



COUNTY ADMINISTRATOR
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MEMORANDUM

TO: Jeff Irwin, Chair
Ways & Means Committee

FROM: Robert E. Guenzel
County Administrator

DATE: July 6, 2005

SUBJECT: Resolution Adopting the County Administrator's Revised Public Safety & Justice Recommendation and Authorizing the County Administrator to Take Any Action Needed to Implement the Recommendation

BOARD ACTION REQUESTED:

County Administration is requesting that the Board of Commissioners approve the County Administrator's Revised Public Safety & Justice Recommendation and authorize the Administrator to take any action necessary to implement the Recommendation.

BACKGROUND:

Due to chronic overcrowding at the County jail, key personnel involved in the County's public safety and justice system, including County Administration, Judiciary, Sheriff and Community Corrections have been working on finding a long-term solution to the overcrowding problem. In 2004, the Criminal Justice Collaborative Counsel ("CJCC") met extensively to discuss a number of issues pertaining to public safety and justice, including jail overcrowding, upgrades to court facilities, improved infrastructure and security for the existing facilities used by the system and programming and diversion programs designed to lessen the number of individuals needing to be incarcerated.

The CJCC ultimately recommended a County-wide millage of .75 mills for twenty years to fund these initiatives. The Board of Commissioners approved the recommendation and the millage request was placed on the February 22, 2005 ballot. The millage request was soundly defeated thus denying the County the immediate funds needed to address the pressing issues still facing the public safety and justice system.

On April 6, 2005 County Administration presented a revised scaled back version of the Public Safety and Justice Proposal to the Board of Commissioners. The proposal called for a jail expansion of 96 beds, along with the required infrastructure and support upgrades. In addition, the proposal provides for the following projects: (1) renovating the Huron Valley Ambulance ("HVA") space at the Service Center into a court room for

the 14-A District Court once HVA moves into its new facility in Pittsfield Township; (2) constructing/remodeling the Community Corrections Facility at the Service Center to accommodate the Probation Residential Center; (3) providing and/or upgrading court security for the downtown Ann Arbor courthouse, the Juvenile Court on Platt Road, the existing 14-A District Court at the Service Center and the new 14-A District Court; (4) providing mental health diversion programs; and (5) funding the operational costs for these expanded facilities.

The revised proposal scales down the cost of the proposal to be funded by the failed February millage. For example, capital costs under the new scaled down proposal are \$26.4 million dollars as opposed to the \$48.0 million dollars originally sought. Likewise, operating costs have been scaled back from \$8.8 million to \$3.0 million dollars.

It is proposed that the capital costs of \$26.4 million dollars be paid for by a 20 year bond issue, while borrowing costs and operating costs would be paid from the general fund. It should also be noted that the cost of the proposed new Saline District Court (approximately \$2.4 million dollars) will also be included in the bond issue. Although this project is not explicitly part of the Administrator's recommendation, it is more cost efficient to bond for this project along with the projects contained in the Administrator's recommendation. Adding the \$2.4 million dollars for the proposed Saline Court brings the total capital costs to \$28.8 million dollars for the bond issue.

Finally, the proposed Resolution will create the Public Safety & Justice Oversight Committee. This Committee will be comprised of five positions: (1) Chair of the Board of Commissioners—Wes Prater; (2) County Administrator—Bob Guenzel; (3) Chief Judge of the 22nd Judicial Circuit Court—Archie Brown; (4) Chief Judge of the 14A District Court—J. Cedric Simpson; and (5) County Sheriff—Dan Minzey. The Committee will work closely with the Criminal Justice Collaborative Counsel and will be charged with overseeing the implementation of the capital projects in the Administrator's recommendation. To that extent, the Committee will review and approve bills, contracts and all other documents pertaining to the actual construction of the capital projects in the Administrator's recommendation and the proposed Saline Court. In addition, the Committee will choose the architect or architects to design the capital projects after receiving the recommendation of the County's Architect Selection Committee. The County's Finance Director, Facilities Management Director and Corporation Counsel will serve as staff for the Committee.

DISCUSSION:

Over the past several years, the Washtenaw County Public Safety & Justice System has been taxed to its limits. There has been an almost constant state of overcrowding in the County jail, which has resulted in numerous statutorily mandated early releases of jail inmates, including both misdemeanants and felons. Although the millage that would have funded a comprehensive long-term solution to the problems facing the system was defeated in February, the Administrator's Revised Recommendation will immediately address the most pressing capital needs and ensure that any work done now can be built upon in the future.

