



MAR 29 2007

Honorable Denise Moreno Ducheny, Chair  
Senate Budget and Fiscal Review Committee

Attention: Mr. Danny Alvarez, Staff Director (2)

Honorable John Laird, Chair  
Assembly Budget Committee

Attention: Mr. Christopher W. Woods, Chief Consultant (2)

**Amendment to Budget Bill Item 5225-001-0001, Support, and Addition of Item 5225-490, Reappropriation, California Department of Corrections and Rehabilitation**

It is requested that Item 5225-001-0001 be decreased by \$8,435,000, and Item 5225-490 be added for the following:

**Parole Law Enforcement Automated Data System Modernization Project**—Addition of Budget Bill Item 5225-490 to reappropriate \$2,185,000 for the Parole Law Enforcement Automated Data System Modernization Project. This will allow the California Department of Corrections and Rehabilitation (CDCR) to continue with this project, which has been delayed due to procurement issues.

**Undersecretary for Program Support**—An increase of \$316,000 General Fund for a second Undersecretary and two support staff. The new Undersecretary will be responsible for the Division of Support Services, as well as other critical operational units within CDCR.

**Southern California Training Academy** —An increase of \$521,000 General Fund to establish five positions within the Office of Facilities Management (OFM) necessary to coordinate the Southern California Training Academy project. It is necessary for OFM to add resources specifically dedicated to this project to ensure the Southern California Training Academy is completed and activated timely to address increased demand for departmental training and development of Correctional Peace Officers.

**Jessica's Law Technical Adjustment**—A decrease to Item 5225-001-0001 of \$9,272,000 in 2007-08 related to the implementation of Proposition 83 (Jessica's Law). This adjustment is primarily related to overstated facility needs in the original request.

The effect of my requested action is reflected on the attachment.

If you have any questions or need additional information regarding this matter, please call Jennifer Osborn, or Amy Hicks, Principal Program Budget Analysts, at (916) 445-8913.

MICHAEL C. GENEST

Director

By:

/s/ Vincent P. Brown

VINCENT P. BROWN

Chief Deputy Director

Attachment

cc: Honorable Tom Torlakson, Chair, Senate Appropriations Committee  
Attention: Mr. Bob Franzoia, Staff Director  
Honorable Dennis Hollingsworth, Vice Chair, Senate Budget and Fiscal Review Committee  
Attention: Mr. Seren Taylor, Staff Director  
Honorable Mark Leno, Chair, Assembly Appropriations Committee  
Attention: Mr. Geoff Long, Chief Consultant  
Honorable Roger Niello, Vice Chair, Assembly Budget Committee  
Attention: Mr. Peter Schaafsma, Staff Director  
Honorable Michael Machado, Chair, Senate Budget and Fiscal Review Committee No. 4  
Honorable Juan Arambula, Chair, Assembly Budget Subcommittee No. 4  
Ms. Elizabeth Hill, Legislative Analyst (4)  
Ms. Diane Cummins, Senate President pro Tempore's Office  
Mr. Craig Cornett, Assembly Speaker's Office (2)  
Mr. Ivan Altamura, Chief of Staff, Assembly Republican Leader's Office  
Mr. James E. Tilton, Secretary, California Department of Corrections and Rehabilitation  
Mr. Stephen W. Kessler, Undersecretary for Program Support, California Department of  
Corrections and Rehabilitation  
Ms. Tracy Johnson, Deputy Director, Budget Management Branch, California Department  
of Corrections and Rehabilitation

**Proposed Budget Bill Language**

5225-490—Reappropriation, Department of Corrections and Rehabilitation

The balance of the appropriation provided in the following citation is reappropriated for the purposes provided for in the appropriation and shall be available for expenditure or encumbrance as cited below:

0001—General Fund

(1) Item 5225-001-0001, Budget Act of 2006 (Chs. 47 and 48, Stats. of 2006). The balance of the funds appropriated for the support, development, implementation, and maintenance of the Parole Law Enforcement Automated Data System is reappropriated for that purpose and shall be available for expenditure or encumbrance until June 30, 2008.



