

**TO: Chairman and Members**

**DATE: September 13, 2012**

**SUBJECT: AB 900 Phase II Jail Construction Financing  
Awards Update**

**AGENDA ITEM: E**

**ACTION: X  
INFORMATION:**

**RESOURCE PERSON: Leslie Heller**

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**Summary:** Subsequent to the awarding of Assembly Bill (AB) 900 Phase II jail construction financing by the Corrections Standards Authority (CSA), Shasta County has formally declined its funding award, and this agenda item requests the Board of State and Community Corrections (BSCC) consider awarding that financing to another county(s).

**Background:** Counties submitted AB 900 Phase II jail construction financing applications in January 2012. The Executive Steering Committee (ESC) that convened, in part, for the purpose of reviewing the applications, provided its recommendations to the CSA Board for funding of projects. All applications, as listed in Attachment A, were deemed worthy of funding by the ESC, and that recommendation was accepted by the CSA Board. The Attachment A funding chart also depicts the three county size set-asides, and the amount of funding available within each set-aside, making up the total authorized. While legislative authority establishes the overall amount of funding available, CSA or BSCC authority establishes how the funding is divided within set-asides.

The rank ordering of applications/projects as depicted in Attachment A was determined by the legislation that established funding preferences for Phase II. AB 111 (Chapter 16, Statutes of 2011) established that funding preference shall be given to counties that committed the largest number of inmates to state custody in the year 2010 (shown as Group 1 counties). AB 94 (Chapter 23, Statutes of 2011) established that funding preference shall be given to counties that relinquish a Phase I award and reapply in Phase II (Group 2 counties).

Shasta County was awarded \$33,000,000 by the CSA Board on March 8, 2012. On August 23, 2012 Shasta County provided formal notice that it is declining that award (Attachment B). It is within the authority of the BSCC to award that amount to another county(s). The funding chart in Attachment A indicates there are partially funded counties, and yet unfunded counties for whom applications were previously received, all of which have been deemed worthy of funding by the Executive Steering Committee and CSA Board. Attachment C contains a letter from partially funded Imperial County (\$24,140,000 award), requesting the remainder of the amount originally requested (\$33,000,000 requested, leaving \$8,860,000 unfunded).

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**Recommendation/Action Needed:**

Staff recommends the BSCC acknowledge that Shasta County has declined its AB 900 Phase II jail construction award, and issue an additional award(s) to one or more counties in an amount up to \$33,000,000 total.

**BOARD OF STATE AND COMMUNITY CORRECTIONS  
AB 900 PHASE II – JAIL CONSTRUCTION FUNDING AWARDS  
UPDATED JULY 26, 2012**

<b>GROUP 1 COUNTIES: ADMISSIONS PREFERENCE</b>					
	<b>ADMISSIONS RANK WITHIN COUNTY SIZE</b>	<b>COUNTY</b>	<b>AMOUNT REQUESTED</b>	<b>CONDITIONAL AWARD</b>	
<b>LARGE COUNTIES</b>	1	Los Angeles	\$100,000,000	<b>\$100,000,000</b>	
	2	Riverside	\$100,000,000	<b>\$100,000,000</b>	
	3	Orange	\$100,000,000	<b>\$100,000,000</b>	
	4	Sacramento	\$100,000,000		
		<b>Subtotal – Large Counties:</b>	<b>\$400,000,000</b>		
<b>MEDIUM COUNTIES</b>	1	Stanislaus	\$80,000,000	<b>\$80,000,000</b>	
	2	Tulare	\$60,000,000	<b>\$60,000,000</b>	
	3	Santa Barbara	\$80,000,000	<b>\$80,000,000</b>	
	4	Monterey	\$80,000,000	<b>\$36,295,000</b>	
	5	Yolo	\$42,225,000		
	6	Sonoma	\$43,000,000		
	7	Placer	\$28,502,274		
		<b>Subtotal – Medium Counties:</b>	<b>\$413,727,274</b>		
<b>SMALL COUNTIES</b>	1	Kings	\$33,000,000	<b>\$33,000,000</b>	
	2	Shasta	\$33,000,000	<b>\$33,000,000</b>	
	3	Sutter	\$9,741,000	<b>\$9,741,000</b>	
	4	Madera	\$3,000,000	<b>\$3,000,000</b>	
	5	Imperial	\$33,000,000	<b>\$24,140,000</b>	
	6	Siskiyou	\$26,985,416		
	7	Tuolumne	\$33,000,000		
		<b>Subtotal – Small Counties:</b>	<b>\$171,726,416</b>	<b>Group 1 Awards Total:</b>	<b>\$659,176,000</b>
<b>GROUP 2 COUNTIES: RELINQUISHING PREFERENCE</b>					
Large County		Kern	\$100,000,000	<b>\$100,000,000</b>	
Small County		San Benito	\$15,053,000	<b>\$15,053,000</b>	
		<b>Subtotal – Relinquishing Co.:</b>	<b>\$115,053,000</b>	<b>Group 2 Awards Total:</b>	<b>\$115,053,000</b>
<b>TOTALS</b>	<b>20 applications</b>		<b>\$1,100,506,690</b>	<b>\$774,229,000</b>	



