

**TOWN OF  
APPLE VALLEY, CALIFORNIA**

**AGENDA MATTER**

**Subject Item:**

**PROPOSAL BY THE STATE OF CALIFORNIA REQUESTING A WILL SERVE LETTER TO PROVIDE SERVICES FOR A SECURE COMMUNITY REENTRY FACILITY**

**SUMMARY STATEMENT:**

The purpose of this staff report is to provide the Town Council and general public a description of the Secure Community Reentry Facility (SCRF) that the State of California is proposing to construct on land to be acquired from the County of San Bernardino adjacent to the Juvenile Detention facility on Dale Evans Parkway. The SCRF is a facility that is to be built and operated by the California Department of Corrections and Rehabilitation (CDCR) as part of the implementation of Assembly Bill 900, which the Legislature passed in 2007. The Town passed Resolution No. 2008-22, dated May 27<sup>th</sup>, 2008, that expresses the Town's support for the County and CDCR for the placement of a SCRF in the Town of Apple Valley. One action that is necessary for the Town to implement that supporting resolution is to approve a Will Serve letter to provide available sewer service for the facility. This report is intended to provide important background and current plans for the SCRF to facilitate the Council's consideration of the Will Serve letter.

BACKGROUND / ISSUE

Assembly Bill (AB) 900, the Public Safety and Offender Rehabilitation Services Act of 2007, as part of an overall prison reform initiative, allocated \$2.6 billion for site acquisition and construction of up to 16,000 reentry program beds throughout the state. The purpose of AB 900 is to enhance community safety by effectively rehabilitating repeat offenders and better preparing those inmates for reentry into the community. Associated benefits of this approach include reducing recidivism and overcrowding in the state prison system.

**Recommended Action:**

That the Town Council consider directing staff to grant a will serve letter to the State of California for the purpose of constructing a Secure Community Reentry Facility in Apple Valley.

**Proposed by:**     State of California

**Item Number**     \_\_\_\_\_

**T. M. Approval:**     \_\_\_\_\_

**Budgeted Item**    Yes    No    N/A

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Under current law Penal Code 3003, an inmate, upon completion of his or her sentence, is returned to the inmate's county of last legal residence. In the absence of a SCRF, such an inmate is less than ideally prepared to successfully meet and overcome the daunting challenges following release. The result is a recidivism rate in California of approximately 70% after three years. Past studies have concluded that effective reentry programs reduce the recidivism rate by up to 30%, resulting in less crime and the potential for lower costs for police, offender prosecution, and incarceration.

Potential inmate candidates for a SCRF will be evaluated and screened for selection. Targeted candidates are those that are determined to be the most likely to recidivate. Once selected and transferred to a SCRF during their last 6-12 months of incarceration, individual inmates will be provided intensive training and counseling under a variety of programs that will assist those inmates in being better prepared for release into society. The SCRF is not a half-way house; no work-furlough program is associated with the SCRF, and no in-out privileges will be allowed.

In the course of the inmates training, the CDCR will develop a transitional program for each offender so that the inmates' release from the SCRF will be coordinated with the particular parolee's parole agent, family members, and/or representatives from an approved transitional program team. Inmates that are not from Apple Valley or who do not otherwise have a connection with Apple Valley will not be released in Apple Valley. Rather, they will be transported out of the area to where they are most likely to reconnect with family, housing, and a job. CDCR is prepared to commit to protocols for the release of parolees from the proposed reentry facility that will assure there is no new burden on the local police department or the community at large in Apple Valley. Although a specific release protocol has not yet been developed for this proposed facility, the department will establish release policies that will require the transport of a parolee directly to their new legal residence, service provider, or parole officer. No parolee would be released directly at the gate of the reentry facility; CDCR will have the obligation to physically transport the parolee to the appropriate final destination in San Bernardino County.

The SCRF is a rehabilitation facility using maximum security design, similar to a county jail for a maximum of 500 inmates. Each SCRF is designed to be about 220,000 square feet in size on approximately 15 to 20 acres, which includes sufficient parking for staff and visitors. The SCRF are intended, by outward appearance, to fit inconspicuously into the community. Attached are conceptual renderings of possible elevations for the SCRF.

