

**VALENCIA COUNTY BOARD OF COMMISSIONERS**

**Valencia County Adult Detention Center**

**Workshop Held At**

**Los Lunas Council Chambers**

**MAY 22, 2002**

Chairman Aurelio H. Padilla called the workshop to order at 2:10 P.M.

PRESENT	ABSENT
Aurelio H. Padilla, Chairman	
	Gary Daves, Vice-Chairman
S. T. Frank Pando, Member	
Alicia Aguilar, Member	
Helen Baca, Member	
James Fernandez, County Manager	
	Thomas Garde, County Attorney
Tina Gallegos, County Clerk	
Press and Public	

Tina Gallegos, County Clerk read the agenda for the workshop on the Valencia County Adult Detention Center.

Commissioner Pando made a motion to accept the agenda as read. Commissioner Aguilar seconded it. Motion carried. 3-0.

County Manager, James Fernandez, reported on findings of the Valencia County Detention Center; Mr. Fernandez referred back to April 16, 2002 minutes where Commissioner Aguilar asked the Association of Counties, Jack Daley jail expert that he analyze the existing facility, review the existing management contract and provide them with information on any deficiency and provide them with a cost analysis on continuing with the current management, terminating and contracting with another private firm or operating the facility themselves. In addition Commissioner Aguilar asked that within the contract provide them with information on electronic monitoring and work release, which is part of their contract so Mr. Daley can also review that information and provide them with a report within the next 30 days. Mr. Fernandez asked the Commission to review the analysis letter written by Lester Nixon, Risk Manager. The letter indicates at the present time, it appears that the County lacks both the experienced personnel and financial resources to be able to successfully take over and operate the adult detention center on its own, in accordance with applicable standards and the final judgment of the 1997 Federal Court Order. It has also not been established that the County has the financial resources to be able to house County detainees out of County. It is strongly recommended that if the contract is re-negotiated, Cornell is held to its commitment to achieve A.C.A. accreditation in a timely manner, with reasonable time extensions if necessary, (but no more that six months at a time). Mr. Fernandez reported in the terms of the issue of termination looked at by both Lester Nixon and Jack Daley, jail experts and County Attorney, Tom Garde. It looks like the County will have to pay the remainder of the contract and incur the debt of housing prisoners. Termination without cause was not projected. Mr. Daley recommended to the County the re-negotiation between Cornell and Valencia County with the existing contract. Mr. Fernandez presented to the Commission an analysis that has been done by the second Jail Committee in looking at issues that exist in trying to provide factual information and history on this issue. The issue of the cost of the Adult Detention and its perception of the jail has caused a financial crisis. The goal is to reduce contract by \$1 million. Negotiate current contract by \$1 million or terminate contract or county operated facility or proceed with RFP to obtain lesser costing operator. Commissioner Pando said it has been pointed out to the Commission many times the jail issue is a major source of headache and we have eighteen other departments that are being neglected. It is a cost. Mr. Fernandez said it is the County's legal responsibility to house inmates and the construction of the new facility came about because the County was under a federal court order with the deplorable condition the existing jail was. And that is where we are right now. The annual cost is \$3.3 million. Approximately \$249,000 monthly plus 6.59/inmate/dayfor food/medical. The contract stipulates housing for 126 prisoners daily. Provision for rate change in conformance to CPI, it provides for joint County/Cornell work release and electronic monitoring and Cornell is responsible for Health and ACA (both facilities) Accreditation. We have to be in compliance with standards for example the County is required to have medical personnel, pharmaceutical personnel food services, policies, procedures, cost compliance monitor, clerical and janitorial services. Cornell reimburses the County \$30,000 annually for salary of jail monitor. Current revenues from other entities (i.e., Isleta, Belen, Bosque Farms, Los Lunas) yielded an estimate \$200,000 last year. Revenues from this source for April 2002 were \$60,000. (Not all contracts have been renewed.) Cornell Companies uses trustees from the detention facility to clean

county offices under Cornell supervision. Previously, this was a \$200,000 Valencia County expenditure.

