

# Alameda County Sheriff's Office

Support Services  
1401 Lakeside Drive, 12<sup>th</sup> Floor, Oakland, CA 94612-4305



## Gregory J. Ahern, Sheriff

Director of Emergency Services  
Coroner - Marshal

Agenda Item \_\_\_\_\_ June 30, 2015

June 24, 2015

Honorable Board of Supervisors  
County of Alameda  
1221 Oak Street, Suite 536  
Oakland, CA 94612

**SUBJECT: ADOPT A RESOLUTION MAKING CEQA FINDINGS FOR A MENTAL HEALTH PROGRAM AND SERVICES UNIT PROJECT AT THE SANTA RITA JAIL; ADOPT A RESOLUTION AUTHORIZING THE SHERIFF TO SUBMIT A PROPOSAL TO THE BOARD OF STATE AND COMMUNITY CORRECTIONS (BSCC) FOR SB 863 FUNDING; AND, AUTHORIZE THE SHERIFF TO EXECUTE THE GRANT AGREEMENT**

Dear Board Members:

### **Recommendations:**

1. Adopt a Resolution making CEQA findings of categorical exemptions for a Mental Health Program and Services Unit Project at the Santa Rita Jail (the Project);
2. Adopt a Resolution required by the Board of State and Community Corrections (BSCC) to apply for SB 863 grant funds for the construction of the Project;
3. Authorize the Sheriff to submit an application to the BSCC for up to \$80 million in SB 863 grant funds for the Project;
4. Authorize the Sheriff to execute the Grant Agreement on behalf of the Board of Supervisors.

### **Discussion:**

On June 10, 2015, the California Board of State and Community Corrections (BSCC) issued a Request for Proposals (RFP) for awards of up to \$500 million in state lease-revenue bond financing for the acquisition, design, and construction of program and treatment space for adult local criminal justice facilities, as authorized by Senate Bill (SB) 863 (Chapter 37, Statutes of 2014). SB 863 provides funding consideration to counties replacing compacted, outdated, or unsafe jail housing capacity or seeking to renovate or build jail facilities to provide adequate program and treatment space. Maximum funding opportunities for large counties, such as the

County of Alameda, are limited to \$80 million. The time allotted for counties to submit responses to the RFP is short and aggressive, with proposals due by August 28, 2015.

The Sheriff evaluated this funding opportunity and the current needs of the Santa Rita Jail (SRJ). A renovation and construction project at SRJ was selected as the best use for this potential funding. SRJ is experiencing increasing demands for mental health and medical programs and treatment for inmates. Medical and mental health demands at SRJ are consistent with trends reported around the state. Approximately 20-25% of the Alameda County jail population has some sort of mental illness. For many mentally ill inmates, SRJ is the final stop in the criminal justice cycle, in which they can finally stabilize, with proper medication and treatment.

Upon release, they are given one week's worth of medication and a referral to a local mental health clinic. There are no re-entry programs of any type available for these inmates.

With SB 863 funding, programming space for male and female inmates will be provided, along with appropriate office space for mental health staff. This will provide inmates with mental health issues an opportunity to prepare for their upcoming release, ensure they have the proper support system in place, and provide them with the resources necessary to diminish the chances of recidivism.

The Sheriff and the General Services Agency have worked with a consultant, Vanir Construction, Inc., to define the scope of the Project. The project will involve the construction of a new 30,000 square foot two-story fully enclosed space that would be adjacent to and integrated with existing enclosed space within Housing Unit (HU) 23 and HU 24 as depicted on the sketch plan attached as Figure 1 to the CEQA resolution. The additional space to be created by the proposed Project would be used specifically to better accommodate the special needs of existing and future jail inmates who experience mental illness and/or other mental health needs. The Project would include alteration of floor plans and related mechanical and electrical services and facilities within the existing HU 23 and HU 24 spaces, including alterations to exterior walls so that the new space between the two wings would become one integrated space or wing that would be called the Mental Health Program and Services Unit and that would include custodial housing, mental health treatment and programs, re-entry programs to better prepare inmates with mental health issues to acclimate to society, and associated administrative office space.

The County intends to issue a competitive solicitation for the scope of work contemplated under the SB 863 grant program.

#### **Compliance with CEQA:**

The proposed Project is exempt from CEQA as Class 1 and Class 11 categorical exemptions (CEQA Guidelines §§15301, 15311) because it involves a negligible expansion of an existing use and the construction of a minor structure that would be accessory to existing institutional facilities.

