




SENATE BILL 863, ADULT LOCAL CRIMINAL JUSTICE FACILITIES CONSTRUCTION FINANCING PROGRAM PROPOSAL FORM

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SECTION 1: PROJECT INFORMATION

| | | | | |
|---|--|--|--|---------------------|
| A. APPLICANT INFORMATION AND PROPOSAL TYPE | | | | |
| COUNTY NAME County of Santa Clara | | STATE FINANCING REQUESTED \$ 80,000,000.00 | | |
| SMALL COUNTY (200,000 and UNDER GENERAL COUNTY POPULATION) <input type="checkbox"/> | MEDIUM COUNTY (200,001 - 700,000 GENERAL COUNTY POPULATION) <input type="checkbox"/> | LARGE COUNTY (700,001 + GENERAL COUNTY POPULATION) <input checked="" type="checkbox"/> | | |
| TYPE OF PROPOSAL – INDIVIDUAL COUNTY FACILITY /REGIONAL FACILITY PLEASE CHECK ONE (ONLY): | | | | |
| INDIVIDUAL COUNTY FACILITY <input checked="" type="checkbox"/> | | REGIONAL FACILITY <input type="checkbox"/> | | |
| B: BRIEF PROJECT DESCRIPTION | | | | |
| FACILITY NAME County of Santa Clara Main Jail East | | | | |
| PROJECT DESCRIPTION Mental Health Housing, Re-Entry Services, with Program and Treatment Space for Sentenced & Pre-Sentenced Local Offenders | | | | |
| STREET ADDRESS 150 W. Hedding Street | | | | |
| CITY San Jose | | STATE CA | ZIP CODE 95110 | |
| C. SCOPE OF WORK – INDICATE FACILITY TYPE <u>AND</u> CHECK ALL BOXES THAT APPLY. | | | | |
| FACILITY TYPE (II, III or IV) Type II | <input checked="" type="checkbox"/> NEW STAND-ALONE FACILITY | <input type="checkbox"/> RENOVATION/ REMODELING | <input type="checkbox"/> CONSTRUCTING BEDS OR OTHER SPACE AT EXISTING FACILITY | |
| D. BEDS CONSTRUCTED – Provide the number of BSCC-rated beds and non-rated special use beds that will be subject to construction as a result of the project, <u>whether remodel/renovation or new construction.</u> | | | | |
| | A. MINIMUM SECURITY BEDS | B. MEDIUM SECURITY BEDS | C. MAXIMUM SECURITY BEDS | D. SPECIAL USE BEDS |
| Number of beds constructed | N/A | 710 | N/A | 105 |
| TOTAL BEDS (A+B+C+D) | 815 (Represents an increase of 18 rated beds). | | | |

| | | | |
|---|---|----------|---|
| E. APPLICANT'S AGREEMENT | | | |
| By signing this application, the authorized person assures that: a) the County will abide by the laws, regulations, policies, and procedures governing this financing program; and, b) certifies that the information contained in this proposal form, budget, narrative, and attachments is true and correct to the best of his/her knowledge. | | | |
| PERSON AUTHORIZED TO SIGN AGREEMENT | | | |
| NAME | Gary Graves | | TITLE Chief Operating Officer |
| AUTHORIZED PERSON'S SIGNATURE |  | | DATE 8/20/15 |
| F. DESIGNATED COUNTY CONSTRUCTION ADMINISTRATOR | | | |
| This person shall be responsible to oversee construction and administer the state/county agreements. (Must be county staff, not a consultant or contractor, and must be identified in the Board of Supervisors' resolution.) | | | |
| COUNTY CONSTRUCTION ADMINISTRATOR | | | |
| NAME | Roger Soohoo | | TITLE Deputy Director, Facilities and Fleet Dept |
| DEPARTMENT | Facilities and Fleet Department | | TELEPHONE NUMBER 408-993-4716 |
| STREET ADDRESS 2310 North First Street, Suite 200 | | | |
| CITY | STATE | ZIP CODE | E-MAIL ADDRESS |
| San Jose | CA | 95131 | roger.soofoo@faf.sccgov.org |
| G. DESIGNATED PROJECT FINANCIAL OFFICER | | | |
| This person is responsible for all financial and accounting project related activities. (Must be county staff, not a consultant or contractor, and must be identified in the Board of Supervisors' resolution.) | | | |
| PROJECT FINANCIAL OFFICER | | | |
| NAME | Andy Walker | | TITLE Department Fiscal Officer, Facilities & Fleet |
| DEPARTMENT | Facilities and Fleet Department | | TELEPHONE NUMBER 408-993-4636 |
| STREET ADDRESS 2310 North First Street, Suite 200 | | | |
| CITY | STATE | ZIP CODE | E-MAIL ADDRESS |
| San Jose | CA | 95131 | andy.walker@faf.sccgov.org |
| H. DESIGNATED PROJECT CONTACT PERSON | | | |
| This person is responsible for project coordination and day-to-day liaison work with the BSCC. (Must be county staff, not a consultant or contractor, and must be identified in the Board of Supervisors' resolution.) | | | |
| PROJECT CONTACT PERSON | | | |
| NAME | Edward Hwang | | TITLE Capital Projects Manager, Facilities & Fleet |
| DEPARTMENT | Facilities and Fleet Department | | TELEPHONE NUMBER 408-993-4631 |
| STREET ADDRESS 2310 North First Street, Suite 200 | | | |
| CITY | STATE | ZIP CODE | E-MAIL ADDRESS |
| San Jose | CA | 95131 | edward.hwang@faf.sccgov.org |

SECTION 2: BUDGET SUMMARY

Budget Summary Instructions

Definitions of total project costs for purposes of this program (state reimbursed, county cash contribution, and county in-kind contribution) can be found in the “Budget Considerations” page 22 of the Senate Bill (SB) 863, Construction of Adult Local Criminal Justice Facilities (ALCJF’s) Request for Proposals (RFP). The county cash and in-kind contributions are collectively the county contribution. Those defined costs in the RFP shall be the guide for accurately completing this budget summary section.

In the Budget Summary Table that follows in part D of this section, indicate the amount of state financing requested and the amount of cash and/or in-kind contributions allotted to each budget line-item, in total defining the total project costs. It is necessary to fully include each eligible project cost for state-reimbursed, county cash, and county in-kind contribution amounts.

The in-kind contribution line items represent only county staff salaries and benefits, needs assessment costs, transition planning costs and/or current fair market value of land. An appraisal of land value will only be required after conditional award and only if land value is included as part of the county’s contribution.

The total amount of state financing requested cannot exceed 90 percent of the total project costs. The county contribution must be a minimum of 10 percent of the total project costs (unless the applicant is a small county petitioning for a reduction in the county contribution amount). County contributions can be any combination of cash or in-kind project costs. Small counties requesting a reduction in county contribution must state so in part A of this section. The County contribution must include all costs directly related to the project necessary to complete the design and construction of the proposed project, except for those eligible costs for which state reimbursement is being requested.

State financing limits (maximums) for all county proposals are as follows. For proposed regional ALCJF’s, the size of the lead county determines the maximum amount of funds to be requested for the entire project:

- **\$80,000,000** for large counties;
- **\$40,000,000** for medium counties; and,
- **\$20,000,000** for small counties.

A. Under 200,000 Population County Petition for Reduction in Contribution

Counties with a population below 200,000 may petition the Board of State and Community Corrections (BSCC) for a reduction in its county contribution. This proposal document will serve as the petition and the BSCC Board's acceptance of the county's contribution reduction, provided the county abides by all terms and conditions of this SB 863 RFP and Proposal process and receives a conditional award. The county (below 200,000 population) may request to reduce the required match to an amount not less than the total non-state reimbursable projects cost as defined in Title 15, Division 1, Chapter 1, Subchapter 6, Construction Financing Program section 1712.3. If requesting a reduction in match contribution, check the box below to indicate the county's petition.

By checking this box the county hereby petitions for a contribution reduction request as reflected in the proposal budget.

B. Readiness to Proceed Preference

In order to attest that the county is seeking the readiness to proceed with the proposed project, the county included a Board of Supervisors' resolution doing the following: 1) identifying and authorizing an adequate amount of available matching funds to satisfy the counties' contribution, 2) approving the forms of the project documents deemed necessary, as identified by the board to the BSCC, to effectuate the financing authorized in SB 863 3) and authorizing the appropriate signatory or signatories to execute those documents at the appropriate times. The identified matching funds in the resolution shall be compatible with the state's lease revenue bond financing. Additionally see Section 6 "Board of Supervisors' Resolution" for further instructions.

This proposal includes a Board of Supervisors' Resolution that is attached and includes language that assures funding is available and compatible with state's lease revenue bond financing. See below for the description of compatible funds.

County Cash Contribution Funds Are Legal and Authorized. The payment of the county cash contribution funds for the proposed adult local criminal justice facility project (i) is within the power, legal right, and authority of the County; (ii) is legal and will not conflict with or constitute on the part of the County a material violation of, a material breach of, a material default under, or result in the creation or imposition of any lien, charge, restriction, or encumbrance upon any property of the County under the provisions of any charter instrument, bylaw, indenture, mortgage, deed of trust, pledge, note, lease, loan, installment sale agreement, contract, or other material agreement or instrument to which the County is a party or by which the County or its properties or funds are otherwise subject or bound, decree, or demand of any court or governmental agency or body having jurisdiction over the County or any of its activities, properties or funds; and (iii) have been duly authorized by all necessary and appropriate action on the part of the governing body of the County.

No Prior Pledge. The county cash contribution funds and the Project are not and will not be mortgaged, pledged, or hypothecated by the County in any manner or for any purpose and have not been and will not be the subject of a grant of a security interest by the County. In addition, the county cash contribution funds and the

Project are not and will not be mortgaged, pledged, or hypothecated for the benefit of the County or its creditors in any manner or for any purpose and have not been and will not be the subject of a grant of a security interest in favor of the County or its creditors. The County shall not in any manner impair, impede or challenge the security, rights and benefits of the owners of any lease-revenue bonds sold by the State Public Works Board for the Project (the "Bonds") or the trustee for the Bonds.

Authorization to Proceed with the Project. The Project proposed in the County's SB 863 Financing Program proposal is authorized to proceed in its entirety when and if state financing is awarded for the Project within the SB 863 Financing Program.

C. California Environmental Quality Act (CEQA) compliance

Has the county completed the CEQA compliance for the project site?

Yes. If so, include documentation evidencing the completion (preference points).

No. If no, describe the status of the CEQA certification.

D. Budget Summary Table (Report to Nearest \$1,000)

| LINE ITEM | STATE REIMBURSED | CASH CONTRIBUTION | IN-KIND CONTRIBUTION | TOTAL |
|------------------------------------|-------------------------|-------------------------|----------------------|--------------------------|
| 1. Construction | \$ 80,000,000.00 | \$132,858,000.00 | | \$ 212,858,000.00 |
| 2. Additional Eligible Costs* | \$ 0.00 | \$ 17,029,000.00 | | \$ 17,029,000.00 |
| 3. Architectural | \$ 0.00 | \$ 21,286,000.00 | | \$ 21,286,000.00 |
| 4. Project/Construction Management | \$ 0.00 | \$ 6,386,000.00 | | \$ 6,386,000.00 |
| 5. CEQA | \$ 0.00 | \$58,000.00 | | \$58,000.00 |
| 6. State Agency Fees** | \$ 0.00 | \$ 141,000.00 | | \$ 141,000.00 |
| 7. Audit | | \$ 50,000.00 | \$ 0.00 | \$ 50,000.00 |
| 8. Needs Assessment | | \$ 282,000.00 | \$ 0.00 | \$ 282,000.00 |
| 9. Transition Planning | | \$ 0.00 | \$ 0.00 | \$ 0.00 |
| 10. County Administration | | | \$ 0.00 | \$ 0.00 |
| 11. Land Value | | | \$ 0.00 | \$ 0.00 |
| TOTAL PROJECT COSTS | \$ 80,000,000.00 | \$178,090,000.00 | \$ 0.00 | \$ 258,090,000.00 |
| PERCENT OF TOTAL | 31.00% | 69.00 % | 0.00 % | 100.00 % |

* Additional Eligible Costs: This line item is limited to specified fees and moveable equipment and moveable furnishings (eligible for state reimbursement or cash contribution), and public art (eligible for cash contribution only)

** For State Agency Fees: State reimbursable costs include Real Estate Due Diligence only. State Fire Marshal fees may only be claimed as cash match.

Provide an explanation below of how the dollar figures were determined for each of the budget categories above that contain dollar amounts. Every cash contribution (match) line item shall be included with a reporting of the full amount budgeted unless a line item is not an actual cash contribution project cost for the county. (In that case, indicate so below.) For each budget category explanation below, include how state financing and the county contribution dollar amounts have been determined and calculated (be specific).

1. Construction (includes fixed equipment and furnishings) (state reimbursement/cash match): The estimated construction cost is \$212,858,000, which includes escalation to 2019. The County is requesting the state to contribute the maximum award amount for

this grant, \$80,000,000. The County's contribution will be the difference, \$132,858,000. The cost estimate was prepared by a professional cost estimating firm and verified by comparing to other recent jail projects in the state.

2. Additional Eligible Costs (specified allowable fees, moveable equipment and furnishings, and public art)

a) Define each allowable fee types and the cost of each: Cost included are for consultants to produce an Architectural Program Statement that includes the following: a program statement, engineering analysis, facility condition assessment, space planning, and proposed massing diagrams. Additionally, consultants produced operational narrative, assisted in developing staffing plan, and assisted in developing Evidence-Based Principle curriculum.

b) Moveable equipment and moveable furnishings total amount: Moveable equipment and furnishing cost is estimated to be 8 percent of the construction cost, \$17,029,000. The County is not seeking state reimbursement.

c) Public art total amount: \$0.00

3. Architectural (state reimbursement/cash match): a) Describe the county's current stage in the architectural process: Architectural cost is estimated to be 10 percent of the construction cost, \$21,286,000. The County has completed the programming phase, including conceptual and perspective drawings. The County will fund the following phases: schematic design, design development, construction documents, construction bid and award, and construction support, and contract close out. The County is not seeking state reimbursement.

b) Given the approval requirements of the State Public Works Board (SPWB) and associated state reimbursement parameters (see "State Lease Revenue Bond Financing" section in the RFP), define which portions/phases of the architectural services the county intends to seek state dollar reimbursement: The County is self-funding 100 percent of the architectural service costs; The County is not seeking state reimbursement.

c) Define the budgeted amount for what is described in b) above: The County is planning to incur 100 percent of this cost. The County is not seeking state reimbursement.

d) Define which portion/phases of the architectural services the county intends to cover with county contribution dollars: The County plans to incur 100 percent of the cost for architectural services; this cost includes design and engineering fees. The County is not seeking state reimbursement.

e) Define the budgeted amount for what is described in d) above: Cost includes design and engineering fees defined as, but not limited to, the following: geotechnical analysis, soils report, land use studies, and design/engineering contingencies.

4. Project/Construction Management - Describe which portions/phases of the construction management services the county intends to claim as:

a) Cash: Construction Management cost is estimated to be 3 percent of the construction cost, \$6,386,000. The County will fund for the construction management and administration, and close out of the project. The County is not seeking state reimbursement.

b) In-Kind: N/A

5. CEQA – may be state reimbursement (consultant or contractor) or cash match:

CEQA has been completed and a mitigated negative declaration approved by the County prior to the establishment of the project by the Board. A historical survey was performed by a contractor in support of the CEQA for the amount of \$58,000. The County performed the CEQA in-house, and the in-kind contribution was \$12,000. The County is not seeking state reimbursement.

6. State Agency Fees – Counties should consider approximate costs for the SFM review which may be county cash contribution (match). The estimated cost for state agency fees is \$141,000. Per the bidder's conference, state fire marshal fees average approximately \$125,000. \$16,000 is required for the real estate due diligence per the RFP. The County is not seeking state reimbursement.

7. Audit of Grant - Define whether the county is intending to use independent county auditor (in-kind) or services of contracted auditor (cash) and amount budgeted: Audit estimated cost is \$50,000. The County will be contracting a Certified Public Accountant to complete and prepare the financial audit as required by the funding guidelines. The County is not claiming in-kind match for the audit.

8. Needs Assessment - Define work performed by county staff (in-kind), define hired contracted staff services specifically for the development of the needs assessment (cash match): The Needs Assessment was done by an independent contractor, MGT of America, for \$282,000. The County is not claiming in-kind match for the Needs Assessment.

9. Transition Planning – Define work performed by county staff (in-kind), define the staff hired specifically for the proposed project (cash match): The County is not claiming in-kind match for transition planning.

10. County Administration – Define the county staff salaries/benefits directly associated with the proposed project: The County is not claiming in-kind match for County administration.

