

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

DEPT: Chief Executive Office

BOARD AGENDA # B-7

Urgent Routine

AGENDA DATE May 6, 2014

CEO Concurs with Recommendation YES NO
(Information Attached)

4/5 Vote Required YES NO

SUBJECT:

Approval to Accept the Conditional Award of \$40 Million from the State of California Board of State and Community Corrections under Senate Bill (SB) 1022 Adult Local Criminal Justice Facilities Construction Financing Program for the Re-Entry and Enhanced Alternatives to Custody Training (REACT) Center Project: Establish the Project Budget, and Related Actions

STAFF RECOMMENDATIONS:

1. Accept the conditional award of \$40 million from the State of California Board of State and Community Corrections under Senate Bill (SB) 1022 Adult Local Criminal Justice Facilities Construction Financing Program for the design build construction of the Stanislaus County Re-Entry and Enhanced Alternatives to Custody Training (REACT) Center Project.
2. Authorize the Project Manager to issue a Request for Qualifications and Proposals (RFQ/P) for professional programming and architectural design services for the REACT Center Project and to return to the Board of Supervisors with a recommendation to award a Professional Services Agreement.

(Continued--Page 2)

FISCAL IMPACT:

On June 27, 2012, Governor Brown signed SB 1022 (Chapter 42, Statutes of 2012) into law, authorizing state lease-revenue bond financing for the acquisition, design and construction of adult local criminal justice facilities. On July 23, 2013, the Board of State and Community Corrections (BSCC) issued Request for Proposals for Construction of Adult Local Criminal Justice Facilities. Legislation has authorized the availability of SB 1022 financing in the amount of \$500,000,000 for counties to construct, expand and/or renovate Adult Local Criminal Justice Facilities. These facilities

(Continued-Page 2)

BOARD ACTION AS FOLLOWS:

No. 2014-222

On motion of Supervisor Chiesa, Seconded by Supervisor Withdraw

and approved by the following vote,

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

Noes: Supervisors: None

Excused or Absent: Supervisors: None

Abstaining: Supervisor: None

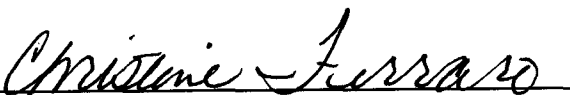
1) X Approved as recommended

2) _____ Denied

3) _____ Approved as amended

4) _____ Other:

MOTION:



ATTEST: CHRISTINE FERRARO TALLMAN, Clerk

File No.

STAFF RECOMMENDATIONS: (Continued)

3. Authorize the Project Manager to exercise an option to proceed with the programming design component to expedite the architectural design process of the REACT Center Project, in the event the project establishment process is delayed by the State of California.
4. Authorize the Project Manager in collaboration with County Counsel, and outside legal counsel to negotiate the terms of Construction Agreement, the Project Delivery and Construction Agreement (PDCA), and Site Access Agreements between Stanislaus County, the State Public Works Board (SPWB), the Department of Corrections and Rehabilitation, and Board of State and Community Corrections of the State of California for the design-build construction of all components of the REACT Center Project.
5. Direct the Auditor Controller to increase appropriations in the amount of \$44,695,000 and to increase revenue in the amount of \$40,000,000 in the SB 1022 Adult Local Criminal Justice Facilities Capital Project Fund as outlined in the budget journal form.
6. Direct the Auditor Controller to increase other operating transfers out in the amount of \$79,535 in Fund 6402 Public Facilities Fees-Jails and increase other operating transfers out in the amount of \$170,465 in Fund 2402-Detention; increase operating transfers in the amount of \$250,000 in the SB 1022 Adult Local Criminal Justice Facilities Capital Project Fund.
7. Authorize the Project Manager to negotiate and sign contracts, work authorizations, and purchase orders for professional services needed in this phase of the project as long as they are within the project budget.

FISCAL IMPACT: (Continued)

may include any custodial housing, reentry, program, mental health, or treatment space necessary to manage the adult offender population under the jurisdiction of the sheriff or county department of corrections.

Of the total \$500 million available, the medium counties set-aside amount was \$160 million, with maximum awards capped at \$40 million each, and a requirement of a minimum of a 10 percent match and a maximum amount of State reimbursement financing limited to 90 percent of total projects costs.

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The County's SB 1022 Project is anticipated to result in the construction of a Re-entry and Enhanced Alternatives to Custody Training (REACT) Center with up to 288 beds of transitional jail housing facilities at the Public Safety Center (PSC) that will primarily replace the Main Jail in downtown Modesto (except for Court holding). The funding sources are expected with State funding of \$40 million (90%), and a County match contribution totaling \$4,445,000 (10%) for a total of \$44,445,000 as included with the SB 1022 grant application. An additional \$250,000, funded by Public Facilities Fees, is needed for ineligible project costs pursuant to State funding guidelines, which are in addition to the \$44,445,000, which will be shared 90% State and 10% County, for a total REACT Center Project budget of \$44,695,000.

SB 1022 Jail Construction Financing Plan

On October 15, 2013, the Board of Supervisors approved the SB 1022 project financing plan. The primary sources of the match to be committed to this project include \$4 million in fund balance previously set aside in the 2012-13 Mid-Year Financial Report by the Board of Supervisors in Assigned Fund Balance, and \$445,000 from unobligated Public Facilities Fees-Jails for a total County match of \$4,445,000. In addition to these County match sources, the County is responsible for additional costs deemed ineligible as match for the SB 1022 program in the amount of \$250,000, split among unobligated Public Facilities Fees-Jails in the amount of \$79,535 and Public Facilities Fees-Detention in the amount of \$170,465. The Public Facilities Fees Committee approved the use of PFF funds on September 30, 2013, and the use was subsequently approved by the Capital Facilities Committee on October 3, 2013. The County's entire 10% cash match of \$4,445,000 previously approved by the Board of Supervisors was transferred to the new REACT Center Capital Project Fund on October 15, 2013. At this time, staff recommends the Board of Supervisors approve to establish the full project budget as outlined in the sources/uses chart below:

SB 1022 Sources and Uses

Re-Entry and Enhanced Alternatives to Custodial Training (REACT)

<i>Approved Sources 10.15.13</i>	
SB 1022 Construction Financing	\$40,000,000
Previously Set-Aside Fund Balance (Approved by BOS on March 5, 2013)	\$4,000,000
County Public Facilities Fees (Match Requirement)	\$445,000
County Public Facilities Fees (Ineligible Costs)	\$250,000
Total Project Sources	\$44,695,000
<i>Approved Uses 10.15.13</i>	
Salaries/Project Management	\$1,895,000
Services & Supplies/Inspections/Construction Management	\$3,248,000
Bridging Architect	\$1,640,000
Cost Applied Charges	\$76,000
Design-Build Construction	\$37,836,000
Total Project Uses	\$44,695,000

The SB 1022 REACT Project will be financed on an interim basis by the State by using funds from the State's pooled money investment account and ultimately using long-term lease revenue bond financing. The construction of the REACT Project will expand offender programs and detention housing to support growth of the previously approved Public Safety Center Jail Expansion Plan. The REACT Project supports jail programming and custody for the expanded County detention needs. The PFF cash match of \$445,000 will fund programming and housing facility construction, which is 100% eligible for Public Facilities Fees funding.

Ineligible costs attributed to the SB 1022 REACT Project in the amount of \$250,000 are necessary for the full completion of the project. Ineligible project costs, as deemed by the State, cannot be included as match in the SB 1022 Adult Local Criminal Justice Facilities Construction Financing Program. Of the \$250,000 in PFF, 100% is eligible for Public Facilities Fees funding.

In addition, with this effort to construct new programming and custody facilities, the County may undertake a roadway improvement project at the Public Safety Center to ensure the road infrastructure can support the additional traffic that will occur with the increased detainee population and law enforcement activity. The total cost of construction for road improvement efforts is estimated to be \$500,000. It is estimated that the portion of the total cost that will be eligible for funding with Public Facilities Fees will be \$161,350, bringing the total use of Public Facility Fees to \$856,350. The Project Manager will return to the Board of Supervisors with recommendations for construction of the adjacent roadway.

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Senate Bill (SB) 1022 State Conditional Award

On December 12, 2013, the Board of State and Community Corrections (BSCC) informed the County that its REACT Center Project would not be recommended to receive a conditional funding award.

The Executive Steering Committee met on January 16, 2014 to consider and recommend SB 1022 Adult Local Criminal Justice Facilities Construction Financing Program conditional funding awards. The Sheriff, Chief Probation Officer and Chief Operations Officer attended the BSCC meeting in Los Angeles, California.

Thirty-six counties submitted requests for funding that were ranked according to how closely they met the requirements of AB 109's landmark reform to house and rehabilitate non-serious, non-violent, non-sexual offenders in their home communities. Fifteen counties were recommended to receive \$500 million in lease revenue bond funding at the January Board of State and Community Corrections meeting. Counties then had 30 days to appeal the decision. Three counties did appeal.

Stanislaus County presented our appeal on March 11, 2014 to the Board of State and Community Corrections (BSCC) hearing panel. Stanislaus County's appeal focused on the County's readiness to proceed and compliance with the California Environmental Quality Act (CEQA). Following the appeal presentation, the panel of BSCC board members recommended that the full BSCC Board adopt the panel's decision to award Stanislaus County \$40 million in jail construction funding. The Appeals Panel was composed of Retired LA County Superior Court Judge William Pounders, Secretary Jeff Beard, CDCR and Sheriff Groudon of Lassen County.

On Thursday, March 13, 2014, the full BSCC Board granted the appeal of Stanislaus County to award Stanislaus County a preference point for CEQA compliance resulting in Stanislaus moving to the 2nd place ranking and providing for \$40 million for construction of a reentry facility at the Public Safety Center. A copy of the Notice of Decision is attached to this agenda report (Attachment 1).

With today's actions, staff is recommending the Board of Supervisors formally accept the conditional award of \$40 million from the State of California Board of State and Community Corrections under Senate Bill (SB) 1022 Adult Local Criminal Justice Facilities Construction Financing Program. As the REACT Center Project (SB 1022) progresses, all major project decisions, including final review and approval of each of the lease-revenue bond documents in their final form, will be brought back to the Board of Supervisors at each phase of the project for consideration, review, and approval.

DISCUSSION:

Background

On December 13, 2011, the Board of Supervisors approved the Stanislaus County Updated Adult Detention Needs Assessment 2011 and the Public Safety Center Expansion Operation and Architectural Program and Site Master Plan Needs Assessment and Public Safety Center Expansion Master Plan, as prepared by Crout and Sida Criminal Justice Consultants, Inc. in association with Rosser International, Inc. The Needs Assessment responded to the needs of the Sheriff's Office in managing the existing jail system by recommending the gradual operational closure of the Honor Farm at Grayson Road, Modesto and relocation of staff and inmates to the new Honor Farm Replacement (Unit 2) at the Public Safety Center. The Needs Assessment also suggested that far too many inmates are assigned to housing units that are below their classification security level, directly due to a lack of maximum-security beds. It also found that the Intake/Release area at Men's Jail is inadequate for the number of inmates processed and a new Intake/Release area should be added to the PSC as a replacement. The AB 900 Phase II Public Safety Center Expansion project, currently at the final bridging design stage, will assist to remedy the needs identified in the 2011 Updated Needs Assessment.