The Project represents only a 3 percent expansion of the existing SRJ complex. While the Project would exceed the 10,000 square feet criterion stated in CEQA Guidelines §15301(e) (2), its size relative to the entire Santa Rita Jail complex represents a negligible change to the existing use. The Project would not increase the holding capacity of SRJ, would not result in an intensification of the existing use or change any of the internal operations of the jail in ways that

could potentially result in an adverse environmental effect. The proposed 2-story addition would be integrated into and become part of two existing housing units, HU 23 and HU 24. The two HU spaces are part of an existing institutional use. The new space would have a consistent roofline and, by using materials that are consistent with the existing building, would retain a similar exterior appearance. Any views of scenic resources would not be interrupted by the new space because it would blend with the existing structure.

The Sheriff requests that the Board of Supervisors accept the proposed project description and acknowledge that the Project is exempt from CEQA. A Notice of Exemption will be filed to allow for the appropriate public review and comment period of 35 days.

**Selection Criteria and Process:**

None applicable.

**Financing:**

Funding for this project will be offset by revenue received from BSCC. Total project costs are estimated to be \$70 million. If the \$80 million grant application is approved as submitted, the County would assume responsibility for a 10% cash (hard) match of the total project cost, or up to \$8 million. An in-kind (soft) match is permitted by the RFP and will be pursued. The Sheriff will continue to work with the County Administrator and the Board to explore funding opportunities. There is no increase in FY 2014-15 net County cost.

Respectfully submitted,

 *Gregory J. Ahern*  
GREGORY J. AHERN  
SHERIFF/CORONER

*ASST SHERIFF*

**Attachments**

cc: County Administrator  
GSA  
County Counsel  
Auditor-Controller

**RESOLUTION NO. 2015- 247**

**A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE  
COUNTY OF ALAMEDA, MAKING FINDINGS UNDER THE  
CALIFORNIA ENVIRONMENTAL QUALITY ACT REGARDING  
THE MENTAL HEALTH PROGRAM AND SERVICES UNIT  
PROJECT AT THE SANTA RITA JAIL**

**WHEREAS**, the County of Alameda (“County”) intends to make physical improvements to the Santa Rita Jail located at 5325 Broder Boulevard, Dublin, California 94568; and

**WHEREAS**, the proposed improvements involve the construction of a new two-story fully enclosed space that would be adjacent to and integrated with existing enclosed space within Housing Unit (HU) 23 and HU 24 as depicted on the sketch plan attached hereto as **Figure 1**; and

**WHEREAS**, the additional space to be created by the proposed Project (the “Project”) would be used specifically to better accommodate the special needs of existing and future jail inmates who happen to have mental illness and other mental health needs; and

**WHEREAS**, the Project would include alteration of floor plans and related mechanical and electrical services and facilities within the existing HU 23 and HU 24 spaces, including alterations to exterior walls so that the new space between the two wings would become one integrated space or wing that would be called the Mental Health Program and Services Unit and that would include custodial housing, mental health treatment and programs, re-entry programs to better prepare inmates with mental health issues to acclimate to society, and associated administrative office space; and

**WHEREAS**, the cost of the Project is estimated at eighty million dollars (\$80,000,000) for which the County is seeking funding from the program known as the

Adult Local Criminal Justice Facilities Construction (SB 863) Lease Revenue Bond Program from the California Board of State and Community Corrections (BSCC); and

**WHEREAS**, the proposed Project is a “project” within the meaning of that term as defined in the California Environmental Quality Act (Public Resources Code Section 21000 *et seq.*, hereinafter “*CEQA*”), and Section 15378 of the accompanying CEQA Guidelines (Title 14, California Code of Regulations, Chapter 3, hereinafter “CEQA Guidelines”) and is therefore subject to the provisions of CEQA; and

**WHEREAS**, pursuant to CEQA Guidelines Section 15367, the County is the Lead Agency for purposes of implementation of CEQA; and

**WHEREAS**, the County has reviewed the proposed Project and has determined that it is exempt from the provisions of CEQA pursuant to Class 1 and Class 11 categorical exemptions for “Existing Facilities” that involve negligible expansion of an existing use and for “Accessory Structures” (CEQA Guidelines §15301 and §15311); and

**WHEREAS**, the Board has determined that none of the exceptions to the categorical exemptions outlined in CEQA Guidelines section 15300.2 applies to the Project; and

**WHEREAS**, each of the foregoing exemptions is sufficient to independently exempt the whole of the action from CEQA.

**NOW, THEREFORE**, the Board of Supervisors of the County of Alameda does hereby resolve, determine and order as follows:

**Section 1. Recitals.** The Board hereby finds and determines that all of the recitals set forth above are true and correct.

