

**MINUTES OF THE JOINT CAPITAL FACILITIES AND ADMINISTRATIVE SERVICES
APPROPRIATIONS SUBCOMMITTEE**

and

**JOINT EXECUTIVE OFFICES AND CRIMINAL JUSTICE APPROPRIATIONS
SUBCOMMITTEE**

**Friday, February 2, 2001
Room 303 State Capitol Building**

Members Present: Capital Facilities
and Administrative Services Subcommittee:

Rep. Gerry Adair, Co-Chair
Sen. Beverly Evans, Co-Chair
Sen. Mike Dmitrich
Sen. John Valentine
Rep. Jeff Alexander
Rep. Roger Barrus
Rep. Ralph Becker
Rep. DeMar "Bud" Bowman
Rep. David Clark
Rep. Greg Curtis
Rep. Kevin Garn
Rep. Brent Goodfellow
Rep. Ty McCartney
Rep. Loraine Pace

Staff Present:

Kevin Walthers, Fiscal Analyst
Jonathon Ball, Fiscal Analyst
Sharon Johnson, Secretary

Members Present: Executive Offices
and Criminal Justice Subcommittee

Rep. Lamont Tyler, Co-Chair
Sen. Chris Butters, Co-Chair
Rep. Gary Cox
Rep. Scott Daniels
Rep. David Ray
Rep. Ron Bigelow
Rep. Mike Thompson
Sen. Peter Knudsen
Sen. Pete Suazo

Staff Present:

William Dinehart, Fiscal Analyst
Cherri White, Secretary

Others Present:

Dan Becker, Courts
Gordon Bissegger, Courts
Rich Byfield, DFCM
Blake Chard, Corrections
Mike Chabries, UDC
Greg Peay, UDC
Annabelle Fackrell, UDC
Allen Dayton, Salt Lake County
Craig Hall, South Salt Lake City

Sen Evans called the meeting order at 2:00 p.m.

1. Cache County Courts

Dan Becker, Courts Administrator, reviewed the Cache County land purchase and the projected courts complex. The Judicial Council does a detailed review and analysis of improvements and restoration and evaluates when a project is necessary. The Cache County project is their number one priority. The current facility is being leased and the facility is unsuitable for continued use. The design costs are ready and construction could start in July.

Mr. Becker then presented information about the purchase of land in Sandy City for a new court there. This project is anticipated to be done in conjunction with Sandy City and they would close the existing facility in Murray after this construction. This is the second priority on the land purchase list.

Gordon Bissegger, Administrative Services Courts, gave the specifics on the Cache County project and the criteria established by the Building Board Facility. He presented the prototypical design concept that

could be transferred to other locations. It allows for expansion horizontally or vertically. He explained the cluster of courtrooms and traffic flow of public, judicial and prisoners.

Mr. Walthers told the committee that last year \$1.4 million was appropriated for the Cache County land purchase. His recommendation is \$700,000 less than DFCM's, for \$11,593,800. In order to bring the figure down he deleted Percent for Arts and furnishings. The Analyst's recommendation does restrict DFCM if changes are necessary. Mr. Walthers also recommended that the Sandy City purchase not be done this year as it does not meet the criteria generally used in land banking.

Mr. Bissegger, commented on the reduction of the furnishings budget and Rep. Pace inquired about the current furnishings. The analyst and the committee discussed funds that could come from the Matheson Courthouse and that some money is left over from the property purchase.

The analyst suggested that DFCM could make adjustments and the committee will need to find extra money if adjustments not possible. Rep. Goodfellow commented on savings when the Brigham City Courts were built and Mr. Bissegger and Mr. Byfield responded. Mr. Byfield stated that this project is ready for bid, and recommended to let the design proceed and request furnishing in next years appropriation.

Mr. Becker commented on the savings and design costs for the Sandy land purchase. Rep. Curtis and Tyler commented on the courts in Sandy as well as Operation and Maintenance figures.

2. Federal VOITIS Funds

Mr. Walthers presented information for the Canyonlands Youth Facility in Blanding as proposed using VOITIS funds. This is federal money to be used in construction of new facilities for adult or youth corrections. The state would need to match 10% of the cost and to do an environmental impact statement. The analyst commented on other youth facilities and ways to save costs by downsizing the gymnasium and using the savings to increase the number of beds. There is Intent language on page 5 to address this.

Mr. Byfield commented on the modifications indicated by the analyst and that they could be ready to bid in one year with projected completion in 12 months and occupancy by 2003 for \$5,250,000. This figure does not include percent for arts. The property purchase needs to be done as well at a cost of \$100,000. VOITIS funds require looking at three plots of land and Rep. Pace commented on if they were looking at city or county land.

Blake Chard, Youth Corrections, addressed the possible sites and the youth who need the facility. Rep. Tyler asked about using VOITIS funds for leasing bed space. Sen. Dmitrich commented that the project is ready to go and has been delayed long enough. on project. Sen. Sauzo asked for clarification federal requirements for juveniles. Sen. Buttars asked about O and M for Canyonlands and Mr. Chard said this information was not available yet but should be comparable to the amount needed for Richfield.

Mr. Walthers then addressed concerns about the Washington County youth facility. There is concern about the process undertaken in the planning and approval for this facility. \$1.5 million was appropriated last year but lately the committee found circumstances have changed and the project is not going forward. If a new facility is built instead of renovating the current one then \$5 million would be needed for the construction. \$100,000 in federal funds have already been spent and these will have to be rebated. The question arose over which facility, Canyonlands or Washington county would become

the top priority. Sen. Buttars commented on the history of the Washington facility and the analyst commented that the proposed project was not the best fix for problem.

