

## Memo:

### Jail and Law Enforcement Center-Phase 1 Justice Center-Phase 2

Our current jail is old and out of date and a liability to the County. After two years of discussions, committee meetings (which included the public from all parts of the county) and Commissioners Court meetings, the Court, being pro-active, moved forward with plans to build a 240 bed jail and law enforcement center. There were several reasons to move forward, one of which was expected interest rate increases. Every one-half point will cost an estimated additional 2.5 M.

During the process, there were five locations seriously considered for this expansion, one near White's Park, three south of Anahuac, and one downtown Anahuac. The downtown site was chosen due to its proximity to the current courthouse and concerns that if it were built elsewhere, our current historic county courthouse would die. There would be offices still in the courthouse, but it would no longer be a part of the hub of county government.

A notice to issue CO's (Certificate of Obligations) has been published and citizens have until the February 28, 2017 Commissioners Court meeting to call for an election. We still have to vote to issue CO's on February 28, 2017. Please keep in mind, this is a jail not a non-essential sports complex or an entertainment venue.

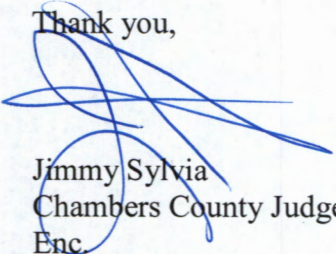
The benefit of the CO process is if five percent of registered voters do not have the confidence in elected officials that we have not done our due diligence by hiring three professional firms (who specialize in this type of work) and solicited recommendations from the commission on jail standards, an election can be held on the certificates.

There could be a tax rate increase to fund this project up to 5.8 cents which would mean a \$33 tax increase per year on a \$100,000 home according to Jim Gilley, Financial Advisor with US Capital.

Remember, Chambers County has to comply with the Texas Commission on Jail Standards rules or risk being shut down. Should that occur, we would still be responsible for housing **all** inmates, possibly in multiple other counties at costs beyond our control.

After hearing from the public, Commissioner George and I will have an agenda item on the next Commissioners Court (February 14, 2017) to rescind the previous motion to publish Notice of Intent to issue Certificate of Obligations and to hold a bond election.

Thank you,



Jimmy Sylvia  
Chambers County Judge  
Enc.

1. Information Packet Memo
2. Jail History
3. Tax rate/budget
4. Proposed schematic
5. "Why we need a new jail"
6. Certificate of Obligation information

## Jail History:

- The current courthouse was built in 1936. This included the justice center and jail which had a total of 24 beds (population was 7,511).
- 51 years later in 1982, the current jail was built with 88 beds. Population of 18,538.
- In 1995 an additional 54 temporary beds were added (population of 22,773).
- Now, 22 years later in 2017, Commissioners Court and the Sheriff are proposing to build a 240 bed Jail and Law Enforcement Center (population of approx. 40,000)
- Texas Department of Transportation's 2015 daily traffic count on I-10 alone is 67,000

### **Keeping up with Growth**

From 2010 to 2017, Chambers County has seen a population growth from 35,096 to approximately 40,000, a 13.97 percent increase. To keep up with the growth, the County has only increased taxes by 11.25 percent; 2010 rate was 0.49679 and 2017 is currently at 0.552689. Taxes collected have increased, partly because of an increase in the value of property. While the tax rate has slightly increased to keep up with population, it is not merely a “rent” increase but an increase in services and infrastructure.

### **Tax Rate Comparison**

While Chambers County has a higher tax rate than counties (Liberty County is the highest) around us, we have a unique situation. We only have three incorporated cities that impose a tax. The city of Baytown is the only one we don't have any responsibility for their roads and law enforcement. We share road responsibility with Mont Belvieu and are completely responsible for Anahuac. Harris (28 cities), Galveston (13 cities), Liberty (9 cities), and Jefferson (7 cities) counties are able to have a lower rate considering they only have to provide services for a smaller unincorporated area.