11. Site Acquisition - Describe the cost or current fair market value (in-kind): The County is not claiming in-kind match for land value.

SECTION 3: PROJECT TIMETABLE

Prior to completing this timetable, the county must consult with all appropriate county staff (e.g., county counsel, general services, public works, county administrator) to ensure that dates are achievable. Please consult the “State Public Works Board (State Capital Outlay Process)/Board of State and Community Corrections Processes and Requirements” section, page 30 of the RFP for further information. Complete the table below indicating start and completion dates for each key event, including comments if desired. Note the required time frames for specific milestone activities in this process. The BSCC Board intends to make conditional awards at its November 2015 board meeting.

| KEY EVENTS | START DATES | COMPLETION DATES | COMMENTS |
|--|-------------|------------------|-----------------------------------|
| Site assurance/comparable long-term possession <u>within 90 days of award</u> | 11/13/2015 | 02/11/2016 | Site on existing jail property |
| Real estate due diligence package submitted <u>within 120 days of award</u> | 11/13/2015 | 02/01/2016 | Property appraisal underway |
| SPWB meeting – Project established <u>within 18 months of award</u> | 02/26/2016 | 02/26/2016 | |
| Schematic Design with Operational Program Statement <u>within 24 months of award</u> (design-bid-build projects) | 02/16/2016 | 05/13/2016 | |
| Performance criteria with Operational Program Statement <u>within 30 months of award</u> (design-build projects) | N/A | N/A | N/A – project is design-bid-build |
| Design Development (preliminary drawings) with Staffing Plan | 06/13/2016 | 09/16/2016 | |
| Staffing/Operating Cost Analysis approved by the Board of Supervisors | 10/17/2016 | 04/14/2017 | |
| Construction Documents (working drawings) | 10/17/2016 | 04/14/2017 | |
| Construction Bids or Design-Build Solicitation | 05/15/2017 | 08/18/2017 | |
| Notice to Proceed <u>within 42 months of award</u> | 08/21/2017 | 09/01/2017 | |
| Construction (maximum three years to complete) | 09/05/2017 | 09/06/2019 | |
| Staffing/Occupancy <u>within 90 days of completion</u> | 09/09/2019 | 12/08/2019 | |

SECTION 4: FACT SHEET

To capture key information from Section 5: Narrative, applicants must complete this Fact Sheet. Minimal information is requested. Narrative information or explanations are not to be included on this Fact Sheet nor as part of the tables in this section. Explanations of what is provided in these tables may be included in the Narrative section of the Proposal Form. Proposal narratives may include reference back to one or more of these specific tables (e.g., refer to Table 4 in Section 4 Fact Sheet).

Table 1: Provide the following information

| | | |
|-----|--|--|
| 1. | County general population | |
| 2. | Number of detention facilities | |
| 3. | BSCC-rated capacity of jail system (multiple facilities) | |
| 4. | ADP (Secure Detention) of system | |
| 5. | ADP (Alternatives to Detention) of system | |
| 6. | Percentage felony inmates of system | |
| 7. | Percentage non-sentenced inmates of system | |
| 8. | Arrests per month | |
| 9. | Bookings per month of system | |
| 10. | “Lack of Space” releases per month | |

Table 2: Provide the name, BSCC-rated capacity (RC) and ADP of the adult detention facilities (type II, III, and IV) in your jurisdiction (county)

| | Facility Name | RC | ADP |
|----|---------------|----|-----|
| 1. | | | |
| 2. | | | |
| 3. | | | |
| 4. | | | |
| 5. | | | |
| 6. | | | |
| 7. | | | |
| 8. | | | |

Table 3: List the current offender programming in place and the ADP in each program

| Pre-Trial Program | | ADP |
|-----------------------------------|---|------------|
| 1. | 3Rs Curriculum - Substance Abuse, Anger Mgmt, Criminal Thinking Errors, Conflict Resolution, Re-entry | 724 |
| 2. | GED Preparation, English as a second language & Individualized Journaling | 216 |
| 3. | Parenting, Life Skills & Career Exploration | 178 |
| 4. | Trauma Recovery & Enneagram Self Awareness Workshop | 85 |
| 5. | Dialectical Behavior Therapy & Stress Reduction with Meditation | 32 |
| 6. | Computers, Art, & Job Readiness | 195 |
| Sentences Offender Program | | ADP |
| 1. | 3Rs Curriculum - Substance Abuse, Anger Mgmt, Criminal Thinking Errors, Conflict Resolution, Re-entry | 296 |
| 2. | GED Preparation, English as a second language & Individualized Journaling | 88 |
| 3. | Parenting, Life Skills & Career Exploration | 72 |
| 4. | Trauma Recovery & Enneagram Self Awareness Workshop | 35 |
| 5. | Dialectical Behavior Therapy & Stress Reduction with Meditation | 13 |
| 6. | Computers, Art, & Job Readiness | 79 |

Table 4: List of the offender assessments used for determining programming

| Assessment tools | | Assessments per Month |
|-------------------------|---|------------------------------|
| 1. | Virginia Pretrial Risk Assessment Instruments (VPRAI) | 1,500 |
| 2. | Correctional Assessment Intervention System (CAIS) | 462 |
| 3. | | |
| 4. | | |
| 5. | | |
| 6. | | |

SECTION 5: NARRATIVE

1. Statement of Need: What are the safety, efficiency, and offender programming and/or treatment needs addressed by this construction proposal? Please cite findings from the needs assessment (through 2019) submitted with this proposal.

Brief Background Information: The County of Santa Clara (County) Sheriff's Office/Department of Correction (SO/DOC) currently operates three Type II jails:

- Main Jail Complex: Comprised of two facilities, the Main Jail South (MJS) built in 1956 and Main Jail North (MJN) built in 1988; BSCC-rated capacity of 1,353
- Elmwood Complex: Men's Facility; BSCC-rated capacity of 2,316
- Elmwood Complex: Women's Facility; BSCC-rated capacity of 634

All three jails total 4,303 BSCC-rated beds and are staffed by sworn and non-sworn SO/DOC staff.

A. Consistency of Need with SB863 Intent. The County of Santa Clara has a significant need to replace jail facility capacity that is outmoded, overcrowded, difficult to supervise, and severely restricts staff opportunity to provide effective rehabilitative programming as well as mental health treatment, two primary deterrents to reoffenses. Therefore, the SO/DOC proposes to replace 468 BSCC-rated beds that are "compacted, outdated and unsafe," otherwise known as "bad beds." Medium and high-medium security offenders at the antiquated MJS facility as well as W-1 building at the Elmwood Women's Facility will be moved to the proposed facility which will be constructed in accordance with best evidence for effective correctional facilities' design based on research and experience. It will improve safety by replacing intermittent observation with visibility of housing areas from fixed posts. It will eliminate outdated and poorly functioning

infrastructure, facilitate the provision of programs, provide recreational space, and significantly expand visitation opportunities. Recreation and visitation have been shown to alleviate idleness, positively influence offender behavior, strengthen family support, and reduce recidivism.

More specifically, the County will (1) replace the medium security beds at MJN with maximum security beds for which the County lacks capacity, (2) house medium and high-medium security offenders, both men and women, in the proposed new and safe facility, (3) in so doing, also add sorely lacking programming and treatment space at the proposed facility that is necessary to implement the operational, program and service components that will enable the County to achieve its goals for rehabilitation and reduced recidivism, (4) as part of this expansion, significantly increase and improve the treatment options for the large number of mentally ill offenders whose recovery currently is hampered by lack of space for optimal treatment services, (5) provide space for use by County and community staff to develop transition and reentry plans, and (6) significantly increased visitation opportunities.

The SO/DOC operates the 5th largest jail system in California, with more than 65,000 arrestees booked into the system annually. For many years, the County has worked to implement the best possible programs within the constraints of nearly 60-year-old main jail facility and women's facilities. A sizeable disparity in program participation between the classifications, and an inability to provide treatment and learning opportunities to many of those who need it most, is due to the lack of room as well as the physical constraints presented by the antiquated building designs of MJS and the W-1 building at the Elmwood Women's Facility.

The current demand for both male and female beds for offenders requiring varying

levels of mental health observation, care, and treatment also cannot be fully met by the existing number of designated beds. As a result of the current shortage, medical and custody staff is constantly moving offenders out of special needs housing units into general population housing units to make room for those with more serious behaviors and more acute diagnoses. Meeting this demand is a high priority in planning for new jail beds.

In addition, both male and female offenders with higher levels of mental health treatment needs or observation requirements are housed on the 8th floor of MJN in a 43-bed, single cell unit (8A). Currently, there are as many as another 592 male offenders with a need for special management housing separate and apart from the other male offenders, and as many as 149 female offenders have been identified as needing housing in special management housing units.

Because the majority of programs for all offenders are delivered in the housing units, program attendance is determined by housing assignment made by classification staff. The housing assignment is generally based on the offender's custody classification and not by level of programming need. As a result, offenders assigned to a specific housing unit area may have the same level of custody classification but could have many different levels of program needs and differing levels in their risk to reoffend.

Many studies¹ have shown that placing offenders with low-risk to reoffend in intensive programming with offenders with higher risk to reoffend has a negative impact on low-risk offenders by increasing their likelihood of reoffending. Therefore, many of the offenders participating in these programs are gaining little if any benefit from participating, and may,

¹ Lowenkamp and Latessa, (2004). Understanding the Risk Principle: How and Why Correctional Interventions Can Harm Low-Risk Offenders, Hanley, D. (2003). Risk differentiation and intensive supervision: A meaningful union? University of Cincinnati, Cincinnati, OH., Bonta, J., Wallace-Capretta, S., & Rooney, J. (2000). A quasi-experimental evaluation of an intensive rehabilitation supervision program. *Criminal Justice and Behavior*, 27(3), 312-329.

in some cases, actually be producing negative outcomes after they are released to the community.

Since the passage of Assembly Bill 109 (AB 109), the Public Safety Realignment Act (Realignment) that was signed into law in 2011, the necessity has become urgent for additional classroom space, one-on-one interview space, space for small groups and multi-purpose group rooms that can accommodate a wide variety of programmatic functions. Placing offenders in a program among others with different levels of risk to reoffend just because they have the same classification level is in direct contradiction to research on the relationship between offender risk and offender needs which has demonstrated the greatest benefit is achieved when program resources are targeted on high-risk/high-need offenders, and the least benefit is realized when targeting offenders in the low-risk/low-need category.²

This finding was confirmed by the results of a report commissioned by the SO/DOC³ which substantiated that participation in treatment programs led to reductions in rearrests and reconvictions at 6, 12, and 24 months and in fewer reincarcerations at 6 and 12 months. The greatest effect from treatment occurred with medium and high-risk offenders while the least effect occurred with low-risk offenders. Thus, many for whom education and training would be most beneficial have been excluded from participation.

The Santa Clara County Women's Advocacy Initiative conducted a survey of females in W-1 and found that 83% of female offender survey respondents were repeat offenders, with 46% of these reporting having been in jail five times or more—strongly attesting to

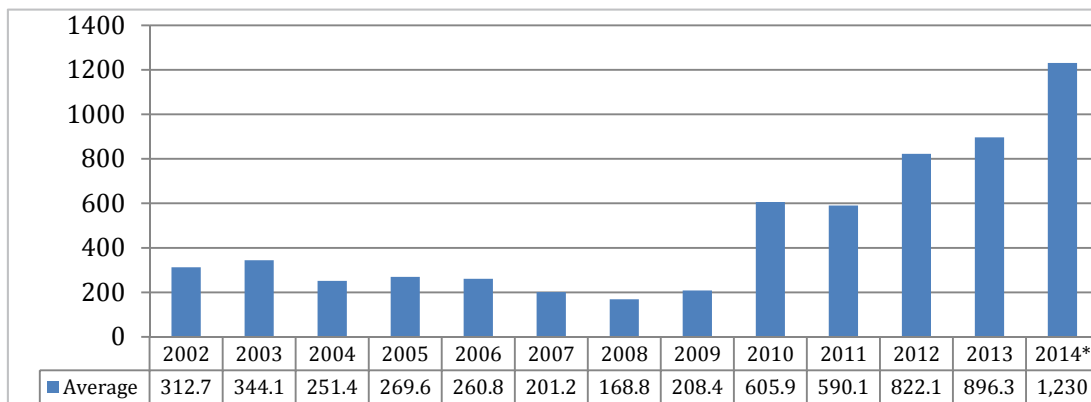
² Final Report, Department of Correction Needs Assessment/Facilities Study, December 2014, MGT of America, Inc.

³ Recidivism Study of the Santa Clara County Department of Corrections Inmate Programs – Final Report, submitted by Huskey & Associates in association with University of Cincinnati Center for Criminal Justice Research, January 31, 2012.

the need for more effective reentry services and supports. Nearly a third of respondents (32%) reported their involvement with the criminal justice system began as juveniles, and 38% reported one or both parents had a history of incarceration.

Also, as mentioned, special management offenders would significantly benefit from a specific mental health unit with individualized attention and access to the type of care that is most needed to prepare them for reentry into the community. The average number of mental health cases open on the last day of the month has grown dramatically. While it remained low from 2002 (312.7) through 2009 (208.4), it jumped in 2010 to 605.9. Moreover, the average number of mental health cases open on the last day of the month has increased each year since then, and 200 offenders are on a waiting list for special management beds.

Figure 1. Mental Health Cases Open on Last Day of the Month, CY 2002 – 2014*



Source: California Board of Corrections, Jail Population Survey * 2014 includes only January through May data

As an illustration of the magnitude of the impact of mental illness on the jail facilities, last fiscal year Santa Clara County’s Custody Mental Health staff responded at the jail to 28,714 crisis referrals; psychiatrists and nurse practitioners provided 7,499 visits to offenders; and 1,122 offenders were admitted to the custody acute psychiatric facility. Custody Mental Health staff reports that the mental health population in the Santa Clara

County jails increased by more than 25% in the first half of FY 2013 alone and continues to grow. This very substantial increase has exacerbated the jail management challenge of ensuring all mentally ill offenders are housed appropriately in order to minimize the risk of harm to themselves and others.

Between 18% and 20% (830 to 930 offenders) are receiving psychiatric medications at any one time. The Special Management beds within the Main Jail facility have periodically been exhausted, necessitating the opening of unused housing areas for mentally fragile offenders. In addition, a large percentage of custody mental health clients (76%) have a co-occurring substance abuse disorder. A recent analysis conducted by Custody Health Services indicated that more than 50% of our average daily population has been diagnosed with either a serious mental illness (SMI) or a behavioral health diagnosis (BHD). While in the general population, SMI and BHD offenders receive out-patient care on an as needed basis. However, they are not receiving the treatment they truly need due to the lack of mental health treatment bed space and a shortage of mental health staff. As a result of the lack of treatment housing, SMI and BHD offenders tend to deteriorate and may ultimately require acute care to stabilize their condition. When deterioration occurs, patients often become suicidal, violent, assaultive or destructive and present a serious threat to facility security.

As stated in the MGT Needs Assessment Report, our experts agree that increasing special management housing with the ability to provide treatment will not only significantly reduce deterioration, but long term treatment in a proper setting will also reduce recidivism as patients will learn to cope with their conditions once out of custody. The County currently has 43 acute care and 190 special management beds for mentally ill

offenders. The newly proposed facility would add an additional 285 special management treatment beds to service this population.

Approximately 15% of women in custody in Santa Clara County received treatment from the SCC Behavioral Health Department prior to their incarceration,⁴ but the remainder was diagnosed for the first time in intake and assessment. This is notable for many reasons, including the fact that incarcerated individuals with mental health problems are twice as likely to violate community correctional supervision guidelines as are individuals without mental health issues.⁵ Not surprisingly, based on past and recent local analyses, the “revolving door” between jail and the street is propelled in large part by untreated mental illness and co-occurring substance abuse disorders. Several years ago, a “snapshot” review of offender records showed that 175 offenders who had been diagnosed with serious mental illness and housed in the Main Jail facility represented 1,159 incarcerations.

In summary, the proposed facility will be designed to replace outdated “bad beds” with beds that are less compacted and designed to facilitate improved supervision and safety. The new beds will have adjacent program and treatment space, enhancing the opportunity for rehabilitation. At the same time, it will increase the amount of special management housing and, in so doing, it will provide a proper setting for longer-term mental health treatment that will significantly reduce deterioration of the offender and reduce recidivism as patients learn to better cope with their conditions. Approximately 200 mentally ill offenders, currently housed in the general population, will be housed in mental

⁴ 2011-2012 Santa Clara County Civil Grand Jury Report: Custody or Rehabilitation? The County’s Approach to Women Inmates at Elmwood

⁵ Prins, S. J., & Draper, L. (2009). Improving outcomes for people with mental illnesses under community corrections supervision: A guide to research-informed policy and practice. Retrieved from <http://consensusprogram.org/downloads/community.corrections.research.guide.pdf>

health housing, also known as special management beds, in the proposed facility.

