

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

DEPT: Chief Executive Office

BOARD AGENDA # \*B-10

Urgent

Routine

*prnt*

AGENDA DATE January 29, 2013

CEO Concurs with Recommendation YES  NO   
(Information Attached)

4/5 Vote Required YES  NO

SUBJECT:

Approval to Reuse Existing County Facility Located at 801 11th Street for the Interim Day Reporting Center and Co-Locate the Community Corrections Annex for Medications at 825 12th Street Adjacent to the Downtown Jail Pursuant to the 2012 Community Corrections Partnership Plan for Phase II Implementation of the 2011 Public Safety Realignment and Related Actions to Renovate and Occupy the Facility

STAFF RECOMMENDATIONS:

1. Approve the reuse and minor renovation of the basement, first, third and fourth floors of the County owned building at 801 11<sup>th</sup> Street, Modesto, California for use by the Probation Department and Behavioral Health and Recovery Services as the Interim Day Reporting Facility under the approved 2012 Community Corrections Partnership Plan for Phase 2 Implementation of the 2011 Public Safety Realignment.

(Continued on Page 2)

FISCAL IMPACT:

On April 4, 2011, Governor Brown signed Assembly Bill 109 (AB 109), which made fundamental changes to California's correctional system. AB 109 realigned custodial and community supervision responsibility for non-serious, non-violent, and non-sex offenders, as well as supervision of lower level adult parolees returning from state prison sentences to counties. AB 109 did not contain funding for county agencies to implement the realignment shift and was not operative until funding was provided for counties. On June 30, 2011, Governor Brown signed a series of legislative bills as part of the State budget that provided funding and made necessary technical changes to implement the public safety realignment program outlined in AB 109.

(Continued on Page 2)

BOARD ACTION AS FOLLOWS:

No. 2013-47

On motion of Supervisor O'Brien, Seconded by Supervisor Withrow  
and approved by the following vote,

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

Noes: Supervisors: None

Excused or Absent: Supervisors: None

Abstaining: Supervisor: None

1)  Approved as recommended

2)  Denied

3)  Approved as amended

4)  Other:

MOTION: This Item was removed from the consent calendar for discussion and consideration.



ATTEST: CHRISTINE FERRARO TALLMAN, Clerk

File No.

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**STAFF RECOMMENDATIONS: (Continued)**

2. Authorize the Project Manager to issue a Notice Inviting Informal Bids for the minor renovation of 801 11<sup>th</sup> Street, Modesto to include construction of the tenant improvements for the Interim Day Reporting Facility under the approved 2012 Community Corrections Partnership Plan for Phase 2 Implementation of the 2011 Public Safety Realignment, and to award the bid to the lowest responsive bidder.
3. Authorize the Chief Probation Officer to purchase furniture, fixtures and equipment for the relocation and expansion of services and take all necessary actions to facilitate the relocation of the Interim Day Reporting Facility to 801 11<sup>th</sup> Street, Modesto, California.
4. Authorize the Project Manager to take all necessary actions to locate Community Corrections Annex for Medications at 825 12th Street, Modesto, California to provide supportive services to AB 109 Offenders as approved in the 2012 Community Corrections Partnership Plan for Phase 2 Implementation of the 2011 Public Safety Realignment and authorize the Project Manager to issue a Notice Inviting Informal Bids for a 24 month lease to furnish and install a commercial modular trailer at 825 12<sup>th</sup> Street, to be used for the Community Corrections Annex for Medications, and to award the bid to the lowest responsive bidder.
5. Authorize the Project Manager to award a purchase order to Modesto Sand & Gravel of Modesto, California in the amount of \$9,635 to demolish the existing Chief Executive Office modular trailer located at 825 12<sup>th</sup> Street due to the presence of mold.
6. Authorize the Project Manager take all of the necessary actions required to complete the Interim Day Reporting Center and Community Corrections Annex for Medications Projects at a not to exceed amount of \$300,000, funded from the Local Community Corrections budget.
7. Authorize the Project Manager to issue a Notice to Proceed for construction of the Project at 801 11<sup>th</sup> Street, Modesto upon receipt of proper insurance and authorize the Project Manager to negotiate and sign contracts, work authorizations, and purchase orders for professional services needed in this phase of the projects as long as they are within the approved project budget.
8. Direct the Auditor-Controller to increase revenue and appropriations in the amount of \$44,266 through an operating transfer out of the Local Community Corrections budget to the CEO Plant Acquisition budget for the Interim Day Reporting Facility project, as detailed in the Budget Journal.

