

## RESOLUTION NO. 21-027

### **RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF MENDOCINO APPROVING, AUTHORIZING AND DIRECTING THE EXECUTION AND DELIVERY OF A GROUND LEASE AND RELATED DOCUMENTS IN CONNECTION WITH THE FINANCING OF THE SB 844 PROJECT AND OTHER ACTIONS AND MATTERS RELATING THERETO**

WHEREAS, Senate Bill 844 (Ch. 34, Stats. 2016) appropriates state lease-revenue bond financing authority for the acquisition, design and construction of adult local criminal justice facilities; and

WHEREAS, the Board of State and Community Corrections ("BSCC") issued a Request for Proposals related to the Senate Bill 844 program on December 30, 2016; and

WHEREAS, on February 7, 2017, the Mendocino County Board of Supervisors adopted Resolution No. 17-019, a copy of which is attached hereto as Exhibit A, which authorized the Chief Executive Officer to submit a proposal for funding a new jail facility under Senate Bill 844; and

WHEREAS, on June 8, 2017, Mendocino County was notified by the BSCC that it had received a commitment of funding of up to \$25,000,000, to be used for the construction of a new jail facility on County property located adjacent to the existing County jail (the "SB 844 Project"); and

WHEREAS, there has been presented to the Clerk of the Board of Supervisors for this meeting the proposed form of a Ground Lease and related documents between the County and the State of California for the purpose of effectuating the financing authorized by Senate Bill 844 for the construction of the SB 844 Project; and

WHEREAS, the County is authorized to enter into such Ground Lease and related documents pursuant to Government Code section 15820.944.

NOW, THEREFORE, IT IS RESOLVED, DETERMINED AND ORDERED, by the Board of Supervisors of the County of Mendocino (the "Board"), as follows:

Section 1. Findings and Determinations. The Board hereby finds and determines that the foregoing recitals are true and correct.

Section 2. Approval of Documents. The Board hereby approves the Ground Lease and related documents required to effectuate the financing authorized by Senate Bill 844 and awarded to Mendocino County for the purpose of constructing the SB 844 Project in substantially the respective forms on file with the Clerk to the Board together with such additions thereto and changes therein as the Chief Executive Officer shall deem necessary, desirable or appropriate to effectuate the financing authorized by Senate Bill 844, the execution of which by the County, shall be conclusive evidence of the approval of any such additions and changes.

The Chief Executive Officer is hereby authorized and directed to execute, and the Clerk to the Board is hereby authorized and directed to attest and affix the seal of the County to, the final form of the Ground Lease and related documents for and in the name and on behalf of the County. The County hereby authorizes the delivery and performance of such agreements.

Section 3. General Authorization. The County's Chief Executive Officer is hereby authorized and directed, for and in the name of and on behalf of the County, to take such actions, and to execute such agreements, documents, instruments, and certificates as may be necessary to effectuate the purposes of this Resolution.

Section 4. Official Actions. The Chief Executive Officer is hereby authorized and directed, for and in the name and on behalf of the County, to do any and all things and take any and all actions, including execution and delivery of any and all assignments, certificates, requisitions, agreements, notices, consents, instruments of conveyance, warrants and other documents, which he or she may deem necessary or advisable in order to effectuate the financing authorized by Senate Bill 844 for the construction of the SB 844 Project and the consummation and continuing administration of the transactions as described herein.

The foregoing Resolution introduced by Supervisor Williams, seconded by Supervisor Haschak, and carried this 9<sup>th</sup> day of March, 2021, 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: CARMEL J. ANGELO  
Clerk of the Board

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DAN GJERDE, Chair  
Mendocino County Board of Supervisors

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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:*  
CHRISTIAN M. CURTIS  
County Counsel

BY: CARMEL J. ANGELO  
Clerk of the Board

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Deputy