**Section 2. CEQA Findings.** The Board hereby finds that the proposed Mental Health Program and Services Unit project is exempt from review under CEQA on



multiple grounds. Each of the following grounds is independently sufficient to exempt the project from CEQA.

a) First, the Board hereby finds that the proposed Project is exempt from CEQA pursuant to a Class 1 categorical exemption (CEQA Guidelines §15301) because it involves a negligible expansion of an existing use. The 30,000 square foot Project represents only a 3 percent expansion of the existing roughly 1,000,000 square foot Santa Rita Jail complex, of which it would become a part. While the Project would exceed the 10,000 square feet criterion stated in CEQA Guidelines §15301(e) (2), its size relative to the entire Santa Rita Jail complex represents a negligible change to the existing use. The Project would not increase the holding capacity of the Santa Rita Jail, would not result in an intensification of the existing use or change any of the internal operations of the Jail in ways that could potentially result in an adverse environmental effect. The construction of the new space and the remodeling of the existing adjacent spaces within HU 23 and HU 24 would provide needed space for the special needs of existing and future jail inmates who happen to have mental illness and other mental health needs, while making the jail more compliant with the provisions of the Americans with Disabilities Act (42 U.S.C. Section 12101 *et. seq.*, Public Law: 101-336 - ADA), and therefore better able to accommodate the needs of inmates with mental and physical disabilities in ways that the current Jail is incapable of doing. Therefore, the proposed Project would be exempt pursuant to a Class 1 exemption. (CEQA Guidelines §15301)

b) Second, the Board hereby determines that the construction of the new space adjacent to HU 23 and HU 24 is exempt from CEQA because it involves the construction of a minor structure that would be accessory to existing institutional facilities. (CEQA Guidelines §15311) The proposed project would involve the construction of an approximately 30,000 square foot 2-story addition that would be

integrated into and become part of two existing housing units, HU 23 and HU 24. The two HU spaces are part of an existing institutional use. The new space would integrate with the existing physical layout of the Santa Rita Jail, having a consistent roofline and, by using materials that are consistent with the existing building, would retain a similar exterior appearance. Any views of scenic resources would not be interrupted by the new space because it would blend with the existing structure. Therefore, the proposed project would be exempt pursuant to a Class 11 exemption. (CEQA Guidelines §15311)

**Section 3. Additional CEQA Findings.** To the extent that the Class 1 and Class 11 categorical exemptions apply to the proposed Project, the Board further finds that none of the exceptions to the categorical exemptions applies. (CEQA Guidelines §15300.2) Specifically, the Board finds that the proposed project is not located in a particularly sensitive environment. The new space will be constructed within the footprint of the Santa Rita Jail complex, behind the perimeter security walls, and not visible to anyone not already allowed within the security walls. The Santa Rita Jail is located at an urbanized and fully developed site. There are no plans currently and there is no basis to anticipate that there would be plans in the future for additional expansions of space at Santa Rita Jail of this nature and therefore there would not be a cumulative impact. Moreover, the Santa Rita Jail is not located within or near an officially designated state scenic highway, nor is it located on a site included on a list of known hazardous materials sites compiled pursuant to Government Code section 65962.5. Finally, the proposed project does not involve any improvements, modifications, or other changes to an historical resource. Therefore, none of the circumstances that would present an exception to the identified CEQA exemptions outlined in CEQA Guidelines §15300.2 are present. The categorical exemptions outlined above remain applicable to the proposed project.

**Section 4. Notice of Exemption.** Within five (5) working days after the passage and adoption of this Resolution, the Board hereby authorizes and directs staff to prepare, execute and file with the County Clerk a Notice of Exemption for the proposed project.

**Section 5. Custodian of Records.** The administrative record for the Project is maintained at the office of the General Services Agency of Alameda County, located at 1401 Lakeside Drive, Oakland, California 94612. The custodian of records is Deputy Director James R. Kachik.

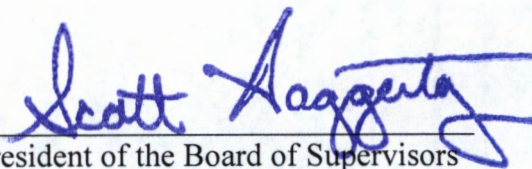
**Section 6. Government Code Findings.** This Resolution is adopted following a meeting at which a public hearing was held at a regularly scheduled meeting of the Board of Supervisors for which a minimum of 72 hours' public notice was duly given.