A significant improvement over the MJS, the proposed facility will provide for a major expansion in visitation and there are plans underway for visitation using video technologies. Currently, visitations at the MJS are limited to two days per week due to the physical complaints of the building. This is in contrast to ample research on the critical role of social support in helping offenders make the transition successfully from prison to the community and, as the Children's Justice Alliance emphasizes, to the successful reunification of offenders with their children and families.

Supporting this, a 2011 Minnesota Department of Corrections study examined the effects of prison visitation on reconviction rates among 16,420 offenders released from Minnesota prisons between 2003 and 2007. It found that offenders who were visited were 13% less likely to be convicted of a felony in the future and 25% less likely to return to prison for a technical violation. A very recent 50-state survey found that visitation policies positively impact recidivism, prisoners and their families' quality of life, public safety, and prison security, transparency, and accountability.⁶

B. Need for State Financing. The County has not previously applied for or been awarded AB 900 or SB 1022 funding. Instead, the County has used the time since implementation of AB 109 to assess the changes in the jail population, carefully evaluate the needs of those in custody and understand how to best move forward in a post-Realignment era. The County has invested extensively in a comprehensive reentry program while working diligently to extend the life of its 1950's-era jail. However, as stated previously, the existing space for programming in MJS and W-1 is beyond limited, it is

⁶ Yale Law and Policy Review: Chesa Boudin, Trevor Stutz & Aaron Littman, "Prison Visitation Policies: A Fifty State Survey," 32 Yale L. & Policy Review, January 2014

substantially unavailable, and it should be noted that MJN and Elmwood facility medium security housing units do offer program classes in the day room areas as there are no actual classrooms in these housing units, which are other important reasons for the request for SB 863 funding for the proposed facility.

The State funding is a crucial component. Without the SBS 863 award, alternatives may have to include either the inability to proceed with this critically needed construction project or the necessity of scaling back the proposed facility to an extent that it would not fully meet the identified safety, health and recidivism-reducing programmatic needs.

C. Further Evidence Supporting the Need. The SO/DOC Needs Assessment, completed in December 2014, contains a thorough description of the County's jail facilities, the various program and operational elements of the system, and the SO/DOC's philosophies on jail operations and design. The Needs Assessment contains descriptions of the current offender population, the classification system used by the SO/DOC, an examination of programming needs and alternatives to detention, an analysis of local trends that have affected (or are expected to affect) the need for jail beds in the County, and a projection of future bed needs.

The Needs Assessment notes that the impact of Realignment was an ever-present factor in nearly every aspect of the study. As a result, the current effect of Realignment on the jail's population and its operation was measured and projected into the future.

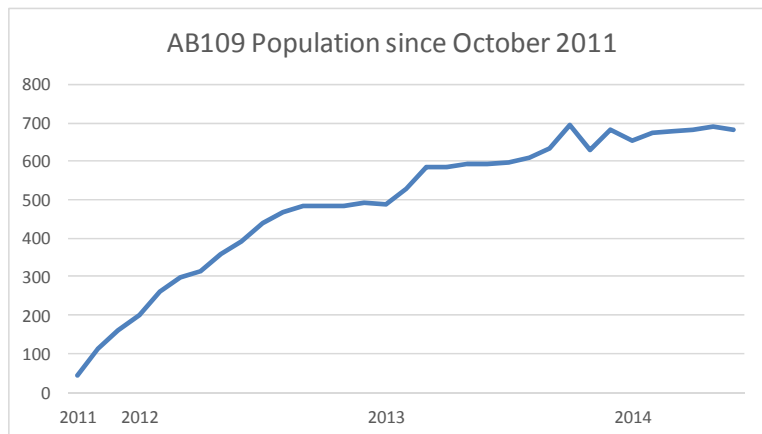
The Needs Assessment reports that the County jail system is operating at a high level, with proper attention being given to ensuring the safe and secure housing of offenders and the provision of services. However, serious deficiencies were found, many of which are attributable to the influx of AB 109 offenders, as highlighted below:

1. The average daily population (ADP) of Santa Clara County's jails rose by 762 since

AB 109 implementation in 2011, primarily due to arrival of AB 109 offenders.

2. The jail population is expected to continue to grow over the next 20 years, reaching an ADP of 4,532 by 2019 and 5,552 by 2034, a 30.7% increase (1,300+) over the 2014 year-to-date ADP. During this same timeframe, the AB 109 population is projected to grow to 921 offenders, a 33.1% increase over the May 2014 level.

Figure 2. Average Daily AB 109 Population, 2011 through May 2014



3. The SO/DOC is projected to have enough beds to manage its total population until 2029; however, it critically lacks beds in some custody/security classifications. The County has a significant deficit of male maximum security beds, and this deficit is projected to increase.

4. The continued operation of the existing MJS was cited as the most serious issue facing the SO/DOC. Designed and constructed as a “first generation jail” (linear configuration, remote supervision, indirect natural light), the MJS reflects jail management principles of the 1950’s and earlier. Those principals embraced deterrence and incapacitation by confining offenders with little, if any, opportunity for rehabilitation. Further, the linear cell configuration produced poor security sight lines and places increased demands on security staff. As it exists, the MJS design is not compatible with current correctional

principles and the SO/DOC's values, which include "to deliver effective rehabilitation programs, activities, and education." Consequently, as part of construction of a new jail, the Needs Assessment recommends that program space be provided adjacent to housing to permit the most effective delivery of programs and services.

5. The Needs Assessment also states that, given the large number of offenders recommended for mental health treatment, the jail system needs additional capacity for mental health housing. The report recommends that additional mental health housing should include adequate space for group therapy and related activities, appropriate mental health staff space, and properly fitted medical exam rooms within the unit.

6. It should be noted that the Needs Assessment recommended construction of a new maximum security facility. However, the County and SO/DOC experts believe it would be more cost-effective and operationally efficient to build a medium and high-medium security facility (the proposed facility) in order to provide a more efficient staffing plan, improve supervision, increase access to mental health treatment, and significantly expand reentry and other programs. The County is currently in the process of modifying space at MJN that will become available by relocation of medium and high-medium offenders from MJN to the proposed facility in order to increase the number of maximum security beds at MJN. The existing direct supervision housing unit configuration at MJN is best suited to serve as a maximum security setting and will increase safety and security for maximum security housing systemwide.

In addition to the Needs Assessment, the County conducted several months of intensive architectural and program planning sessions with large numbers of project stakeholders, including County Administration and Board of Supervisors, Sheriff's Office administrators, custody staff and its Law Enforcement Division, District Attorney's Office, Public Defender's

Office, Probation Department, County Office of Women's Policy, County Jail Observer Program, County medical and mental health administrators, a public interest law firm, labor bargaining unit representatives, architects, planners, community providers and other interested individuals. There was strong agreement that new medium and high-medium security housing should be built in order to allow and offset the closure and demolition of MJS and W-1 and support for the "hardening" of MJN cells which will become the primary maximum security facility for the County.

2. Scope of Work: Describe the areas, if any, of the current facility to be replaced or renovated, and the nature of the renovation, including the number of cells, offices, classrooms or other programming/treatment spaces to be replaced or added and the basic design of the new or renovated units.

A. How the Planned Construction Meets the Need. The County proposes to design and construct a facility for the SO/DOC that will consist of a seven-story, 203,000-square-foot building comprised of 465 cells (105 beds in single-occupancy cells and 710 beds in double-occupancy cells), inclusive of medium and high-medium security housing, mental health housing, and accessible cells, with a total maximum rated capacity of 815 beds plus multi-purpose/programs space, visitation and recreation space, mental health treatment and program space, custody administration space, security operations, staff support, institutional support space, and related mechanical, electrical, and plumbing space. The entire facility will be designed to meet ADA standards. Approximately 285 mentally ill offenders, currently housed in the general population, will be housed in special management beds. Making special management beds available for mentally ill symptomatic offenders will stabilize and decrease symptoms, allowing for more successful participation in treatment and other services.

Thus, the proposed facility will significantly augment the security and treatment capacity of the existing Main Jail facilities at 150 W. Hedding Street in San Jose, California and will allow for the relocation of women from the dilapidated and poorly designed Elmwood W-1 facility. It will eliminate the shortage of maximum security beds by freeing space at the MJN for the conversion of high-medium beds to maximum security beds. It will create modern medium and high-medium beds at the proposed facility. It will improve safety and security, remove physical barriers to the provision of programs and services, and facilitate improved mental health treatment.

The existing complex sits on approximately 3.5 acres of County-owned land. The proposed facility will utilize a portion of the existing site that is available for construction and occupy approximately one acre of land immediately adjacent (east) of the MJN facility. The existing MJS will remain until the transition to the proposed facility is completed. Once the proposed facility is complete, all old MJS beds will be taken offline and will not be used to house offenders. The first floor of MJS will be maintained for administrative staff offices and support functions until new office space can be acquired, after which the County plans to close and demolish the aging MJS building, and, subsequently, demolish the W-1 building at the Elmwood Women's Facility as part of a separate, future project. Please note that State funds will not be used for the demolition of the existing MJS or W-1 buildings.

As stated, the proposed facility will be designed for optimal offender observation using an open, modern floor plan that provides a line of sight into each cell, classroom, interview room, exercise yard, and dayroom from a centrally accessible vantage point. The proposed facility's single-cell design will reduce offender interaction during lockdown periods to reduce tension and the passing of contraband. These modern features will

increase safety and security for offenders and staff.

The proposed facility will solve the need for additional medium and high-medium security beds while the County's current plan to repurpose cells at the MJN facility will respond to the increased need for maximum security housing.

Based on recommendations in the Needs Assessment, the SO/DOC has determined that several housing units throughout the County's jail system will be demolished/taken offline, resulting in the gain of 18 rated beds and the loss of up to 345 operational beds. This is entirely consistent with the County's need for more and better medium, high-medium, and maximum security beds. The County currently has a surplus of minimum security beds.

The proposed facility, which will replace the existing MJS, will provide "better beds" to meet housing and programming that will fill the void for the higher-risk classifications that exist currently at MJS and for better beds for the women in W-1. The SO/DOC plans on using the programming space to implement evidence-based practices for medication management, individual and group therapy, cognitive and dialectical behavioral therapy, reentry groups and more. It is particularly essential that facilities be created to accommodate the needs of the increasing portion of the population diagnosed as needing mental health treatment and monitoring.

Although the SO/DOC has a long history of providing excellent educational, rehabilitation, and vocational programs to offenders housed in the Elmwood Complex, programming has been limited by the lack of classroom space. Dedicated space for this purpose is limited, and when the common areas (dayrooms) in each housing unit are used to conduct programs, those areas become unusable for other activities. Moreover, when programs are being delivered, all offenders assigned to that housing unit must

participate and cannot remain in their cells or on their beds. Another part of the problem is that the Main Jail Complex houses high-security offenders who are unable to transfer to the Elmwood Complex due to their classification status. And, although these offenders have a significant need for programs and reentry services, as described earlier, programming has been fragmented and restricted due to the physical design of the Main Jail Complex.

When these needs are not addressed, there is a direct impact on recidivism. A recent Santa Clara County study conducted by Research Development Associates indicated that 52% of the incarcerated Realignment offenders with straight jail sentences (no requirement for probation) recidivate within six months of release.

At present, the SO/DOC offers 17 educational in-custody programs. Each targets a specific population and has an average capacity of 65, with a total capacity of 1,100 offender participants. SO/DOC strives to maintain a minimum enrollment of 770, or 70% of capacity. Statistics reflect that most programs maintain a higher than minimum enrollment, despite the fact that the breadth of program offerings has been seriously limited by space considerations.

These in-custody programs will be expanded at the proposed facility and will better respond to offender needs as well as preferences. In addition to maintaining the current 17 programs, it is anticipated that with the construction of the proposed facility at least nine additional programs will be initiated. The proposed facility will allow the SO/DOC to enroll 360 additional offenders in in-custody comprehensive educational programs and 180 offenders in reentry programs.

Of the nine new programs, three will focus on providing services specifically supporting reentry for high-risk/high-need male and female offenders. The remaining programs will be

comprehensive educational programs for high-risk/high-need male offenders. These classes have not previously been available to this population, as mentioned, due to the antiquated physical plant that limits the ability to provide programs.

B. How the Proposed Facility Meets Operational Requirements. Several core functional and operational services will be provided from the MJN facility to the proposed facility. Functions assumed at the MJN will be the main public lobby, intake/booking, medical, receiving, food service kitchen, and laundry.

The first floor of the proposed facility will be comprised of video visitation space, secure central control, and a secure offender transfer pathway to the MJN, which will be utilized for transfer to the adjacent County courthouse. It will also consist of a public walkway to allow access from the main public lobby to a proposed public sub-lobby. Additionally, the first floor will include building support and mechanical space.

The second floor of the proposed facility will be comprised of custody administration space, laundry staging, food service staging, and offender transfer staging. Housing will occupy floors three through seven.

The third floor will consist of mental health housing, mental health services, and related support and treatment space. It will contain 105 mental health beds, a dayroom, secure outdoor recreational space, unit control, showers, nine multi-purpose classrooms, five interview/counseling spaces (both centralized and de-centralized), two medical exam rooms, video visitation, re-therm kitchens, medical prep, health services administration, and conference space.

Housing floors four through seven will consist of medium and high-medium security housing and related support spaces. Each floor will have three 60-bed units (double-occupancy) totaling up to 180 beds per floor. Each housing floor will be comprised of

dayrooms and secure outdoor recreational space, unit control, showers, nine multi-purpose classrooms, five interview/counseling spaces (both centralized and decentralized), two medical exam rooms, video visitation, and re-therm kitchens.

Additionally, one of the housing floors will contain “step-down” units that will offer offenders softer environments as an important component of the mental health treatment process. The new jail design will provide 90 cells on each floor that will be subdivided into three housing units that will provide optimal treatment.

C. How the Proposed Facility Meets Programming and Treatment Space Needs.

Offering optimal programming and reentry opportunities for high-risk/high-need offenders was a primary focus of the design creation for the proposed facility. The facility designers concentrated on ensuring that the programming needs of the offender are met by including sufficient interview rooms, classrooms, and multi-purpose rooms in varying sizes, as well as adequate restrooms and storage areas. Each floor is designed to accommodate the program and treatment needs of a specific population, including mental health treatment and reentry services. One floor will be dedicated as step-down housing for mentally ill offenders and for special management. The general population and reentry floors include multi-purpose rooms of three sizes. This will allow County and community providers to coalesce groups of various sizes and for multiple purposes.

The design of the proposed facility allows an increased number of interview rooms that can be utilized by rehabilitation and treatment staff and contract providers. This will allow offenders and providers the privacy to interact and discuss past traumas and issues without breach of confidentiality.

The design intent also is to provide space that will permit as much on-unit care as possible. Program spaces on-unit and in core circulation include the following:

- Medical exams and observation rooms,
- Interview/conference rooms sized for four to five people,
- Case-planning conference room sized for 10 to 12 people, and
- Mental health programming/multi-purpose rooms.

The close proximity of the proposed facility to the Reentry Resource Center (located across the street) and to public transportation and other County agencies will further support offenders' successful community transition. Staff from the Reentry Resource Center, as well as other community-based organizations, will have space to meet with clients beginning 90 days before release from jail in order to build a bridge to successful reentry.

Milpitas Unified School District's Adult Education Program (MAE) provides teachers that are certified to teach life skills, substance abuse education, anger management, conflict resolution, job skills and vocational training, GED preparation, English as a second language, and art. Upon completion of the proposed facility, MAE will provide a minimum of two full-time teachers per floor to work with this population. A classroom schedule has been created that includes the above-listed classes. Additional parenting classes, trauma recovery, and cognitive behavioral treatment will be provided by contract providers.

Adult Custody Health Services plans to fully implement mental health services in the proposed facility by using the increased individual and group spaces to facilitate therapeutic activities for mentally ill offenders. As noted, the increased interview rooms, especially those in close proximity to housing units, will improve the confidentiality and quality of all interviews. At MJS, it is often a struggle to find space to have conversations which lead to meaningful breakthroughs that are important for seriously mentally ill

offenders, thereby missing opportunities to have a positive impact on recovery as well as recidivism rates. With the proposed program space construction, the most significant benefits will be offender participants who need the most care and are the least likely to ask for it – the mentally ill and disabled.

Significantly, the proposed facility will allow the SO/DOC classification system to house offenders not only based on risk to safety and security but also on the risk to recidivate and the specific programmatic needs of each offender. Program services and classes will be held in an instructional classroom or a group-like setting. There will be dramatically improved ability to share freely with program providers and improved ability of community providers to serve offenders. The relationship between stated needs and the planned construction is to meet the specific needs of both special management and general population offenders. The objective is to provide a continuum of care from the point an offender enters the facility to release and support beyond the offender's release.

