

**REPORT**  
**ST. LOUIS COUNTY COUNCIL**  
**COMMITTEE OF THE WHOLE**  
**4:00 P.M., TUESDAY, JUNE 16, 2020**  
*Approved 6/23/2020*

The St. Louis County Council met by videoconference as a Committee of the Whole on Tuesday, June 16, 2020 at 4:00 p.m. for the County Council and the public to hear from the Department of Justice Services and from Procurement regarding Bill #109, 2020. This legislation is currently before the Council on the Perfection Order of Business and would authorize the County Executive to execute a contract with Trinity Services Group, Inc. for operation of food services and vocational programs at the Buzz Westfall Justice Center.

**ATTENDANCE AT THE MEETING**

Committee Members present were Chairwoman Lisa Clancy, Rochelle Walton Gray, Rita Days, Kelli Dunaway, Tim Fitch, and Mark Harder. Councilman Ernie Trakas attended via phone.

Representatives of St. Louis County Departments present were:

Nathan Hemme	Justice Services
Raul Banasco	Justice Services
Tina Maloney	Justice Services
Charles McKnight	Justice Services
Valerie Nelson	Public Health/Justice Services
Jennifer Keating	Procurement

Diann L. Valenti, Acting Administrative Director for the Council, Gen Frank, Associate County Counselor, Chris Grahn-Howard, Budget Policy Coordinator for the Council, and Chuck Henderson, Information Technology (IT) Manager were also present.

**MEETING CONVENED**

The Chair called the meeting to order at 4:07 p.m. and stated the purpose of the meeting. Chairwoman Clancy stated, "The Committee takes official notice of and admits into evidence all St. Louis County Ordinances and Resolutions."

**INTRODUCTORY REMARKS BY CHAIRWOMAN LISA CLANCY**

Chairwoman Clancy made the following statement: "Before we get into our presentation, I do want to note for everyone that some of the questions that might come up during this meeting are questions that should be in a closed session, and if it is recommended by this Council, we can do

**Introductory Remarks by Chairwoman Lisa Clancy – Continued**

a closed session next week. I have asked our County Counselor’s office to let us know if we start to veer into topics that are actually closed records regarding some of the specifics of the RFP responses. So I want everyone to be aware of that and think about that as you ask questions and as we engage in our discussion. And if anything does come up that would be for a closed session, we will note that and consider doing a closed session at a later time.”

**PRESENTATION – MR. NATHAN HEMME, ACCOUNTING MANAGER, JUSTICE SERVICES**

The Chair recognized Mr. Nathan Hemme, Accounting Manager for the Department of Justice Services (Justice Services) and asked Mr. Hemme to share an overview of the bidding process.

Mr. Hemme stated once Justice Services submitted the determination of procurement documentation, known as the P101 document, regarding the request in question to Procurement, Procurement recommended the RFP (Request for Proposal) process be utilized for this contract. Given the contract amount was for more than \$100,000, County Council approval was required and was obtained during the February 4, 2020 Council Meeting (Other Communications Item No. 16 on the corresponding agenda). The RFP was then formally posted with a due date of February 26, 2020 for the proposals. Mr. Raul Banasco, Director of Justice Services, selected four County employees—Mr. Hemme, Ms. Tina Maloney, superintendent of Administration for Justice Services, Major Charles McKnight, a major in the secure perimeter, and Ms. Valerie Nelson, from the Department of Public Health in the Corrections Medicine division of Justice Services—for the evaluation committee (the committee). Mr. John Tigert, the procurement manager at that time, approved the scoresheet, as submitted by the committee members.

Mr. Hemme stated that the County received written proposals from the current vendor, Summit Food Service (Summit), Trinity Services Group, Inc. (Trinity), and Aramark Corporation. Each vendor was then allowed one hour to present their proposals and to answer any questions from the committee. Additionally, the vendors provided sample inmate meals and sample staff dining meals for the committee. All four committee members, as well as Mr. Tigert, were present for each of the vendor’s presentation sessions, which took place in March 2020.

