

CITY COUNCIL AGENDA ITEM
CITY OF SHORELINE, WASHINGTON

AGENDA TITLE:	Jail Planning Update
DEPARTMENT:	City Manager's Office
PRESENTED BY:	Scott MacColl, Intergovernmental Relations Manager Eric Bratton, Management Analyst

PROBLEM/ISSUE STATEMENT:

This staff report provides an update on the jail planning process for the North/East Cities (NEC) and for the City of Shoreline. The staff report includes a background of the need for alternative jail space, actions to date, the alternatives being considered, the environmental process regarding the potential site in the Ballinger neighborhood, and where we are today with the jail planning process.

Throughout the jail planning process, we balance two policy goals: the first is to secure long-term jail beds (20 plus years); and the second is to determine the most cost effective solution for providing jail space. For instance, we may be able to find relatively inexpensive jail contracts, but we are not guaranteed bed space in the future; however, if we secure long-term bed space, it will likely cost more to 'buy' those beds.

Additionally, given the sensitive nature of siting a municipal jail, we need to exhaust all other options before proposing to build a new municipal jail facility.

Why Shoreline Needs Alternative Jail Space:

In 2001, King County notified cities contracting for municipal jail services that there would not be space in the King County jail system for the cities' misdemeanor populations after 2012. Cities, by state law, are responsible for the incarceration of their misdemeanants. On the average, Shoreline has a current need for approximately 28 daily beds and a projected need for 40 daily beds in 2040. Therefore, King County cities were forced to identify alternative jail bed space for its inmates.

Working through the Jail Advisory Group (JAG), King County cities began jail planning efforts. With the results of a regional jail feasibility study (the Ricci Greene study), the JAG decided that one facility would not adequately serve all King County cities. As a result, for jail planning purposes the JAG split into two groups – the NEC and the South Correctional Entity (SCORE).

Since 2006, staff have been studying alternatives that strike a balance between securing guaranteed jail beds long-term and finding the most cost effective solution for

housing the City's misdemeanor population. For instance, we may be able to find relatively inexpensive jail contracts, but we are not guaranteed jail space in the future.

Background:

The five cities that make up 90% of the NEC jail needs – Seattle, Bellevue, Kirkland, Redmond and Shoreline – began jail planning together in 2007. Based on a 2006 JAG study, conducted by consultant Ricci Greene, by 2026 the NEC will need approximately 640 jail beds to accommodate its misdemeanor population. The NEC initially studied the feasibility of building two separate facilities: a Seattle only facility to house Seattle's projected 400 inmates and another facility to house the remaining 240 inmates for the rest of the NEC (including the small cities that the NEC also represents). However, that study determined that there were significant economies of scale in building one joint facility rather than two smaller facilities.

In 2008, the NEC began identifying sites to study for potential regional jails. Each NEC city was required to identify potential sites to submit. Shoreline initially identified three sites; however, once the decision was made to focus on a joint facility, one site was ruled out as being too small. The NEC initially identified twelve sites based on the criteria of publicly owned property, access to major highways, size, and availability. Those sites were then reviewed by NEC consultant Carter Goble Lee (CGL), who ranked the sites based on 25 separate criteria. That review ranked two Shoreline sites in the top tier. The NEC asked Shoreline to choose one of the sites to move forward. Shoreline chose the Aldercrest Annex site over the Fircrest site primarily due to the fact that the Shoreline School District had recently designated that property as surplus. Out of the twelve sites, five were chosen to move forward for further study.

At the same time the NEC was identifying its five sites, it had also been working with King County on a partnership to include a sixth site in an environmental impact study. An agreement was reached and the NEC included a sixth site directly across the street from the existing jail in downtown Seattle (jail annex site) in its Environmental Impact Statement (EIS) review process. The NEC/King County partnership potentially includes building an annex to the existing jail, which would be part of the existing King County jail system. This option includes King County continuing as the regional jail service provider for, at a minimum, the NEC cities. The NEC began the draft environmental process in December 2008 to review environmental impacts based on the proposed project.

Jail Contract Extension with King County:

Beginning in the fall of 2007, the JAG started negotiating with King County to extend the current jail services contract to allow more time for regional jail planning. Finally, in the fall of 2009, the JAG and King County reached an agreement to extend the current contract through 2015. In order for a regional jail to be open by 2016 to replace the beds lost in King County, the EIS had to be completed under a very strict timeline. However, at about the same time that the County and the JAG reached an agreement on extending the jail services contract, King County suspended its jail planning efforts to focus on planning for Green River flooding (which included the Maleng Regional Justice Center). Because the EIS work on the downtown site required the County's assistance,

the County's delay meant that the NEC could not have a facility built and opened by 2015.