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9. Direct the Auditor-Controller to increase revenue and appropriations in the amount not to exceed \$129,485 through an operating transfer out of the Local Community Corrections budget to the CEO Plant Acquisition budget for the Community Corrections Annex for Medication project, as detailed in the Budget Journal.
10. Direct the Auditor-Controller to increase revenue and appropriations in the amount of \$126,249.11 through an operating transfer out of the Local Community Corrections budget to the Probation Community Corrections Partnership fund for building operational expenses and furniture, fixtures and equipment as detailed in the Budget Journal.
11. Authorize Behavioral Health and Recovery Services to submit a Pharmacy Permit application and to the California State Board of Pharmacy to obtain and maintain a Pharmacy Permit for the Community Corrections Annex for Medications site located at 825 12<sup>th</sup> Street, Modesto, CA 95354, as required.
12. Authorize the Behavioral Health Director, or her designee, to sign the application to the California State Board of Pharmacy to obtain and maintain a Pharmacy Permit for the Community Corrections Annex for Medications.

**FISCAL IMPACT: (Continued)**

The legislation enacting the financing and technical changes necessary was contained in Senate Bills 87 and 89 (SB 87 and SB 89) and Assembly Bills 117 and 118 (AB 117 and 118). AB 117 required that the Community Corrections Partnership (CCP) must recommend a local plan to the county Board of Supervisors for the implementation of the 2011 Public Safety Realignment and that the plan must be voted on by an Executive Committee of each county's CCP. AB 118 established a temporary, one-year fiscal structure for the array of programs and services transferred to county responsibility under 2011 Realignment.

On June 27, 2012, Governor Brown signed a number of budget trailer bills related to corrections and public safety to complete the Fiscal Year 2012-2013 State Budget. Senate Bill 1020 (SB 1020), included as part of the trailer bills, establishes the funding structure for the programs and services transferred to the county under 2011 Realignment and sets each county's allocation for AB 109 for the next two fiscal years.

On July 24, 2012, the Board of Supervisors approved the Phase 2 Implementation of the Community Corrections Partnership Plan. Included in the total Phase 2 budget was \$1,000,000 for the establishment of a Temporary Day Reporting Facility contained within modular structures to be located at the Public Safety Center on Hackett Road in Ceres. The Day Reporting Center (DRC), authorized by the Board of Supervisors under

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the Community Corrections Partnership Plan, is currently located at 4600 Broadway Avenue, Salida, California. The facility is leased by the County at an annual rent cost of \$79,272 and is funded from Public Facilities Fees (PFF) funding. The current Day Reporting Facility is undersized for the programming and service needs of the County to perform services outlined in the Community Corrections Partnership Plan. The Probation Department is in need of a larger facility to provide counseling and related services to the realigned population as part of the Community Corrections Partnership plan.

The Probation Department is currently occupying a portion of the total available space in the County-owned facility at 801 11<sup>th</sup> Street, Modesto, California. The State of California Superior Courts, Court Appointed Special Advocates (CASA) and State of California Department 16 vacated the County owned building in December 2012. This vacancy created the opportunity to temporarily relocate the current Day Reporting Facility from its current location in Salida to 801 11<sup>th</sup> Street, Modesto for expansion of the program and services. In addition, a Community Corrections Annex for Medication will be site located within a 2,060 square foot modular trailer at 825 12<sup>th</sup> Street, Modesto, adjacent to the Downtown Jail, to provide AB 109 offenders with counseling and medications services as part of the approved 2012 Community Corrections Partnership Plan.