The Revised Recommendation calls for a 96 bed expansion at the County jail bringing the total jail capacity to 428 beds. The additional beds will provide the Sheriff with the ability to better manage the various classifications of inmates at the jail. In addition, it will allow for more humane incarceration of those inmates who are presently housed in the gymnasium, other makeshift quarters within the jail, as well as those housed outside Washtenaw County. The proposal will also provide funds for the increased operational costs for the expanded jail.

The Administrator also recommends building the Probation Residential Center ("PRC") at the Service Center. Constructing the PRC will provide beds outside of the jail, along with a significant amount of programming opportunities for lower risk individuals. The PRC will be built at the Service Center at the location currently housing Community Corrections.

In addition, approximately \$1 million dollars of the Administrator's proposal is for annual operating expenses for mental health programming. This would include one annual police training for mental health diversion, along with funding for an Assertive Community Treatment ("ACT") program. The ACT model is a set of intensive clinical, medical and psychosocial services provided by a mobile multidisciplinary treatment team. It would serve up to 90 individuals. The ACT model is designed to provide a gradual transition to less intensive services, lessening the chance for relapse. As such, it should provide the greatest impact on reducing recidivism which will have a positive affect on eliminating jail overcrowding.

The Recommendation also calls for a scaled back version of a new 14-A District Court to be constructed where the HVA building is currently located. On April 7, 2004, the Board of Commissioners approved a "Lease Termination and Sales Agreement" which provided for the County's purchase of the HVA building with the sale to be closed when HVA moves into their new site in Pittsfield Township. HVA is tentatively scheduled to move into their new location in early August, 2005. The County will take title to the HVA facility shortly after HVA moves into its new building. Under the Recommendation, the HVA site will be renovated to add a new courtroom, a hearing room, Judge's chambers, staff space and records storage.

The Recommendation provides for much needed security provisions throughout the public safety and justice system. The proposal calls for increased security at the existing 14-A District Court pending the construction of the new 14-A District Court. After the 14-A District court is built in the former HVA building, there will only be one secured entrance into the Court and Sheriff operations. This entrance will have scanning equipment and security staff. In addition, the risk of inmate transport will be greatly reduced as inmates needing to appear in the 14-A District Court will be internally routed from a secured jail to the secured courtroom. The Recommendation also enhances security at two other court locations. New scanning equipment will be installed at the Downtown Ann Arbor Courthouse and the Juvenile Court facility at Platt Road will receive a security system, complete with equipment and staff.

It is also proposed that the funding for the Saline District Court be included in the bond issue that will fund the Administrator's recommendation. The County will realize cost savings by adding this project to the existing bond issue, rather than bonding for it separately at a later date. As noted more fully below, the debt service on the \$2.4 million dollars for this court will be paid from the Public Improvement Fund, ("PIF") which is funded primarily from Court costs and fines.

The Administrator's proposal, along with the Saline District Court, will be primarily funded by a bond issue of approximately 32.5 million dollars over 20 years. The debt service on this bond will average approximately \$2.4 million dollars per year. This amount, and additional programmatic and operation costs, will be funded by savings realized by the County from the new police service methodology with the contracting entities.

As noted above, part of the debt service will be paid by the PIF. This is the fund that collects certain fine and court costs from the Court and is used to fund public buildings. The PIF will be used to pay for that portion of the debt service relating to the Saline Court building (approximately \$140,000 per year).

Finally, the Resolution will create the Public Safety and Justice Oversight Committee. This five-person Committee comprised of the Chair of the Board of Commissioners—Wes Prater, County Administrator—Bob Guenzel, Chief Judge of the 22nd Judicial Circuit Court—Archie Brown, (4) Chief Judge of the 14A District Court—J. Cedric Simpson and (5) County Sheriff—Dan Minzey, will oversee the construction of the capital projects in the Administrator's recommendation. The Committee contains broad representation of the key players in the County's Public Safety & Justice System. These individual Committee members are in the best position to insure that the capital projects undertaken by the Administrator's recommendation are constructed to meet the needs of the system while remaining within budget. To that extent, the Committee will work closely with the Criminal Justice Collaborative Counsel. In addition, the County's Finance Director, Facilities Management Director and Corporation Counsel shall serve as staff for the Committee. The Committee will have the power to review and approve contracts, bills and other documents related to the capital projects in the Administrator's Recommendation and the Saline Court project. It also shall have the power to choose the Architect to design the capital projects after reviewing the recommendation from the County's Architect Selection Committee.