Mr. Byfield addressed the misunderstanding with the committee. Recently Courts completed a study of needs and projects that they need the space proposed for the youth facility to expand in the future. Also the expansion of the youth facility would have been inadequate to deal with Washington County's growth. DFCM is looking at the long-term problem and it makes sense to move youth corrections and leave room for the court to expand. The committee discussed the history and land use of the site.

Mr. Chard commented that the proposed design is inadequate and within six years they will outgrow the facility. He commented that Washington county's needs make this facility a top priority, but it's approval has not gone through the proper process. The committee discussed that a decision on Oxbow may affect the youth facilities through the use of VOITIS funds.

Mr. Chard responded with a handout passed out to the committee and alternatives for handling the growth. He also commented on the proposal to reduce the gymnasiums at youth facilities and that they are used extensively for many purposes. He suggests that they not be downgraded.

3. Inmate population

Mr. Walthers presented a Facility Report prepared by the Fiscal Analyst. There was clarification information on page 6. The second paragraph should read 5644 inmates not 5311. The projected bed need shows the state does not have enough beds to meet needs. Mr. Walthers suggested that operationalizing reduces the number of beds needed and capacity could increase. Currently Corrections only uses 95% of beds to retain flexibility in dealing with inmates. The analyst recommended changing the figure for county beds to 100% and not 95%. If the state operated at a 97.5% capacity that would also free up more beds.

The committee discussed county facilities and the cost of maintaining inmates at county and state facilities. A primary concern is that the counties will build facilities larger than they need and expect the state to fill them. If the state does not send them enough inmates then the counties would not be able to pay for their jails. What is important to the committee is what is a good value for the state in both the long and short term. Rep. Curtis commented that the state should not be obligated by the counties. Rep. Tyler inquired about cheaper county costs than state costs.

Mike Chabries, Director UDC, Chris Mitchell, Deputy Director, and Greg Peay, Facility Director responded to the committee's concerns and questions. Rep. Pace commented on Cache county's projected facility and it's long term projections for inmates. Mr. Chabries commented on jobs in rural areas and options when using county facilities. His concerns are with protecting citizens and housing inmates. Often regional housing is better when dealing with transition of inmates who are due for imminent release. Rep. Cox asked about the agency's response to the suggested change in operational capacity and Mr. Chabries responded that it would not be in the best interest of the inmates. Rep. Goodfellow commented on the pros and cons of larger and rural facilities and what programs are provided.

Mr. Walthers stated that both committees could adopt intent language on page 8 addressing how to manage the inmate population. It would help the department set a future plan and communicate with the counties and legislature.

Lynn Nelson, Cache County Sheriff, addressed Cache County's projections and plans to construct a new county jail. Sen. Evans expressed concern that with extensive county contracting that in the long-term the state would not have its own facilities. Rep. Curtis commented again on county expectations that the state fill their jails.

4. Oxbow

Mr. Chabries then presented information to the committee regarding the Oxbow facility. Anabelle Fackrell, associate warden of housing at Utah State prison, told the committee of the difficulties faced by having men and women share the same facility. She stated that a standalone facility for women is very important when managing inmates.

Mr. Walthers stated that the committee is not discounting the need for a women's facility but the question is if the Oxbow facility is the right choice. The concern is whether this is a good value to state. Initial information implied it was, but later analysis found that the assets may not be worth the costs. If that state is going to spend \$35,000 per bed then it would benefit the state to build a new facility on its own property in Draper or Gunnison. Also if the state is the only buyer for facility why are they paying top dollar. They could use VOITIS money for Oxbow, but it takes it that option away from the Canyonlands and Washington County facilities.

Mr. Byfield answered construction and renovation costs of Oxbow for the committee. Rep. Ray asked about staffing at Oxbow. Rep. Goodfellow asked about the Timpanogos remodel at the state prison two years ago. Sen. Evans asked how many beds would be available at Oxbow and Rep. Daniel commented on use of VOITIS money.

Greg Peay addressed the committee about the mistake made when determining land value at Oxbow. Mr. Byfield compared the county and state appraisals. \$16,700,000 is the price in between the two appraisals. He projected that building Oxbow outright would be \$42,000 per bed. The analyst maintained that it is not a good value for the state if a cheaper facility could be built. Rep. Adair commented on costs of a new facility and youth facilities. Rep. Curtis asked about the position of South Salt Lake City and Sen. Buttars asked at what price is this purchase attractive to state.

Allen Dayton, Deputy Mayor Salt Lake County, addressed the committee and stated that the county is not desperate to sell. The county saw this as an opportunity for the state and that it would be nice for them to consolidate inmates. They are not willing to sell for less than \$16.7 million. The state assumes that revenue from the sale would be used immediately by the county for expansion, but any use of the revenue has to be approved by council and there are no assurances as to what they would do with the money.

Craig Hall, City of South Salt Lake Attorney, presented the city's concerns to the committee. When Oxbow was originally built it was as a non-violent, misdemeanor facility. The city council is not happy with the idea of having felons in the city. Although there are felons at the Metro Jail that evolved through annexation and the council never approved it. They are concerned that with the renovations there will be more beds for inmates in South Salt Lake City than in Draper.

MOTION: Rep McCartney moved to adjourn, the motion passed unanimously.

The meeting adjourned at 4:58 p.m.
Minutes reported by Sharon Johnson

Sen. Beverly Evans
Committee Co-Chair

Rep. Gerry Adair
Committee Co-Chair

Sen. Chris Buttars
Committee Co-Chair

Rep. Lamont Tyler
Committee Co-Chair