On January 17, 2013, the Chief Probation Officer presented the revised plan to the CCP Executive Committee, to deliver an expanded Interim Day Reporting Facility to be located in downtown Modesto. The Executive Committee approved the plan revisions and supported the use of \$300,000 in Local Community Corrections funding for the effort at 801 11<sup>th</sup> Street, Modesto and 825 12<sup>th</sup> Street, Modesto.

The Project Manager is proposing the use of \$44,266 of the CCP funding for architectural design and construction of the minor improvements to 801 11<sup>th</sup> Street, Modesto as outlined below:

<b>Interim Day Reporting Facility-801 11th Street, Modesto</b>		<b>Sources</b>
Local Community Corrections budget		\$44,266
<b>Total</b>		<b>\$44,266</b>
<b>Interim Day Reporting Facility-801 11th Street, Modesto</b>		<b>Uses</b>
Engineering Design, Architectural Services, Construction Management		\$12,000
Structures and Improvements (Construction and Renovation)		\$32,266
<b>Total</b>		<b>\$44,266</b>

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In this action the Board of Supervisors will authorize the Project Manager to award a contract for construction of the improvements at 801 11<sup>th</sup> Street, Modesto if the returned bid cost of provided by independent contractors is within the Project Budget.

The Chief Probation Officer is proposing the use of \$126,249 of the CCP funding to facilitate the move and expansion of services of the interim Day Reporting Facility to the building at 801 11<sup>th</sup> Street, Modesto as outlined below:

<b>Interim Day Reporting Facility-801 11th Street, Modesto</b>		<b>Sources</b>
Local Community Corrections budget		\$126,249
<b>Total</b>		<b>\$126,249</b>
<b>Interim Day Reporting Facility-801 11th Street, Modesto</b>		<b>Uses</b>
Facility Planning and Feasibility		\$9,000
Strategic Business Technology (SBT) Labor, Materials and Equipment		\$25,100
Office and Training Room Furniture, Fixtures and Equipment		\$10,200
General Services Agency (GSA) Labor, Materials and Equipment		\$2,200
Annual Maintenance, Utilities and Janitorial		\$79,749
<b>Total</b>		<b>\$126,249</b>

The Probation Department will enter into an annual service level agreement (SLA) with the General Services Agency for the delivery of janitorial services at 801 11<sup>th</sup> Street, Modesto. Additional costs of annual maintenance and utilities will also be based on occupied square footage of the building. All operational costs associated with use of the building will be paid by Probation Community Corrections Partnership (CCP) funding. Additionally, the Probation Department will use Corrections Performance Incentive Act (SB 678) funds to provide equivalent funding as previously paid for the Salida lease costs, as a partial offset to the lost lease revenue that resulted from the Courts vacating 801 11<sup>th</sup> Street for the remainder of Fiscal Year 2012-2013. The Probation Department will include the associated lease costs for the subsequent fiscal years with their Community Corrections Partnership proposals.

The Project Manager is also proposing the use of CCP funding for procurement and installation of a commercial modular trailer to be located at 825 12<sup>th</sup> Street, Modesto, California to serve AB 109 offenders with supportive mental health resources.



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Together with the 801 11<sup>th</sup> Street renovations, furniture, fixtures and equipment, and operation and maintenance costs, the total amount of CCP funding will not exceed \$300,000, as approved by the CCP Executive Committee.

## **DISCUSSION:**

### **Background**

An integral component of the Stanislaus County Community Corrections Partnership Plan (CCP) are services offered to Post Release Community Supervision (PRCS) and mandatory supervision offenders to provide for assessment, training, and monitoring for successful release (or avoidance) of custody in the County jail system. In January 2011, the Probation Department occupied a 4,497 square foot leased space at 4600 Broadway Avenue in Salida originally used as a Sheriff's Substation, for these functions. The 4600 Broadway Avenue lease is set to expire March 31, 2013.

Stanislaus County law enforcement and criminal justice agencies developed the Community Corrections Partnership Plan, adopted by the Board of Supervisors on September 20, 2011 to provide a strategy for reducing the rate of failures and returns to custody (recidivism) in the County's justice system. The CCP plan provides a broad strategy for returning offenders to productive civilian life and to remain out of custody.