**ADOPTED, SIGNED AND APPROVED** this 30th day of June, 2015.

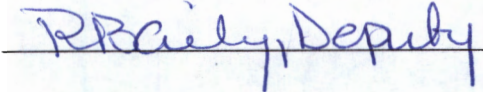
AYES: Supervisors Carson, Chan, Miley, Valle & Haggerty

NOES: None

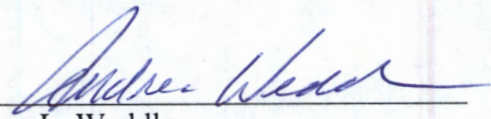
ABSTAINED: None

  
President of the Board of Supervisors

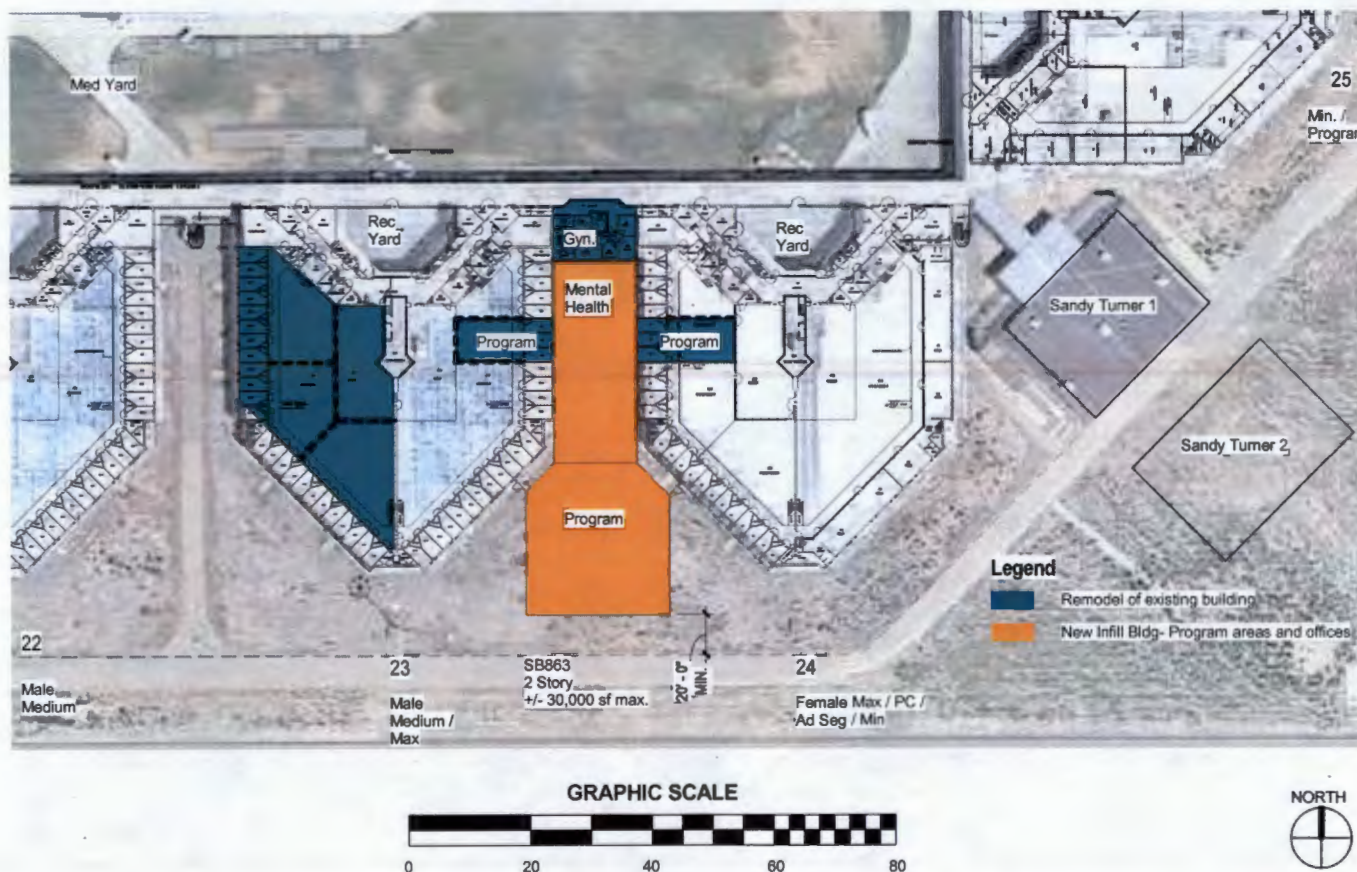
ATTEST:  
CLERK OF THE BOARD

BY: 

