

MINUTES
BOARD OF STATE AND COMMUNITY CORRECTIONS MEETING

Thursday, February 4, 2016

Meeting held at: The Hyatt Vineyard Creek
Russian River Valley Road
170 Railroad Street, Santa Rosa, CA 95401

I. Call to Order:

The meeting commenced at 10:26 a.m.

Chair Linda Penner welcomed the Board Members and public to the February 4, 2016 Board of State and Community Corrections (BSCC) meeting.

Ms. Penner introduced and administered the oath to new Board Member Scott Kernan, Secretary, California Department of Corrections and Rehabilitation (CDCR) Mr. Kernan replaced Jeff Beard, who retired as Secretary of CDCR.

Ms. Penner introduced Aaron Maguire, BSCC's newly appointed General Counsel. Mr. Maguire most recently worked at Warner & Pank, and had served as deputy legislative affairs secretary from 2009-2012.

Ms. Penner announced that legal counsel Kara Ueda of Best Best & Krieger was present and thanked Ms. Ueda for her services during the time that the BSCC did not have general counsel on staff. Mr. Maguire's appointment to the BSCC filled the general counsel vacancy.

II. Roll Call:

Ms. Maria Rodriguez-Rieger called roll and announced there was a quorum.

The following members were in attendance:

Ms. Penner	Mr. Growdon	Ms. Scray Brown	Mr. Bejarano
Mr. Kernan	Mr. Dean	Mr. Ertola	Mr. Budnick
Mr. Haase	Ms. Perez	Judge Garrett	Mr. Steinhart

ABSENCE OF BOARD MEMBERS

Mr. Kernan arrived at 10:56 a.m. Ms. Silbert was not present.

III. INFORMATION ITEMS:

- 1. Chair's Report.**
- 2. Executive Director's Report.**
- 3. Legislative Update Report:**
A hard copy of the report was included in the meeting material and posted on the BSCC's website.
- 4. Report from Chair of the State Advisory Committee on Juvenile Justice and Delinquency Prevention.**
- 5. Juvenile Justice Data Working Group Update.**
- 6. Proposition 47 Update.**

Public comments were heard. These were information only.

IV. CONSENT ITEMS:

A. Minutes of the Board of State and Community Corrections' November 12, 2015 Meeting Minutes: Requesting Approval.

B. Location of the Board of State and Community Corrections' April 14, 2016 Meeting Sacramento, CA: Requesting Approval.

This agenda item requested the Board of State and Community Corrections' (BSCC) April 14, 2016 meeting be held in Sacramento at the BSCC.

C. Assembly Bill 900 Phase II (Local Jail Construction Financing Program) Siskiyou County Conditional Award Extension of Project Establishment: Requesting Approval.

This agenda item requested the Board approve staff's recommendation to extend Siskiyou County's AB 900 Phase II jail construction project establishment schedule from February 2016 to September 2016. The county had received a full conditional award of \$26,985,416 at the July 16, 2015 BSCC meeting.

An amendment to the project establishment schedule to September 2016 would allow the county sufficient time to secure additional funds and to submit the project through the State Public Works Board process.

D. Senate Bill 81 Round I (Local Youthful Offender Rehabilitative Facilities Construction Financing Program) Yuba County's Match Reduction: Requesting Approval.

Yuba County requested approval of a match reduction to its Senate Bill 81 (SB 81) Local Youthful Offender Rehabilitative Facilities Construction Financing Program as allowed in the SB 81 Request for Proposal. This match reduction would not result in a project scope change, an increase in state dollar awards or changes to the allowable state dollar reimbursements, and would be based on the cash match minimums established in the SB 81 construction program processes. Yuba County had committed a project overall match of \$700,000, which is 11 percent of the project costs.

Staff recommended that the Board approve Yuba County's request for a match reduction as allowed in the Senate Bill 81 Round I (Local Youthful Offender Rehabilitative Facilities Construction Financing Program) Request for Proposal.

E. Senate Bill 1022 (Adult Local Criminal Justice Facilities Construction Program) Santa Barbara County Relinquishment and Recommended Conditional Award to Tulare and San Joaquin Counties: Requesting Approval.

Staff recommended the Board acknowledge that Santa Barbara County had declined its Senate Bill 1022 Adult Local Criminal Justice Facilities Construction Financing Program funding award.

Staff recommended the Board make Tulare County's partial award a full conditional award, increasing it from \$33,352,000 to \$40,000,000, and that San Joaquin County receive a partial conditional award of \$32,328,000. Staff also requested approval to formally present these two conditional awards to Tulare and San Joaquin counties.

Ms. Penner asked if anyone would like any items from the Consent Calendar, Items A – E be placed on the discussion agenda.

Public comment was heard.