The State of California enacted realignment of its corrections population, reducing the impact on State prisons but resulting in an increased need to hold non-violent, non-sexual, non-serious inmates sentenced to six years or less in County jails. The limited capacity of the jail system requires that lesser offenders be released (or never serve time in County jail.) Furthermore, offenders which violate parole are returned to custody in the County jails. The State Corrections Realignment program (AB 109) went into effect on October 1, 2011. Within the 12 months following Corrections Realignment, Stanislaus County experienced an increase of approximately 550 inmate bookings.

### **Public Safety Center Jail Expansion Planning**

The State of California provided new jail lease-bond revenue funding opportunities to selected counties to address new jail capacity needs under AB 900 Phase II. Stanislaus County applied for, and was conditionally awarded a State grant of \$80,000,000 (along with \$9,000,000 in local match funds) to develop 384 maximum security beds, a 72-bed medical/mental health housing unit, medical services, security control facility and a new, expanded Day Reporting Center at the Public Safety Center (PSC.) In addition, Stanislaus County proposed the use of accumulated Public Facilities Fees (PFF) to develop needed support services, including an

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Intake/Release/Transportation processing center, Jail Administration and staff support, and public lobby.

Planning for the PSC Jail Expansion project is well underway, and the State Public Works Board has adopted the Stanislaus County project scope of work. Current conceptual planning for the permanent Day Reporting Center envisions its completion in late 2014-early 2015. In order to fulfill the CCP Phase 2 Implementation Plan, an interim Day Reporting Center will need to be established to replace the 4600 Broadway Avenue location until a new permanent location can be occupied.

Detailed planning for the long-term Day Reporting Center and Jail Programs is currently underway, and may reveal other options for effective long-term delivery of these services in conjunction with the jail Expansion Planning efforts, including the potential for long-term use of the 801 11<sup>th</sup> Street site. Staff will report these findings to the Board of Supervisors as the strategy for Public Safety Center Jail Expansion is developed.

### **Space Available at 801 11<sup>th</sup> Street**

On September 11, 2012 the Judicial Council of California, Administrative Office of the Courts (AOC) provided timely and appropriate notification of its termination of a lease of 6,784 square feet for its Title IV B (Department 16) operations on the first and third floors of 801 11<sup>th</sup> Street in Modesto. The lease between the County and the AOC generated revenue of approximately \$130,000 annually. The lease was terminated and the Court vacated the space as of December 31, 2012. Department 16 was relocated into the Modesto Main Courthouse Department 9, and the County Department of Child Support Services attorney workspace on the third floor of 801 11<sup>th</sup> Street was also relocated into County-owned space in the Courthouse/Hall of Records fourth floor at the same time.

The resulting space vacancy at 801 11<sup>th</sup> Street would provide 5,985 dedicated square feet for use by an Interim Day Reporting Center, plus 1,296 shared square feet, as follows:

- |               |   |
|---------------|---|
| Lower Level:  | Shared use of existing Drug Court/Probation multi-purpose rooms   |
| First Floor:  | Dedicated use of the former Courtroom, Chambers area and Disso Master room.   |
| Third Floor:  | Dedicated use of the former Court clerk office and Child Support attorney workroom; plus former Court-Appointed Special Advocate space. |
| Fourth Floor: | Shared office use by Day Reporting Center staff within the existing Strategic Business Technology office (est. 800 sq. ft.)             |

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Use of the 801 11<sup>th</sup> Street space for an interim Day Reporting Center will co-locate Probation's DRC staff with the Adult Probation Department in the same facility, and on the same floor with the Sheriff's Alternative Work Program functions.

**Limited Physical Improvements Needed.** The improvements needed to facilitate the interim Day Reporting Center would include:

- Lower Level: No physical changes.
- First Floor: Minor reconfiguration of the former Courtroom to remove some fixed seating and conversion of the space for training/multipurpose uses.
- Third Floor: Division of the former attorney office workroom into three training rooms, conversion of the Court Clerk office area to a computer work area; and minor paint, carpet and cosmetic upgrades.
- Fourth Floor: Use of existing and reconfigured systems furnishings; new furnishings.