3. Programming and Services: Describe programming and/or treatment services currently provided in your facility. Provide the requested data on pretrial offenders and risk-based pretrial release services. Describe the facilities or services to be added as a result of the proposed construction; the objectives of the facilities and services; and the staffing and changes in staffing required to provide the services.

A. Current Programming and Treatment Services. The SO/DOC staff collaborates with State, County, and community agencies to optimize services for offenders. The SO/DOC Programs Unit consists of both uniformed, sworn custodial officers and civilian rehabilitation staff. The SO/DOC Program's Unit consists of 13 rehabilitation officers, all credentialed, with bachelor's degrees, coming from diverse backgrounds, and bringing a wide variety of skills, education, and experience.

For the past 25 years, Milpitas Adult Education has assigned approximately 25 teachers and 10 support and administrative staff to the County jail system. The school district is reimbursed by the state based on the “average daily attendance” formula. The recent County-commissioned Needs Assessment Report found, “At the Elmwood facility a strong set of instructors seems to be delivering high quality programming. The current management of instructors at Elmwood seems very positive and capable. They report low turnover among instructors.”

Consistent with general policy, the SO/DOC and its partnering agencies undertake new programs and practices only when they support the County’s mission and vision. Proven practices are utilized, and there is a strong commitment to fidelity to chosen Evidence-Based Practice (EBP) models as well as to quality assurance in implementation. EBP’s are carefully selected based on research results, compatibility with successful local experience, and with special attention to their capacity to address disparities in subpopulations. All programs and practices are evaluated and the County is working towards ensuring they are gender-responsive, trauma-informed, and culturally competent. Innovations are continued only if they work. Data drives decisions. Training is continuous. Collaborative connections are strong, and collaborative projects are routine. For example, the SO/DOC is partnering with the Probation Department in the process of implementing an integrated community supervision model containing the elements recommended by the U.S. DOJ’s Crime and Justice Institute and National Institute of Corrections.

Based on the needs, SO/DOC rehabilitation staff may collaborate with medical, mental health, and substance use treatment providers prior to transitioning an offender to an out-of-custody program in the community. SO/DOC staff works with Adult Custody Health

Services to ensure that offenders' medications are transferred to the community pharmacy for their well-being. As appropriate, correctional staff may work with Custody Health Services staff to ensure offenders with acute physical issues are appropriately placed in the community. SO/DOC staff also may refer an offender for assessment and counselling with a community mental health program or private counselling.

Resource information for Alcoholics Anonymous, Narcotics Anonymous, and other community substance abuse prevention agencies is available to offenders.

When SO/DOC staff identifies an offender who would benefit from substance abuse treatment in the community, program staff may refer offenders to the County Behavioral Health Services (BHS) Department. Based on a BHS assessment, the offender may be placed in a residential program, a transitional housing unit, or referred to outpatient counseling. BHS contracts with a number of community agencies for services.

The SO/DOC staff also works closely with the Social Services Agency. A parenting program is provided that focuses on reunification of parent and child. Offenders with children in dependency court may enroll in this program and attend additional parenting classes to improve their parenting skills. With the support of social workers and dependency court mentor advocates, the child may visit the parent in jail under the supervision of licensed parenting teachers in a child-friendly playroom that has been specially created for the benefit of the children. SO/DOC staff works closely with both social workers and dependency court advocates to ensure that this child-centered program is beneficial to the child, the parent, and the community.

AB 720 requires that all eligible offenders must be enrolled in the Medi-Cal program prior to being released from custody. In adherence to this assembly bill, SO/DOC staff works closely with Social Services Agency staff to ensure that this enrollment takes place

in a timely and efficient manner.

SO/DOC staff also works closely with the Veterans Administration and the County Veterans Services Office to facilitate enrollment of eligible incarcerated veterans in services and veterans' residential programs.

When offenders are identified as homeless, staff works with the shelter providers network to find supportive housing for those who are willing to stabilize in the community.

SO/DOC staff also works closely with community faith-based agencies, such as City Team Ministries, Salvation Army, and Victory Outreach, to place offenders in residential programs offered by these agencies. In addition, a Faith-Based Reentry Network was established in 2012. Currently there are approximately 30 faith-based organizations that encourage their congregants to receive training and serve as mentors to individuals returning to the community from custody facilities. Three of the entities have been funded to provide Faith-Based Resource Centers that offer services and supports to reentry individuals who are seeking a faith connection.

| | | |
|-------------------------------------|---|---|
| Housing | Assistance with food | Education/vocational training |
| Resume building | Professional attire | Substance abuse support |
| Employment readiness/ employment | Financial assistance with court-ordered requirements | Assistance with family reunification |
| Transportation | Mentor program | Assistance with tattoo removal |

A Reentry Resource Center, established in 2012, serves an average 350 new clients each month and 1,700 returning clients. It focuses on recidivism reduction strategies and streamlining processes to link offenders to effective community-based programming. It centralizes services and supports clients' community transition. Currently 16 partners, including the SO/DOC, BHS, Social Services Agency, Adult Probation, Public Defender's Office, Ambulatory Care, Office of Reentry Services, and California Department of

Rehabilitation and Correction, reside in the building and work collaboratively to provide seamless service delivery and supervision of individuals.

| Table 4. Reentry Resource Center Services | |
|--|---|
| Housing assistance/referrals | Expungement (record clearance) and legal advice |
| Public benefits and healthcare coverage | Computer literacy lab |
| Reentry Mobile Clinic (primary health and psychiatric) | Peer mentoring |
| Food pantry and clothing | Counseling |
| Referrals for Additional Services: | |
| Mental health, alcohol and drug recovery services | Education |
| Vocational training and/or employment | Family reunification |
| Legal Services | Faith-based reentry services |

The Reentry Resource Center collaborates with the Record Clearance Project, a program created by the law students of San Jose State University to help incarcerated and community clients expunge charges when eligible. Reentry staff also collaborates with Goodwill Industries, Center for Training and Careers, Center for Education and Training, and Catholic Charities for job training and vocational services.

It collaborates with literacy programs through the County of Santa Clara Library and the County of Santa Clara Office of Education for incarcerated young adults with open individual education plans. Through the Prison Education Project, Reentry Resource Center staff connects with local community and state college volunteers to motivate and improve educational opportunities for offenders.

There also is close collaboration with several individual volunteers and non-profit agencies such as Ascent, Next Door Solutions, and Enneagram Prison Project, which provide resume writing, domestic violence services, support groups, self-awareness workshops, meditation, yoga, art, journaling, and others.

The SO/DOC Programs Unit also receives funding for one rehabilitation officer

through a Medi-Cal grant. The grant, a collaborative effort between the Social Services Agency and the SO/DOC, includes funding for several staff assigned to the Social Services Agency and one rehabilitation officer for the SO/DOC. The SO/DOC is reimbursed \$140,000 each fiscal year. This grant is scheduled to continue for two years.

The Santa Clara County Superior Court has the largest and one of the most successful Drug Treatment Courts in the nation. The SCC Drug Treatment Court was established in 1994 and the Mental Health Treatment Court in 1998 by a recognized leader in therapeutic jurisprudence and sentencing reform. In addition, because the literature and nearly 20 years of local experience showed that treatment courts are more successful if client populations are not mixed, court calendars have been added for veterans, homeless, and developmentally disabled.

Pretrial Services. The County of Santa Clara Office of Pretrial Services (Pretrial Services) has focused considerable effort in the past few years on developing and ensuring its risk assessment instrument is valid. In 2011 it began using a risk assessment tool adapted from the Virginia Pretrial Services Risk Assessment Instrument, an objective and research-based instrument. In 2012 Santa Clara County Pretrial Services Unit began conducting a validation of this tool. As a result of that process, the tool was modified and the unit implemented a revised instrument in 2013. The use of the Virginia system has had the desired results as it identified more defendants who could be safely released, and the overall release population has increased by 25%. The unit is believed to have the first locally validated pretrial services risk assessment instrument in California. Moreover, Santa Clara County Pretrial Services' Safety Rate has averaged 97% during the time frame of 2011-2014. This means only 3% of the defendants on pretrial release have been arrested for a new offense.

Pretrial Services has been operating for the past 46 years and has become very proficient at assessing offenders for pretrial services, alternatives to incarceration, and release. Today, it has more than 40 staff who provide services to three sub-units:

- Jail Unit: Staff in this unit, located in the Main Jail, is responsible for conducting interviews with newly booked offenders to provide recommendations concerning those who can be safely released from custody.
- Supervision Unit: Offenders can be released on their own recognizance (OR) or released with a requirement for supervision (SOR). Staff in the Supervision Unit are responsible for monitoring SOR offenders.
- Court Unit: The Court Unit is targeted to those offenders who are not released during booking. Staff in this unit provides paperwork and reports to the courts.

The average number of cases assessed per month by the unit has grown from 1,288 in 2011 to over 1,500 in 2014 (through May), an increase of 18%. The average number of cases managed per month increased by even a greater percentage, from 648 in 2011 to 924 in 2014 (through May). This represents a 43% increase and is an indicator of the increased percentage of defendants being approved for release. As noted in Section 4, Fact Sheet, Table 1, Item 7, 70% of offenders were on pretrial status between January 1, 2013 and December 31, 2013.

As examples of alternatives to incarceration, Pretrial Services offers qualifying offenders with less than 30 days remaining on their sentence the opportunity to be part of an Electronic Monitoring Program. The Weekend Work Program is another alternative to jail sentences. This allows low-risk offenders to avoid jail, which reduces serious employment consequences and also provides a valuable community service.

Another approach Pretrial Services provides as an alternative to incarceration is

drug/alcohol testing for defendants released on SOR. Pretrial Services tests defendants randomly to ensure they are compliant while on this pretrial release program.

B. Description of Improvements to Program and Treatment Services. The proposed new jail facility housing units and adjacent program space will assist the County in the following ways:

- Eliminates the use of MJS and, subsequently, W-1, in which age and design have impeded modern programming and operational approaches.
- Allows for immediate expansion of classes from 17 to 26 and make participation available to higher risk classifications which can be particularly beneficial.
- Enables the County to fully implement treatment programs for the growing mental health population housed within the system.
- Supports addition of service components that have demonstrated success in jail-based brief substance abuse treatment, which may include such things as Motivational Interviewing, orientation to treatment and treatment planning, substance abuse education, information on available community resources, relapse prevention, communication skills, anger management, Cognitive Behavioral Therapy, and Seeking Safety, an evidence-based practice for which all Santa Clara County substance abuse treatment providers have been trained.
- Creates an opportunity for increased visitation which supports strengthening family bonds and family reunification, with special efforts for parents with minor children.
- Will increase exercise, recreation and socialization activities that improve physical and mental well-being.
- Will greatly increase access of the Reentry Center staff and other community partners

to offenders prior to their release. This will play a key role in the development of individualized community reentry and transition plans and the pre-release establishment of service linkages. It is important that reentry and reintegration planning begin while the individual is incarcerated.

- Medication administration and management will be much less challenging when there is an adequate amount of special management beds. In this specialized environment, seriously mentally ill offenders will receive the support needed to transition into step-down housing units and later for successful community reentry.
- The utilization of Cognitive Behavioral Therapy (CBT) will be greatly increased. All offenders, based on individual needs, will be expected to select needs-based CBT classes to learn how thinking affects behavior. Cognitive Behavioral Therapy is a U.S. Substance Abuse and Mental Health Service Administration/National Registry of Evidence-Based Programs and Practices-recognized evidence-based practice. It has been found to be effective with juvenile and adult offenders, substance abusing and violent offenders, and prisoners, probationers and parolees. It is effective in various criminal justice settings, both in institutions and the community, and addresses a host of problems associated with criminal behavior. Offenders improve their social skills, means-ends problem solving, critical reasoning, moral reasoning, cognitive style, self-control, impulse management and self-efficacy.

Improved Foundation for Successful Community Transition. The proposed facility will provide the first-ever regular access to offenders by Reentry and Rehabilitation staff. The program space created through completion of this project will allow the SO/DOC to move offenders to the reentry floor at the proposed facility to start individual, supervised reentry planning 90, 60, and 30 days prior to release. Program staff will utilize the

evidence-based National Institute of Corrections' "Transition from Jail to Community Implementation Toolkit."

Improving transition at the individual level involves the introduction of specific interventions at critical points along the jail-to-community continuum. Research shows that interventions at these key points can facilitate reintegration and reduce reoffenses. Critical to this approach are the principles that:

- Intervention should begin in jail and continue throughout incarceration, upon release, and into the community.
- Targeted and more intensive interventions should be used for special management offenders and higher risk offenders.
- Interventions should be tailored to the specific needs, risks, and characteristics and learning styles of each individual.

With completion of the proposed facility, these three critical objectives will be met. Participants will attend evidence-based classes to understand the criminogenic thinking patterns that have contributed to their criminal behavior. Reentry groups will provide psychoeducational and psychotherapeutically oriented services related to stressors, challenges, and obstacles of re-entering the community, including Cognitive Behavioral Therapy groups as mentioned earlier. Again, by initiating the reintegration and reentry process as soon as possible, the offender will be able to re-enter society better prepared.

The overall goal is to provide a facility that is safe for offenders, staff, and the community while also providing all the tools necessary for each individual to be successful upon reentry into the community. Toward this end, one purpose of the proposed construction is to provide as much on-unit care as possible, which is safer for offenders and staff alike.

Risk and Needs Evaluation. The SO/DOC (as well as the Santa Clara County Probation Department) utilize the evidence-based Correctional Assessment and Intervention System (CAIS)[™], a comprehensive classification system that permits sorting the jail's offender population by risk and needs by implementing a behavior-driven assessment classification tool that also identifies the individual offender's programmatic and custodial needs.

Unfortunately, due to facility limitations, the current classification system still is forced to house offenders primarily based on security risk. The needs of the offender have been a secondary factor that is taken into consideration only when feasible based on facility and resulting operational constraints. The construction of the proposed facility will permit significant expansion of placement that responds to need and will increase the number of offenders participating in treatment and program services.

C. Replacement of Compacted, Outdated and Unsafe Housing. The SO/DOC Needs Assessment stated, "We found many instances where the physical plants limit SO/DOC's ability to meet its mission." As noted before, the MJS was designed and constructed with a linear configuration that produces poor security sight lines, remote supervision, and indirect natural light. The Needs Assessment continues by pointing out that the MJS design is "very poor for modern correctional operation and limits SO/DOC management and supervision strategies" while it exacerbates safety and security concerns. It further states that the Women's unit, W-1, at Elmwood is poorly configured and also should be replaced.

The proposed facility will be designed for optimal offender observation using an open, modern floor plan that provides a line of sight into each cell. The significant increase of single-cells also will reduce offender interaction during lockdown periods to reduce

tension and the passing of contraband.

D. How Staffing Plan and Lines of Authority, including Interagency Partnerships, Will Meet Operational Objectives. A preliminary staffing plan has been developed for the proposed facility. The majority of staff will move from the existing MJS and other housing units that will not continue to be operational after the proposed facility is completed. In addition, approximately 50 sworn, non-sworn, and custody health positions will be required to effectively operate the proposed facility, along with staff from community-based organizations that will provide programming.

Because of the proposed facility's configuration, with its substantial increase of program space, a sizable expansion of classes and treatment will be provided. The longstanding relationship with Milpitas Adult Education will allow the County to quickly expand its educational and training services, already having received a commitment to provide two additional teachers per floor. Further, because this expansion makes use of existing relationships of the County with community-based organizations and Milpitas Adult Education, it is expected that the transition to the proposed facility will be virtually seamless.

4. Administrative Work Plan: Describe the steps required to accomplish this project. Include a project schedule, list the division/offices including personnel that will be responsible for each phase of the project, and how it will be coordinated among responsible officials both internally and externally.

A. Timeline, Assigned Responsibilities, and Coordination. The project is currently in the pre-design phase. Schematic design is anticipated to begin shortly after the funding award is made in February of 2016. Completion of the project design is anticipated within 14 months, and release for bidding is expected to occur in summer of 2017. Construction

duration is estimated to be approximately 24 months; project occupancy is expected in fall/winter of 2019. A more detailed timeline is provided in Appendix Section 3.

The project will be led by the County Executive's Office, with an experienced planning and design team from the County Facilities and Fleet Department's Capital Projects staff and the County Sheriff's Office, along with key leaders from other County and public agencies such as Custody Health Services, Behavioral Health Services, Office of Reentry Services, Probation, Social Services, and others. The team has been organized to provide an executive level of involvement with the project that will furnish ongoing consultation and coordination throughout the design phases with the project's architect and design consultants.