### **Budget Increases**

The County provides many services to citizens that other counties don't. From 2010 to 2017, the largest budget increases have been to: law enforcement, judicial system, roads, parks, and libraries. The court's forethought of investing funds into the quality of life for its citizens has brought in new development into the county. In 2017 and 2018 alone, 754 million dollars will be added back on the tax roll from abated property. Companies like Enterprise, ExxonMobil, KTN, and others have invested millions into the county and subdivisions are being built everywhere on the west-side of the county.

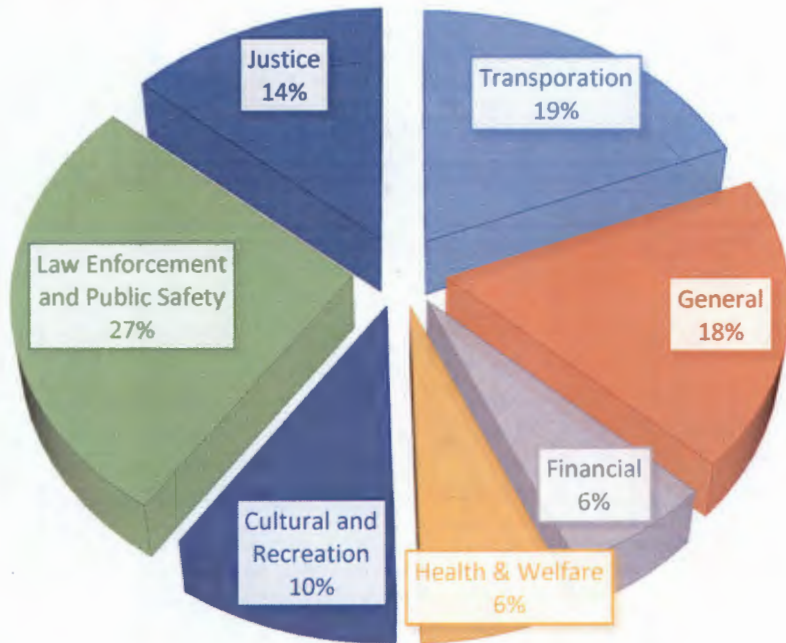
### **Debt Rate Increase**

Issuing debt does not mean an automatic property tax increase. The County, in the past, has issued debt without having to increase the overall rate. The Court has and will take every measure to avoid any tax increase for any reason, however, there is still a possibility that an increase could occur. According to US Capital Advisors, the max a person could see is a \$33 increase on a \$100,000 home. Currently, the average person in Chambers County with an appraised property value of 100,000 could pay up to 1,540 a year while someone in Harris could pay 2,310 a year.

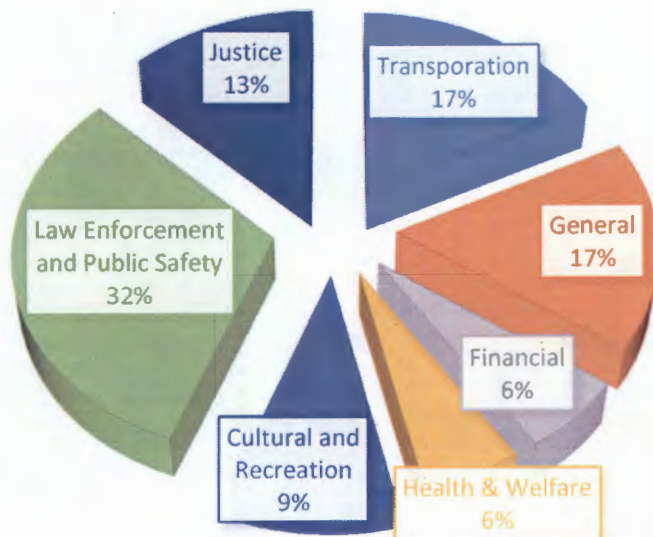
### **Conclusion**

While every County citizen has a right to enjoy every benefit that the county has to offer: police protection, safe roads to drive on, use of public libraries, parks, etc. we have a responsibility to pay the taxes which support these services.

