



County of Monterey

Board of Supervisors
Chambers
168 W. Alisal St., 1st Floor
Salinas, CA 93901

Legislation Details (With Board Report)

File #: 13-0187 **Name:** New Juvenile Hall Project One Year Extension
Type: General Agenda Item **Status:** Passed
File created: 2/15/2013 **In control:** Board of Supervisors
On agenda: 2/26/2013 **Final action:** 2/26/2013
Title: a. Consider receiving a report on the status of the New Juvenile Hall project; and
b. Consider authorizing the Chief Probation Officer to submit a letter requesting a one-year extension of the deadline to satisfy the Site Assurance requirements of SB 81 for a conditional grant award of \$35 million for the New Juvenile Hall project.
Sponsors: Public Works / RMA

Indexes:

Code sections:

Attachments: 1. Exhibit A - Fact Sheet, 2. Exhibit B - Frequently Asked Questions, 3. Exhibit C - Presentation Renderings, 4. Completed Board Order

| Date | Ver. | Action By | Action | Result |
|-----------|------|----------------------|----------|--------|
| 2/26/2013 | 1 | Board of Supervisors | approved | Pass |

a. Consider receiving a report on the status of the New Juvenile Hall project; and
b. Consider authorizing the Chief Probation Officer to submit a letter requesting a one-year extension of the deadline to satisfy the Site Assurance requirements of SB 81 for a conditional grant award of \$35 million for the New Juvenile Hall project.

RECOMMENDATIONS:

It is recommended that the Board of Supervisors:

a. Consider receiving a report on the status of the New Juvenile Hall project; and
b. Consider authorizing the Chief Probation Officer to submit a letter requesting a one-year extension of the deadline to satisfy the Site Assurance requirements of SB 81 for a conditional grant award of \$35 million for the New Juvenile Hall project.

SUMMARY:

This action would receive a report on the status of the New Juvenile Hall and authorize the Chief Probation Officer to submit a letter requesting a one-year extension of the deadline to satisfy the Site Assurance requirements of SB 81 for a conditional grant award of \$35 million for the New Juvenile Hall project

DISCUSSION:

The County of Monterey's need for a New Juvenile Hall Facility (New Facility) has been well documented including multiple Grand Jury reports since 2003 and a Juvenile Detention Needs Assessment in 2006.

The existing structure is over 50 years old and has reached the end of its useful life. In fact, it is one of the oldest juvenile institutions in the State and was originally designed to lodge truants and runaways. However, it has evolved into a facility that houses juveniles charged with increasingly serious and violent crimes. The existing facility does not meet current State Codes including Titles 15 and 24, as well as the Federal Americans

with Disabilities Act.

From an operational standpoint, the existing facility is inadequate to meet the security, safety and confinement needs of the resident population. Direct visual supervision is of paramount importance in custodial institutions. The antiquated linear design of the existing facility limits visual supervision making officers' intervention during emergencies more challenging. Individual rooms do not allow for double occupancy or private toilets, which could optimize supervision and operational efficiencies. It has inadequate space to support medical and mental health treatment, and very limited space for essential rehabilitative programs, as well as vocational, recreational or cultural activities. Family visitations require high staff resources.

Starting in 2003, and for a period of 18 months, the facility was evacuated due to seismic damage and long-term deterioration and the residents were relocated at a significant financial cost. The remodeling effort was calculated to extend the useful life of the facility for only five to seven years. Therefore, a concurrent commitment to the State to build a new facility in accordance with current standards was made. Unfortunately, over eight years have passed since the remodel work and the existing facility is still being used.

In 2006, the Juvenile Detention Needs Assessment identified a New Facility as an urgent service gap in the local criminal justice system. The extensive document presents a variety of needs in terms of: safety and security for residents and staff; offender classification; space for programs, activities, and visitation; long-term growth; compliance with mandated state standards; operational efficiencies; energy efficiency and environmentally-conscious approach to reduce operating costs.

In August 2007, Senate Bill 81 was signed into law. This legislation established a grant program to fund the construction of juvenile rehabilitation facilities and designated the Board of State and Community Corrections (BSCC) to manage this program. In December 2008, the Board of Supervisors approved a grant application for SB 81 funds in the amount of \$35 million. This grant funding was to be matched with local funds to build a New Facility at a total cost of \$85.2 million. This New Facility was to include 150 beds, a vehicle sally port, medical unit, recreation yard, laundry, kitchen, school, gymnasium, and staff offices. In November 2010, Monterey County received a conditional grant award of \$35 million.

