

# Burnet County

## Jail Expansion Time Line

**Spring, 2005** Jail overcrowding issues begin

**September 7, 2005**

Note from Judge Kithil" Sheriff just a heads up that our next CC meeting will have an item to begin discussions on planning for an expansion on the jail. I know it may seem early to begin this, but I'm told that if we start now, it may be three years before space will be ready for occupancy. Hope you can attend on Sept. 12 and we'll hold the subject till you arrive... then get to it right away."

**September 12, 2005**

Court discussed overcrowding discussed. 44 prisoners being shipped.  
Discussed capacity planning of county jail and possible need for expansion  
Judge Kithil, Comm Neve and Sheriff Pollock to begin discussions on this issue.

**September 26, 2005**

Jail out of compliance. Will continue to monitor population.

**October 10, 2005 (week of)**

Jail Expansion Committee met. Committee Included Pollock, Neve, Gilmore, Kithil, and Jett

**Oct. 24 2005**

Judge Kithil and Capt Sievers gave an update from the Jail Expansion Committee

**November 21, 2005 (week of)**

Jail Expansion Committee met. (Neve, Siervers, Pollock, Jett, Gilmore)

**June 23, 2006**

Court discussed jail expansion and discussion of setting up a Private Facilities Corp. Jail capacity full. Discussion held re: creating a Private Facilities Corp for the renovation or construct of a public facility (jail)

**July 6, 2006**

Kithil and others meet with SAMCO and Bound counsel to learn about Public Facilities Corp. Statements include that this is financial better for us. Working for Val Verde. Be Aggressive in negotiations. Go thru RFP process. No less that 5 year renewals. Annual contracts are risky.

**July 24, 2006**

Court discussed a feasibility study to determine the viability of a private jail facility. Committee was directed to find a way to get study done with out a cost to the county.

**August 14, 2006**

Court discussed jail financing options and heard a presentation on options from Jim Plumber, (bond counsel). Judge Kithil stated the county was interested in a possible PFC or financing with a private corp without a PFC. Mr. Plumber stated there are many stipulations in the options available to the county, by statute the Sheriff must monitor the new facility.

Court voted to go out for RFQ's to select a consultant to help develop and evaluate the RFP.

August 23, 2006

Tour of Val Verde County Facility: Smith, Neve, Klaeger, Stedman

September 11, 2006

Court opened RFQ's (2) and asked the committee to evaluate and select a consultant to help develop and evaluate an RFP to build and operate a new jail facility for the county.

September 25, 2006

Committee reported it had selected C3 Corrections LLC and would begin work on an RFP.

November 13, 2006

Committee and C3 continue to work on details of an RFP.

January 4, 2007

Judge Klaeger reported that the committee is close to completion on the RFP.

January 8, 2007

RFP is almost complete with the exception of the proposed site. The committee has identified 5 possible sites.

January 24, 2007

Work shop with entire court to bring them up to date on RFP.

January 29, 2007

Court discussed site location and possible land purchase for new jail, the property has been narrowed to 3 sites. (next to the hospital, city land on Morman Mill Rd, or out by the woman's prison) The RFP is complete except for the site location and will be presented to court on February the 12<sup>th</sup>. A number of citizens come to voice concern over the site location and the manageable scope of the project. The court thanked everyone for the feedback they received.

February 12, 2007

RFP was presented to the court and is ready to go out within one week. TDCJ is looking at the feasibility of the site at the Ellen Halbert unite. They have mapped out 73 acres site and are reviewing the area.

February 20, 2007

Court approved the RFP to be released. RFP #07-409-03 to Finance, Design, Build and Operate a Jail Facility containing a minimum of 500 beds AND finance, design and build an adjacent law enforcement center AND lease and operate the existing 98 bed jail facility. Issue date: February 23, 2007.

February 23, 2007

RFP released.

February 26, 2007

The court discussed the request to Senator Fraser to sponsor a bill to have the State transfer 75 acres to Burnet County on TDCJ's 300 prison property on which the Ellen Halbert Unit in Burnet is located.

March 7, 2007

The court took a formal vote to submit a legislative bill requesting property from TCDJ as stated above.

**March 12, 2007**

**Court discussed SB 1533 for the land was filed on March 8, 2007.**

**May 14, 2007 RFP due date**

**March 19, 2007**

**Court discussed jail expansion, site, and RFP. SB 1533 complete except for the survey.**

**March 26, 2007**

**Court discussed jail expansion, RFP, and site location. Court voted to accept right of way for access around the Ellan Halbert Unit.**

**April 2, 2007**

**Court discussed jail expansion, RFP, and site. Second amendment was sent out on the RFP. Judge Klaeger reported she would be going to the senate committee to speak on the behalf of the land from TDCJ.**

**April 9, 2007:**

**SB1533 was passed in Senate committee. Metes and bounds description have been corrected and a modified bill will be presented to the House of Representatives and Senate.**

**April 16, 2007**

**SB 1533 to Senate Thursday, April 19, then to House. 3<sup>rd</sup> RFP amendment had been sent out.**

**May 15, 2007**

**Court discussed Jail, RFP, and site. The bill on the land is in the House. RFP closed May 14, 2007.**

**May 21, 2007**

**Court discussed Jail, RFP, and site. Judge Klaeger reported that the bill on the land is Waiting to go back to the Senate and then to the governor, and that we had received one response to the RFP. RFP recd from Southwestern Correctional LLC**

**May 29, 2007**

**RFP Bid Review Meeting with C3 Corrections scheduled and will report to court on 6-4-07.**

**June 1, 2007**

**Jail Expansion Committee meets with SW Corrections.**

**June 4, 2007**

**Committee had meet with Southwest Corrections and had presented them a list of Questions to be answer by June 15, and that the land had passed both senate and House. Joe Don was working on the deed.**