# Shasta County

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## ADMINISTRATIVE OFFICE

LAWRENCE G. LEES  
COUNTY EXECUTIVE OFFICER

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August 23, 2012

Matthew Cate  
Secretary  
California Department of Corrections and Rehabilitation  
1515 S Street  
Sacramento, CA 95814

Subject: Shasta County AB900II Conditional Award - Decline

Dear Secretary Cate:

This letter is to formally notify you that on Tuesday, August 21, 2012, after two and a half hours of careful deliberation at their regular public meeting, my Board of Supervisors voted unanimously to decline the State's AB900II conditional award of \$33 million for construction on a new 232-bed medium security jail facility.

I want to assure you that the County's declination of the conditional funding award is not related to any condition of the State's lease-revenue bond financing program, or any other State requirement. The decision was based solely the County's inability to secure annual financial resources necessary to staff and operate the new facility. In fact, as you may know, our County is in the process of building a new Juvenile Rehabilitative Facility via the SB81 program and it is progressing nicely; we expect to open it in the fall of 2013.

All of the State's representatives that the County Project Team has worked with have been nothing but helpful and professional, especially Ms. Aboytes. Please do not hesitate to contact me if you have any questions or would like to discuss this further.

Sincerely,

A handwritten signature in black ink that reads "Lawrence G. Lees".

Lawrence G. Lees  
County Executive Officer

LGL/jmh

CC: Tom Bosenko, Shasta County Sheriff-Coroner  
Patrick J. Minturn, Shasta County Public Works Director  
Charlene Aboytes, BSCC, County Facilities Construction Division, Field Representative



**IMPERIAL COUNTY SHERIFF'S OFFICE**

***RAYMOND LOERA***

SHERIFF • CORONER • MARSHAL



August 30, 2012

Board of State & Community Corrections  
Attn: Mr. Michael Collins  
600 Bercut Dr.  
Sacramento, CA 95811

**SUBJECT: AB900 FUNDING FOR IMPERIAL COUNTY**

Dear Mr. Collins:

As you know, Imperial County was the recipient of partial funding under AB900 Phase II monies. Our original application was a request for \$33 million and due to limited funding we were granted \$24.1 million.

We have recently learned that Shasta County has declined their award of \$33 million, which may possibly be an indication that Imperial County now has an opportunity to become fully funded to the \$33 million originally requested.

The intent of this letter is to notify the Board of State and Community Corrections that Imperial County intends to pursue every opportunity provided to secure the remainder of the \$33 million funding for new jail construction. We would like to be added to the September 13, 2012 Board meeting to make a formal request to the Board Members for consideration.

Your continued assistance in helping us navigate this process is appreciated.

Best regards,

A handwritten signature in black ink that reads "Raymond Loera".

Raymond Loera  
Sheriff/Coroner/Marshal