Title 24 via an audio-video link from a remote site. Typically, monitors are installed in existing jail "day room" or visiting booth facilities and connected electronically to monitors outside the jail. The visitation remains supervised by the Sheriff's staff. Several types of equipment and software systems are in use industry-wide. The analysis of the requirements, number, size and cost of the proposed system would be further explored by the consultant if the Board of Supervisors approves the amendment.

The potential advantages of a Video Visitation System include the reduced need to allow public access into the jail security area, thereby reducing the potential for introduction of contraband into the jail. This analysis will provide the County information needed to determine the business case feasibility of a remote video visiting plan, allowing for various existing and new facility options to be thoroughly evaluated.

Schedule

The series of recommended actions will be completed in the next month to ensure that the Board of Supervisors can be provided with comprehensive data and recommendations in early fall, 2011.

The State plans to release an additional \$602 million dollars in lease revenue funds for construction of local corrections facilities. This process is being fast-tracked and Counties will be required to submit their AB 900 Phase II Interest Statements by October 14, 2011. The State will notify the specified counties and invite them to provide application packages for Phase II funding which are due January 4, 2012. Staff will coordinate the completion of the Updated Jail Needs Assessment to run concurrent with AB 900 Phase II guidelines.

The results of these planning efforts will result in a recommended action plan to be presented to the Board of Supervisors Capital Facilities Committee and the Board of Supervisors in the coming weeks for consideration of both short and long term detention and corrections facilities needs.

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POLICY ISSUES:

Approval of this plan promotes the Board's priority of A Safe Community and the Efficient Delivery of Public Services. Approval of this action will facilitate efficient delivery of public services and will make the most efficient use of County resources to protect the community.

STAFFING IMPACT:

Existing Chief Executive Office - Capital Projects staff will manage this effort and have teamed with the Sheriff's Staff to form a unified project team for this important effort.

CONTACT:

Patricia Hill Thomas, Chief Operations Officer. Telephone: (209) 525-6333

AGREEMENT BETWEEN THE COUNTY OF STANISLAUS
AND CROUT & SIDA CRIMINAL JUSTICE CONSULTANTS IN ASSOCIATION WITH
ROSSER INTERNATIONAL, INC
FOR THE PROGRAMMING FOR THE DETENTION FACILITIES
AT THE PUBLIC SAFETY CENTER

AMENDMENT NO. 3

Executed on this 23rd day of August, 2011

The Agreement between the **County of Stanislaus** ("County") and **Crout & Sida Criminal Justice Consultants in association with Rosser International, Inc.**, whose address is 949 Crest View Drive, Mesquite, Nevada 89027 ("Consultant"), for the **Programming for the Detention Facilities at the Public Safety Center** dated on June 3, 2008 (collectively, the "Agreement") and amended on June 9, 2009 and on May 24, 2011, is hereby amended as follows:

CONTRACT

2. Compensation

Paragraph 2.1 - Revise the total compensation to the following: The Consultant shall be compensated on a **LUMP SUM BASIS NOT TO EXCEED Amount of Two Hundred Fifteen Thousand Eight Hundred Seventy and no/100 Dollars (\$215,870.00)**. A summary of the contract amount is as follows:

Base Contract Amount	\$128,670
Amendment # 1	\$ 12,000
Amendment # 2	\$ 28,200
Amendment # 3	
Jail Needs Update	\$ 29,600
Programs Building	\$ 9,750
Video Visiting	\$ 7,650
Revised Contract Amount	\$215,870

EXHIBIT A - SCOPE OF SERVICES

Add the following to **Paragraph IV SCOPE OF SERVICES SUGGESTED**:

An amendment to the original Contract, to Amendment No. 1, and to Amendment No. 2 for work between the County of Stanislaus (County) and Crout & Sida Criminal Justice Consultants, Inc. (CSCJC) is desired by the County to provide additional consulting services. This update will involve, but is not necessarily limited to the following services:

- CSCJC will conduct an operational analysis of the Jail Needs Assessment completed in 2007 by TRG Consulting that was developed to study use of the jail facilities and identify any deviations from the original design intent of the facilities located in Stanislaus

County, as well as work spaces for alternative programs. This analysis will be presented to the Stanislaus County Sheriff's Department and will be used to identify strengths, weakness, threats, and opportunities that will provide valuable information on future the development and operational needs of the Stanislaus County Correctional Facilities.