On January 17, 2013, the Project Manager contracted with Crout Criminal Justice Consulting, LLC (formerly Crout & Sida) to provide an update to the 2011 Stanislaus County Needs Assessment and to focus on the impacts of **public safety realignment** (AB 109) since October 2011. Preliminary findings suggest there is an increased need to provide services for inmates with mental and physical health issues in the County jail system. Nearly 25% percent of the County inmate populations are AB 109 offenders, who are in custody for crimes that would have previously resulted in incarceration in State prison. The 2013 Updated Needs Assessment found that the most critical need for the Jail System was a lack of program space for County and AB 109 Realignment offenders to prepare for re-entry into the community, due to the radical change in inmate demographics in the jail system.

The 2013 Updated Needs Assessment, approved by the Board of Supervisors on October 15, 2013, also addressed a lack of available beds to meet the ultimate goal of permanently closing the Downtown Men's Jail and centralizing all inmates and associated programming services at the PSC. A recommendation to add 342 net replacement beds at the PSC to replace the Men's Jail was included in the updated assessment. SB 1022 Adult Local Criminal Justice Facilities Construction Financing Program funds will assist the County to construct up to 288 beds and adequate programming facilities in response to the findings in the updated assessment.

State Realignment

The impact of State prison realignment due to Assembly Bill (AB) 109 has exacerbated the County's growing detention needs with the diversion of non-serious, non-violent, non-sexual crime offenders with shorter term sentences to County detention facilities, rather than being transferred to State prison. Offenders being returned to custody due to parole violations would typically serve their parole violation terms at local detention facilities as well. The State Department of Corrections and Rehabilitation estimated an additional impact of 400+ inmates to the County's detention system, in addition to the County's projected needs. The Stanislaus County Sheriff's Office recently reported that the actual number of additional (AB 109) inmates has increased significantly more than the State's estimate. SB 1022 funding will allow the County to construct, as soon as possible, additional local detention facilities, with appropriate programming space and services, as the State Prison overpopulation and budget troubles have a direct and dramatic impact on local detention facilities and public safety in our community. It is envisioned that the REACT Project programming services will assist the Sheriff's Office in reducing recidivism for the reoccurring offender population often associated with realignment (AB 109).

Project Description

The SB 1022 REACT Center project will use State Lease Revenue Bond financing, County General Funds from Assigned Fund Balance and Public Facilities Fees to design and construct jail housing, programming and administrative space on county-owned land at the Public Safety Center, in accordance with the 2013 Updated Adult Detention Needs Assessment. The project will contain approximately 288 jail beds in adult detention transitional housing units with all associated support and program space, a security administration (control) center, and circulation and common space. In addition, the REACT Center will provide services to the offender population under the Sheriff's jurisdiction, including post-release and out-of-custody/monitored release programs. The REACT Center will also include public lobby/reception areas, administration space, classrooms, counseling rooms and a multipurpose room (Attachment 2).

One of the primary goals of the REACT Project is to replace existing jail beds at the Men's Jail in downtown Modesto by constructing new, modern programming and housing facilities at the Public Safety Center. The Downtown Men's Jail has a housing capacity for 396 inmates and is currently the central intake and booking facility for males for the County's jail system. The Downtown Men's Jail is connected to the Superior Court via a secure, underground pedestrian tunnel for movement of inmates. The Downtown Men's Jail was constructed in 1955 with linear design and open cell fronts. The antiquated linear design makes it difficult to manage and control; and the facility

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lacks programming space, interview space, and medical space associated with modern jails. SB 1022 funding will allow Stanislaus County to construct enough capacity (an additional 288 beds) to allow for closure of the Men's Jail housing capacity, leaving only the Court-holding and transportation facilities operational at the downtown Modesto site.

The proposed SB 1022 REACT Project is envisioned to replace the Downtown Men's Jail (except for Court holding) and will be staffed by the transfer of existing Sheriff's personnel to the new 288-bed housing and programming facility at the PSC. Existing Jail Alternatives Unit staff will transfer from their 801 11th Street, Modesto location to the REACT Center administrative area to run Sheriff's AWP/Home Detention programming. Combined with the efforts under AB 900 Phase II Public Safety Center Expansion with up to 552 new jail beds, it is anticipated the overall net bed increase to the jail system would be 444 jail beds.

Next Recommended Actions:

To accomplish the next critical steps for the project, staff recommends that the Board of Supervisors approve several actions essential to accepting SB 1022 grant funds for a Re-Entry and Enhanced Alternatives to Custody Training (REACT) Center Project and other related items.

- ***Accept the conditional award of \$40 million from the State of California Board of State and Community Corrections under Senate Bill (SB) 1022 Adult Local Criminal Justice Facilities Construction Financing Program for the design build construction of the Stanislaus County Re-Entry and Enhanced Alternatives to Custody Training (REACT) Center Project.***

On March 18, 2014, the County received official notification of conditional award of SB 1022 grant funds from the Board of State and Community Corrections in the amount of \$40 million. At this time, staff recommends the Board of Supervisors formally accept the conditional award to allow the Project Manager to proceed with essential project establishment actions with the State Public Works Board.

- ***Authorize the Project Manager to issue a Request for Qualifications and Proposals for professional programming and architectural design services for the REACT Center Project and to return to the Board of Supervisors with a recommendation to award a Professional Services Agreement; and authorize the Project Manager to exercise an option to proceed with the programming design component to expedite the architectural design process of the REACT Center Project, in the event the project establishment process is delayed by the State of California.***

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Staff recommends the Board of Supervisors authorize the Project Manager to issue a Request for Statement of Qualifications and Proposals (RFQ/P) for professional programming and architectural services to provide for the bridging design of the REACT Center Project. Qualifications and Proposals will be due in early Summer 2014 and the Project Manager will return to the Board of Supervisors to recommend an award of Professional Services Agreement with the Consultant that provides the qualifying, best proposal to the County. Procurement of these services will coincide with project establishment actions with the State Public Works Board (SPWB) expected in Summer 2014. Architectural design services are eligible project costs of SB 1022 State Reimbursement grant funds upon project establishment approval by the SPWB. In the event the SPWB project establishment is delayed, the Project Manager seeks authority to proceed with the programming component for the REACT Center project, to be procured using County funds, to ensure the project proceeds toward design and construction.