The evaluation committee, as well as Jennifer Keating, Acting Director of the Department of Procurement following Mr. Tigert’s departure from the County, met in order to score the proposals utilizing the approved RFP evaluation scoresheet. Each of the four committee members scored the proposals independently based on the following criteria: technical qualifications (15%), staff experience (10%), M/WBE (Minority/Women-owned Business Enterprises) certification (15%), capability, capacity & plan (10%), ability to meet project deadlines (10%), cost of food (10%), vocational program (5%), and overall completeness and clarity of the proposal (5%). Mr. Hemme noted the cost of food was the only criteria in which they used a formula per the purchasing guidelines (lowest price proposal divided by the proposer’s price times the weight of 10%).

**Presentation – Mr. Hemme, Justice Services – Continued**

Trinity received the highest average score; therefore, the committee recommended Trinity to Mr. Banasco. In turn, he then recommended Trinity to Ms. Keating on April 6, 2020. The request for corresponding legislation was submitted to the County Executive on April 24, 2020 which then appeared on the April 28, 2020 Council Meeting Agenda as Other Communications Item No. 5.

Mr. Hemme stated that Justice Services provided additional information regarding references as well as information regarding issues raised by a constituent, Mr. Tom Sullivan, and the public to the Council on May 11, 2020. He noted that was the last communication with the Council pertaining to this contract.

Mr. Hemme addressed Trinity's reference from the Monroe County Sheriff, which has a jail population of approximately 1,400, stating they gave Trinity a score of 8.6 out of 10. Following the receipt of said scoring, St. Louis County received two additional references including one from the Galveston County Sheriff (jail population: 950) with a score of 9.16 out of 10 and one from the Davidson County Sheriff (jail population: 1,250) with a score of 10 out of 10. Mr. Hemme noted Trinity is the current provider for all three of the above-named counties.

Mr. Hemme addressed the issues as raised by Mr. Sullivan. First, he noted that some of the issues were pertaining to departments of corrections (DOC) which are much larger agencies and serve many more inmates comparatively speaking. For example, Arizona DOC houses approximately 42,000 inmates and Michigan DOC houses approximately 41,000, whereas the County's current population is approximately 800 with a capacity for 1,200. Mr. Hemme explained given the population numbers, Justice Services does not feel the issues raised will be applicable to the County. Mr. Hemme noted Justice Services provided the Council with Trinity's responses pertaining to some of the other issues raised by Mr. Sullivan.

Mr. Hemme stated Justice Services is requesting a one-year contract, and further stated they will have ongoing monitoring in place which will include frequent surveys to be completed by the inmates as well as staff.

He explained that all menus are planned by the contractor in accordance with the National Research Council and the ACA (American Correctional Association) recommended dietary allowance. He stated that the contractor's menu should provide a variety of foods and adequate amounts to meet the recommended daily allowance and the ACA standards. Additionally, the menus should include a variety of flavors, textures, temperatures and appearances. The contractor shall also provide a method to monitor inmate preferences and make adjustments as a result of those preferences. Mr. Hemme noted that a lieutenant was just reassigned to oversee the kitchen officers and to monitor the quality.

Mr. Hemme stated the committee feels that Trinity offered the best overall proposals. He welcomed any questions from the Council at this time.

**DISCUSSION, COMMENTS, QUESTIONS – COMMITTEE MEMBERS**

Chairwoman Clancy opened the discussion up to the Council members.

Councilwoman Days asked if the committee or the department looked into the other prisons or allegations, as referenced, prior to the information being presented by Mr. Sullivan. Mr. Banasco replied and explained that based on his 32 years of experience working in the prison systems, he's learned that when contracting with a big prison system, there are a lot of intricacies involved. He further explained dealing with prison systems and dealing with jail systems involves "two totally different sets of dynamics" due to the prison population and related cost factors. With that in mind, he stated there will always be at least a slight difference in the delivery of services. Mr. Banasco further stated that the evaluation committee focused on detention centers or jails with comparable populations to better know how the vendor would respond to the County's needs. Mr. Banasco also explained they decided to begin with a one-year contract and put the aforementioned lieutenant in place now to begin monitoring services.