- CSCJC will revisit the assessment developed by TRG that addressed future administrative requirements attendant with expanded facilities as a result of construction, jail staffing needed to support any new jail construction.
- CSCJC will review and update the statistical data analysis, which is a detailed description of Stanislaus County's inmate profile and other required demographic information important to the update of the JNA. Jail profile data specific to Stanislaus County that has been collected over the past 10-years from the California Jail Profile Survey, and other demographic sources will be analyzed to provide an updated forecast into projected population trends of the general population and jail inmates that extend twenty years out. In addition, information relative to the implementation of realignment through AB 109, and other recent state political decisions will be addressed in the population projections. This information will be used to determine and support future facility construction and operational requirements of a new facility or major modifications to existing facilities.

As part of the proposal, CSCJC will deliver the following:

- Assemble a core study team from CSCJC as well as the professional consulting services of Rosser International.
- Conduct the necessary literature reviews demographic studies and evaluate all pertinent data in order to update the JNA.
- Coordinate a project meeting with the Stanislaus County Project Team and the CSCJC/Rosser team on or about August 25, 2011 to discuss and exchange information in the following, but not limited to the areas that include:
 - Updating the Needs Assessment on jail population trends since June 2007.
 - Updating Needs Assessment on changes in the number and types of beds available to the County since the original 2007 Needs Assessment.
 - Receiving the County's perspective on bed needs and ancillary space requirements that have changed since June 2007.
 - Discussing options posed by both the County and CSCJC/Rosser team for future replacement and new beds including:
 - type of beds
 - location for new/replacement housing and ancillary space
- Identify needed documents, materials and information by CSCJC/Rosser team from the County.
- Provide timelines for draft report.
- Other such items that are identified by the County and/or the CSCJC/Rosser team.

The final Stanislaus County JNA update will review the material developed by TRG Consulting and update that assessment to address and to the extent necessary address the current requirements of Title 24 Section 13-102(c) 2, California Code of Regulations, which include at a minimum:

- The elements of the system.
- The departments operational and design philosophy.
- The currently inmate population.
- The classification system.

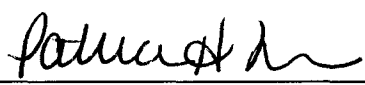
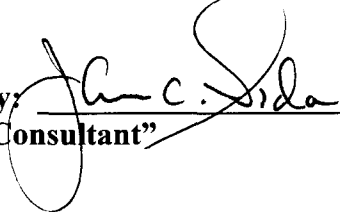
- Program needs, including planned academic programs, special education programs and an analysis of performance in using programs which can reduce secure facility requirements.
- An analysis of the local trends and characteristics which influence planning assumptions about future corrections systems change, including population projections, current and projected inmate populations, and program costs based on the continuation of current policies and projections of alternative policies or programs on inmate population growth and program costs.
- The adequacy of staffing levels.
- The ability to provide visual supervision.
- The adequacy of record keeping.
- A history of the systems compliance with standards; and
- Any unresolved issues.
- Forecast of facility space requirements and a preliminary cost model.
- Any additional activities needed by Contra Costa will be subject to negotiation to supplement the JNA update.

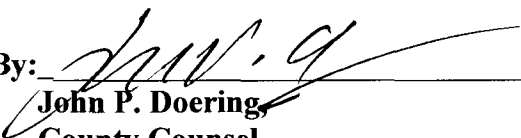
EXHIBIT B – SCHEDULE

Add the following paragraph to EXHIBIT B – SCHEDULE:

Assuming this amendment is approved by the Stanislaus County Board of Supervisors the final product will be provided to the County on or before October 3, 2011.

IN WITNESS WHEREOF, the parties have executed this Amendment on the day and year first herein above written.

<p>COUNTY OF STANISLAUS</p> <p>By: </p> <p>Patricia Hill Thomas Chief Operations Officer/ Assistant Executive Officer</p>	<p>Crout & Sida Criminal Justice Consultants</p> <p>By: </p> <p>“Consultant”</p>
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<p>APPROVED AS TO FORM:</p> <p>By: </p> <p>John P. Doering County Counsel</p>	
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