- ***Direct the Auditor Controller to increase appropriations in the amount of \$44,695,000 and to increase revenue in the amount of \$40,000,000 in the SB 1022 Adult Local Criminal Justice Facilities Capital Project Fund; increase other operating transfers out in the amount of \$79,535 in Fund 6402 Public Facilities Fees-Jails and increase other operating transfers out in the amount of \$170,465 in Fund 2402-Detention; increase operating transfers in the amount of \$250,000 in the SB 1022 Adult Local Criminal Justice Facilities Capital Project Fund as outlined in the budget journal form.***

At this time, staff recommends the Board of Supervisors direct the Auditor Controller to establish the full SB 1022 REACT Center Project budget using the \$40 million conditionally awarded grant funds, \$4,445,000 in previously allocated Public Facilities Fees (PFF) as County match and an additional \$250,000 of ineligible project costs to be paid from PFF, for a total project budget of \$44,695,000 as identified in the sources and uses chart in this report and budget journal form.

- ***Authorize the Project Manager in collaboration with County Counsel, and outside legal counsel to negotiate the terms of Construction Agreement, the Project Delivery and Construction Agreement (PDCA), and Site Access Agreements between Stanislaus County, and the State Public Works Board (SPWB), the Department of Corrections and Rehabilitation (CDCR), and Board of State and Community Corrections (BSCC) of the State of California for the design-build construction of all components of the REACT Center Project.***

The SB 1022 Adult Local Criminal Justice Facilities Construction Financing Program project documents will include the Project Delivery and Construction Agreement

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(PCDA), the Board of State and Community Corrections Jail Construction Agreement, the Ground Lease, the Right of Entry for Construction and Operation, and the Facility Sublease. County staff has reviewed the template form of each of these agreements, which are substantially similar to the documentation utilized by the County in prior state lease-revenue bond funded projects. The Board of Supervisors Resolution of October 15, 2013, sets forth the County's readiness to execute these documents in their present form, subject to those changes deemed necessary to incorporate project-specific information or effectuate the financing resolution for the design-build construction of the project.

The PDCA provides the mechanism for lease of the project site to the State and for design and construction of the facility by the County using State and County funding. A maximum State funding allocation will be established up to \$40 million. The PDCA provides the mechanism for obtaining State financing, first via an interim loan issued by the State's Pooled Money Investment Board and ultimately via the issuance of lease revenue bonds by the State Treasurer to finance this and other State funded projects. The PDCA also delivers the instrument for design, construction, operation and maintenance of the proposed REACT Center Project. The Construction Agreement governs the actual construction of the REACT Center by the County. The Ground Lease provides for the lease of the Project site from the County to the Department of Corrections and Rehabilitation ("Department") throughout the lease-revenue bond term. The Right of Entry for Construction and Operation contains authorization from the Department for the County to enter the Project site to construct the REACT Center. The Facility Sublease contains the Department's sublease of the newly-constructed Facility to the County to use, operate and maintain until the lease-revenue bonds are repaid.

Schedule

At this time, the Project Manager is returning to the Board of Supervisors to formally accept a conditional award under SB 1022 Adult Local Criminal Justice Facilities Construction Financing Program by the Board of State and Community Corrections (BSCC), Department of Finance and California Department of Corrections and Rehabilitation (CDCR). The next step is for the County to establish the project, scope, cost upon approval by the State Public Works Board expected to be completed in Summer 2014.

The Project Manager seeks authority to exercise an option with today's actions, to proceed with programming the REACT Center to be completed in October 2014. Upon various approvals by the Board of Supervisors and State Agencies throughout duration of project design, the actual construction of the projects anticipated in mid-2016 with completion anticipated by 2018.

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POLICY ISSUES:

All of the actions in this item will advance the Board of Supervisors' priority to strive for A Safe Community by increasing detention capacity to meet projected needs and minimize use of alternatives to incarceration for potentially dangerous offenders. These actions also support the Board's priority to provide Efficient Delivery of Public Services in pursuing State funds by leveraging limited County resources effectively.

STAFFING IMPACTS:

The proposed SB 1022 REACT Project is envisioned to replace the downtown jail (except for Court holding) and will be staffed by the transfer of existing Sheriff's personnel to the new 288-bed housing and programming facility. Existing Jail Alternatives Unit staff will transfer from their 801 11th Street, Modesto location to the REACT Project Center administrative area to operate Sheriff's AWP/Home Detention programming. SB 1022 funding includes a provision that the County is not obligated to fully staff the new facilities upon opening; the Sheriff and the team are confident that a flexible strategy to maximize all available tools and resources will allow the County to house inmates given available funding.

CONTACT PERSON:

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

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 Batch Name Text
 Journal Name Text
 Journal Description Text Establish SB 1022 budget
 Journal Reference Text
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	6402	0064100	85850	0000000	000000	000000	000000	79535	Transfer Out	
	2402	0064100	85850	0000000	000000	000000	000000	170465	Transfer Out	
	2078	0061140	46615	0000000	000000	000000	000000	250000	PFF Trsf in	
	2078	0061140	50000	0000000	000000	000000	000000	855000	Cnty Admin Salaries	
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	2078	0061140	50120	0000000	000000	000000	000000	692000	PSC	
	2078	0061140	52010	0000000	000000	000000	000000	9000	FICA	
	2078	0061140	62470	0000000	000000	000000	000000	51000	Program Eval	
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	2078	0061140	63430	0000000	000000	000000	000000	74000	Design Consultants	
	2078	0061140	63640	0000000	000000	000000	000000	152000	Legal Services	
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	2078	0061140	64210	0000000	000000	000000	000000	629000	Cnty Inspectors	
	2078	0061140	64220	0000000	000000	000000	000000	1968000	Bridging Architect	
	2078	0061140	64600	0000000	000000	000000	000000	993000	CM Services	
	2078	0061140	64631	0000000	000000	000000	000000	34000	Geotechnical	
	2078	0061140	65000	0000000	000000	000000	000000	34000	Publ & legal notices	
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	2078	0061140	67200	0000000	000000	000000	000000	39000	Utilities	
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	2078	0061140	73511	0000000	000000	000000	000000	5000	GF-Auditor	
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	2078	0061140	74100	0000000	000000	000000	000000	3000	Postage meter	
	2078	0061140	74110	0000000	000000	000000	000000	4000	Mail room services	
	2078	0061140	74306	0000000	000000	000000	000000	42000	GF-Bldg mtce	
	2078	0061140	80020	0000000	000000	000000	000000	5169000	Site cleaning	
	2078	0061140	80310	0000000	000000	000000	000000	27381000	New construction	
	2078	0061140	80570	0000000	000000	000000	000000	3255000	CO contingency	
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Totals:								44945000	40250000	