Councilwoman Days inquired as to whether or not anyone looked into the issues reported by the Weber County jail in Utah or if they acquired more information about the quality of food from any other facility, be it large or small, contracted with Trinity. Mr. Hemme stated they spoke with Trinity and Trinity stated they fired a senior management staff at the facility in Utah. He further stated they did report temperature issues, however, as written by Trinity, "no maggots were ever found."

Councilwoman Days asked if the committee contacted Weber County or if they only contacted Trinity regarding said allegations and concerns. Mr. Hemme stated they contacted Trinity after they completed the scoring process and recommended the proposal. Councilwoman Days voiced her concern noting Trinity may not provide an adequate review of themselves or verify the information when trying to secure a contract. **Mr. Banasco stated they can and will follow up with Weber County.**

Councilwoman Days noted she is concerned about the quality of food served to the inmates but also stated she understands that Mr. Banasco wants to ensure the staff have access to high-quality food within the building as well. Mr. Banasco explained their focus is the inmates, the staff, and the vocational program. He stated the quality of the food for the inmates is paramount. He noted they've had issues and concerns regarding the nutritional value of the meals recently; hence the decision to include Ms. Nelson, who works on the medical side of the things.

Councilman Fitch asked Mr. Banasco who determines how the scores are weighted during the scoring process. Mr. Banasco deferred to Mr. Hemme since he chaired the RFP process. Mr. Hemme stated the committee made those determinations based on prior RFPs and their priorities. Councilman Fitch asked if the vendors' histories with other entities was given consideration during the scoring process. Mr. Hemme stated the vendors' histories were included under the category of industry experience and references including, but not limited to BBB (Better Business Bureau) ratings and lawsuits, which comprised 15% of the score.

**Discussion, Comments, Questions – Committee Members – Continued**

Councilman Fitch referenced Councilwoman Days' statements regarding the approach and contacts for following up on the reported allegations and concerns, and compared it to a situation in which Bi-State contracted with a security company, but also asked that same security company their opinion regarding concerns raised about them in a news piece in *USA Today*. He explained that as one would expect, the security company reported the concerns addressed in the news piece were all bogus. With that, Councilman Fitch confirmed that Justice Services had not reached out to any of the jails or detention centers that reported the concerns about Trinity. Mr. Hemme stated they have not reached out to the facility in Utah. He did, however, note that Galveston County submitted a positive written reference. **Mr. Banasco stated they will follow up with the facility in question (located in Utah).**

Councilman Fitch asked who decides which agencies submit references. Mr. Hemme explained the vendors provided a list of current and former clients in their respective proposals. The committee contacted several of those clients on the list and Mr. Hemme stated they received several responses. Councilman Fitch asked if the County received any negative responses regarding Trinity. Mr. Hemme said, "No," and confirmed all of the responses they received pertaining to Trinity were positive.

Councilman Harder asked how much the County is paying per year under the terms of the current contract with Summit. Mr. Banasco noted the contract expired since the RFP process did not move forward as quickly as expected so the County and Summit agreed to an emergency extension through mid-August. Under the contract for the emergency extension, the costs are higher since Summit raised the cost to \$1.36 from \$1.28 per meal, noting they did not change the quality of the food. Mr. Hemme explained the County does receive a credit through the equipment maintenance fund which essentially equates to 15¢ credit per meal. Councilman Harder confirmed that the inmates each get three meals per day and that there are currently approximately 800 inmates. Mr. Banasco confirmed those numbers are correct but noted the 800 doesn't account for individuals in intake and booking so that number fluctuates on a daily basis.

Councilman Harder stated that based on those numbers, 800 inmates receiving 3 meals a day, and the proposed contract with Trinity, the cost would be approximately \$2.33 per meal. Mr. Banasco reiterated the information regarding the 15¢ credit per meal. Given all the information communicated, Councilman Harder asked what the cost per meal will be under the contract with Trinity. Mr. Hemme stated during the first year, it will cost \$1.285 per inmate meal and \$4.00 per staff meal before factoring in the 15¢ credit. He then stated the contract has a 3% maximum increase which is based on the Consumer Price Index.

