



Mendocino County

Legislation Details (With Text)

File #: 21-0294 **Version:** 1 **Name:**
Type: Approval **Status:** Consent Agenda
File created: 2/23/2021 **In control:** Executive Office
On agenda: 3/9/2021 **Final action:**
Title: Adoption of Resolution Approving, Authorizing and Directing the Execution and Delivery of a Ground Lease and Related Documents in Connection with the Financing of the SB 844 (New Jail) Project and Other Actions and Matters Relating Thereto

Sponsors:

Indexes:

Code sections:

Attachments: 1. Resolution 21-027, 2. 03-05-21 REVISED SB 844 - Ground Lease Resolution - 3.9 - final, 3. 03-05-21 REVISED SB 844 - Ground Lease Resolution - 3.9 - redline, 4. SB 844 - Ground Lease Resolution - 3.9.pdf, 5. Reso 17-019, 6. Mendocino SB 844 Easement Agreement (FINAL) clean, 7. Mendocino SB 844 Ground Lease (FINAL) clean, 8. Mendocino SB 844 Right of Entry Agreement (FINAL)

| Date | Ver. | Action By | Action | Result |
|----------|------|----------------------|--------|--------|
| 3/9/2021 | 1 | Board of Supervisors | | |

To: Board of Supervisors

From: Executive Office

Meeting Date: March 9, 2021

Department Contact: Steve Dunncliff
Department Contact: Matt Kiedrowski

Phone: 463-4441
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Item Type: Consent Agenda

Time Allocated for Item: N/A

Agenda Title:

Adoption of Resolution Approving, Authorizing and Directing the Execution and Delivery of a Ground Lease and Related Documents in Connection with the Financing of the SB 844 (New Jail) Project and Other Actions and Matters Relating Thereto

Recommended Action/Motion:

Adopt Resolution approving, authorizing and directing the execution and delivery of a ground lease and related documents in connection with the financing of the SB 844 (new jail) Project and other actions and matters relating thereto; and authorize Chair to sign same.

Previous Board/Board Committee Actions:

On February 7, 2017, Resolution 17-019 authorized submittal of a proposal for funding through the Adult Local Criminal Justice Facilities Construction Financing Program (Senate Bill 844) for additional specialty housing and expanded program, training, and mental healthcare space at the County jail and authorized an appropriation for the local match portion of the project of approximately \$1.047 million. The County's proposal was ultimately successful in securing \$25 million in state reimbursement. On December 19, 2017, an

agreement was approved with Nacht & Lewis, in the amount of \$2.901 million, for architectural services related to this project. On April 24, 2018, a modification to the project location was approved with a local match increase of approximately \$1,000,000. FY 19-20 budget included an additional \$500,000 appropriation to increase the local match to this project, the total cost of which is approximately \$27,547,000. On October 1, 2019, the Board approved a Construction Management Contract Award to Vanir and requested additional information regarding insulation and mechanical systems in the new building. The Board requested an energy assessment of this new facility, and decided to utilize electric heat pumps with increased expense as a carbon reduction strategy. On February 9, 2021 the Board approved modification of land pledged by the County as security for Certificates of Participation issued in 2012, so the footprint of this new project was not otherwise encumbered and available as security for the State's new funding.

Summary of Request:

On June 20, 2014, the Governor signed Senate Bill 863, which authorized the State Public Works Board to issue up to \$500,000,000 in revenue bonds, notes, or bond anticipation notes to finance the acquisition, design, and construction of approved adult local criminal justice facilities, and would continuously appropriate the funds for those purposes. The purpose of this funding is to build custodial housing, reentry, program, mental health, or treatment space necessary to manage the adult offender population. In 2016, Senate Bill 844 (SB844) was adopted which increased the funding by an additional \$270,000,000, to be distributed to counties that have not previously been funded through the program.

As a designated "small" jurisdiction, Mendocino County applied for and received this maximum award for design and construction of a 21,000 square foot stand-alone, one story building with a sloped roof system. The project is adjacent to the existing jail facility and it will provide housing, programming, medical and mental health treatment space and a new public visiting center. Housing will include 60 maximum-security beds, a safety cell, recreation yards, central control, medical exam room, dental exam room, clinical suite, program/group rooms and staff support space.

This Resolution authorizes the Chief Executive Officer or a Deputy Chief Executive Officer to execute documents with the State, including a ground lease and related documents for financing purposes to finalize the \$25 million dollar award and allow the County to begin drawing down this funding as construction proceeds.

Alternative Action/Motion:

Provide direction to staff.

Supervisory District: All

vote requirement: Majority

Supplemental Information Available Online At: N/A

Fiscal Details:

source of funding: BU 1712

current f/y cost: N/A

annual recurring cost: N/A

budgeted in current f/y: Yes

if no, please describe:

revenue agreement: Choose an item.

budget clarification: In addition to the \$25 million committed by the State for this building, \$2.5 million has set aside by the Board as local match for this project. Subsequent to the construction cost estimate of \$27.5 mil the Board elected to invest an additional \$40,000 for an energy assessment of the facility, and then elected to use heat pumps as a carbon reduction strategy. The total cost of this effort to understand and reduce carbon is estimated to add \$250,000 to the cost of this project; at this time no additional local funding has been contributed to back the additional expense.

Agreement/Resolution/Ordinance Approved by County Counsel: Yes

CEO Liaison: Executive Office

CEO Review: Yes

CEO Comments:

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Executed By: Atlas Pearson, Deputy Clerk I

Date: March 11, 2021

Final Status:**Adopted**

Executed Item Type: **Resolution** Number: 21-027