Ms. Brown moved to approve items A, B, C, D, and E. Mr. Bejarano seconded. The motion carried.

V. DISCUSSION AGENDA ITEMS:

F: Senate Bill 863 (Local Adult Criminal Justice Facilities Construction Funding Program) Request from Napa County for an Extension of Time to Consider Accepting Conditional Award: Requesting Approval.

Napa County requested an extension of time (150 days) to consider accepting its

Senate Bill 863 (SB 863) Local Adult Criminal Justice Facilities Construction Funding Program Conditional Award. Napa County was awarded a \$2,821,000 partial conditional award of the \$20,000,000 it requested under SB 863.

Staff recommended that the Board give Napa County 75 days to re-evaluate the project, giving the county a total of 159 days of review since the date that the awards were granted on November 12, 2015 to decide whether to accept the partial award and for the Board to consider at its June 2016 meeting.

There were no public comments.

Mr. Dean moved to give Napa County 150 days to re-evaluate the project and for the Board to consider at its September 2016 meeting. Mr. Bejarano seconded. The motion carried.

G: Senate Bill 863 (Local Adult Criminal Justice Facilities Construction Financing Program) Report from Appeals Panel: Requesting Approval.

This agenda item sought adoption of the SB 863 Appeals Panel Statement of Decision. San Joaquin County appealed the Board's November 12, 2015 decision on SB 863 awards, alleging it was unfairly denied points on one of the four special factors in the criteria contained in the Request for Proposals. Specifically, the County requested credit for "Evaluation Factor 3.A. Documents Pretrial Inmate Percentage." On January 22, 2016, the three-member Appeals Panel for the Board considered the County's appeal and unanimously denied the appeal. The Statement of Decision from the Appeals Panel was provided for the Board's consideration.

Pursuant to Regulation 1792, the BSCC could take one of the following three actions: (1) adopt the proposed decision; (2) amend the decision with or without taking additional evidence into consideration; or (3) order a further hearing to be conducted if additional information is needed to decide the issue.

There were no public comments.

Mr. Growdon moved to approve the Appeal Panel's Statement of Decision to deny San Joaquin County's appeal. Mr. Budnick seconded. Mr. Dean and Judge Garrett abstained. The motion carried.

H: Strengthening Law Enforcement and Community Relations Grant Program, Approval and Release of the Request for Proposals: Requesting Approval.

This agenda item requested the Board approve and release the proposed Request for Proposal for the Fiscal Year 2015-16 Strengthening Law Enforcement and Community Relations Grant Program (Strengthening Grant) as recommended by its Executive Steering Committee.

There were no public comments.

Mr. Dean moved to approve and release the proposed Request for Proposal for the Fiscal Year 2015-16 Strengthening Law Enforcement and Community Relations Grant Program as recommended by the Executive Steering Committee. Mr. Bejarano seconded. The motion carried.

VI. PUBLIC COMMENTS

There were no public comments. The meeting was adjourned.

Next meeting: April 14, 2016

Meeting adjourned at 12:08 p.m.

Respectfully submitted,

Original signed by

MARIA RODRIGUEZ-RIEGER
Executive Assistant
Board of State and Community Corrections
ROSTER OF PERSONS IN ATTENDANCE

BSCC Board Members

Ms. Penner, Chair, Board of State and Community Corrections
Mr. Kernan, Secretary, California Department of Corrections and Rehabilitation (CDCR)
Mr. Hasse, Director (A), Adult Parole Operations, CDCR
Mr. Growdon, Sheriff, Lassen County Sheriff's Department
Mr. Dean, Sheriff, Ventura County Sheriff's Department
Ms. Perez, County Supervisor, Kern County
Ms. Scray Brown, Chief Probation Officer, San Bernardino County Probation Department
Mr. Ertola, Chief Probation Officer, Nevada County
Judge Garrett, Retired Judge, Solano County
Mr. Bejarano, Chief of Police, City of Chula Vista Police Department
Mr. Budnick, Founder, The Anti-Recidivism Coalition
Mr. Steinhart, Director, Juvenile Justice Program Commonweal

BSCC Staff

Kathleen Howard, Executive Director
Tracie Cone, Communications Director
Aaron Maguire, General Counsel
Kara Ueda, Legal Counsel of Best Best and Krieger LLP Attorneys at Law
Maria Rodriguez-Rieger, Executive Assistant
Mary Jolls, Deputy Director, Corrections Planning and Programs (CPP)
Magi Work, Deputy Director, County Facilities Construction (CFC)
Allison Ganter, Deputy Director, Facilities Standards and Operations (FSO)
Evonne Gardner, Deputy Director, Standards and Training for Corrections (STC)
Colleen Curtin, Field Representative, CPP
Ricardo Goodridge, Field Representative, CPP