

County of Santa Clara
Office of the County Executive

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DATE: May 29, 2018

TO: Honorable Board of Supervisors
Jeffrey V. Smith, County Executive

FROM: Martha Wapenski, Deputy County Executive *MWW*

SUBJECT: Off Agenda Report on Budgeting for the New Jail Facility, Jail Capital Projects, and Jail Reforms

On March 20, 2018, the Board of Supervisors directed the County Executive's Office to provide an off-agenda report relating to cost escalation resulting from delays in construction of the New Jail Facility and a plan for how the costs will be budgeted for the New Jail, jail capital projects, and jail reforms.

Budget for the New Jail Replacement Facility

Since the inception of the project, legislative files related to the project have incorporated the cost of designing and constructing the new facility. When the Administration has brought actions forward to the Board to accept the project (previously known as Main Jail East and now known as New Main Jail South), the legislative file has included the cost to finance the facility, the funding from the State, and the planned General Fund contributions. The new capital budget document titled "The County of Santa Clara's Fiscal Year 2018/19-2027/28 10-Year Capital Improvement Program" shows current budgetary allocations through the facility's end of construction in Appendix B of the document. As of now, \$54 million has been budgeted for the project from the General Fund.

Given the importance of this new facility, the Administration has been planning since 2015 to ensure the facility budget is planned and accounted for given the many countywide capital needs. The Administration has been working with the Finance Agency to make preparations for the future budgetary allocations for project construction, including when the County will go out for bond issuance to ensure funding is available in time. County staff is also working closely with the State of

California Board of State and Community Corrections (BSCC) and State of California Department of Finance (DOF) to ensure receipt of the \$80 million in reimbursement that the County will receive for this facility.

The County Team, including County staff and consultants, continuously review and adjust the building designs to balance the building operational needs with the budget in order to maintain fiscal control of the project. A recent example includes the discussion of the layout of cells in a radiused layout for maximum visibility by staff, compared to the cost of curved wall panels. The team also includes two independent cost estimators to validate project costs, which allows the estimates to be validated from an Engineer's perspective and a Contractor's perspective. The estimates are reconciled to ensure estimated budgets are complete and reasonable.

Budget for Jail Capital Projects

A multi-departmental working group has been meeting for the past several years to plan for jail capital projects needed to implement many of the jail reforms and to satisfy litigation needs. There has been an effort to budget the jail capital projects as part of the Capital Budget each year, but there have also been augmentations to jail capital projects and new projects approved at Board meetings throughout the year due to specific operational requirements. As various reforms have been implemented, there have also been new capital requests and the Administration is trying to ensure the County's approach to implementing them is measured and phased incrementally. The Administration has provided several reports to the Board and the public on the past allocations of jail capital projects, and the potential jail capital needs. Additional information on what has been allocated and what is anticipated for future fiscal years is available in Appendix B of the County's Fiscal Year 2018/19-2027/28 10-Year Capital Improvement Program.

Budget for Jail Reforms

As the Administration has communicated to the Board and the public over the last few years, there has been an effort to be deliberate about spending efforts related to jail reforms, while recognizing that there are needs among many departments, some of which have required quicker action. The Administration continues to track spending on jail reform efforts while also working with the departments to plan for future jail reform needs. Given the amount of resources already allocated, there has been an effort to reallocate among existing resources before adding new resources if possible.

Additional information on architectural organizations related to the New Jail

When information on recidivism and design the information was presented to the Board on March 20, 2018, Supervisor Chavez requested that the project team reach out to several architectural organizations to obtain information relating to empathetic design impact and programming during construction of the New Jail Facility. The first group, Architects, Designers and Planners for Social Responsibility, Architecture for Justice, was unwilling to talk to the project team since they are philosophically opposed to building jails or prisons. The second group, the American Institute of Architects—Academy of Architecture for Justice, is a group that this project team has been working with for some time, and members of the project team attended a conference in Fall 2016 to learn directly from this group. In addition, the firm developing our bridging documents for the design of the facility, AECOM, is very involved with this organization and the County's New Jail project manager from this firm is also the conference chair for the 2018 Academy of Architecture for Justice conference. The project team had a phone meeting with a third organization, Impact Justice, to gather input from them regarding the project design. They espoused many of the design elements that the design team is aware of from Norway, Germany, and other similar facilities. The County's new facility is trying to include as many of those as possible that will meet the needs of our facility.

cc: Chief Board Aides

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