AB 900 requires that the local jurisdiction support the siting of a SCRF in its community, which the Town established pursuant to Resolution 2008-22. To date, nine different jurisdictions (Stockton, Paso Robles, Kern County, Fresno/Madera counties, San Bernardino County, Solano County, San Diego County, and the City of Folsom) have passed formal resolutions of support.

As part of this agenda item, CDCR representatives will make a brief power point presentation regarding the SCRF. Attached is a one-page description of the SCRF.

ANALYSIS

The CDCR is proposing to construct a SCRF on County property immediately adjacent to the juvenile detention facility.

CDCR has begun its environmental review under CEQA, which is expected to take approximately 6-12 months. Construction of a SCRF could possibly begin in as early as 18 months and is expected to take two years.

Construction of the SCRF is projected to cost about \$160 million. The SCRF also is expected to have between 325-350 employees consisting of administration staff, correctional officers, medical and program personnel. The estimated annual payroll for this staffing level is \$38 million. The average annual salary is estimated to be over \$85,000 plus benefits. SCRF programmatic components also should have a multiplier effect on related provider programs in and around Apple Valley that potentially results in further job expansion. Finally, unlike a private developer who might demand financial concessions from the Town in exchange for bringing a commercial project of commensurate economic magnitude to Apple Valley, CDCR is not requesting any incentives from the Town to locate in Apple Valley.

Although the property is situated within Apple Valley's municipal boundaries, the County (or State, once it acquires the property) actually retains full control and discretion regarding what, if any public facilities, might be constructed on the property. The Town has expressed its interest in some level of architectural review as it relates to the proposed facility. While the State, like the County, is not subject to local land use or design approval, the Town is seeking meaningful input into the design of the facility. CDCR will consider such involvement by the Town, recognizing however that CDCR is responsible for the security and development of the facility.

The SCRF's potential impacts on Town infrastructure including mitigation measures will be addressed through the SCRF's environmental review process. In addition, as part of the SCRF development process, a Community Reentry Planning Team consisting of CDCR staff and representatives from the County, the Town, and the community will be created to coordinate SCRF construction and programmatic aspects.

**Preliminary Financial Analyses**

The CDCR is responsible for funding, constructing, and operating the SCRF. In addition, it is the responsibility of CDCR to mitigate any adverse impacts on the community identified under CEQA associated with locating a SCRF in Apple Valley.

From an economic development standpoint, the anticipated operating budget of \$38 million could have significant indirect impacts that help boost Apple Valley's local economy. The proposed programmatic elements of the SCRF also have the potential to have a major multiplier effect on and around Apple Valley as outside provider programs are utilized and/or expanded to meet the demands of the SCRF.

The Town has requested that the SCRF mitigate a number of potential impacts, including a financial commitment by the state to contribute to the North Apple Valley Industrial Specific Plan (NAVISP) infrastructure program based on a "nexus" between the re-entry facility concept

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and the anticipated job creation that will occur in the NAVISP. This nexus with job creation in NAVISP will enable the proposed facility to further its mission in a much more aggressive manner than would ordinarily be the case. CDCR has determined that it is not possible for the department to contribute funds to this enterprise. The funding authority for the proposed reentry facility limits CDCR to only directly related costs of the project such as land acquisition, construction materials and labor, construction documents and management, and mitigation fees adopted through the environmental review process.

**Job Creation**

The SCRF is estimated to require approximately 1,300-1,500 construction jobs over a two-year period. The jobs are required to pay prevailing wage. In addition, the SCRF is estimated to require 325-350 full time permanent jobs to operate over three shifts everyday. The average annual salary for these jobs is approximately \$85,000 plus benefits.

**Emergency Water**

The County and CDCR have agreed, with concurrence from the Apple Valley Fire Protection District, to satisfy its fire flow requirements for both the SCRF and Juvenile Detention and Assessment Center by constructing and maintaining an onsite water storage tank.

**Formal Request from the CDCR**

In order to develop the SCRF, the State is seeking a Will Serve letter from the Town for sewer service. The estimated flow at the wastewater plant will be approximately 150 gpid or 75,000 gallons per day based on historic CDCR facility data.