## 2017 COUNTY BUDGET



## 2018 BUDGET WITH 1ST JAIL PAYMENT INCLUDED





OPTION 06. PHASE 02 +PHASE 01

CHAMBERS COUNTY  
JAIL EXPANSION



# CHAMBERS COUNTY SHERIFF'S OFFICE

Brian C. Hawthorne, Sheriff

201 North Court Street  
PO Box 998  
Anahuac, TX 77514

Telephone: 409-267-2500  
Email: ccsso@co.chambers.tx.us

- **SHERIFF'S OFFICE** – 35 years old – 24 hours per day
  1. Facility inadequate to accommodate all personnel
  2. 1982 less than 40 employees
  3. Not ADA compliant
- **EVIDENCE** and chain of custody (CRITICAL)
  1. Storage
  2. Security
- **JAIL**
  1. Life safety security issue
  2. Maximum security beds at capacity
    - a. Unable to safely segregate violent inmates
    - b. Maximum security cells have jail doors with bars not solid doors – anything can pass through
    - c. Original jail – 6 female cells, converted to 12 female cells
      - 1 female maximum segregation cell
    - d. Not ADA compliant – No handicap or special needs cells
    - e. Infirmary - no negative pressure cell – communicable diseases
  3. Jail staff
    - a. Officer safety issues – Inmates have access to officers through bars  
Inmates are able to throw objects, bodily fluids, or any other substances
  4. Direct supervision vs. indirect (linear) – Inmate safety
    - a. Inmate on inmate
    - b. Suicide prevention

**Recent Fiscal Notes article from Texas Comptroller Office**

**Texas Certificate of Obligation Act 1971**

**Chambers County jail issues**

**Discussion of cost and process of financing construction**

**From Fiscal Notes December 2016/January 2017 (Glenn Hegar Texas Comptroller)**

COs can be particularly attractive when a local government wishes to, for example, take quick advantage of lower interest rates, purchase a newly available property or come into compliance with a federal or state regulation.

As noted previously, proponents tout the flexibility CO bonds afford local officials in responding to critical and emerging public needs, allowing them to act without having to wait for – or pay for – an election. And unlike general obligation bonds, a single CO can be issued to support more than one purpose or project, reducing the cost of issuance.

**From the Texas Certificate of Obligation Act 1971**

Sec. 271.046. ADDITIONAL PURPOSES FOR CERTIFICATES. (a) Certificates may be issued for the payment of contractual obligations to be incurred in:

- (1) constructing or equipping a jail;

**From Chambers County**

County Jails are one of the most important responsibilities and liabilities of a county. Compliance with current state jail standards is of the utmost importance. The safety of the jail staff and the citizens of the county depend on the construction, compliance and operation of the jail. Chambers County is no different.

The current Chambers County Jail:

- Was built in 1982;
- Is 90 beds short of the Jail Commission Standards recommendation;
- Has been operating over 22 years with cells and facilities designated temporary at the time they were added.

(Temporary fixes were expected to be financially favorable but ultimately exceeded the projected cost of a new facility);

- Is relocating prisoners for lack of space to other county jails at an annual cost to the County in excess of \$160,000. (this does not include transportation and manpower costs)
- Is "grandfathered" by the Jail Commission (a process where counties unable to afford compliance of an aging facility are allowed to operate without meeting certain standards). Requires additional staffing and maintenance to compensate for the lack of cell door and lock integrity;
- Requires additional maintenance costs to provide minimum necessities for inmate and staff habitation;
- Has no facility to segregate inmates with contagious medical conditions;

According to the Texas Certificate of Obligation Act of 1971 (as noted above), Counties have the authority to issue Certificates of Obligation for many projects but typically for emergency related issues and Jails. That's not a loophole. We have both an emergency need to build a jail and the legislative authority to do so. Before voting to proceed with the Certificates of Obligation for a new jail, Commissioners Court posted and discussed the jail issue on 9 separate agendas in 2016 (Jan 26, Feb 9, Apr 12, Aug 9, Aug 22, Sept 13, Nov 8, Dec 13, Dec 27. The actual total cost for a 20 year CO note at 3.78 percent is 57.8 million. That's 2.89 million per year or approximately 7% of the County annual budget. Approximately 80 percent of the cost burden will fall on business and industry within the county. To delay the process and risk rises in interest rates would increase the costs approximately \$2.5 million per half percentage point increase.