The capital aspect of the project will be administered by existing members of the County's Capital Project and Construction staff. These County officials, along with the planning and design team, will communicate and coordinate with various state agencies (BSCC, California Department of Corrections and Rehabilitation, California Department of Finance, etc.) throughout design and implementation in order to ensure a financially responsible as well as safe and rehabilitative jail project.

B. Accomplishment of the Scope of Work Feasibly within the Time Allotted. The County of Santa Clara is prepared to proceed immediately to deliver a successful project for the State and County. The following summarizes the steps necessary for this project to become operational:

Land: The County owns the proposed site as part of an existing, owned facility.

CEQA: An environmental impact report has been completed, and the County has completed the CEQA notification in which no challenges were filed, and the statute of limitations has expired.

Infrastructure: All necessary utilities currently exist adjacent to the proposed project site and will be provided as part of this proposed project as appropriate to provide a “stand-alone” facility as required by the funding.

Design: Demonstrating its strong commitment to the project, the County proceeded with the selection of an architect/engineer even prior to the submission of this application for Programming and Pre-Design/Conceptual Design Services funding. The County is prepared to continue with the selection process for the most qualified architect/engineer to complete the remainder of the design phases immediately upon the BSCC’s Notice of Intent to Award project funds.

Construction: The County intends to award a construction contract in the summer/fall of 2017 and eagerly awaits the ability to proceed.

Occupancy: The County is developing and budgeting for a project implementation team, which includes Roger Soohoo, the County Construction Administrator, Andy Walker, the Project Financial Officer, and Edward Hwang, the Capital Project Manager. The effort is led by the County’s Chief Operating Officer along with senior staff from the Facilities and Fleet Department and Sheriff’s Office/Department of Correction.

The County’s team has decades of experience in designing, planning, and overseeing capital projects. In addition, the Sheriff’s Office/Department of Correction and Custody Health plan to dedicate staff to transition planning, including a sergeant, correctional deputies, and a health care program manager. Based on the County’s experience in opening other custodial facilities, a team that possesses this combination of expertise and experience has been crucial. In addition, the team will consult with and learn from specific County staff who have played key roles in opening other custodial facilities. The transition team will devise the operational testing plan for the proposed facility, develop operational

procedures, and organize the physical transition of both staff and offenders.

5. Budget Narrative: Describe the amounts and types of funding proposed and why each element is required to carry out the proposed project. Describe how the county will meet its funding contribution (match) requirements for all project costs in excess of the amount of state financing requested and how operational costs (including programming costs) for the facility will be sustained.

A. Budget Allocation is Well Matched to the Project Need and Work Plan. The County intends to fund the project using State SB 863 funds for only a portion (approximately 30%) of the proposed facility costs. With the County's own cash reserves and internal lease-revenue bond funding, the County will fully fund the difference between the requested amount and the cost of the project (construction of a replacement facility for the MJS and W-1, including programming and treatment costs). This will include provision of effective rehabilitative programming as well as mental health treatment in the proposed facility specifically designed to accommodate these functions. It includes utilization of best practices in offender supervision and management within the new structure design that makes possible better, more consistent observation along with significantly expanded opportunities for recreation, learning, treatment, visitation and maintenance of valuable relationships, and early contact with reentry specialists who will help to plan and support successful community reentry. The more adequate match of number of beds with proportion of need for beds by risk category (more high medium and medium security and fewer minimum security) will improve safety, along with the increased number of special treatment beds and special management beds.

To effectively manage the proposed facility and improved system design, the County plans to invest approximately \$6 million on an ongoing basis for the employee costs

necessary to furnish the sworn, non-sworn, and custody health staff that is required for daily operations.

B. Budgeted Costs are an Efficient Use of State Resources. The County intends to maximize its cash match to the fullest extent possible and, in so doing, does not intend to claim in-kind match for auditing services, needs assessment services, transition planning, County administration time, or land-value. It is felt this will reduce auditing efforts on the part of the State during design/construction and will be a more effective use of State funds.

Please note the land value appraisal is underway and will be completed prior to funding awards. Additionally, please note the County has begun the process of transition planning. The County will be contracting with a Certified Public Accountant to prepare the financial audit as required by the funding guidelines. Please refer to the budget summary contained herein for more information.

During the pre-design phase of the project, the County reviewed multiple design options in which project cost was one of the significant factors in the decision-making process. Several cost estimates were completed for each option. Additionally, site selection was a high priority as it has a major impact on cost-effectiveness of the project. A significant factor in selecting the current site was reduced costs due to the proximity of the existing facilities and the ability to share functions with the existing MJN. This proximity makes it possible to maintain a number of operational and functional spaces within the existing MJN and not duplicate them within the proposed building design, greatly reducing the needed square footage and overall cost.

C. Sustaining Operational Costs. The County of Santa Clara Board of Supervisors is supportive of construction of the proposed facility with full understanding of the

substantial additional costs that will be required for ongoing operation. As noted, this includes approximately \$6 million of ongoing funding for staffing in addition to facility maintenance and the spectrum of other operational expenses.

6. Readiness to Proceed

A. The Board of Supervisors provided a resolution responding to all the requirements of SB 863 and authorizing an adequate amount of matching funds to satisfy the County's contribution. In addition, the resolution approved the project documents deemed necessary, as identified by the State of California Public Works Board to the BSCC, to effectuate the financing authorized by the legislation. It was authorized by the appropriate signatory to execute those documents at the appropriate times.

B. Within this proposal, the County of Santa Clara has provided documentation evidencing CEQA compliance is complete, along with a letter from County Counsel certifying the associated statute of limitations has expired and no challenges were filed. Additionally, the County has completed the necessary Needs Assessment, as discussed in previous sections and has internally established an expert transition team that will be responsible for and is prepared to coordinate the remaining planning and design phases.

The County retained project experts who assisted in the completion of the pre-design and programming phases of design and who will assist the County in assembling the most qualified consultants to complete the operations, program and design documents. The County has begun the land value appraisal process and expects the results in the very near future.

County of Santa Clara
Office of the County Executive

County Government Center,
70 West Hedding Street
Eleventh Floor – East Wing
San Jose, California 95110
(408) 299-5105



September 9, 2015

Magi Work, Deputy Director
Board of State and Community Corrections
2590 Venture Oaks Way, Suite 200
Sacramento, CA 95833

RE: SB 863 Application Technical Correction

Dear Ms. Work:

On behalf of the County of Santa Clara, we are working to bring an amended resolution to the Board of Supervisors at our next meeting on September 29, 2015. The amended resolution will address the technical concerns identified by Board of State and Community Corrections (BSCC) staff as part of your technical review of our SB 863 application. As outlined by BSCC, the final resolution will be submitted by October 2, 2015.

We thank you for your time and commitment throughout this process, and look forward to our continued work together.

Sincerely,

A handwritten signature in black ink, appearing to read "Dave Cortese".

Dave Cortese
President, Board of Supervisors

A handwritten signature in black ink, appearing to read "Jeffrey V. Smith".

Jeffrey V. Smith
County Executive

cc: Linda Penner, Chair, BSCC
Kathleen T. Howard, Executive Director, BSCC

Board of Supervisors: Mike Wasserman, Cindy Chavez, Dave Cortese, Ken Yeager, S. Joseph Simitian
County Executive: Jeffrey V. Smith

RESOLUTION NO. BDS-2015-116

**RESOLUTION OF THE BOARD OF SUPERVISORS
OF THE COUNTY OF SANTA CLARA AUTHORIZING THE APPLICATION FOR SB
863 JAIL CONSTRUCTION FINANCING**

WHEREAS, on June 20, 2014 the Governor signed Senate Bill (SB) 863 into law authorizing \$500 million in jail construction funding to be offered through a competitive grant program administered by the Board of State and Community Corrections (BSCC); and

WHEREAS, the mission of the County of Santa Clara is committed to providing a safe and nurturing environment to all offenders housed in its county jail; and

WHEREAS, the Sheriff of Santa Clara County and the Chief of the Department of Correction are responsible for maintaining the appropriate levels of protection, supervision and custody consistent with the established public safety and legal mandates; and

WHEREAS, due to Realignment, inmates are being housed in local jails for longer periods of times resulting in an increase in the level of medical and mental care needed and an increase in the number of maximum security beds required to safely and properly house and support rehabilitating offenders of all levels; and

WHEREAS, in January 2015 the County's consultant, MGT of America submitted its jail assessment recommending significant improvements to the jail's physical plant to address the increase in the population and the impact the aging inmate population will have on the existing facilities over the next thirty years; and

WHEREAS, the County of Santa Clara, the Sheriff and the Chief recognize the need to address the issues raised in the MGT report and intend to make much needed physical improvements to the County's oldest facility, the maximum security facility known as Main Jail South located at 180 West Hedding Street, San Jose, California 95110; and

WHEREAS, the proposed improvements involve the demolition of the existing fifty-eight (58) year old building and the construction of a new seven story fully enclosed Adult Local Criminal Justice Facility (ALCJF) that would be adjacent to and integrated with the County's existing Main Jail North facility as depicted on the sketch plan attached hereto as **Figure 1**; and

WHEREAS, this Board recognizes the imminent need to design, construct and occupy a new ALCJF that houses the County's medium/high-medium security risk inmates and provides necessary programing space to assist with rehabilitation and to reduce recidivism, new housing units that would be in compliance with modern Title 24 design standards as well as an updated custodial mental health facility that addresses all of the needs of both the maximum security inmates and all male and female inmates with serious mental health issues; and

WHEREAS, the County is applying for SB 863 jail construction funding; and

NOW THEREFORE, BE IT RESOLVED that the Santa Clara County Board of Supervisors hereby:

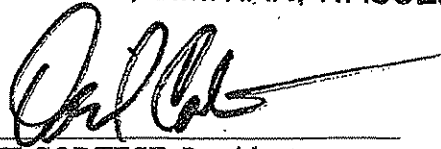
1. Names Roger Soohoo as the County Construction Administrator, Andy Walker as the Project Financial Officer; and Edward Hwang as the Project Contact Person; and
2. Approves the forms of the project documents deemed necessary, as identified by the State Public Works Board to the Board of State and Community Corrections, to effectuate the financing authorized by the legislation; and
3. The Chief Operating Officer, or designee, is authorized, on behalf of the Board of Supervisors to submit the proposal for funding under SB 863, sign all related project documents in support of the proposal, and sign the Grant Agreement with the BSCC and State Public Works Board (SPWB), including any amendments thereof, on behalf of the County; and
4. Confirms that the County will adhere to state requirements and terms of agreements between the County, the CDCR, the BSCC and SPWB in the expenditure of any state financing allocation and County matching funds; and
5. Agrees to allocate the required matching funds after notification of the conditional award of financing but before entering into the state/county agreements. The County further agrees to identify the source for the matching funds and assures that these matching funds shall not be replaced by funds otherwise dedicated for construction activities; and
6. Agrees to safely staff and operate the facility that will be constructed consistent with the provisions of Title 15 of the California Code of Regulations Chapter 1, Subchapter 6 section 1756(j)(5) within ninety (90) days after the construction project is completed; and
7. Certifies that at the time of application or no later than ninety (90) days following receipt of BSCC's notice of Intent to Award: (1) assurance that the County has or will have fee simple ownership of the site where the facility will be constructed and the right of access to the Project site including the undisturbed use and possession of the site and (2) will not dispose of, modify the use of, or change the terms of the real property title or other interest in the site or facility subject to construction, or lease the facility for operation to other entities, without the express permission and instructions from BSCC, for so long as SPWB lease revenue bonds secured by the financed Project remain outstanding.

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8. The County attests to \$ 440,000 as the approximate current fair market land value for the proposed facility.

PASSED AND ADOPTED by the Board of Supervisors of the County of Santa Clara, State of California, on AUG 11 2015, by the following vote:

| | | |
|----------|-------------|--|
| AYES: | Supervisors | CHAVEZ, CORTESE, SIMITIAN, WASSERMAN, YEAGE |
| NOES: | Supervisors | NONE |
| ABSENT: | Supervisors | NONE |
| ABSTAIN: | Supervisors | NONE |



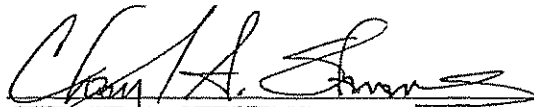
DAVE CORTESE, President
Board of Supervisors

ATTEST:



MEGAN DOYLE
Clerk of the Board of Supervisors

APPROVED AS TO FORM AND LEGALITY:



CHERYL A. STEVENS
Deputy County Counsel

Exhibits to this Resolution:

A – BSCC, Senate Bill 863 Adult Local Criminal Justice Facilities Construction Financing Program Proposal Form

B.—Figure 1

County of Santa Clara
Office of the County Executive

County Government Center,
70 West Hedding Street
Eleventh Floor – East Wing
San Jose, California 95110
(408) 299-5105



September 9, 2015

Magi Work, Deputy Director
Board of State and Community Corrections
2590 Venture Oaks Way, Suite 200
Sacramento, CA 95833

RE: SB 863 Application Technical Correction

Dear Ms. Work:

On behalf of the County of Santa Clara, we are working to bring an amended resolution to the Board of Supervisors at our next meeting on September 29, 2015. The amended resolution will address the technical concerns identified by Board of State and Community Corrections (BSCC) staff as part of your technical review of our SB 863 application. As outlined by BSCC, the final resolution will be submitted by October 2, 2015.

We thank you for your time and commitment throughout this process, and look forward to our continued work together.

Sincerely,

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Dave Cortese
President, Board of Supervisors

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Jeffrey V. Smith
County Executive

cc: Linda Penner, Chair, BSCC
Kathleen T. Howard, Executive Director, BSCC

Board of Supervisors: Mike Wasserman, Cindy Chavez, Dave Cortese, Ken Yeager, S. Joseph Simitian
County Executive: Jeffrey V. Smith

RESOLUTION NO. BDS-2015-116

**RESOLUTION OF THE BOARD OF SUPERVISORS
OF THE COUNTY OF SANTA CLARA AUTHORIZING THE APPLICATION FOR SB
863 JAIL CONSTRUCTION FINANCING**

WHEREAS, on June 20, 2014 the Governor signed Senate Bill (SB) 863 into law authorizing \$500 million in jail construction funding to be offered through a competitive grant program administered by the Board of State and Community Corrections (BSCC); and

WHEREAS, the mission of the County of Santa Clara is committed to providing a safe and nurturing environment to all offenders housed in its county jail; and

WHEREAS, the Sheriff of Santa Clara County and the Chief of the Department of Correction are responsible for maintaining the appropriate levels of protection, supervision and custody consistent with the established public safety and legal mandates; and

WHEREAS; due to Realignment, inmates are being housed in local jails for longer periods of times resulting in an increase in the level of medical and mental care needed and an increase in the number of maximum security beds required to safely and properly house and support rehabilitating offenders of all levels; and

WHEREAS, in January 2015 the County's consultant, MGT of America submitted its jail assessment recommending significant improvements to the jail's physical plant to address the increase in the population and the impact the aging inmate population will have on the existing facilities over the next thirty years; and

WHEREAS, the County of Santa Clara, the Sheriff and the Chief recognize the need to address the issues raised in the MGT report and intend to make much needed physical improvements to the County's oldest facility, the maximum security facility known as Main Jail South located at 180 West Hedding Street, San Jose, California 95110; and

WHEREAS, the proposed improvements involve the demolition of the existing fifty-eight (58) year old building and the construction of a new seven story fully enclosed Adult Local Criminal Justice Facility (ALCJF) that would be adjacent to and integrated with the County's existing Main Jail North facility as depicted on the sketch plan attached hereto as **Figure 1**; and

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WHEREAS, the County is applying for SB 863 jail construction funding; and

NOW THEREFORE, BE IT RESOLVED that the Santa Clara County Board of Supervisors hereby:

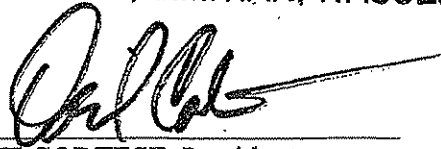
1. Names Roger Soohoo as the County Construction Administrator, Andy Walker as the Project Financial Officer; and Edward Hwang as the Project Contact Person; and
2. Approves the forms of the project documents deemed necessary, as identified by the State Public Works Board to the Board of State and Community Corrections, to effectuate the financing authorized by the legislation; and
3. The Chief Operating Officer, or designee, is authorized, on behalf of the Board of Supervisors to submit the proposal for funding under SB 863, sign all related project documents in support of the proposal, and sign the Grant Agreement with the BSCC and State Public Works Board (SPWB), including any amendments thereof, on behalf of the County; and
4. Confirms that the County will adhere to state requirements and terms of agreements between the County, the CDCR, the BSCC and SPWB in the expenditure of any state financing allocation and County matching funds; and
5. Agrees to allocate the required matching funds after notification of the conditional award of financing but before entering into the state/county agreements. The County further agrees to identify the source for the matching funds and assures that these matching funds shall not be replaced by funds otherwise dedicated for construction activities; and
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7. Certifies that at the time of application or no later than ninety (90) days following receipt of BSCC's notice of Intent to Award: (1) assurance that the County has or will have fee simple ownership of the site where the facility will be constructed and the right of access to the Project site including the undisturbed use and possession of the site and (2) will not dispose of, modify the use of, or change the terms of the real property title or other interest in the site or facility subject to construction, or lease the facility for operation to other entities, without the express permission and instructions from BSCC, for so long as SPWB lease revenue bonds secured by the financed Project remain outstanding.