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Explanation: Establishing appropriations for SB 1022 Jail REACT capital project and establishing the State reimburseble portion of the estimated revenue along with PFF funds for the ineligible state project costs.

Requesting Department		GEO		Data Entry		Auditors Office Only	
Jim Kwartz / JK		<i>Patricia [Signature]</i>					
Prepared by		Supervisor's Approval		Keyed by		Prepared By	
5/1/2014		5/2/14				5/2/14	
Date		Date		Date		Date	

ATTACHMENT 1



Board of State and Community Corrections
600 Bercut Drive, Sacramento, CA 95811
916.445.5073 PHONE
916.327.3317 FAX **CHIEF EXECUTIVE OFFICE**
bscc.ca.gov

GOVERNOR **Edmund G. Brown Jr.**
CHAIR **Linda M. Penner**
EXECUTIVE DIRECTOR **Kathleen T. Howard**

2014 MAR 20 P 2:55

March 19, 2014

Patricia Hill Thomas
Chief Executive Office
1010 10th Street, Suite 5100
Modesto, CA 95354

Re: Construction Financing Program: Notice of Decision

Dear Ms. Hill Thomas:

This letter is to officially notify Stanislaus County of its successful appeal for local jail improvement funding under SB 1022. In accordance with Section 1792, Title 15, Division 1, Chapter 1, Subchapter 6 of the BSCC Construction Financing Program, the Board of State and Community Corrections is required to provide you with a written record of the Board's decision.

The SB 1022 Appeals Panel convened on March 11, 2014. After careful consideration the Panel recommended to the full Board that it grant the remedy requested on appeal by Stanislaus County. The panel determined that Stanislaus County should have received credit for Preference Criterion #3 related to CEQA compliance. Based on granting this additional preference criterion, the panel recommended that Stanislaus be moved from seventh to second among the medium counties.

At the March 13, 2014 BSCC meeting the Board adopted the recommendation of the SB 1022 Appeals Panel. Stanislaus County is now ranked second among the medium counties and will receive full funding for its project.

A copy of the appeals panel's report is enclosed.

Sincerely,

A handwritten signature in cursive script that reads "Kathleen T. Howard".

KATHLEEN T. HOWARD
Executive Director

cc: Adam Christianson, Sheriff
Jim Demartini, Chair, Board of Supervisors
Stan Risen, County Administrative Officer
Lauren Klein, Auditor-Controller
Darrell Long, Programs Manager

ATTACHMENT 2

**PROJECT SCOPE SUMMARY
STANISLAUS COUNTY PUBLIC SAFETY CENTER SB1022
RE-ENTRY AND ENHANCED ALTERNATIVES TO CUSTODY TRAINING (REACT)
CENTER PROJECT**

This project will design and construct an adult detention housing and programming facility on approximately 3.5 acres of county-owned land at the Public Safety Center. The REACT Center Project includes secure, transitional housing with programming and administrative space. The project includes 288 replacement adult detention transitional housing beds, programming services, staff support space and a security administration center, and all necessary circulation and common space.

The project will provide 288 replacement beds. Secure housing will include a secure sally port entry, a security control room, video visitation cubicles, showers, secure dayrooms and outdoor recreation space, a retherm kitchen, and programs and training rooms. Also included will be accessible program services space for adult education, religious services, counseling, self-help classes, mental health evaluations/classes, and other life-skills and job/career preparatory programs to help reduce recidivism and assist with rehabilitation.

The REACT Center administrative space will include enhanced jail alternatives services, secure and non-secure classroom and training space. The center will provide services to the offender population under the Sheriff's jurisdiction, which includes pre-trial, post-booking and various alternatives to custody and other program monitored participants. This administrative space will include a public lobby and reception area, administration space, a processing and release area, classrooms, multipurpose meeting spaces and counseling rooms.

This project will be dependent on the existing, adjacent facilities for several core operational components, including, kitchen and laundry services, offender intake, release, transportation, and a remote video visitation center.

The project will be primarily constructed of steel, concrete, and masonry for security and long-term durability. This project will include, but is not limited to, electrical; plumbing; mechanical; computerized heating, ventilation, and air conditioning; security; and fire protection systems. Site work for staff and visitor parking areas will be included along with related supportive infrastructure and utilities to connect to the existing Public Safety Center. This project will also include all necessary and appropriate security fencing.

Stanislaus County Authorized Representative

Date

SB 1022 Re-Entry and Enhanced Alternatives to Custody Training (REACT) Center Project



Stanislaus County Board of Supervisors
Agenda Item B-7 May 6, 2014



Adam Christianson
Sheriff-Coroner
Stanislaus County

Striving to be the Best...



SB 1022 REACT CENTER PROJECT

- 288 Transitional Bed and Programs Facility
- Re-Entry and Enhanced Alternatives to Custody Training (REACT) Center Project
- Direct Response to AB 109 Public Safety Realignment
- Replacement and closure of the Men's Jail in Downtown, Modesto (Except for Court-Holding)
- \$40 million recently awarded upon appeal

Striving to be the Best...



