

**TO THE DANE COUNTY BOARD OF SUPERVISORS:
REPORT ON:**

ORD. AMDT. 12, 07-08

AMENDING CHAPTER 25 OF THE DANE COUNTY CODE OF ORDINANCES,
REGARDING CONTRACTS FOR JAIL TELEPHONE SERVICES

The County Board of Supervisors of the County of Dane does ordain as follows:

ARTICLE 1. Unless otherwise expressly stated herein, all references to section and chapter numbers are to those of the Dane County Code of Ordinances.

ARTICLE 2. Section 25.11(28) is created to read as follows:

(28) JAIL INMATE SERVICE CONTRACTS. (a) Dane County shall not enter into any contract for jail inmate services, including telephone service, that is intended to generate revenue for the county.

(b) The procurement of services for jail inmates, including telephone service, shall be subject to competitive bidding under this section and shall be designed to achieve the lowest possible cost for inmates consistent with public safety.

[EXPLANATION: This amendment requires procurement of services for jail inmates by competitive bidding and precludes the county from entering into a contract that is intended to generate revenue for the county.]

ARTICLE 3. NON-CODE PROVISION. The amendment made by Article 2 shall first take effect on March 1, 2009.

Submitted by Supervisors Kumar, Richmond, Salov, Vedder, Stubbs, Veldran, Wheeler, Downing, Bayrd, Pertzborn, Opitz, Matano, Hulseley, DeSmidt, Hendrick, and de Felice, July 19, 2007 (p. 69, 07-08).

Referred to PERSONNEL/FINANCE and PUBLIC PROTECTION/JUDICIARY.

8/27/07 Public Protection & Judiciary recommends adoption of Sub. 1. (7-0)

9/10/07 Personnel & Finance recommends Denial of Sub. 1 to Ord. Amdt. 12. (6-0)

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**DANE COUNTY
POLICY AND FISCAL NOTE**

<input checked="" type="checkbox"/> Original	<input type="checkbox"/> Update	Substitute No. _____
Sponsor: Kumar		Resolution No. _____
Vote Required:		Ordinance Amendment No. 12
Majority <input checked="" type="checkbox"/>	Two-Thirds <input type="checkbox"/>	

Title of Resolution or Ord. Amd.:

amending chapter 25 of the DC code of ord., regarding contracts for jail telephone services.

Policy Analysis Statement:

Brief Description of Proposal -

Amends the purchasing ordinance to prohibit the county from entering into contracts that generate revenue for the county by providing inmate services. Also requires that future contracts be evaluated to favor proposals that provide the service at the lowest cost to the inmates. This amendment would affect the jail telephone contract, the commissary contract and the inmate laundry machines contract. Combined, these three contracts generated approximately \$1 million in revenue to the county in 2006. The ord. would affect contracts initiated after April 2009.

Current Policy or Practice -

Current policy allows these contracts to generate revenue to the county. The amount of revenue is one consideration in the evaluation of proposals for these services.

Impact of Adopting Proposal -

This proposal would result in the loss of approximately \$1 million to the county, once all contracts became subject to the provisions of the amendment.

Fiscal Estimate:

Fiscal Effect (check all that apply) -

- No Fiscal Effect
- Results in Revenue Increase
- Results in Expenditure Increase
- Results in Revenue Decrease
- Results in Expenditure Decrease

Budget Effect (check all that apply)

- No Budget Effect
- Increases Rev. Budget
- Increases Exp. Budget
- Decreases Rev. Budget
- Decreases Exp. Budget
- Increases Position Authority
- Decreases Position Authority

Note: if any budget effect, 2/3 vote is required

Narrative/Assumptions about long range fiscal effect:

Based on current contracts, this proposal would reduce county revenue by approximately \$1 million per year.

Expenditure/Revenue Changes:

	Current Year		Annualized			Current Year		Annualized	
	Increase	Decrease	Increase	Decrease		Increase	Decrease	Increase	Decrease
Expenditures -					Revenues -				
Personal Services					County Taxes				
Operating Expenses					Federal				
Contractual Services					State				
Capital					Other				\$1,000,000
Total	\$0	\$0	\$0	\$0	Total	\$0	\$0	\$0	\$1,000,000

Personnel Impact/FTE Changes:

None

Prepared By:

Agency:	Division:	Phone:
Prepared by:	Date:	Phone:
Reviewed by:	Date:	Phone:

1 **Sub No. 1 to ORD. AMEND. NO. 12, 2007-2008**

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4 **REGARDING CONTRACTS FOR JAIL TELEPHONE SERVICES**

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8 **ARTICLE 1.** Unless otherwise expressly stated herein, all references to section
9 and chapter numbers are to those of the Dane County Code of Ordinances.

10
11 **ARTICLE 2.** Section 25.11(28) is created to read as follows:

12 (28) **JAIL INMATE PERSONAL SERVICES.** (a) Dane County shall not
13 provide services or enter into any contract for telephone, laundry or commissary
14 services for jail inmates, that is intended to generate revenues in excess of the
15 costs of providing these services to jail inmates.

16 (b) The procurement of telephone, laundry or commissary services for jail
17 inmates shall be subject to competitive bidding under this section, designed to
18 achieve the lowest possible cost for inmates consistent with public safety.

19 (c) The provisions of this subsection shall not apply to any fee charged by the
20 county that is associated with security of the jail or electronic monitoring for
21 release programs.

22 *[EXPLANATION: This amendment requires procurement of telephone, laundry*
23 *and commissary services for jail inmates by competitive bidding, and precludes*
24 *the county from entering into a contract or providing services that are intended to*
25 *generate revenues in excess of the costs of providing those services to jail*
26 *inmates.]*

27
28 **ARTICLE 3. NON-CODE PROVISION.** The provisions of subsection (28) shall
29 be effective at the beginning of the fiscal year following the Controller's
30 certification to the County Clerk that the actual cumulative expenses of
31 transporting and housing inmates out of county were equal to or less than
32 \$897,500 in the prior fiscal year.

33 *[EXPLANATION: This provision provides for a delayed effective date determined*
34 *by county savings in cost to transport inmates as a result of implementation of the*
35 *Criminal Justice Audit.]*

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