**June 5, 2007**

**Caldwell County Jail Tour to determine feasibility a building an interim facility.**

**June 13, 2007**

**RFQ answers recd from SW Corrections.**

**June 14-15, 2007**

**Tour of jail facilities in Louisiana: Jackson Parish, Jonesboro, LA: Sheriff Andy Brown; Claiborne Detention Center, Homer, LA: Sheriff Ken Bailey. (note: sheriffs = county judges in Louisiana)**

**June 23, 2006**

**Judge Kithil notes we must “find a way for this to work!”**

**June 26, 2007**

**Jail Committee recd presentation from company to build retention facilities and lease them back to counties.**

**July 10, 2007**

**Jail Committee review SWC response to RFP #2.  
Recommendation to begin Comm Court workshops**

**July 16, 2007**

**The court discussed the jail expansion, site and RFP. Russell Rau gave an overview to the court on where the jail expansion project was. He discussed the size of beds, site location, by the Ellen Halbert Unit, and private management of the facility. The court met representatives from Southwestern Correctional. A special meeting was site for July 25 2007 at 1:00 p.m. to discuss the jail expansion and the RFP with SWC.**

**July 25, 2007**

**The court discussed the jail expansion, site location and selection of private company to build and manage the jail. C3 Corrections gave a report on finance and contract structure. C3 presented the response of Southwestern Correctional on items that needed clarification. Unanimous vote to award to contract Southwestern Correctional with three contingencies and to engage Allison and Bass Law Firm to prepare a letter of intent to move toward acceptance of an award to Southwestern Correctional (SWC) in conjunction with RFP pertaining to the finance, design, construction, and operation of a new Burnet County jail facility subject to the following conditions and contingencies:**

- 1. The facility design must be approved by the Burnet county Comm. Court.**
- 2. The finalization of all documents necessary for the development, finance, construction and operation of the jail facility.**
- 3. execution of a “memorandum of understanding” related to item IV., of RFP # 07-409-03, acknowledging that SWC will reimburse Burnet County for expenses incurred by the county relating to the financing of the project And document development in the event SWC is unable to perform under the requirements of the RFP.**

**August 6, 2007**

**The court discussed the jail expansion, site location and selection of a private operator. The court was updated on discussions with SWC and moving toward formalizing a contract for the building and managing the jail expansion. A motion was made to contract with Allison and Bass Law Firm to represent Burnet County on the project.**

**August 13, 2007**

**The court discussed the jail expansion, site location and selection of an operator. It was reported that SWC had accepted the updated terms and conditions.**

**August 27, 2007**

**Judge Klaeger reported there will be a reception on Sep 13 or 14 to present the deed to Burnet County for the property next to the Ellen Halbert Unit.**

**Memorandum of Understanding executed between Burnet County and SW Corrections, recognizing SWC as the successful bidder for the finance, design, construction and operation of a new Burnet County Jail Facility.**

**1)facility design must be approved by the BC Comm Court.**

**2)documents for the development, finance, design, construction and operation of the jail facility shall be drafted by SWC, submitted to the county and county's legal counsel.**

**3)in event SWC is unable to perform all requirements of RFP, without fault attributable to the County, County shall be entitled to recover from SWC all reasonable costs incurred by the County in the form of attorneys fees or fees related to consultation with experts in related fields necessary for the successful development, finance, design, construction or management of a similarly sized detention facility.**

**September, 2007 ORIGINAL GROUND BREAKING SCHEDULED**

September 13, 2007

Board of Criminal Justice transfers 75 acres from TDCJ to Burnet County.

September 17, 2007

The court discussed the jail expansion, site location, and selection of an operator. They reviewed the new design of the jail, a draft of the Public Facility Corp. (PFC) and the feasibility study on the project. The court discussed location of facility location on the 75 acre site .

Oct-Nov, 2007

Feasibility study finalized

October 2, 2007

Court approved engagement letter with Hunton & Williams for bond counsel. Court appointed: Donna Klaeger, Bill Neve, Kevin Smith, Joe Pollock and Billy Don Everett to PFC Board. Discussion held reference feasibility study findings to support a 50087 bed facility. Property deed was filed in County Clerks office on August 26, 2007.

October 9, 2007

C3 Corrections reported on the size and design of the facility  
Confirmed current feasibility study recommends 587 beds.  
**Allison updated Comm Court on the finance issue and the creation of the PFC. Order approved to authorize and approve the creation of a Nonprofit public facility corporation to act on behalf of Burnet County, to finance, refinance, and provide the costs of public facilities of the county and approving the articles of incorporation and bylaws there of.**  
Site location on the property, civil engineer work and site preparation discussed.

October 26, 2007

Comm Court discussed Design and Development agreement and Facility Operation and Management agreement. No action taken at this time.

Kithil updates Jail Expansion Committee: Klaeger, Kithil, Pollock, Neve, Smith, Gilmore, Everett, Rau, Colter, Sievers.

November 2, 2007

The court discussed jail expansion, site, and RFP of the jail expansion project. Updates were given on the design, creation of PCF, the land, the site utilities

**fence replacement, the county engagement letter, and an update from C3 by Russell Rau.**

**November 19, 2007**

**Community public workshop.**

**November 20, 2007**

**Comm Court approves new county jail site**

**PROJECTED CLOSING OF DOCUMENTS XXX**

**December 11, 2007**

**Presentation of final feasibility study**

**Presentation of Q&A re: expansion project**

**Update on Referendum matters (Attorney: Bass)**

**Transactional documents to be discussed**

**December 18, 2007**

**Most up to date documents presented to court**

**Presentation, discussion/action schematic design**

**January 3, 2008**

**Joint PFC and Commissioners court meeting to sign final documents**

**January 14, 2008**

**Final closing**