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Attention: Mr. Danny Alvarez, Staff Director (2)

Honorable John Laird, Chair  
Assembly Budget Committee

Attention: Mr. Christopher W. Woods, Chief Consultant (2)

**Amendment to Budget Bill Items 5225-301-0001 and 5225-301-0660, and Addition of Item 5225-495, Capital Outlay, Department of Corrections and Rehabilitation**

It is requested that Item 5225-301-0001 be increased by a net of \$99,029,000 to reflect the following:

1. Increase by a net of \$22,560,000 for a decrease in working drawings (\$32,000) and an increase in construction (\$22,592,000) for the California Correctional Center, Susanville—Wastewater Treatment Plant Modifications project. The agronomic report for this project indicates that the actual additional wastewater capacity that this facility needs to handle is twice as much as was originally planned for. Also, a seepage study shows that five storage ponds at this site need to be lined to reduce leakage that is beyond permitted levels.
2. Decrease by \$99,000 for preliminary plans for the Correctional Training Facility, Soledad—Solid Cell Fronts project. The project costs have been revised to reflect a recently completed budget package. The Department previously estimated the project costs based on similar projects at California Institution for Men and California Medical Facility.
3. Decrease by \$99,000 for preliminary plans for the Deuel Vocational Institution, Tracy—Solid Cell Fronts project. The project costs have been revised to reflect a recently completed budget package. The Department previously estimated the project costs based on similar projects at California Institution for Men and California Medical Facility.
4. Decrease by \$1,809,000 for working drawings (\$31,000) and construction (\$1,778,000) for the Sierra Conservation Center, Jamestown—Filtration/Sedimentation Structure project. The working drawings costs for this project have decreased because the Department utilized its own staff for project and construction management. The current project schedule indicates that construction funding will not be needed in 2007-08.
5. Decrease by a net of \$4,416,000 for the addition of preliminary plans (\$550,000), an increase in working drawings (\$384,000), and the subtraction of construction (\$5,350,000) for the Chuckawalla Valley State Prison, Blythe—Wastewater Treatment Plant Improvements project. This project has changed from a trickling filter system to an oxidation ditch because of the need for increased capacity. The increase in preliminary plans and working drawings funding reflect the increased costs associated with this change. Construction funding is being pushed out to a future year because this project will not be ready for construction during 2007-08.

6. Increase by \$913,000 for construction for the California State Prison, Corcoran—Wastewater Treatment Plant Upgrades project. The increase is attributed to the increased equipment costs for the bar screen and electrical equipment.
7. Increase by \$896,000 for construction for the Centinela State Prison, Imperial—Wastewater Treatment Plant Upgrades project. The increase is attributed to the increase in electrical equipment costs and the need for fire sprinklers in the chemical building that were not identified in the preliminary plans.
8. Add \$15,071,000 for preliminary plans for dental treatment and office space at the following seven institutions; Avenal State Prison, Calipatria State Prison, Centinella State Prison, Chuckawalla Valley State Prison, Ironwood State Prison, Kern Valley State Prison, and Folsom State Prison. This project is recommended in response to the Perez vs. Hickman Stipulated Agreement to settle a class action lawsuit, Perez vs. Hickman. The Dental Program Implementation Plan and Stipulated Agreement is a multi-year agreement to improve the delivery of dental services within all the institutions of the California Department of Corrections and Rehabilitation (CDCR). The key component driving the need for additional space is lowering the ratio of inmates to dentists from 950:1 to 515:1.
9. Add \$3,874,000 for working drawings (\$225,000) and construction (\$3,649,000) for the Deuel Vocational Institution, Tracy—New Electrical Power Substation project. The primary reasons for the cost increases are twofold. First, the recently completed soils report identified liquefaction issues that could cause settling beyond design tolerances, which requires additional work on the foundation. Second, the costs of materials have increased, primarily in copper and steel. The existing appropriation is being reverted (Issue 621) because the current cost estimate exceeds the existing project authority by more than the available augmentation authority.
10. Increase by \$5.0 million for statewide minor projects to be used to address space needs identified as part of the Farrell vs. Tilton lawsuit. In November 2004, the State of California entered into a consent decree in the Farrell vs. Tilton lawsuit concerning mandated educational and programmatic obligations to the youth offender population. The \$5.0 million in minor funding for 2007-08 would help satisfy court deficiencies for increased staffing and programming space.
11. Add \$18,796,000 for construction for the Sierra Conservation Center, Jamestown—Effluent Disposal Pipeline project. The increased costs are primarily attributed to significantly increased earthwork costs and increased piping costs. The existing appropriation is being reverted (Issue 621) because the current cost estimate exceeds the existing project authority by more than the available augmentation authority.
12. Add \$361,000 for preliminary plans for the Sierra Conservation Center, Jamestown—New Firing Range project. The existing firing range is located adjacent to the property line of a new housing development. The proximity of the current firing range to the new housing development poses a potential risk of liability for negligence and nuisance from stray bullets and tear gas encroaching onto the residential parcels. This project is recommended to prevent the liability from potential wrongful injuries or deaths.

