



County of Monterey

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

Board Report

File #: BC 18-166, **Version:** 1

- a. Receive a report on additional staffing needs to prepare for the opening of additional Jail housing units in August 2019;
- b. Support to add nine (9) Deputy Sheriff-Corrections positions effective March 1, 2019 in the Sheriff's Office Budget Unit, 001-2300-SHE003-8238; and
- c. Provide staff direction on the preferred funding solution as described in the financing section.

RECOMMENDATION:

It is recommended the Board of Supervisors' Budget Committee:

- a. Receive a report on additional staffing needs to prepare for the opening of additional Jail housing units in August 2019;
- b. Support to add nine (9) Deputy Sheriff-Corrections positions effective March 1, 2019 in the Sheriff's Office Budget Unit, 001-2300-SHE003-8238; and
- c. Provide staff direction on the preferred funding solution as described in the financing section.

SUMMARY/DISCUSSION:

On December 6, 2011, the Board of Supervisors approved resolution # 11-377 authorizing the Monterey County Sheriff to sign and submit an application for a local jail facility construction grant from AB 900 phase II in the amount of \$80 million. The Corrections Standards Authority (now Board of State and Community Corrections - BSCC) approved a 576-bed housing addition project at the meeting of September 12, 2013. In December of 2015, the Board of Supervisors approved the working drawings for the housing addition project and authorized the plans be submitted to BSCC. The appropriate state agencies approved final designs and inspections in early 2017. Construction began in the summer of 2017 and is scheduled to be completed in August of 2019.

One of the requirements for the AB900 II project is the completion of an operating cost analysis and staffing plan. The operating cost analysis and staffing plan requirements are defined as follows:

“Operating cost analysis” means a 30-year analysis of anticipated operating costs (e.g. staff salary/benefits, transition team costs, utilities and maintenance) and the identification of, and revenue sources for, sufficient county funds needed to support the operation of the proposed facility. The operating cost analysis must be submitted for BSCC review with the design development plans and specifications. Following BSCC's review, the county shall submit the operating cost analysis to the Board of Supervisors for review and approval.

“Staffing plan” means an assessment and identification of staffing levels needed to operate the proposed project. The staffing plan shall include: staffing requirements under the proposed design capacity and shift and post identification of staff for the proposed facility, delineated by custody and support staff. The staffing plan must be submitted for BSCC review with the design development plans and specifications. Upon BSCC's determination that the staffing plan complies with regulations, the county shall submit the staffing plan to the Board of Supervisors for review and approval.

Operational and staffing plans should not be viewed as clear definitions of future needs. They are simply a

strategic look forward based upon current trends. The most predominant trend impacting local jails is around the care, confinement conditions, and programs available to inmates. This is an ever-increasing bar. The courts and state government are continually raising the standards of care for local inmates. Every time the standard increases, the costs to staff and operate a county jail increase as well. Additionally, the criminal justice system is a dynamic, ever changing arena. There are far too many variables to accurately predict future needs. Ever changing laws, regulations, litigation, and case decisions can all have a major impact on jail operations and the staff required to supervise inmates. One simple legislative change to criminal punishment laws could unexpectedly drive the inmate population up (AB109) or down (Propositions 47 and 57). A significant swing in inmate jail population can occur from a single piece of legislation. Federal or State Regulatory changes to minimum jail standards can also impact staffing requirements independent of the inmate population. The Federal Prison Rape Elimination Act (PREA) could result in a need for additional staff. The California Code of Regulations sets minimum standards for county jails in California. Any time the minimum standards for jail operations increase; it could cause a need for additional staffing. Current or future litigation and court case decisions are other potential drivers that could call for increased staffing.

The Sheriff submitted the attached operational and staffing plan to the BSCC and to the Monterey County Budget Committee and Board of Supervisors in 2017. The expansion project is on pace to be completed and ready to occupy in August of 2019. As discussed last year, this project will require additional personnel to meet statutory, regulatory, and case decisions that govern minimum requirements for our jail. The attached plan considers utilizing existing personnel assigned to the older portions of the jail, and redirecting those resources to the expansion. The expansion will require a total of 63 positions. 42 existing positions will be redirected into the expansion. Using 42 existing positions will still result in 21 net new positions. The 21 new positions will be as follows: nine (9) Deputy Sheriffs, nine (9) Custody and Control Specialists, and three (3) Inmate Service Specialists. Due to the training requirements for Deputies, those positions will have to begin working as Deputy Recruits in March of 2019. All the professional staff positions can be hired next fiscal year (FY), FY 2019-20. The ongoing personnel costs are included in attachment B. The estimated cost for FY 2018-19 is \$367,946 for nine recruits' salaries and benefits for four months, March through June of 2019 and estimated costs for recruitment and background investigation and basic academy cost. The continuing costs beginning next fiscal year, FY 2019-20 are estimated at \$2,064,744.

OTHER AGENCY INVOLVEMENT:

Monterey County Sheriff's Office (the Office) and RMA-Public Works continue to work jointly with the Board of State and Community Corrections to meet all State-mandated milestones to maintain the conditional award of the Project. The Human Resource Department has reviewed and approved the Request to Classify for nine (9) Deputy Sheriff-Corrections positions.

FINANCING:

On January 15, 2013, the Board approved a Five-Year CIP financing plan, which includes the Project. In addition to an \$80 million State grant, the County has contributed \$8.9 million from Fund 404, for a total project cost of \$ 88.9 million.

For the additional costs expected for the current FY 2018-19 of \$367,946, the Sheriff's Office proposes the following options:

- Option 1- use of \$367,946, a reduction to the appropriation for Contingencies. As of this writing, the appropriation balance is \$1,247,089. The balance does not include several requests to utilize contingencies that are pending consideration by the Board of Supervisors.

- Option 2- use of \$367,946 from the discretionary Cannabis Program fund. As of this writing, the assignment balance is estimated at \$8,777,210 for the year ending June 30, 2019.
- Option 3 - add the requested positions without funding. The Office will do its best to manage the budget and to absorb the additional costs in the current budget. Should the Office expect appropriation shortage due to this request close to the end of the current fiscal year, the Office will request the additional funding at that time. The Office explored any possible program reductions or savings but concluded that all programs are running at minimum level of service.
- Option 4 - suspend or postpone the opening of the expansion.

Prepared by: John Mineau, Undersheriff, X3859

Approved by: Steve Bernal, Sheriff, X3856

Attachment A: Operational and Staffing Plan

Attachment B: Estimated Costs for FYs 2018-19 & 2019-20

Attachment C: Budget Augmentation/Reallocations Request to Classify