Councilman Harder asked if the staff receive a better meal given the price difference. Mr. Banasco explained staff will have different food available to them. He noted due to the quality of food, there are only six to seven staff who eat in the staff dining hall each day at this time. The Councilman then asked Mr. Banasco if he thinks more staff will eat there each day under the new contract. Mr. Banasco explained there is a provision in the contract in which the provider agrees to improve the overall staff dining area including food options, infrastructure, equipment, etc. Mr. Hemme stated Trinity is proposing a \$150,000 investment in the staff dining.

**Discussion, Comments, Questions – Committee Members – Continued**

Councilman Harder asked if inmates work in food service in the staff dining area. Mr. Banasco clarified that inmates currently prepare the inmates' meals and are essentially compensated via comped commissary items. He specifically noted that inmates do not prepare staff meals. Staff currently prepares staff meals downstairs but then takes them up to the staff dining area. Under the new contract, staff will prepare staff meals in the upstairs kitchen. Additionally, the inmates will have a vocational program in which the contractor will bear the cost for compensating the inmates who work in the kitchen. Councilman Harder asked how many inmates will work in the kitchen under the new contract. Mr. Banasco stated there is an average of 20 to 80 inmates working in the kitchen. Councilman Harder inquired as to the current compensation process for those inmates who work in the kitchen. Mr. Banasco explained the Department currently credit their commissary accounts with \$5 to \$8, which comes out of the Department's budget. Under the new contract, the vendor will be responsible for the compensation costs. Additionally, Mr. Banasco noted the new contract provides for a vocational program for the inmates, as opposed to the current contract which does not provide for any type of vocational program. He stated it is important for some of the individuals to receive such training and receive their ServSafe certification so they can obtain employment upon their release.

At this time, Gen Frank, Associate County Counselor, noted that details, terms and conditions in the potential contract have not yet been finalized. Chairwoman Clancy asked if such details should be considered and discussed in a closed session. Ms. Frank recommended discussing specific terms and conditions of a potential contract in a closed session.

Councilwoman Dunaway asked how long it takes for an RFP originating from Justice Services to result in a fully executed contract. Mr. Hemme stated that it usually takes about 16 weeks. The Councilwoman then asked how many service providers are currently providing services without a corresponding contract for Justice Services. Mr. Banasco stated all the current service providers are under contract albeit some of them are extended contracts or temporary arrangements due to various reasons such as the COVID pandemic.

Councilwoman Dunaway voiced concern about the seemingly ongoing issue with Justice Services paying higher fees due to the need for extending contracts and asked what is being done to address said ongoing issue. Mr. Banasco noted that he can speak for the food service contract and explained the process was moving in a timely fashion until the COVID pandemic. He further stated that in a discussion with Chairwoman Clancy, he indicated that rather than planning for typical 16-week process, they may begin to plan for 25 weeks to allow for more of a buffer in order to better contend with any unknowns.

Following some more discussion regarding contracts with Justice Services, Ms. Frank reminded the Committee that they may want to "be careful about going beyond the scope of the posted purpose of this meeting."

**Discussion, Comments, Questions – Committee Members – Continued**

Councilwoman Days noted that most of the concerns pertaining to Trinity’s services were not regarding the vocational program, and asked if Trinity provides such a program for any of other facilities. Mr. Hemme responded in the affirmative. **He and Mr. Banasco stated they will provide information to the Council as to which facilities utilize Trinity for the vocational program(s).**

Councilwoman Days reiterated Councilwoman Dunaway’s concerns regarding the need to extend the food service contract, noting the fact that constituents had to bring forth concerns indicates someone did not do their due diligence in the process. She requested that the Council receive both the good and the bad information so that they can make their own determination. Doing so, she noted, will also help prevent delays in the process. **In addition to the previous requests for information, Councilwoman Days requested more information pertaining to the challenges related to Trinity in other facilities. Furthermore, she would like details as to how the facility, or facilities, as well as Trinity addressed those issues or concerns.**

Chairwoman Clancy asked if the Justice Services Advisory Board had any role in the process to select Trinity. Mr. Banasco replied that they absolutely did not have any role in the process.

