

Supervisors get good news about \$88 million Fresno County jail project

By Marc Benjamin



Fresno County Jail, South Annex, corner of Fresno & M Streets

JOHN WALKER — Fresno Bee Staff Photo [Buy Photo](#)

Fresno County supervisors learned Tuesday they're not in as deep a financial hole on building a new county jail as they thought two months ago.

Supervisors were told in December that the county could be on the hook for up to \$2 million it had not expected for the \$88 million jail addition. The county's share of the project is \$8.8 million — about 10% of the cost — and supervisors had planned to use tobacco lawsuit settlement funds for the bulk of that. But supervisors were told tobacco settlement funds could not be used for certain jail expenses.

On Tuesday, however, supervisors were told the shortfall was now only about \$1 million, and that can be covered by a one-time accounting windfall of state funds from Proposition 172, which pays for law enforcement staff and programs.

For now, Fresno County Auditor-Tax Collector Vicki Crow said her office estimates that \$71,000 failed to qualify under tobacco monies, which included funds to pay for audits, appraisals and certain improvements not on the proposed jail site at Merced and L streets. The county, she said, also should set aside an additional \$957,000 as a contingency account for other items that may not qualify as part of the tobacco settlement monies.

"A final determination will not be known for sure until we actually get an invoice and the cost is incurred," Crow told

supervisors on Tuesday.

The state is paying about \$79.2 million for construction of the jail, which is scheduled to be completed by 2019. It will replace the 70-year-old South Annex jail.

Tobacco settlement funds will serve as the county's nearly \$8.3 million match. The county also is counting the \$437,000 appraised value of the land used for the jail addition. The Prop. 172 funds will be used for the audit and appraisal expenses that tobacco funds can't cover and for the contingency funds.

County Administrative Officer John Navarrette said Proposition 172 money was tapped because the jail is related to public safety. He said the only other option was to tap the county's general fund. By using the Proposition 172 money, the project can move ahead without delays caused if more items are found ineligible for tobacco fund dollars.

Supervisor Henry R. Perea said he was concerned about using Proposition 172 funding, which is supposed to pay for law enforcement staffing and programs. He asked County Counsel Dan Cederborg to examine whether proceeds from development impact fees can be used and whether supervisors can use any fee funds for the jail project.

Perea acknowledged that it's likely the county doesn't have enough money in the development impact fee fund. Development impact fees were suspended in 2010 after portions of the fees were levied on new homes beginning in 2008. Following the meeting, Perea said there is about \$368,000 in the impact fees fund and that at least a portion of it could be used to pay some ineligible costs.

The jail addition will result in fewer jail beds because the South Annex will be closed when the addition opens. The question, Cederborg said, is whether the jail addition is an expansion because development impact fees are supposed to pay for costs of additional county residents. Medical, mental health and drug rehabilitation services will increase with the jail addition, which may mean impact fees qualify, he said.

SEIU loses decertification appeal

In other action, supervisors denied an appeal from the Service Employees International Union to modify a decertification election from its corrections officers unit that includes child support officers, process servers and security officers. The unit has about 830 of SEIU's roughly 4,500 Fresno County members. The union proposes changing the number to 374, limiting the decertification to corrections officers and process servers, but members of the Fresno County Public Safety Association disagree. The public safety group got 30% of the 830 members' signatures to decertify SEIU as its representative and build their own unit.

SEIU appealed to supervisors for the modification, but supervisors rejected the change because under the county's Employee Relations Ordinance, county officials are supposed to remain neutral, said Beth Bandy, the county's director of personnel services.

The union modification issue is expected to be heard by the county's Civil Service Commission next month and could eventually be ruled on by the state Public Employment Relations Board.

Contact Marc Benjamin: mbenjamin@fresnobee.com, (559) 441-6166 or [@beebebenjamin](https://twitter.com/beebebenjamin) on Twitter.