SB 1022 REACT CENTER PROJECT

- REACT Center Project (SB 1022) will include programming space for partnership and volunteer services.
- Evidence Based System for analysis of outcomes of the REACT Center programming efforts.
- Inmates will receive education, training and mental/medical health services, with the goal of reducing recidivism.



Patricia Hill Thomas

Chief Operations Officer-Project Manager

Modernization of Public Safety Facilities

- PROJECT 1:



AB 900 Phase II
Funded (90% State/
10% County)



- PROJECT 2:

- PROJECT 3:

County Funded

- PROJECT 4:

REACT Center

SB 1022 (90%
State/10% County)

384 new maximum-security beds

(possible enhancement to 480 beds)

72-Bed Medical/Mental Health Housing Unit

Jail Medical Services Unit

New Central Security Control Unit

Permanent Day Reporting Center

Intake/Release/Transportation

Jail Administration/Staff Support/Lobby

288 Jail Bed and Programming Center

Jail Alternatives/Sheriff's Correctional & Community

Institutes of Life Skills (SCCILS) Programming

SB 1022 REACT Center Project Team



Striving to be the Best...



SB 81 Juvenile Commitment Center



- Construction Completed June 2013
- 60 Bed Commitment and Vocational Facility
- Completed On Time
- Completed Under Budget
- State Lease Revenue Bond Financing



AB 900 Phase II Public Safety Center Project

In Progress

- Break Ground 2014
- Project One (Two 240-bed Maximum Security Housing Units/Mental Health Units)
- Project Two (Day Reporting Center)
- Project Three (Intake, Release, Transportation)
- On Schedule and Budget
- Project Two Conditional Construction Award April 2014
- Projects One & Three Conditional Award June 2014



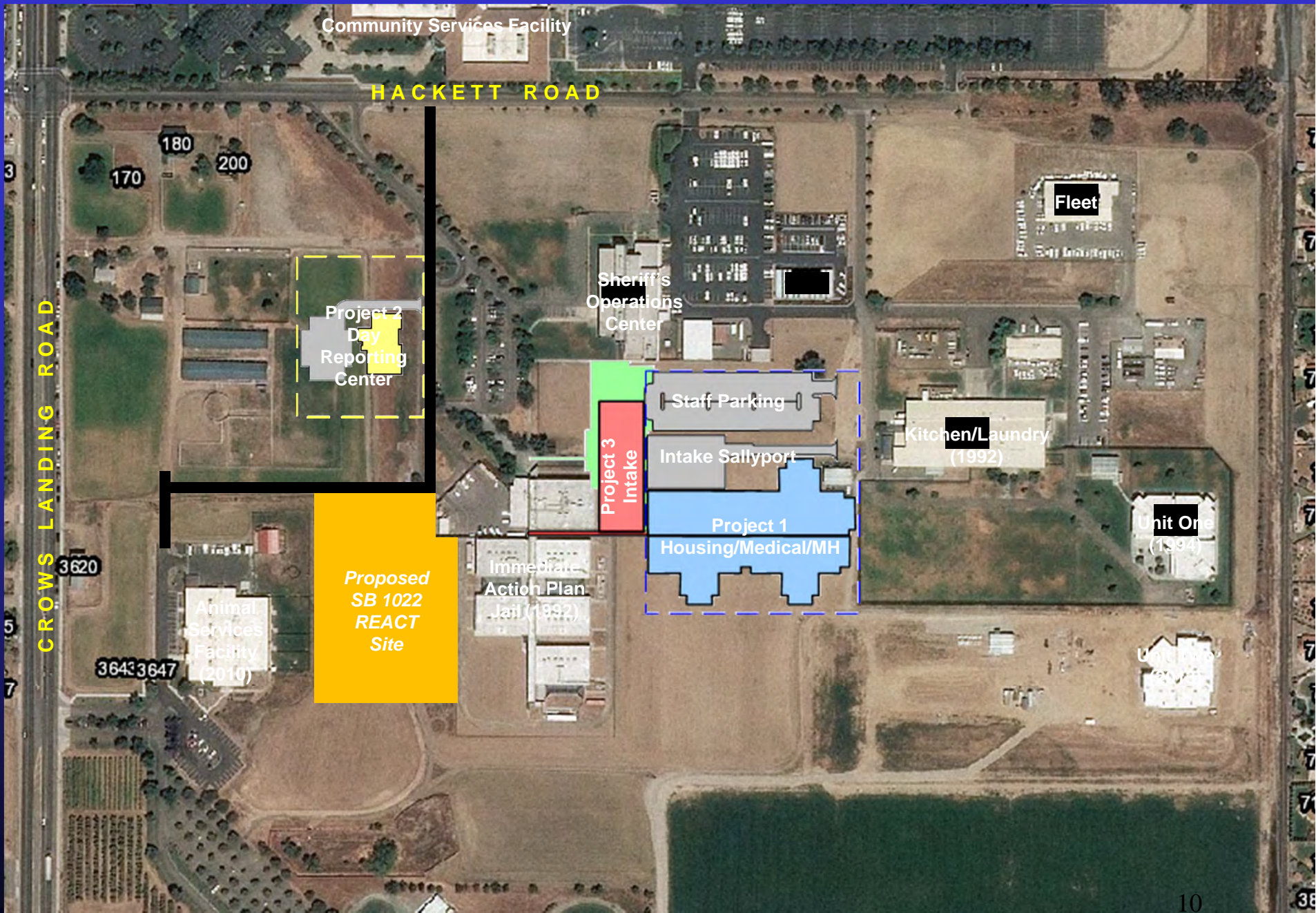
Striving to be the Best...



