

RESOLUTION NO. 24-135

RESOLUTION OF THE MENDOCINO COUNTY BOARD OF SUPERVISORS REGARDING UTILIZATION OF MEASURE B FUNDS TO FACILITATE CONSTRUCTION OF THE BEHAVIORAL HEALTH WING OF THE MENDOCINO COUNTY JAIL WITH COMMITMENT TO REPLENISH MEASURE B FUNDS WITH INTEREST OF TWO AND ONE-HALF PERCENT

WHEREAS, on October 31, 2023, the Mendocino County Board of Supervisors, directed the Chief Executive Officer to bring forward an item outlining a detailed plan facilitate construction of the Behavioral Health Wing (SB844 Jail Building) of the Mendocino County Jail (the "Behavioral Health Wing") by identifying funds to be used as a grant match in an amount up to seven million dollars (\$7,000,000); and

WHEREAS, the Behavioral Health Wing is being constructed to provide additional behavioral health and mental health services as well as addiction treatment programs ("Treatment Programs") to incarcerated individuals; and

WHEREAS, the Treatment Programs are intended to be part of a community-wide effort to provide additional behavioral health and mental health services as well as addiction treatment programs for the citizens of Mendocino County; and

WHEREAS, Measure B provides funding to provide for the necessary infrastructure to support and stabilize individuals with behavioral health conditions, including addiction and neurological disorders; and

WHEREAS, Measure B provides that, for a period of five (5) years, a maximum of 75% of the revenue deposited into the Mental Health Treatment Fund may be used for facilities, with not less than 25% dedicated to services and treatment; and

WHEREAS, the Behavioral Health Wing is a facility that will be dedicated to Treatment Programs; and

WHEREAS, on April 9, 2024, the Board of Supervisors, received information and proposed terms from the Acting Auditor-Controller/Treasurer-Tax Collector regarding utilization of Measure B Funds to facilitate construction of the Behavioral Health Wing of the Mendocino County Jail and directed staff regarding utilizing Measure B Funds with the intent that those funds would later be used for other permissible uses allowable under Measure B; and

WHEREAS, the Measure B Fund currently has a surplus which is included in the County Treasury pool; and

WHEREAS, the Measure B Fund surplus currently receives interest at the rate of two percent (2%) per year which is based on the pooled interest rate for Quarter 2 Fiscal Year 2023/24; and

WHEREAS, the County's Pension Obligation Bond expense will terminate on June 30, 2027, which could provide an opportunity as of FY 2027-2028 to replenish the Measure B Fund and permit replenishment of the Measure B Funds by FY 2028-2029; and

WHEREAS, it is the intent of the Board of Supervisors to replenish the utilized funds in accordance with the terms in Exhibit A in order for funds to be used for other permissible activities under Measure B, and to replenish the Measure B Fund with interest of two and one-half percent (2.5%), more than the Measure B Fund is receiving from the County Treasury pool; and

WHEREAS, the Board now wishes to memorialize its commitment that the Measure B Funds be replenished in accordance with the schedule and terms attached as Exhibit "A" hereto and incorporated herein;

NOW, THEREFORE, the Board of Supervisors hereby approves the utilization of Measure B Funds according to the following provisions:

1. Purpose of Utilization of the Funds: To provide Seven Million and no/100 Dollars (\$7,000,000) as matching funds to construct the Behavioral Health Wing which will provide Treatment Services.
2. Replenishment Period: The intent of this resolution is to replenish the funds from the Measure B Fund utilized to construct the Behavioral Health Wing on or before September 15, 2034.
3. Interest: Replenishment of the funds is intended to include payment of interest at the rate of 2.50% (per annum) as shown in **Exhibit A**.
4. Replenishment Schedule: The replenishment schedule anticipates that first replenishment transfer will occur by September 15 of each fiscal year commencing with Fiscal Year 2025-2026.

The foregoing Resolution introduced by Supervisor Haschak, seconded by Supervisor Gjerde, and carried this 10th day of September, 2024, by the following vote:

AYES: Supervisors McGourty, Mulheren, Haschak, Gjerde and Williams
NOES: None
ABSENT: None

WHEREUPON, the Chair declared said Resolution adopted and SO ORDERED.

ATTEST: DARCIE ANTLE
Clerk of the Board

MAUREEN MULHEREN, Chair
Mendocino County Board of Supervisors

Deputy

I hereby certify that according to the provisions of Government Code Section 25103, delivery of this document has been made.

APPROVED AS TO FORM:
CHARLOTTE E. SCOTT
County Counsel

BY: DARCIE ANTLE
Clerk of the Board

Deputy