13. Add \$36,955,000 for construction for the Deuel Vocational Institution, Tracy—New Wastewater Treatment Plant project. The increased costs are primarily attributed to substantially increased material costs for items such as the aeration basin pumps, filtering devices, structural steel, electrical equipment, and piping. Furthermore, the preliminary estimates failed to account for the complexity associated with the tight spaces through which the piping needs to run. The existing appropriation is being reverted (Issue 621) because the current cost estimate exceeds the existing project authority by more than the available augmentation authority.
14. Increase by \$588,000 for construction for the California Institute for Men, Chino—Solid Cell Fronts project. The increased costs are primarily attributed to two problems. First, the preliminary estimates did not include escalation to the mid-point of construction. Second, the preliminary estimates assumed that the contractor would have access to the entire project area during all of the construction phase. However, due to the shortage of inmate beds, CDCR has determined that it will be necessary to complete the project with a phased construction. The extended duration of the construction contract results in an increased contract cost.
15. Increase by \$438,000 for construction for the California Medical Facility, Vacaville—Solid Cell Fronts project. The increased costs are primarily attributed to two problems. First, the preliminary estimates did not include escalation to the mid-point of construction. Second, the preliminary estimates assumed that the contractor would have access to the entire project area during all of the construction phase. However, due to the shortage of inmate beds, CDCR has determined that it will be necessary to complete the project with a phased construction. The extended duration of the construction contract results in an increased contract cost.

It is requested that Item 5225-301-0660 be increased by \$8,730,000 for construction for the California Correctional Institution, Tehachapi—Wastewater Treatment Plant Renovation project. The increased costs are attributed to additional earthwork associated with the aeration basin and increased material costs. A supplemental appropriation is necessary because the current cost estimate exceeds the existing project authority by more than the available augmentation authority.

It is requested that Item 5225-495 be added to revert the unencumbered balances totaling \$39,157,000 for the following project phases:

Item 5225-301-0001, Budget Act 2006:

1. Deuel Vocational Institution, Tracy: New Wastewater Treatment Plant – Construction.
2. Deuel Vocational Institution, Tracy: New Electrical Power Substation – Working drawings and construction.

Item 5225-301-0001, Budget Act 2005:

1. Sierra Conservation Center, Jamestown: Effluent Disposal Pipeline – Construction.

The effect of my requested action is reflected on the attachment.

If you have any questions or need additional information regarding this matter, please call Jim Martone, Principal Program Budget Analyst, at (916) 445-9694.

MICHAEL C. GENEST

Director

By:

/s/ Vincent P. Brown

VINCENT P. BROWN

Chief Deputy Director

Attachment

cc: Honorable Tom Torlakson, Chair, Senate Appropriations Committee  
Attention: Mr. Bob Franzoia, Staff Director  
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Mr. Craig Cornett, Assembly Speaker's Office (2)  
Mr. Ivan Altamura, Chief of Staff, Assembly Republican Leader's Office  
Mr. James Tilton, Secretary, Department of Corrections and Rehabilitation  
Mr. George Sifuentes, Deputy Director, Facilities Management Division, Department of  
Corrections and Rehabilitation  
Mr. Chuck Haubrich, Acting Branch Chief, Facility Planning and Finance Branch,  
Department of Corrections and Rehabilitation  
Ms. Darlene Maston, Chief, Project Financing Unit, Department of Corrections and  
Rehabilitation

## **ATTACHMENT A**

Provisions:

3. Notwithstanding any other provision of law, the funds in Schedule (12.3) may be used to complete various minor projects in excess of \$400,000 but not to exceed \$600,000. Minor projects will be related to the Farrell court case.