SB 1022 REACT CENTER PROJECT

In Progress

- 288 transitional jail beds and programming services center to prepare inmates for re-entry into the community
- Closure of Men's Jail in Downtown Modesto except for Court Holding Facility; Relocation of Jail Alternatives Unit from 801 11th Street, Modesto to Public Safety Center
- State Lease Revenue Bond Financing
- Project Establishment by State Public Works Board (SPWB) anticipated in Summer 2014
- Project programming and architectural design work from Summer 2014 to Fall 2015
- Break ground in Summer/Fall 2016
- Construction completion expected by Spring 2018



Adult Local Criminal Justice Facilities Construction Financing Program (SB 1022) REACT Center Project

- On December 12, 2013, the REACT Center Project was ranked third (3rd) among eleven (11) proposals received from medium sized counties, yet the Board of State and Community Corrections (BSCC) informed the County that its REACT Center Project would not be recommended to receive a conditional funding award.
- The BSCC Executive Steering Committee (ESC) met on January 16, 2014 to consider and recommend SB 1022 Adult Local Criminal Justice Facilities Construction Financing Program conditional funding awards.

Adult Local Criminal Justice Facilities Construction Financing Program (SB 1022) REACT Center Project

- Stanislaus County presented its appeal on March 11, 2014 to the BSCC hearing panel. Stanislaus County's appeal focused on the County's readiness to proceed and compliance with the California Environmental Quality Act (CEQA).
- Following the appeal presentation, the panel of BSCC board members recommended that the full BSCC Board adopt the panel's decision to award Stanislaus County \$40 million in jail construction funding.

Adult Local Criminal Justice Facilities Construction Financing Program (SB 1022) REACT Center Project

- On Thursday, March 13, 2014, the full BSCC Board granted the appeal of Stanislaus County to award Stanislaus County a preference point for CEQA compliance, resulting in Stanislaus County moving to a 2nd place ranking and being awarded \$40 million for construction of a re-entry facility at the Public Safety Center.



State and Community Corrections Commission
 1000 Decatur Street, Sacramento, CA 95811
 (916) 223-3071
 (916) 227-3177
 www.sccc.ca.gov

Edward G. Dixon, Jr.
 Linda M. Parnon
 Kathleen T. Howard

March 18, 2014

Adawi Christianson, Sheriff
 Stanislaus County Sheriff's Department
 350 E. Hadlett Road
 Modesto, CA 95368

Dear Sheriff Christianson

SB 1022 ADULT LOCAL CRIMINAL JUSTICE FACILITIES CONSTRUCTION/
 FINANCING PROGRAM PROPOSAL IDENTIFICATION NUMBER: A11-13

Congratulations. On March 13, 2014 the Board of State and Community Corrections granted your county a conditional award of up to \$40,000,000 to improve your local criminal justice facilities.

The funding authority comes from Senate Bill 1022, Chapter 42, Statutes of 2012, also known as The Adult Local Criminal Justice Facilities Construction Financing Program.

The BSCC staff will begin working with your county to help navigate the process. The County may now complete the necessary approval process as outlined in the Request for Proposals (RFP), including the time-sensitive required project milestones that will commence on March 18, 2014.

- 1) Site assurance within 90 days of award
- 2) Real estate due diligence within 120 days of award
- 3) Approval of each county's project by the BSCC and the State Public Works Board at various stages throughout planning and design
- 4) Construction Start
- 5) Construction Completion
- 6) Occupancy

Proposal Identification Number: A11-13 Conditional Award Letter
 SB1022 Adult Local Criminal Justice Facilities Construction Financing Program
 Page 2

Congratulations again on receiving a conditional funding award. If you have any questions or need more information at this time, please feel free to contact BSCC staff or me.

Gary Wion, Deputy Director
 Facilities Standards and Operations Division

cc: Kathleen T. Howard, Executive Director
 Michael Scott, Project Director
 Darrell Long, Project Contact (email)
 Lauren Klein, Financial Officer (email)
 Patricia Hill Thomas, Construction Administrator (email)

Medium County (\$160,000,000 Set-Aside)						
1	Santa Cruz	\$24,635,000	4	795.1	Full	\$24,635,000
2	Stanislaus	\$40,000,000	4	765.4	Full	\$40,000,000
3	Santa Barbara	\$36,976,000	4	755.4	Full	\$36,976,000
4	Solano	\$23,037,000	4	746.4	Full	\$23,037,000
5	Tulare	\$40,000,000	4	729.4	Partial	\$33,362,000
6	San Joaquin	\$40,000,000	4	686.5		
7	Butte	\$40,000,000	3	776.7		
8	Yolo	\$39,860,000	0	706.8		
9	Sonoma	\$24,000,000	0	691.9		
10	Merced	\$40,000,000	0	684.9		
11	Monterey	\$22,757,000	0	669.7		

Adult Local Criminal Justice Facilities Construction Financing Program (SB 1022) REACT Center Project

- Today's actions include a recommendation that the Board of Supervisors formally accept the conditional award of \$40 million from the State of California Board of State and Community Corrections under Senate Bill (SB) 1022 Adult Local Criminal Justice Facilities Construction Financing Program.
- The County is ready to proceed upon acceptance of the conditional award of \$40 million for the SB 1022 REACT Center Project by the Board of Supervisors.



Joshua Ewen

Associate Management Consultant
Chief Executive Office-Capital Projects

Adult Local Criminal Justice Facilities Construction Financing Program (SB 1022)
REACT Center Project

- On October 15, 2013, the Board of Supervisors approved the project financing plan and directed the Auditor Controller to establish appropriations for County match in the amount of \$4,445,000 to satisfy Preference Point Criteria No. 1, commitment of adequate county contribution funds.