IMPACT ON HUMAN RESOURCES:

Approval of this Resolution will result in increased staffing needs at the jail, PRC and to provide jail diversion services.

IMPACT ON BUDGET:

The capital costs of the proposed Resolution will be paid for from a bond issue. The operating costs will come from the County's general fund.

IMPACT ON INDIRECT COSTS:

There are no indirect costs associated with this Resolution.

IMPACT ON OTHER COUNTY DEPARTMENTS OR OUTSIDE AGENCIES:

Approval of this Resolution would require facilities management personnel to manage the construction of the capital projects listed in the Resolution.

CONFORMITY TO COUNTY POLICIES:

This Resolution conforms to all County policies

A RESOLUTION ADOPTING THE COUNTY ADMINISTRATOR'S REVISED PUBLIC SAFETY & JUSTICE RECOMMENDATION AND AUTHORIZING THE COUNTY ADMINISTRATOR TO TAKE ALL ACTION NEEDED TO IMPLEMENT THE RECOMMENDATION

WASHTENAW COUNTY BOARD OF COMMISSIONERS

August 3, 2005

WHEREAS, the public safety and justice system in Washtenaw County is badly in need of capital, infrastructure, safety and operational upgrades; and

WHEREAS, the County jail has been chronically overcrowded for the past several years, resulting in the statutorily mandated early release of inmates from the jail, including both misdemeanants and felons; and

WHEREAS, the 14-A District court at the County's Service Center is an unsecured facility that must be replaced; and

WHEREAS, the key members of the County's public safety and justice system have been meeting at the Criminal Justice Collaborative Counsel ("CJCC") to address these issues; and

WHEREAS, in the fall of 2004, the CJCC recommended a comprehensive long-term solution to the problems facing the County's public safety and justice system consisting of (1) expanding the bed capacity in the County jail; (2) upgrading the court system by locating the 14-A District Court in the Huron Valley Ambulance building located at the Service Center, once HVA moves to its new facility; (3) improving the infrastructure and security for existing facilities within the system; and (4) implementing programming and diversion programs, including mental health diversion programs and the construction of a Probation Residential Center; and

WHEREAS, the Board of Commissioners adopted the CJCC's recommendation and placed a County-wide millage request of .75 mills for twenty years on the February 22, 2005 ballot to fund these recommendations; and

WHEREAS, this millage request was defeated by Washtenaw County voters; and

WHEREAS, on April 6, 2005, the County Administrator presented a Revised Public Safety and Justice recommendation to the Board of Commissioners at their Working Session ; and

WHEREAS, the key players within the Public Safety and Justice community in the County have reviewed and commented on the Revised Recommendation; and

WHEREAS, as a result of this input, the Administrator has revised his April 6, 2005 proposal and is now recommending the following actions be taken: (1) expand the County jail by 96 beds along with the additional operational costs needed to operate the expanded jail; (2) build a Probation Residential Center at the County's Service Center on Hogback Road; (3) provide \$1 million dollars for annual operating expenses for mental health diversion programming, including annual police training on mental health issues and the creation of an Assertive Community Treatment ("ACT") specifically designed to deal with potential inmates with mental health issues; (4) build a scaled back version of the 14-A District court with one courtroom, a hearing room, judge's chambers, staff space and records storage in the HVA facility on Hogback Road once HVA moves to its new location in Pittsfield Township; and (5) provide security upgrades for the existing 14-A District Court, new 14-A District Court, Downtown Ann Arbor Courthouse and the Juvenile Court Facility on Platt Road; and

WHEREAS, the Administrator's Revised Public Safety and Justice Recommendation reduces the capital costs of the requested upgrades from \$48 million dollars under the original CJCC Recommendation to \$26.4 million with operating costs being reduced from \$8 million to \$3.0 million dollars; and