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PASSED AND ADOPTED by the Board of Supervisors of the County of Santa Clara, State of California, on AUG 11 2015, by the following vote:

| | | |
|----------|-------------|--|
| AYES: | Supervisors | CHAVEZ, CORTESE, SIMITIAN, WASSERMAN, YEAGE |
| NOES: | Supervisors | NONE |
| ABSENT: | Supervisors | NONE |
| ABSTAIN: | Supervisors | NONE |




DAVE CORTESE, President
Board of Supervisors

ATTEST:



MEGAN DOYLE
Clerk of the Board of Supervisors

APPROVED AS TO FORM AND LEGALITY:



CHERYL A. STEVENS
Deputy County Counsel

Exhibits to this Resolution:

A – BSCC, Senate Bill 863 Adult Local Criminal Justice Facilities Construction Financing Program Proposal Form

B.—Figure 1

County of Santa Clara
Office of the County Clerk-Recorder
Business Division

County Government Center
 70 West Hedding Street, E. Wing, 1st Floor
 San Jose, California 95110 (408) 299-5688



Santa Clara County Clerk-Recorder's Office
State of California



Document No.: 19389
 Number of Pages: 2
 Filed and Posted On: 6/09/2015
 Through: 7/09/2015
 CRO Order Number:
 Fee Total: 2,260.00

REGINA ALCOMENDRAS, County Clerk-Recorder
 by **Laura Luna, Deputy Clerk-Recorder,**

CEQA DOCUMENT DECLARATION

ENVIRONMENTAL FILING FEE RECEIPT

PLEASE COMPLETE THE FOLLOWING:

1. LEAD AGENCY: County of Santa Clara
2. PROJECT TITLE: Santa Clara County Jail Replacement Project
3. APPLICANT NAME: Edward Hwang PHONE: (408) 993-4631
4. APPLICANT ADDRESS: 2310 N. 1st St., Suite 200, San Jose, CA 95131
5. PROJECT APPLICANT IS A: Local Public Agency School District Other Special District State Agency Private Entity
6. NOTICE TO BE POSTED FOR 30 DAYS.
7. CLASSIFICATION OF ENVIRONMENTAL DOCUMENT

a. PROJECTS THAT ARE SUBJECT TO DFG FEES

| | | |
|---|-------------|--------------------|
| <input type="checkbox"/> 1. ENVIRONMENTAL IMPACT REPORT (PUBLIC RESOURCES CODE §21152) | \$ 3,069.75 | \$ <u>0.00</u> |
| <input checked="" type="checkbox"/> 2. NEGATIVE DECLARATION (PUBLIC RESOURCES CODE §21080(C)) | \$ 2,210.00 | \$ <u>2,210.00</u> |
| <input type="checkbox"/> 3. APPLICATION FEE WATER DIVERSION (STATE WATER RESOURCES CONTROL BOARD ONLY) | \$ 850.00 | \$ <u>0.00</u> |
| <input type="checkbox"/> 4. PROJECTS SUBJECT TO CERTIFIED REGULATORY PROGRAMS | \$ 1,043.75 | \$ <u>0.00</u> |
| <input checked="" type="checkbox"/> 5. COUNTY ADMINISTRATIVE FEE (REQUIRED FOR a-1 THROUGH a-4 ABOVE) Fish & Game Code §711.4(e) | \$ 50.00 | \$ <u>50.00</u> |

b. PROJECTS THAT ARE EXEMPT FROM DFG FEES

| | | |
|---|----------|----------------|
| <input type="checkbox"/> 1. NOTICE OF EXEMPTION (\$50.00 COUNTY ADMINISTRATIVE FEE REQUIRED) | \$ 50.00 | \$ <u>0.00</u> |
| <input type="checkbox"/> 2. A COMPLETED "CEQA FILING FEE NO EFFECT DETERMINATION FORM" FROM THE DEPARTMENT OF FISH & GAME, DOCUMENTING THE DFG'S DETERMINATION THAT THE PROJECT WILL HAVE NO EFFECT ON FISH, WILDLIFE AND HABITAT, OR AN OFFICIAL, DATED RECEIPT / PROOF OF PAYMENT SHOWING PREVIOUS PAYMENT OF THE DFG FILING FEE FOR THE *SAME PROJECT IS ATTACHED (\$50.00 COUNTY ADMINISTRATIVE FEE REQUIRED) | | |
| DOCUMENT TYPE: <input type="checkbox"/> ENVIRONMENTAL IMPACT REPORT <input type="checkbox"/> NEGATIVE DECLARATION | \$ 50.00 | \$ <u>0.00</u> |

c. NOTICES THAT ARE NOT SUBJECT TO DFG FEES OR COUNTY ADMINISTRATIVE FEES

| | | | |
|--|---|--------|------------------|
| <input type="checkbox"/> NOTICE OF PREPARATION | <input type="checkbox"/> NOTICE OF INTENT | NO FEE | \$ <u>NO FEE</u> |
|--|---|--------|------------------|

8. OTHER: _____ FEE (IF APPLICABLE): \$ _____

9. TOTAL RECEIVED..... \$ 2,260.00

*NOTE: "SAME PROJECT" MEANS NO CHANGES. IF THE DOCUMENT SUBMITTED IS NOT THE SAME (OTHER THAN DATES), A "NO EFFECT DETERMINATION" LETTER FROM THE DEPARTMENT OF FISH AND GAME FOR THE SUBSEQUENT FILING OR THE APPROPRIATE FEES ARE REQUIRED.

THIS FORM MUST BE COMPLETED AND ATTACHED TO THE FRONT OF ALL CEQA DOCUMENTS LISTED ABOVE (INCLUDING COPIES) SUBMITTED FOR FILING. WE WILL NEED AN ORIGINAL (WET SIGNATURE) AND THREE COPIES. (YOUR ORIGINAL WILL BE RETURNED TO YOU AT THE TIME OF FILING.)

CHECKS FOR ALL FEES SHOULD BE MADE PAYABLE TO: SANTA CLARA COUNTY CLERK-RECORDER

PLEASE NOTE: FEES ARE ANNUALLY ADJUSTED (Fish & Game Code §711.4(b)); PLEASE CHECK WITH THIS OFFICE AND THE DEPARTMENT OF FISH AND GAME FOR THE LATEST FEE INFORMATION.

"... NO PROJECT SHALL BE OPERATIVE, VESTED, OR FINAL, NOR SHALL LOCAL GOVERNMENT PERMITS FOR THE PROJECT BE VALID, UNTIL THE FILING FEES REQUIRED PURSUANT TO THIS SECTION ARE PAID." Fish & Game Code §711.4(c)(3)

County of Santa Clara

Department of Planning and Development
County Government Center, East Wing, 7th Floor
70 West Hedding Street
San Jose, California 95110

File#: 19389 6/09/2015




| | | | |
|-----------------------|-----------------------------|---------------------|-----------------|
| Administration | Development Services | Fire Marshal | Planning |
| Phone: (408) 299-6740 | (408) 299-5700 | (408) 299-5760 | (408) 299-5770 |
| Fax: (408) 299-6757 | (408) 279-8537 | (408) 287-9308 | (408) 288-9198 |

Notice of Determination

To: County Clerk
County of Santa Clara

Office of Planning and Research
1400 Tenth Street, Room 121
Sacramento, CA 95814

| Project Title | File Number | Project Type |
|---|--|-----------------------|
| Jail Replacement Project | 10729-15CP | Capital Improvement |
| Project Sponsor's Name: | Sponsor's Address: | Telephone Number |
| Edward Hwang, Facilities and Fleet | 2310 N. 1 st St., Suite 200, San Jose, CA 95131 | (408) 993-4631 |
| SCH # | County Contact Person | Telephone Number |
| 2015052022 | David Rader, Planning and Development | (408) 299-5779 |
| Project Location | | |
| The proposed project is located at 150 W. Hedding Street, San Jose, CA 95110. | | |
| Project Description | | |
| The proposed project consists of replacement of an outdated jail facility at Santa Clara County's Main Jail Complex with a new jail building. The conceptual plan for the replacement jail is a single building up to 325,000 square feet in size with a maximum height of 150 feet (six stories). The existing three-story, 133,000 square-foot Main Jail South building would be demolished. The new building would address the increased inmate population as a result of the State of California's AB109 Realignment program and the need for inmate programs (education, substance abuse, job placement, life skills, etc.) within the incarceration system. | | |
| This is to advise that the Santa Clara County Board of Supervisors has approved the above described project on June 9, 2015 and has made the following determinations regarding the project. The Mitigated Negative Declaration and record of project approval may be examined at the Santa Clara County Department of Planning and Development. | | |
| 1. The project will not have a significant effect on the environment. | | |
| 2. A Monitoring Program was adopted. | | |
| 3. <input checked="" type="checkbox"/> A Mitigated Negative Declaration was prepared for this project pursuant to the provisions of CEQA. | | |
| a) <input checked="" type="checkbox"/> Mitigation Measures have been made a condition of approval of the project. | | |
| 4. <input type="checkbox"/> An Environmental Impact Report has been prepared for this project pursuant to the provisions of CEQA. | | |
| a) <input type="checkbox"/> Mitigation Measures have been made a condition of approval of the project. | | |
| b) <input type="checkbox"/> A <i>Statement of Overriding Considerations</i> was adopted for this project. | | |
| c) <input type="checkbox"/> Findings were made pursuant to section 15091 of CEQA. | | |
|  Signature | | <u>6/9/15</u> Date |

OFFICE OF THE COUNTY COUNSEL
COUNTY OF SANTA CLARA

70 West Hedding Street
East Wing, 9th Floor
San Jose, California 95110-1770
(408) 299-5900
(408) 292-7240 (FAX)



Orry P. Korb
COUNTY COUNSEL

Winifred Botha
Danny Y. Chou
Robert M. Coelho
Steve Mitra
ASSISTANT COUNTY COUNSEL

July 27, 2015

Board of Supervisors
County of Santa Clara
70 W. Hedding Street, 10th Floor
San José, CA 95110

Re: County of Santa Clara
Notice of Determination for the New Main Jail at 150 W. Hedding Street, San
José, California

Honorable Board of Supervisors:

On June 9, 2015, the Board of Supervisors ("Board") for the County of Santa Clara approved a resolution adopting a Mitigated Negative Declaration and Mitigation and Monitoring and Reporting Program and making related findings in accordance with the California Environmental Quality Act for the New Main Jail at 150 W. Hedding Street, San José ("Project"). Pursuant to Public Resources Code section 21152, the County filed a Notice of Determination with the Clerk-Recorder's Office for the Project on June 9, 2015; the Notice of Determination was posted on that same day and remained posted for a period of 30 days (through July 9, 2015). The statute of limitations for challenging the Board's action expired on July 9, 2015 and no challenges were filed.

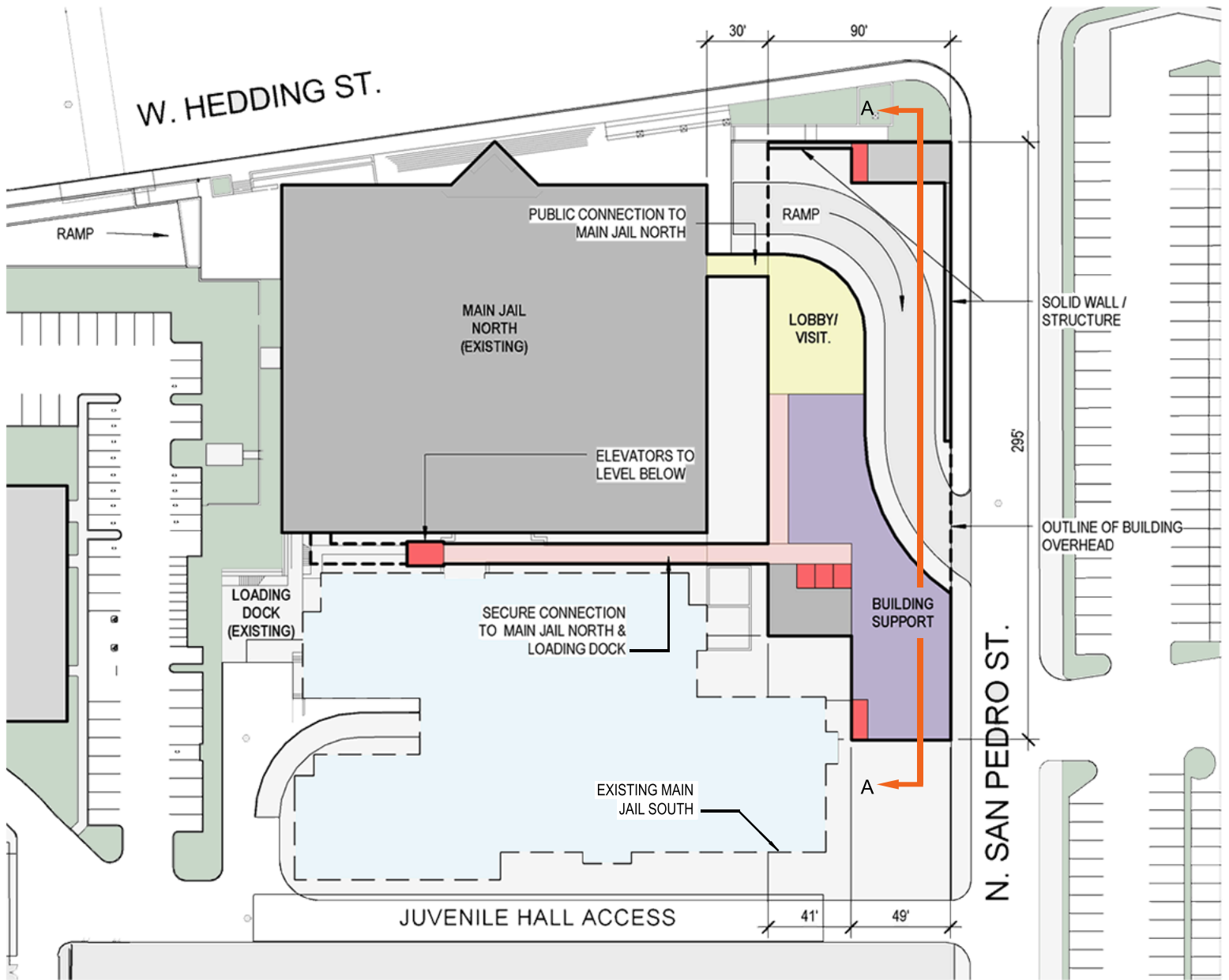
Please contact Deputy County Counsel Elizabeth Pianca at 408-299-5920 if you have any questions or if our office can be of further assistance. Thank you.