90% State Funding:	\$40 Million	State SB 1022
10% County Match:	\$4,445,000	County Fund Balance and PFF
Total:	\$44,445,000	

Adult Local Criminal Justice Facilities Construction Financing Program (SB 1022)
REACT Center Project

Re-Entry and Enhanced Alternatives to Custody Training
REACT Center Project (Sources Approved 10.15.13)

TOTAL Project Cost	\$44,695,000
SB 1022 State Construction Financing.	\$40,000,000
County Match from Set-Aside Fund Balance	\$4,000,000
Public Facilities Fees (PFF) for Project Match	\$445,000
Public Facilities Fees - SB 1022 Ineligible Costs*	\$250,000
<hr/>	
TOTAL Project Funding	\$44,695,000

*SB 1022 Ineligible Costs including legal services, office supplies, printing and publications cannot be used as County Match.

Adult Local Criminal Justice Facilities Construction Financing Program (SB 1022)
REACT Center Project

Re-Entry and Enhanced Alternatives to Custody Training
REACT Center Project (Uses Approved 10.15.13)

Salaries/Project Management.	\$ 1,895,000
Services & Supplies/Inspection/CM.	\$ 3,248,000
Bridging Architect.	\$ 1,640,000
Cost Applied Charges.	\$ 76,000
Design-Build Construction	\$ 37,836,000
<hr/>	
TOTAL Project Uses	\$ 44,695,000

Increasing Jail Capacity

- With implementation of the PSC Expansion Projects, the County will have a net Jail Bed Capacity increase of up to 444 jail beds in the County Jail system, with a total jail capacity of up to 1,758 jail beds.
- AB 900 Phase II Project Up to 552 new jail beds*
- SB 1022 REACT Center 288 new jail beds
- Closure of Men's Jail (MJ) Close 396 existing jail beds
- Downtown MJ to remain as Court Holding Facility

Staffing Impacts

- As with AB 900 Phase II, there is no obligation to fully staff the REACT Center Project immediately upon opening.
- Replaces the downtown jail (except for Court holding) and will be staffed by the transfer of existing Sheriff's personnel to the new 288-bed housing and programming facility.
- Existing Jail Alternatives Unit staff will transfer from their 801 11th Street, Modesto location to the REACT Project Center administrative area to operate Sheriff's AWP/Home Detention programming.

Next Steps

- Upon approval by the Board of Supervisors, the Project Manager will issue a Request for Qualifications and Proposals (RFQ/P) for professional programming and architectural design services for the REACT Center Project.
- Project Manager will seek to coordinate with all involved State Agencies for State Public Works Board Project Establishment, which includes approval of Project Scope, Cost and Schedule; and various matters through the SB 1022 REACT Center Project duration.

Next Steps

- Architectural design services are eligible project costs of SB 1022 State Reimbursement grant funds upon project establishment approval by the SPWB.
- In the event the SPWB project establishment is delayed, the Project Manager seeks authority to proceed with the programming component for the REACT Center project, to be procured using County existing appropriations, to ensure the project promptly proceeds toward design and construction.

Schedule

- *Spring/Summer 2014:*
 - State Public Works Board (SPWB) Project Establishment, Real Estate Due Diligence Package approval, and Site Assurance.

- *Summer 2014:*
 - Board of Supervisors approves a Architectural and Engineering Design Team for the SB 1022 Project.

Schedule

- *Fall 2015:*
 - Board of Supervisors approves Operational Statement, Staffing Plan, Performance Criteria and Concept Drawings and authorizes transmittal to State.

- *Spring 2016:*
 - Board of Supervisors approves a conditional award of a construction contract for a Design-Build Entity.

Adult Local Criminal Justice Facilities Construction Financing Program (SB 1022)
REACT Center Project

Schedule

- *Fall/Winter 2017 to Spring 2018:*
 - Substantial Completion of SB 1022 REACT Project.
 - Final Acceptance by Board of Supervisors.
 - Commence occupancy within 90 Days of completion of construction.

Adult Local Criminal Justice Facilities Construction Financing Program (SB 1022)
REACT Center Project

Today's Actions:

- 1. Accept the conditional award of \$40 million from the State of California Board of State and Community Corrections under Senate Bill (SB) 1022 Adult Local Criminal Justice Facilities Construction Financing Program for the design-build construction of the Stanislaus County Re-Entry and Enhanced Alternatives to Custody Training (REACT) Center Project.*

Today's Actions:

- 2. Authorize the Project Manager to issue a Request for Qualifications and Proposals (RFQ/P) for professional programming and architectural design services for the REACT Center Project and to return to the Board of Supervisors with a recommendation to award a Professional Services Agreement.*

Today's Actions:

- 3. Authorize the Project Manager to exercise an option to proceed with the programming design component to expedite the architectural design process of the REACT Center Project, in the event the project establishment process is delayed by the State of California.*

Today's Actions:

- 4. Authorize the Project Manager in collaboration with County Counsel, and outside legal counsel to negotiate the terms of Construction Agreement, the Project Delivery and Construction Agreement (PDCA), and Site Access Agreements between Stanislaus County, the State Public Works Board (SPWB), the Department of Corrections and Rehabilitation, and the Board of State and Community Corrections of the State of California for the design-build construction of all components of the REACT Center Project.*

Adult Local Criminal Justice Facilities Construction Financing Program (SB 1022)
REACT Center Project

Today's Actions:

- 5. Direct the Auditor Controller to increase appropriations in the amount of \$44,695,000 and to increase revenue in the amount of \$40,000,000 in the SB 1022 Adult Local Criminal Justice Facilities Capital Project Fund as outlined in the budget journal form.*

Today's Actions:

- 6. Direct the Auditor Controller to increase other operating transfers out in the amount of \$79,535 in Fund 6402 Public Facilities Fees-Jails and increase other operating transfers out in the amount of \$170,465 in Fund 2402-Detention; increase operating transfers in the amount of \$250,000 in the SB 1022 Adult Local Criminal Justice Facilities Capital Project Fund.*
- 7. Authorize the Project Manager to negotiate and sign contracts, work authorizations, and purchase orders for professional services needed in this phase of the project as long as they are within the project budget.*

SB 1022 REACT CENTER PROJECT



Questions/Comments?

Stanislaus County Board of Supervisors
Agenda Item B-7 May 6, 2014