Contractual obligation with Cornell expires July 2003. Cornell has not billed Valencia County for late payments. Current inmate population is 154. Cornell has not been billing for population above 126. Mr. Fernandez went over the question and answer analysis with the Commission. Commissioner Pando stated to Mr. Fernandez to elaborate on the staffing pattern required by ACA standards. Commissioner Aguilar interjected that in the study Mr. Daley, jail expert looked at the staffing pattern by Cornell and he said that does meet ACA standards and it is a non-negotiable item. Mr. Fernandez went over with the Commission the analysis study of the County operating the facility themselves. One important item was the cost of insurance. The County does not have risk management coverage currently. Transportation costs, currently most vehicles are owned by Cornell. Administration, kitchen, medical, pharmaceutical, etc staff would be required as well as maintenance and facility repairs would need to be budgeted. Also where would the prisoners be housed until staff could be hired and trained. Policies and procedures as to how long to design and implement for County operation. The Senior Warden with Cornell as notified the County that litigation would ensue if this action were taken. Also the charges for over-population and interest due for late monthly payments would become due.

In the analysis study of the jail committee could prisoners be housed elsewhere? Cost per say 154 inmates @\$42.00/day x 365 days = \$2,360.820 annually. A holding/booking facility and staff would be required. Transportation (vehicles and personnel) required. Risk management insurance mandatory. Set aside for estimated litigation costs would have to be budgeted.

Also in the analysis study should the County go out for RFP for a new company to operate? There was discussion on renovating the old facility. Capacity is only 30. Estimated costs to enclose the old sally port plus renovations needed to bring facility up to standards that would permit its use as a revenue source are being obtained. Also discussed are alternatives to incarceration. Work release, community service and electronic monitoring are part of these alternatives.

These are some of the issues put together by the jail committee. Also other financial concerns were discussed compliance with GASB 34, a balloon payment, landfill closure, tort claims, Older American Program, COPS Grant, State Highway Department, and employees placed on 32-hour work week.

Cornell Senior Warden, Lawrence Barreras said he felt there are several ways that Cornell and the County can re-negotiate and this would work well for both and move in that direction. Mr. Barreras said compliances would be set and concerns would be looked at.

Commissioner Aguilar said we need to move forward because this jail issue has been discussed at length we have had numerous workshops to see where we stand. Commissioner Aguilar said this Commission has looked at every scenario of facts.

Commissioner Pando said he agreed with Commissioner Aguilar that this Commission has looked at every scenario possible to form committees and everyone that participated in what is the best decision for Valencia County.

Discussion ensued on all aspects of each option by the Commission and at the next meeting a decision will be made.

The next Regular Meeting of the Valencia County Board of County Commission will be held on June 10, 2002 at 9:00 AM Executive Session and 10:00 AM Regular Session in the County Commission Room at the Valencia County Courthouse.

### **Adjournment**

Chairman Padilla said he had to leave at 3:00 PM for an appointment. Commissioner Baca made motion to adjourn this workshop. Commissioner Pando seconded it. Motion carried. 3-0.

**NOTE:** All proposals, documents, items, etc., pertaining to items on the agenda of the, Meeting (presented to the Board of County Commissioners) are attached in consecutive order as stated in these minutes.

### **VALENCIA COUNTY BOARD OF COMMISSIONERS**

**ss/  
AURELIO H. PADILLA, CHAIRMAN**

**ss/  
ALICIA AGUILAR, MEMBER**

**ss/  
S. T. FRANK PANDO, MEMBER**

**GARY DAVES, VICE-CHAIRMAN**

**ss/  
HELEN BACA, MEMBER**

**ATTEST: ss/**

**TINA GALLEGOS, COUNTY CLERK**

**DATE: June 25, 2002**