Very truly yours,

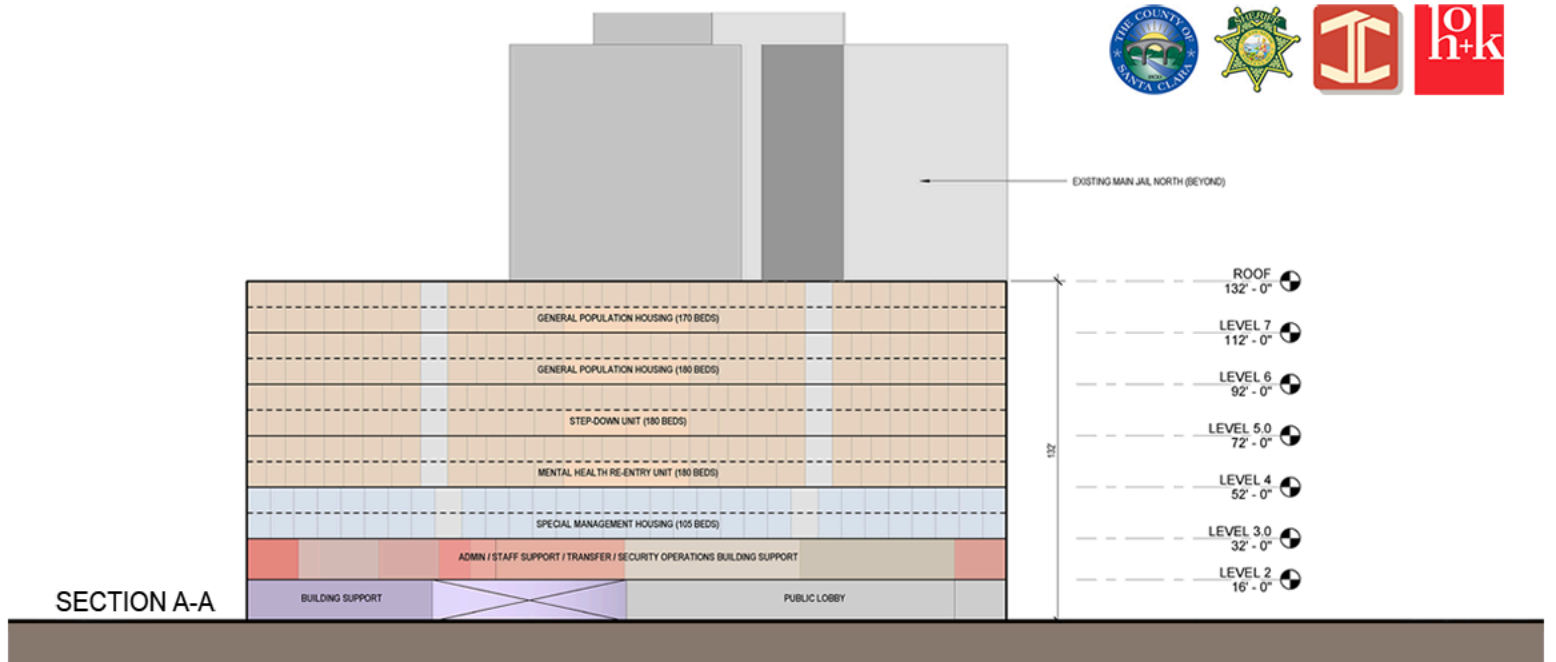
A handwritten signature in blue ink, appearing to read "Orry P. Korb", is written over a horizontal line.

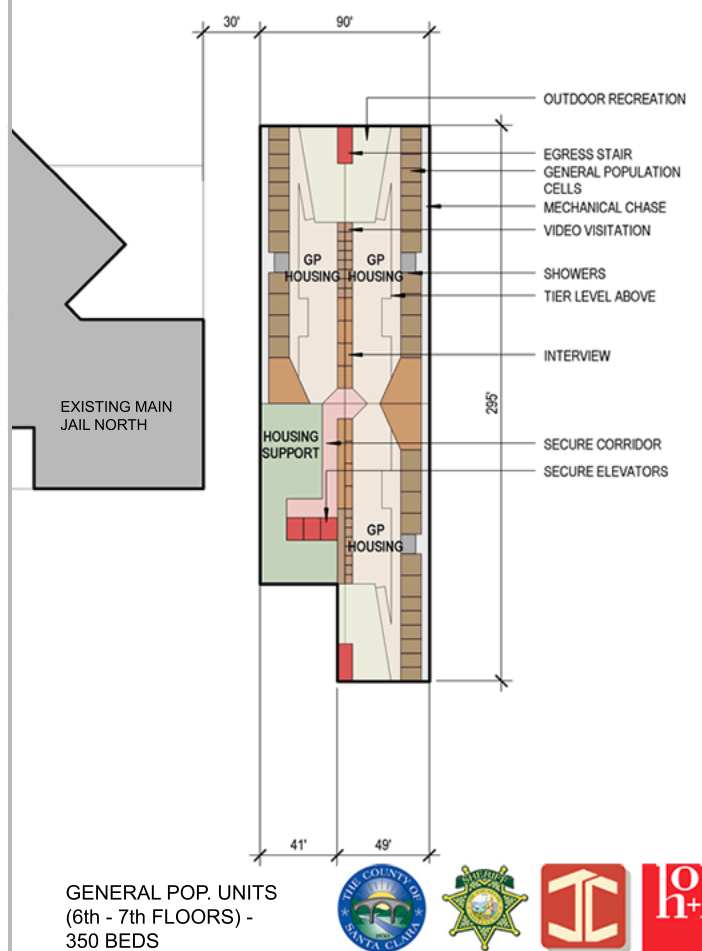
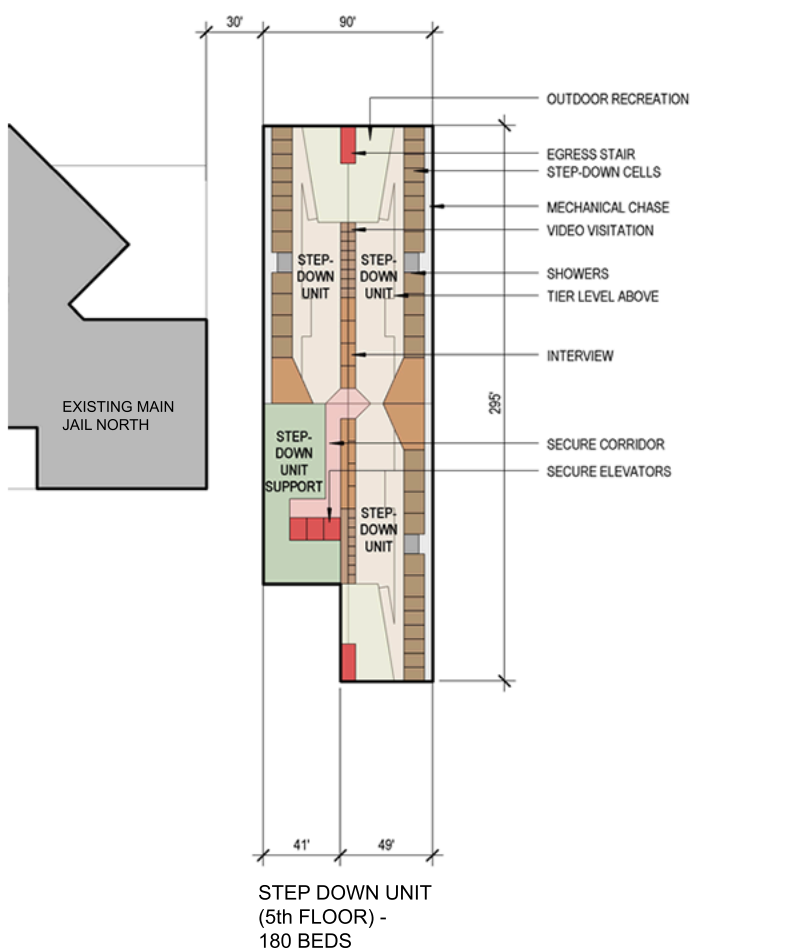
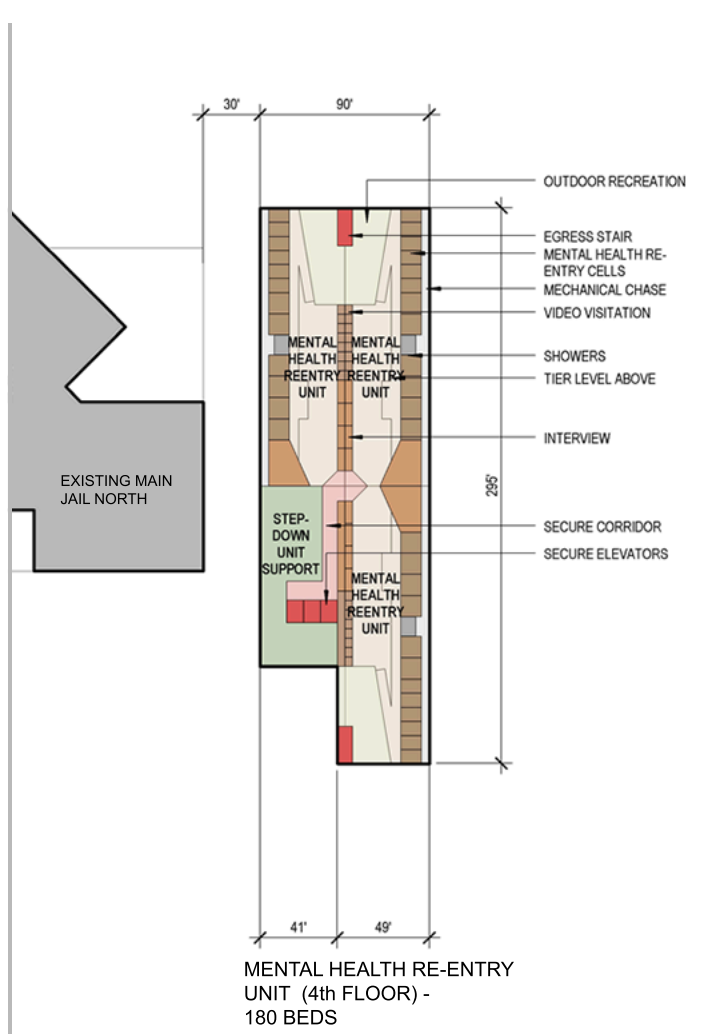
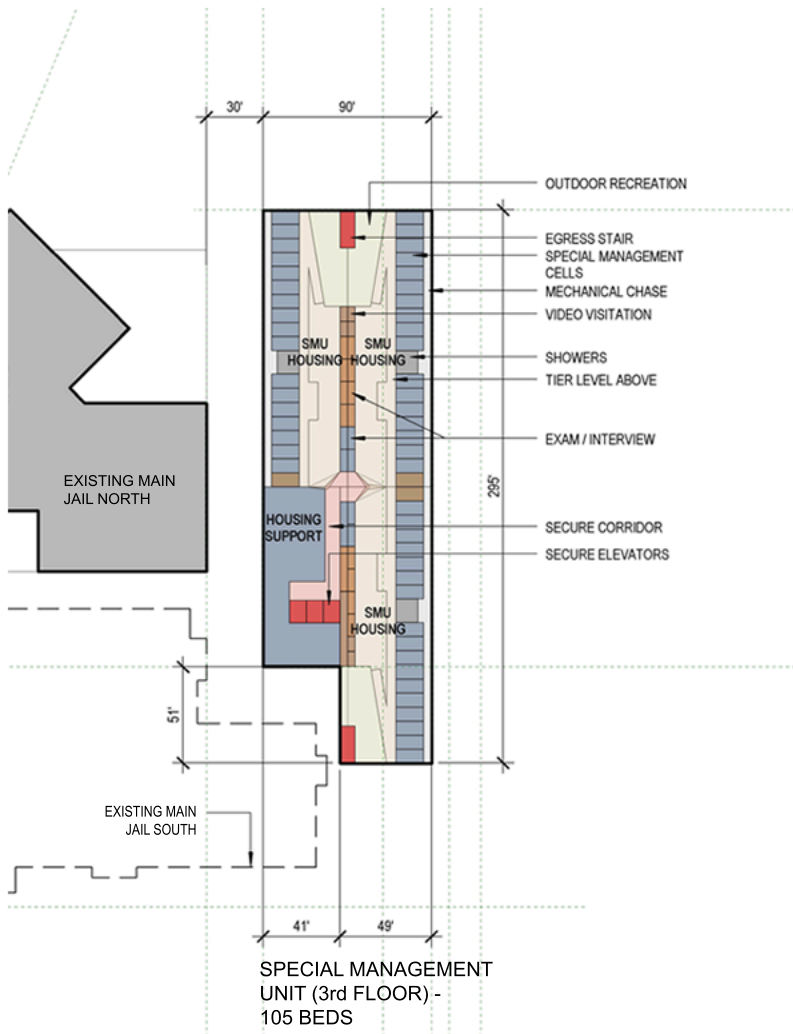
ORRY P. KORB
County Counsel

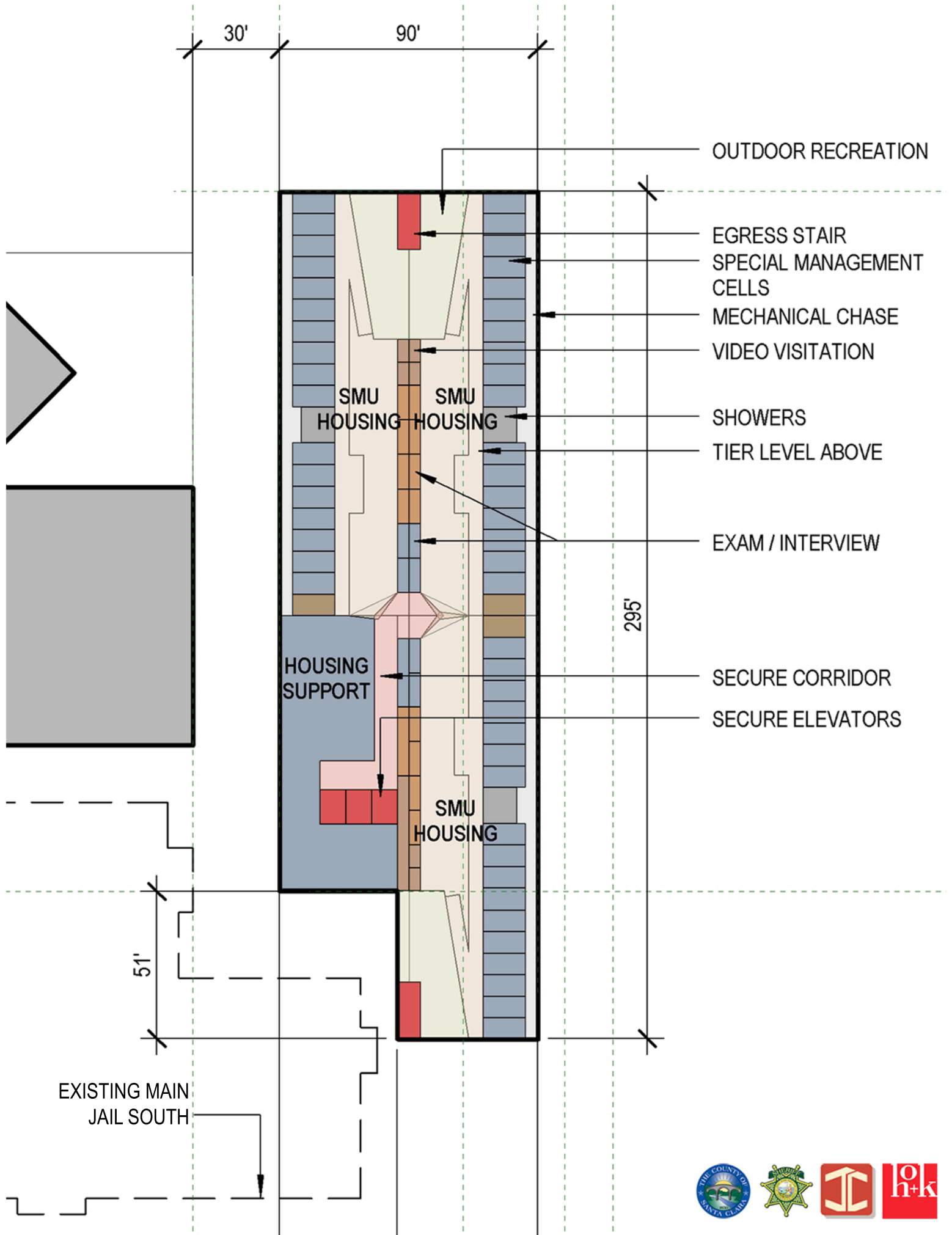
c: Elizabeth G. Pianca, Deputy County Counsel
Tony Filice, Budget & Public Policy Analysis, Office of Budget & Analysis
Edward Hwang, Assistant Civil Engineer, Facilities & Fleet Department



SITE PLAN / LOWER LEVEL PLAN

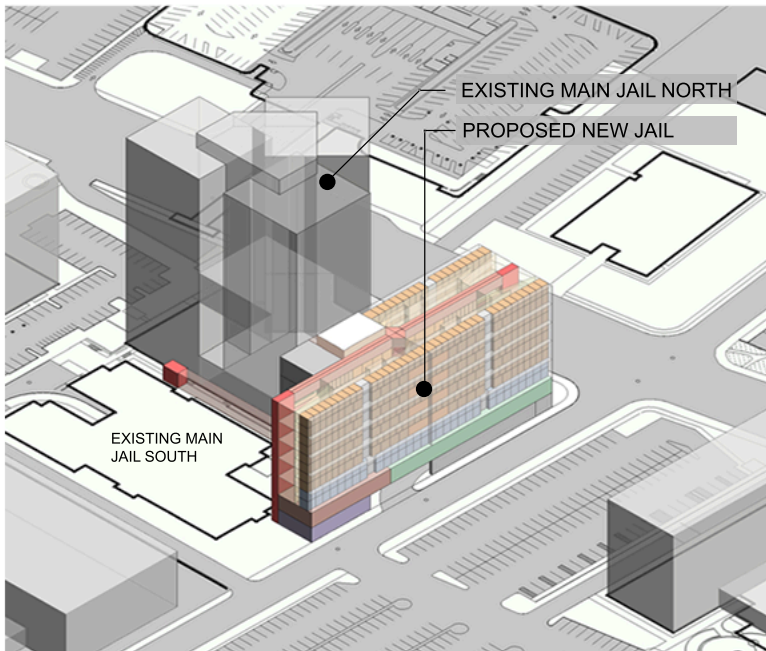




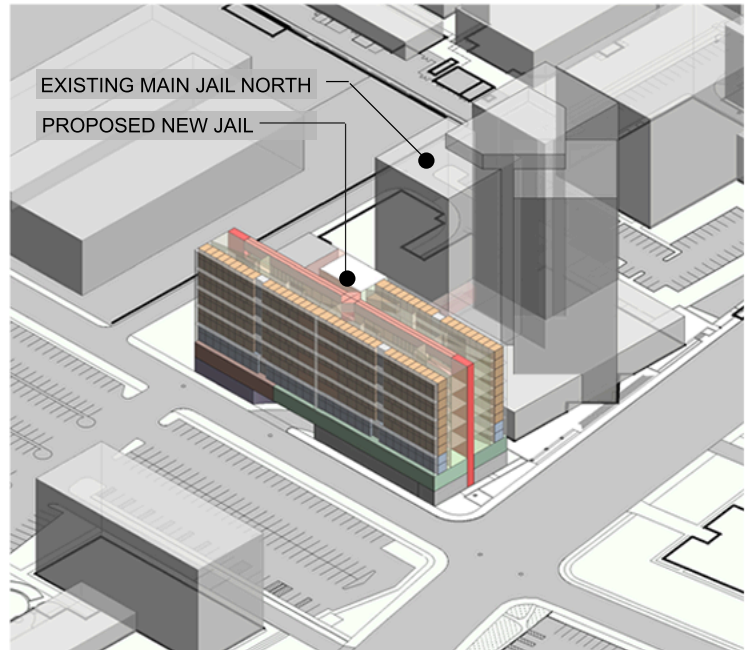




PERSPECTIVE VIEW FROM NORTHWEST



SOUTHWEST AXONOMETRIC



NORTHWEST AXONOMETRIC



OFFICE OF THE COUNTY COUNSEL
COUNTY OF SANTA CLARA

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A handwritten signature in blue ink, appearing to read "Orry P. Korb", is written over a horizontal line.