WHEREAS, it is proposed that the \$26.4 million dollars in capital costs to implement the Administrator's recommendation be paid for by a bond issue to be repaid over 20 years; and

WHEREAS, the County has determined that it would be more cost efficient to include the proposed Saline District Court costs (approximately \$2.4 million dollars) in this bond issue rather than bonding for it as a stand-alone project at a later date; and

WHEREAS, adding the Saline Court costs, along with contingency costs and bonding fees would require a total bond of approximately \$32.5 million dollars, to be repaid over a 20 year period; and

WHEREAS, programmatic and operational costs related to the Recommendation will be paid from savings realized by the County from its new police service methodology to be implemented in the County contracts with the local contracting governmental entities; and

WHEREAS, the Board of Commissioners will create the Public Safety and Justice Oversight Committee to be comprised of the following positions: (1) Chair of the Board of Commissioners—Wes Prater; (2) County Administrator—Bob Guenzel; (3) Chief Judge of the 22nd Judicial Circuit Court—Archie Brown; (4) Chief Judge of the 14A District Court—J. Cedric Simpson; and (5) County Sheriff—Dan Minzey, whose duty shall be to oversee the construction of the capital projects in the Recommendation, including, the review and approval of contracts, bills and other documents relating to the construction of such projects and to select an architect or architects to design such projects, after having reviewed the recommendation of the County's Architect Selection Committee; and

WHEREAS, this matter has been reviewed by Corporation Counsel, the County Administrator's Office and the Ways & Means Committee

NOW THEREFORE, BE IT RESOLVED that the Washtenaw County Board of Commissioners adopts the County's Administrator's Revised Public Safety and Justice Recommendation consisting of the following actions: (1) expand the County jail by 96 beds along with the additional operational costs needed to operate the expanded jail; (2) build a Probation Residential Center at the County's Service Center on Hogback Road, along with the additional operational costs needed to operate the PRC; (3) provide \$1 million dollars for annual operating expenses for mental health diversion programming, including annual police training on mental health issues and the creation of an Assertive Community Treatment ("ACT") specifically designed to deal with potential inmates with mental health issues; (4) build a scaled back version of the 14-A District court with one courtroom, a hearing room, judge's chambers, staff space and records storage in the HVA facility on Hogback Road once HVA moves to its new location in Pittsfield Township; and (5) provide security upgrades for the existing 14-A District Court, new 14-A District Court, Downtown Ann Arbor Courthouse and the Juvenile Court Facility on Platt Road.

BE IT FURTHER RESOLVED that the Board of Commissioners authorizes the funding of the capital projects by a bond issue of approximately \$32.5 million dollars for 20 years with the debt service on that bond to be paid for from the savings realized by the County from its new police service methodology to be implemented in the County contracts with the local contracting governmental entities for the 2006-2009 period, as well as annual payments of \$140,000 per year from the Public Improvement Fund which funds shall be used to pay that portion of the debt service for the Saline Court.

BE IT FURTHER RESOLVED that the Board of Commissioners authorizes the funding of programmatic and operational costs associated with the Recommendation be funded by the savings realized by the County from its new police service methodology to be implemented in the County contracts with the local contracting governmental entities.

BE IT FURTHER RESOLVED that the Board of Commissioners creates the Public Safety and Justice Oversight Committee to be comprised of the following positions:
(1) Chair of the Board of Commissioners—Wes Prater; (2) County Administrator—Bob Guenzel;
(3) Chief Judge of the 22nd Judicial Circuit Court—Archie Brown; (4) Chief Judge of the 14A District Court—J. Cedric Simpson; and (5) County Sheriff—Dan Minzey.

BE IT FURTHER RESOLVED that the Public Safety and Oversight Committee shall be charged with overseeing the construction of the capital projects contained in the County's Administrator's recommendation. It shall have the power to review and approve contracts, bills and any other documents related to the capital projects in the Administrator's Recommendation. Further, it shall have the power to choose an architect or architects to design such capital projects, after reviewing the recommendation of the County's Architect Selection Committee. Finally, the County's Finance Director, Facilities Management Director and Corporation Counsel shall serve as staff for the Committee.

BE IT FURTHER RESOLVED that the Washtenaw County Board of Commissioners authorizes the County Administrator to take all steps necessary to implement the Revised Public Safety and Justice Recommendation.