APPROVED AS TO FORM:  
DONNA R. ZIEGLER, COUNTY COUNSEL

BY:   
Andrea L. Weddle  
Assistant County Counsel





RESOLUTION NO. 2015- 248

A RESOLUTION OF THE ALAMEDA COUNTY BOARD OF SUPERVISORS  
AUTHORIZING THE SUBMISSION TO THE BOARD OF STATE AND COMMUNITY  
CORRECTIONS OF A PROPOSAL FOR SB 863 FUNDING

**WHEREAS**, the mission of the County of Alameda remains strongly committed to the goals of providing for public safety and rehabilitating offenders in its county jail by:

- Providing safe and nurturing environments to those in their care while striving to reduce recidivism
- Maintaining levels of protection, supervision, and custody commensurate with public safety and legal mandates
- Providing programs, including evidence based programs, focused on mental health issues in order to prevent and resolve fundamental problems that create criminal behavior
- Providing inmates with mental health issues an opportunity to prepare for their upcoming release and ensure they have the proper support system in place; and

**WHEREAS**, the Sheriff of Alameda County is given the responsibility to take charge of and be the sole and exclusive authority to keep the county jail and the prisoners in it, including the safety, security, and well-being of its inmates, staff, and visitors; and

**WHEREAS**, this Board recognizes the need to design, construct, and occupy housing units at the Santa Rita Jail to address the needs of inmates with mental health issues;

**NOW, THEREFORE, BE IT RESOLVED as follows:**

Section 1. The Sheriff of Alameda County is authorized, on behalf of the Board of Supervisors, to submit the proposal for funding under SB 863, and sign the Grant Agreement with Board of State and Community Corrections (BSCC) and State Public Works Board (SPWB), including any amendments thereof, on behalf of the County.

Section 2. This Board has identified the County Construction Administrator to be the Director of the General Services Agency; the Project Financial Officer to be the Auditor-Controller; and the Contact Person to be the Sheriff of Alameda County for the purposes of this Project.

Section 3. The County will adhere to state requirements and terms of the agreements between the County, the BSCC, and the SPWB in the expenditure of state funds and county match funds.

Section 4. The County will appropriate, after conditional project award but before contracting with BSCC, the amount of matching funds (either cash or in-kind

match) identified by the County on the funding Proposal Form submitted by BSCC. The County will identify the source of cash match, when appropriated, as the County of Alameda cash match in the sum of up to \$8 million.

Section 5. The identified matching funds will be compatible with the States' lease revenue bond financing.

Section 6. The Board County agrees to fully and safely staff and operate the Project, consistent with Title 15, California Code of Regulations, Chapter 1, Subchapter 6 section 1756 (j)(5) within 90 days after Project completion.

Section 7. The Project will provide the following site assurance for the Project at the time of the proposal or not later than 90 days following BSCC's notice of Intent to Award: (1) assurance that the County has Project site control through either fee simple ownership of the site or comparable long-term possession of the site, and right of access to the Project sufficient to assure 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 of facility subject to construction, or lease the facility for operation to other entities, without permission and instructions from BSCC, for so long as SPWB lease-revenue bonds secured by the financed Project remain outstanding.

Section 8. The County attests to \$43,036,070 as the approximate current fair market land value for the proposed Project. The County intends to claim this amount as in-kind match for State funds.

**THE FOREGOING** was **PASSED, APPROVED, and ADOPTED** by the majority vote of the Alameda County Board of Supervisors this 30th day of June 2015, to wit:

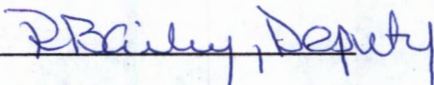
AYES: Supervisors Carson, Chan, Miley, Valle & Haggerty

NOES: None

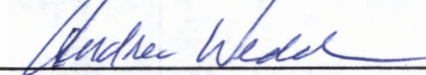
EXCUSED: None

  
SCOTT HAGGERTY, PRESIDENT

ATTEST:  
Clerk, Board of Supervisors

By 

APPROVED AS TO FORM  
DONNA R. ZIEGLER, COUNTY COUNSEL

By:   
Andrea L. Weddle  
Assistant County Counsel