In January 2010, NEC staff requested that the new Executive review jail space projections and extend the contract through 2016, which allows the NEC to continue jail planning efforts with King County. We were recently notified that King County will extend the contract through 2016, and the Executive has submitted the contract to the King County Council for passage. Council will be reviewing the King County Jail Contract Extension at a subsequent meeting this spring.

DEIS Process:

The DEIS is mostly complete, however the release date was delayed due to the administration changes in Seattle and King County. We expect the DEIS to be released this spring, and will provide a synopsis for Council at that time. Additionally, there will be public meetings directed at each of the six sites to receive comments on the draft.

After the public comment period is completed, the EIS consultants will review and potentially incorporate changes or additions. Under this timeline, a final EIS would be issued in fall 2010.

Alternatives under Consideration:

The City of Shoreline is considering many different options for securing municipal jail space in the near term and for the longer-term future. The goal is to exhaust all other options before considering building a new municipal jail. The alternatives under consideration include building our own municipal jail; building a regional municipal jail; partnering with King County to build additional capacity; 'buying' into the SCORE partnership to secure long term bed space; and contracting for near and mid-term bed space, both with Snohomish County and with SCORE.

Build a City of Shoreline Municipal Jail – This option is problematic for four reasons: First, we would still have the problem of siting a jail in Shoreline; Second, the cost of building a small jail just for Shoreline is prohibitively expensive, as you still need most the same infrastructure and administration no matter the size of the facility. The CGL study referenced earlier identified the serious economies of scale between a 200 bed facility and a 640 bed facility for this reason; Next, Shoreline would have to fully finance construction and operation of the facility. In the regional options, if Shoreline were a co-owner, it most likely would not have to provide financing up front; and finally, Shoreline would still need to contract with another facility for medical and psychiatric services. Most municipal jails do not provide these services as they are cost prohibitive to build and operate.

Build a Regional Jail as an Owner - As you are aware, we are planning with the NEC cities for possibly building additional jail bed space. This guarantees beds for the long-term (thirty years), but also means we become a jail provider, either directly or indirectly. This effort includes the current EIS process that is studying the Aldercrest Annex Site as a potential jail site. However, each city that has a

site located within its jurisdiction has veto power over any siting decision in their city. To date, most elected officials in the potential siting cities have indicated that they do not want a jail in their city, making site selection difficult.

Build Additional Capacity for King County - We are also exploring with King County the option of building additional capacity for the existing King County jail system. This means that we will not have to become jail providers and we guarantee our beds for the future (owning a certain amount of bed capacity). The County has recently turned its focus back to this problem after dealing with the aforementioned flood planning in S. King County. We recently had our first meeting since late summer 2009, and the County appears to be interested in being a willing partner in finding a regional solution.

Potentially Buy into SCORE - Last fall representatives from Seattle approached SCORE about becoming an owner agency and expanding the facility under construction to accommodate all of Seattle's prisoners. The remaining cities in the NEC also asked SCORE the same question, as accommodating our prisoners (sans Seattle) wouldn't require any additional capacity. We recently found out that SCORE has decided that they need to be open and operating for at least a couple of years prior to considering adding additional owner agencies. So while that is not an option today, we can revisit this issue in four to six years.

Contract with Snohomish County - Snohomish County has bed space available and we are in process of negotiating a contract. This is a good option for Shoreline; however, it is not clear that this is a long-term solution. Snohomish County is willing to rent beds for Shoreline inmates as long as the beds are available. If space runs out, we would be the first ones out.

Contract with SCORE - NEC asked SCORE if they would be willing to entertain long-term contracts with NEC cities. We were recently notified that they are willing to entertain contracts of 10+ years for all NEC cities. However, Seattle's bed requirements would utilize all available bed space at SCORE, which presents a problem for the NEC. Therefore, SCORE does not solve the total problem - that the NEC needs additional jail bed space. However, if Seattle can identify bed space alternatively from SCORE, there is potential for the SCORE facility to fulfill at least a mid-term solution for jail beds.

Most Recent Update:

NEC staff recently met with representatives of King County Executive Constantine's office regarding continued planning for regional jail space. Indications from that meeting are that the Executive is interested in the county continuing as a regional jail provider. While there is nothing definitive yet, this policy position is a substantial departure from the previous administration. We will continue to pursue this option fully as a regional solution appears to be in the best interests of all parties.

Approved By:

City Manager

 City Attorney _____