The proposed modifications for the interim Day Reporting Center would total an estimated \$44,271 and would be completed by informal competitive bid by early March, 2013.

Funding for the Interim Day Reporting Center would be provided by the Phase 2 of the Community Corrections Partnership Plan adopted by the Board of Supervisors on July 24, 2012.

### **Commercial Modular Trailer – Community Corrections Annex for Medication, 825 12<sup>th</sup> Street**

The 2012 CCP Plan establishes the need to provide medication management services to AB 109 offenders with mental illness to assist with their treatment and recovery. The current DRC has not been able to provide this service due to insufficient space. By co-locating the medications service with the Interim Day Reporting Facility, realigned offenders will receive all necessary and appropriate services in one central location, lessening the potential for offenders to stray from the program due to travel.

The County has a modular building located at 825 12<sup>th</sup> Street in Modesto, directly adjacent to the Downtown Jail, and a short walk from the location of the Interim Day Reporting Facility at 801 11<sup>th</sup> Street. Staff initially proposed using the existing modular for the medication service; however, environmental testing has revealed the existence of black mold that cannot be adequately removed. Staff is recommending the demolition of the existing modular and replacement with commercial modular facility, to become the Community Corrections Annex for Medication.



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Behavioral Health and Recovery Services provides medication management services to residents with mental illness to assist with their treatment and recovery. This service includes prescribing and dispensing pharmaceutical company samples. The California State Board of Pharmacy and California Code, Article 13, Sections 4180-4186, require clinics to follow specific procedures in order to store the samples, including obtaining and maintaining Pharmacy Permits.

To fulfill many of the Code requirements, Behavioral Health and Recovery Services contracts with a local pharmacy to serve as the Consulting Pharmacist. The Consulting Pharmacist is required to collaborate with the Department on the development and review of policies and procedures related to medication, certify compliance with regulatory requirements at the time of the annual permit review, be available for consultation, and provide an annual in-service training for medical staff.

In order to submit an application to the California State Board of Pharmacy to obtain and maintain a Pharmacy Permit for the Community Correction Annex for Medication at 825 12<sup>th</sup> Street in Modesto, the Department is requesting that the Board of Supervisors approve the current program name of Community Corrections Annex for Medication Site and authorize the Behavioral Health Director or her designee to sign current and future applications to obtain and maintain a Pharmacy Permit at this site as required by the State.

This Plan for an Interim Day Reporting Center and Annex was presented to the Board of Supervisors Capital Facilities Committee on Wednesday, January 23, 2013. The Committee, composed of Supervisors O'Brien and Monteith, is in support of this plan and joins in the recommendation to the full Board of Supervisors to approve this plan.

#### **POLICY ISSUES:**

Approval of this action supports the Board's priorities of A Safe Community, A Healthy Community and Efficient Delivery of Public Services by providing necessary services and programs for the PRCS and AB109 offenders in the community, in an effort to begin reducing recidivism rates in the target population.

#### **STAFFING IMPACT:**

##### Staffing Analysis

Existing County Capital Projects staffing will provide project administration during the renovation. There is no impact to the budget for County Capital Projects construction management services of the Project.

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Existing staff currently located at the Day Reporting Center (DRC) in Salida will be transferred to the new temporary DRC located at 801 11th Street, Modesto. This includes eight Probation Department staff and two staff from Behavioral Health & Recovery Services. Two additional probation officers previously approved and funded through the Phase 2 Community Corrections Partnership Plan, will be added to the DRC during this fiscal year, bringing the total staff to 12.

**CONTACT PERSON:**

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

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Explanation: Transfer funds from Local Community Corrections budget for Interim Day Reporting Facility project and Community Corrections Annex for Medications project

Requesting Department		Data Entry		Auditors Office Only	
Prepared by	Cynthia Thomsen Supervisor's Approval	Keyed by	Prepared By	Approved By	A. E. [Signature]
Date	1/25/2013	Date	Date	Date	1/29/13