Since the original grant application, poor economic conditions have forced a review of the project scope because the required local matching funds were no longer going to be available in the amount originally envisioned. As a result, Probation Department staff has had discussions with the State to discuss phasing of the New Facility. It is envisioned that the project would have two phases and the first phase would include the 150 beds, vehicle sally port, and recreation yard. The laundry services would be handled at the County Jail, as is currently done. The Youth Center kitchen would provide meals and portable buildings would be used to provide classroom space. The second phase would include a gymnasium, classrooms, kitchen and laundry.

Given the scope noted above, the first phase would cost \$52.4 million. Probation Department staff anticipate retaining the \$35M grant which would mean the local match could be reduced to \$17.4 million.

While a review of the project scope and phasing were being considered, two one-year grant extensions were requested by County staff and approved by the BSCC. The second extension established March 7, 2013 as the deadline to meet the grant requirement for Site Assurance. Site Assurance is a demonstration by the County that we own and control the proposed site for the New Facility and represents an important step in showing a project's viability. It should be noted that the BSCC is not obligated to provide extensions and with each request there was an opportunity for the State to withdrawal the conditional grant award. The BSCC has stressed to the County that these two extensions were unprecedented.

In an effort to meet the Site Assurance deadline established by the second extension, Public Works staff brought to the Board of Supervisors a Fund 404 financing plan on January 15, 2013 that included the required local match of \$17.4 million for the New Facility. This financing plan was approved. In addition, the Probation Department hosted an open house and site tour for the community on January 28, 2013 to explain the need for a New Facility and identifying 855 East Laurel Drive as the proposed site.

The purpose of identifying the proposed site was to comply with the Site Assurance requirement of the conditional grant. Since this site is a feasible alternative and is owned by the County, Site Assurance could be demonstrated. It should be noted that County staff requested the ability to list multiple sites as part of the Site Assurance process. However, the BSCC explained that the grant requirements were clear and that only one site could be proposed.

At that meeting, Fact Sheets, Frequently Asked Questions and project renderings were provided. Updates of these outreach materials are provided as Exhibits A, B, and C to this report. These materials, and additional relevant information, are available to the public on the County website at www.co.monterey.ca.us/juvenilehall.

During the open house, a number of attendees voiced concern and opposition to the proposed site. There were questions about the impact of locating the New Facility near the soccer fields, had other sites been considered, could sites outside of the City of Salinas or in a different part of Salinas be considered?

Given the responses received, County staff has had several discussions with the BSCC about the Site Assurance requirements and the ability to consider alternate sites. Two courses of action were outlined with the BSCC. The first would be to move forward and list the 855 East Laurel Drive location as the proposed site for purposes of satisfying the Site Assurance requirement. The second would be to request a third one-year extension to allow public outreach, the development of an alternative analysis with public input, and finalizing the project phasing with the BSCC.

While the request for a third extension has its risks, the BSCC did note that there were no other Counties in line waiting for grant funding. In addition, there were still unallocated funds within the SB 81 program that will require a Request for Proposal process by the BSCC. Given the grant program status, staff from the BSCC indicated that they would not oppose a third extension request. However, the ultimate decision will rest with the BSCC.

Therefore, staff is recommending that a third one-year extension be requested from the BSCC.

OTHER AGENCY INVOLVEMENT:

The County has discussed this project with the City of Salinas and the BSCC. Due to the late submission of this Board Report, the CAO Budget and Analysis Division was not provided adequate time to fully review for potential fiscal, organizational policy, or other implications to the County of Monterey.

FINANCING:

There may be a fiscal impact to the General Fund if this project were to be approved by the Board of Supervisors. On January 15, 2013, the RMA presented to the Board a five-year CIP financing plan which included this project. According to this financing plan in addition to the State grant of \$35 million the County would provide 1.1 million in Fund 404 Balance and would need to acquire debt financing in the amount of \$16.3 million through the issuance of Certificates of Participation to fund this project. The annual funding of debt service payments will impact the General Fund. In addition, there is an anticipation of additional staffing cost associated with a larger facility that has not yet been determined which may also impact the General Fund.

Prepared by: Bob Murdoch, Public Works Director, (831) 755-4831

Approved by:

Benny J. Young, RMA Director

Manuel Real, Chief Probation Officer, Probation Department

Dated: February 15, 2013

Attachments: Exhibit A - Fact Sheet; Exhibit B - Frequently Asked Questions; Exhibit C - Presentation
Renderings