Councilwoman Days asked for Mr. Banasco and the committee to reiterate what information they will be following up on and providing to the Council. Mr. Banasco stated they will complete follow-up regarding the following:

- Details and feedback regarding the negative reports from the facility in Utah
- Details and feedback the other two DOC facilities referenced during the discussion
- Details and feedback regarding Trinity’s provision of a vocational program from all the facilities that did reply to the initial communication
- Details regarding how the facilities addressed the concerns or issues with Trinity

**PUBLIC COMMENTS – OTHER INTERESTED PERSONS**

Chairwoman Clancy asked the Acting Administrative Director to read the public comments at this time. Acting Administrative Director Diann Valenti read the following public comment, as submitted.

Mr. Tom Sullivan, 751 Syracuse, University City, MO 63130: “There are still questions about the proposed \$2 million contract with Trinity Services Group, Inc. to provide food services and vocational programs for the County Jail. There are even more questions about how Trinity was selected. Justice Services Director Raul Banasco has not been forthcoming in answering questions. Also, the Justice Services Advisory Board has not provided any input into the contract and it has to wondered why. Mr. Banasco has refused to provide a list of board members and their emails. I have asked my council member, Lisa Clancy, to get the list for me but she has not done

**Public Comments – Other Interested Persons – Continued**

so. In addition, there are questions about Mr. Banasco's relationship with Trinity and the firm that owns them. That needs to be looked into. It seems there are many things about the director's past that are not known in St. Louis County. Thank you for listening to my comments.”

There being no other public comments, the Committee proceeded with the next item on the Order of Business.

**DISCUSSION AND ADJOURNMENT**

Councilman Trakas asked Mr. Banasco if he could expand on the concerns mentioned in Mr. Sullivan’s public comment, especially pertaining to the length and nature of Mr. Banasco’s relationship with Trinity. Mr. Banasco stated he does not have any relationship with Trinity, noting he is removed from the RFP process and he simply makes his recommendation to the County Executive and County Council based on the committee’s recommendation. Councilman Trakas asked Mr. Banasco if he had any influence on the process or decision to select Trinity in any way, shape or form. Mr. Banasco confirmed that he did not have any influence in that process or decision.

Councilwoman Walton Gray confirmed that the Justice Services Advisory Board also was not involved in the process. Mr. Banasco explained that during the Advisory Board’s monthly meetings, they discuss upcoming projects but they were not part of the RFP process.

Mr. Banasco also referenced Mr. Sullivan’s statements regarding contact information for the Advisory Board’s members, stating he forwards Mr. Sullivan’s requests for information to the legal department. Since the members are not County employees, their email addresses and other contact information are not public record.

Councilman Fitch asked Mr. Banasco why he removed himself from the entire selection process. Mr. Banasco stated the RFP process falls to the RFP committee, and therefore, he takes recommendations from said committee(s). The Councilman then asked of the four committee members, how many work for him. Mr. Banasco stated three of them work on his team in different jurisdictions, noting that Ms. Nelson works for the Department of Public Health.

Chairwoman Clancy confirmed that there is an up-to-date list of the Justice Services Advisory Board members on the County website.

The Chairwoman asked Mr. Banasco when the Advisory Board last met. Mr. Banasco confirmed they met in May via Zoom and stated they will meet again on the fourth Friday of this month as well.



**Discussion and Adjournment – Continued**

Council Member Harder moved to adjourn the meeting. Council Member Fitch seconded the motion. The motion passed unanimously and the Chair declared the meeting adjourned at 4:59 p.m.

**MEMBERS OF THE COMMITTEE**

Chair Lisa Clancy

Rita Days

Kelli Dunaway

Tim Fitch

Rochelle Walton Gray

Ernie Trakas

Mark Harder