ORRY P. KORB
County Counsel

c: Elizabeth G. Pianca, Deputy County Counsel
Tony Filice, Budget & Public Policy Analysis, Office of Budget & Analysis
Edward Hwang, Assistant Civil Engineer, Facilities & Fleet Department

RESOLUTION NO. _____

**RESOLUTION OF THE BOARD OF SUPERVISORS
OF THE COUNTY OF SANTA CLARA AUTHORIZING THE APPLICATION FOR SB
863 JAIL CONSTRUCTION FINANCING**

WHEREAS, on June 20, 2014 the Governor signed Senate Bill (SB) 863 into law authorizing \$500 million in jail construction funding to be offered through a competitive grant program administered by the Board of State and Community Corrections (BSCC); and

WHEREAS, the mission of the County of Santa Clara is committed to providing a safe and nurturing environment to all offenders housed in its county jail; and

WHEREAS, the Sheriff of Santa Clara County and the Chief of the Department of Correction are responsible for maintaining the appropriate levels of protection, supervision and custody consistent with the established public safety and legal mandates; and

WHEREAS; due to Realignment, inmates are being housed in local jails for longer periods of times resulting in an increase in the level of medical and mental care needed and an increase in the number of maximum security beds required to safely and properly house and support rehabilitating offenders of all levels; and

WHEREAS, in January 2015 the County's consultant, MGT of America submitted its jail assessment recommending significant improvements to the jail's physical plant to address the increase in the population and the impact the aging inmate population will have on the existing facilities over the next thirty years; and

WHEREAS, the County of Santa Clara, the Sheriff and the Chief recognize the need to address the issues raised in the MGT report and intend to make much needed physical improvements to the County's oldest facility, the maximum security facility known as Main Jail South located at 180 West Hedding Street, San Jose, California 95110; and

WHEREAS, the proposed improvements involve the demolition of the existing fifty-eight (58) year old building and the construction of a new seven story fully enclosed Adult Local Criminal Justice Facility (ALCJF) that would be adjacent to and integrated with the County's existing Main Jail North facility as depicted on the sketch plan attached hereto as **Figure 1**; and

WHEREAS, this Board recognizes the imminent need to design, construct and occupy a new ALCJF that houses the County's medium/high-medium security risk inmates and provides necessary programming space to assist with rehabilitation and to reduce recidivism, new housing units that would be in compliance with modern Title 24 design standards as well as an updated custodial mental health facility that addresses all of the needs of both the maximum security inmates and all male and female inmates with serious mental health issues; and

WHEREAS, the County is applying for SB 863 jail construction funding; and

NOW THEREFORE, BE IT RESOLVED that the Santa Clara County Board of Supervisors hereby:

1. Names Roger Soohoo as the County Construction Administrator, Andy Walker as the Project Financial Officer; and Edward Hwang as the Project Contact Person; and

2. Approves the forms of the project documents deemed necessary, as identified by the State Public Works Board to the Board of State and Community Corrections, to effectuate the financing authorized by the legislation; and

3. The Chief Operating Officer, or designee, is authorized, on behalf of the Board of Supervisors to submit the proposal for funding under SB 863, sign all related project documents in support of the proposal, and sign the Grant Agreement with the BSCC and State Public Works Board (SPWB), including any amendments thereof, on behalf of the County; and

4. Confirms that the County will adhere to state requirements and terms of agreements between the County, the CDCR, the BSCC and SPWB in the expenditure of any state financing allocation and County matching funds; and

5. Agrees to allocate the required matching funds after notification of the conditional award of financing but before entering into the state/county agreements. The County further agrees to identify the source for the matching funds and assures that these matching funds shall not be replaced by funds otherwise dedicated for construction activities; and

6. Agrees to safely staff and operate the facility that will be constructed consistent with the provisions of Title 15 of the California Code of Regulations Chapter 1, Subchapter 6 section 1756(j)(5) within ninety (90) days after the construction project is completed; and

7. Certifies that at the time of application or no later than ninety (90) days following receipt of BSCC's notice of Intent to Award: (1) assurance that the County has or will have fee simple ownership of the site where the facility will be constructed and the right of access to the Project site including the undisturbed use and possession of the site and (2) will not dispose of, modify the use of, or change the terms of the real property title or other interest in the site or facility subject to construction, or lease the facility for operation to other entities, without the express permission and instructions from BSCC, for so long as SPWB lease revenue bonds secured by the financed Project remain outstanding.

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8. The County attests to \$ 440,000 as the approximate current fair market land value for the proposed facility.

PASSED AND ADOPTED by the Board of Supervisors of the County of Santa Clara, State of California, on _____, 2015, by the following vote:


| | |
|----------|-------------|
| AYES: | Supervisors |
| NOES: | Supervisors |
| ABSENT: | Supervisors |
| ABSTAIN: | Supervisors |

DAVE CORTESE, President
Board of Supervisors

ATTEST:

MEGAN DOYLE
Clerk of the Board of Supervisors

APPROVED AS TO FORM AND LEGALITY:


CHERYL A. STEVENS
Deputy County Counsel

Exhibits to this Resolution:

A – BSCC, Senate Bill 863 Adult Local Criminal Justice Facilities Construction
Financing Program Proposal Form
B.—Figure 1



77671

DATE: August 11, 2015

TO: Board of Supervisors

FROM: Gary A. Graves, Chief Operating Officer

SUBJECT: New Jail Facility with Mental Health Program and Treatment Space

RECOMMENDED ACTION

Consider recommendations related to applying for State funding for construction of a new jail facility. (Office of the County Executive)

Possible actions:

- a. Adopt Resolution authorizing the application for Senate Bill (SB) 863 Jail Construction Financing. (Roll Call Vote)
- b. Approve delegation of authority to Chief Operating Officer, or designee, to submit the proposal for funding under SB 863, sign all related project documents in support of the proposal, and sign the Grant Agreement with the Board of State and Community Corrections and the State Public Works Board including any amendments thereof, on behalf of the County, following approval by County Counsel as to form and legality, and approval by the Office of the County Executive. Delegation of authority shall expire on September 1, 2018.
- c. Approve draft application for SB 863 Jail Construction Financing.

FISCAL IMPLICATIONS

If the State approves the County's application and agrees to provide \$80 million in funding to replace Main Jail South, the County will continue its work with the Finance Agency to issue lease-revenue bonds to have financing available to fund the construction of the new facility. Initially, the County would be responsible for funding the entire facility, although the County will receive reimbursement from the State for \$80 million.

REASONS FOR RECOMMENDATION

On June 9, 2015, the Board of Supervisors approved an Initial Study and Mitigated Negative Declaration, which was prepared for this project pursuant to provisions of the California Environmental Quality Act (CEQA), and which is required to demonstrate readiness to proceed with the project. The County has documentation of CEQA compliance and a letter

from county counsel certifying the associated statute of limitations has expired and that no challenges were filed.

Over the summer, staff has been working on an application to apply for State funding for a new jail facility. Attached to this legislative file is a draft application for consideration by the Board. The Administration would like to ensure that the Board is comfortable with the draft application while we work to improve the application between now and the submission date to the State on August 28, 2015.

As part of this action, the Administration is requesting a delegation of authority to the Chief Operating Officer, or designee. Applying for this State funding requires signing a large number of documents and therefore this delegation of authority is requested to address this requirement over the period of several years. Some of the document types include project delivery and construction agreements, ground leases, and right of entry for construction and operation. All must be agreed to in order for the County to receive State financing. Sample form of documents can be accessed at: http://www.bscc.ca.gov/s_cfcformofdocuments.php.

In order to apply for State funding, the State requires that the Board approve a resolution with the included components to demonstrate Board approval for the project and to confirm that the Board will be willing to operate the new facility if the County receives the requested State funding.

The proposed project consists of replacement of an outdated jail facility at Santa Clara County's Main Jail Complex with a new jail building immediately adjacent to the existing Main Jail North facility. The conceptual plan for the replacement jail is a single building up to 325,000 square feet in size with a maximum height of 150 feet. The existing three-story, 133,000 square-foot Main Jail South building will be demolished at a yet to be determined time. The new building will address the changing nature of the inmate population as well as the increased length of stay in custody as a result of the State of California's AB109 Realignment program. The new facility will also address the need for inmate programs (education, substance abuse, job placement, life skills, etc.) along with the need to provide treatment to the increased number of inmates that require mental health treatment. The County of Santa Clara is seeking partial project funding via the State of California lease-revenue bond funds under the Senate Bill (SB) 863 Bond funding measure in order to reduce the need for bed space through treatment. This funding will help replace deteriorating housing areas with re-entry, educational, vocation, and rehabilitation treatment beds, and increase the number of mental health treatment beds.

The proposed facility will include a Re-Entry Services floor to house male and female inmates who have 90 days or less left on their sentence. These inmates will receive intensified programming, and will be provided services by Community Based Organizations, out-of-custody medical and mental health care providers, and be provided employment resources.

The proposed facility will also address the current lack of mental health bed space for those diagnosed with Serious Mental Illness (SMI) and other behavioral health diagnoses (BHD). SMI is defined as a psychiatric condition characterized by psychosis, mania, severe depression, severe anxiety or posttraumatic stress, or other symptoms which significantly

impair functioning of an individual. BHD is defined as a psychiatric condition characterized by mild to moderate depression, mild to moderate anxiety, substance abuse related symptoms, or other symptoms which typically leave functional ability intact, or only mildly impaired. As of May 29, 2015, there were: 449 inmates with SMI and 1,568 inmates with BHD. Without treatment housing, SMI and BHD inmates are at elevated risk of deterioration in function, and may require acute care to stabilize their conditions. Inmates with SMI or BHD conditions who deteriorate are at elevated risk of suicidal, self-harmful, violent, assaultive, and other destructive behaviors. Long term treatment of these conditions in a proper setting may reduce recidivism as patients learn to cope with their conditions once out of custody. The new facility includes a 3 dorm, 105 bed, special management treatment housing floor equipped with classroom and treatment space. Once stable, inmates can be rehoused to a 180-bed step down mental health unit also located in the new facility that provides continuation of mental health therapy and observation. These two floors increase special management beds from 190 to 461.

The proposed facility will provide inmate program space that largely does not exist at Main Jail South. Each floor in the new facility has three housing units with treatment and program space to serve the entire inmate population on each floor. The proposal would increase the current treatment and program space, and incorporates community classrooms on each housing floor.

Description of Proposed Facility

- The new facility offers five housing floors with a total of 15 dorms and 815 medium to high-medium security beds.

| Floor | Floor Description | No. of Units | Cells per Unit | Beds Per Cell | Beds per Floor |
|-----------------|---|--------------|----------------|---------------|----------------|
| 7 th | General Population Housing Units | 3 | 30 | 2 | *170 |
| 6 th | General Population Housing Units | 3 | 30 | 2 | 180 |
| 5 th | Re-Entry General Population Housing (Male/Female) | 3 | 30 | 2 | 180 |
| 4 th | Special Management Step Down Housing (Male/Female) | 3 | 30 | 2 | 180 |
| 3 rd | Mental Health/Special Mgt. Housing (Male/Female) | 3 | 35 | 1 | 105 |
| 2 nd | Administrative Offices/Transport Area/Staff Support | 0 | | | 815 |
| 1 st | Public Lobby/Visiting/Control Station | 0 | | | |

*Pursuant to the regulations set forth in the Americans with Disabilities Act (ADA), the new facility will be ADA compliant; including but not limited to ADA compliant cells in both the medical units and general population.

- New facility increases treatment and program space, and incorporates community classrooms on each housing floor.
- 3rd Floor: Special Management Housing
 - 105 cell/bed (3-35 single cell units) will provide direct mental health treatment for inmates with SMI or severe BHD conditions.
- 4th Floor to 7th Floor: 710 medium to high-medium security beds (mostly double bunked) which can be used to house male and female inmates.
- 5th Floor: Re-Entry Services will house male and female inmates who have 90 days or less left on their sentence.
 - These inmates will receive intensified programming, and will be provided services by Community Based Organizations, out-of-custody medical and mental health care, and employment resources.
- Total: Add 815 medium and high-medium security beds, and eliminates 730 beds from various Main Jail and Elmwood housing units, for a net increase of 85 medium and high-medium beds.
- Although the new jail facility adds 815 new jail beds, system wide there will a net increase of only 18 rated beds, because existing beds will be reduced due to the demolition of Main Jail South, and the closing of some male and female housing units at Elmwood.

The Administration has been working with Sheriff's Office/Department of Correction and Custody Health staff to develop potential staffing plans for the new facility and to mitigate the fiscal impact. The new facility is being designed to minimize staffing needs, but the larger facility with additional beds and programming and treatment has an additional staffing cost. The new facility will offer both direct and indirect supervision, which allows the Department of Correction (DOC) to decrease staffing levels during nonpeak operational hours. The majority of staff for the new facility will come from closed housing units at Elmwood (M-2 Men's and W-1 Women's) and from Main Jail South in order to divert staffing resources to the new facility. The net staffing and cost for DOC and Custody Health Services for the new facility is estimated to be \$6.4 million in ongoing staffing costs, which is roughly 50.875 sworn, non-sworn, and custody health positions. There is anticipated to be a temporary need for some Department of Correction and Custody Health staff to be dedicated to transition work, but those positions are expected to be needed for approximately 30 months and costs are still being evaluated.

The cost of the new facility is estimated to be approximately \$243 million based on a much more comprehensive and detailed look at the suggested sites and the real cost of current

construction, excluding furniture, fixtures, and equipment. Although this is much more than the figure provided in the jail needs assessment, this proposed facility was designed to minimize the ongoing operational costs while the facility proposed in the jail needs assessment would have had significant ongoing operational costs.

CHILD IMPACT

The recommended action will have no/neutral impact on children or youth.

SENIOR IMPACT

The recommended action will have no/neutral impact on seniors.

SUSTAINABILITY IMPLICATIONS

The recommended action will have no/neutral sustainability implications.

CONSEQUENCES OF NEGATIVE ACTION

If these actions are not approved, the County will not apply for State jail construction funding and will continue operating antiquated facilities without adequate programming space.

STEPS FOLLOWING APPROVAL

The Clerk of the Board is requested to return 2 certified signed copies of the resolution to Tony Filice in the Office of the County Executive quickly after the August 11, 2015 Board meeting so that the County will be able to submit the resolutions to the State to meet a State deadline.

LINKS:

- [Linked To: 76620 : 76620](#)

ATTACHMENTS:

- [Resolution \(PDF\)](#)
- [DRAFT application \(PDF\)](#)