



Mendocino County

Legislation Text

File #: 20-1160, **Version:** 1

To: Board of Supervisors

From: Executive Office

Meeting Date: January 5, 2021

Department Contact: Steve Dunncliff

Phone: 463-4441

Item Type: Consent Agenda

Time Allocated for Item: N/A

Agenda Title:

Approve the Granting of Two Easements Across County Property Located at Intersection of Low Gap Road and Bush St (501 Low Gap Road) to the City of Ukiah for Public Utility Purposes, Finding That the Conveyance is in the Public Interest and that the Interest in the Land Conveyed Will Not Substantially Conflict or Interfere with the Use of the Property By the County

Recommended Action/Motion:

Approve the granting of two easements across County Property located at intersection of Low Gap Road and Bush St (501 Low Gap Road) to the City of Ukiah for public utility purposes, finding that the conveyance is in the public interest and that the interest in land conveyed will not substantially conflict or interfere with the use of the property by the County, and authorize Chair to execute same.

Previous Board/Board Committee Actions:

On September 23, 2013 and again on August 4, 2015, resolutions were authorized to pursue grant funding for jail improvements; these applications were unsuccessful. 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. The County's proposal was ultimately successful in securing \$25 million in state reimbursement; this item also authorized local match of approximately \$1.047 million. 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 \$500,000 increase in local match to this project for a total of 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 ultimately elected to utilize electric heat pumps with increased expense as a carbon reduction strategy.

Summary of Request:

Approval of two separate easements officially granting access for the City of Ukiah to operate and maintain existing sewer infrastructure on land owned by the County as part of the Administration Center at the corner of Low Gap and Bush St (501 Low Gap). One of these easements is for existing sewer lines serving the jail; the second easement is for an existing sewer main which runs along the side of Low Gap Road. Sewer infrastructure has been in these locations and operating for decades. Board approval of these easements for

existing sewer infrastructure will satisfy a concern raised by the State.

Government Code section 25526.6 authorizes the Board to grant or convey interests in County real property, including easements, upon a finding by the Board that the conveyance is in the public interest and that the interest in land conveyed will not substantially conflict with or interfere with the use of the property by the County. The granting of these easements merely recognizes the existence of City infrastructure on County property. The service of the Sheriff's Office buildings and jail by the City's sewer system is in the public interest. The sewer lines at issue are generally under unimproved property, including portions of a parking lot, and the easements reserve the right of the County to use the real property so long as such use does not unduly obstruct or interfere with the use of the easement. These factors support the findings required by the statute. This agenda item provides the authorization needed from the Board of Supervisors to allow for the granting of easements across County property. These easements also cross property encumbered by the 2012 Certificates of Participation. At a future meeting of the Board, proposed modifications to the various documents related to the 2012 Certificates of Participation (for purposes of facilitating the funding of the new jail building) will include making these easements permitted encumbrances under those documents. These easements will only be executed and presented to the City for its acceptance and recording following their inclusion as permitted encumbrances.

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: No

budget clarification: There is no specific cost associated with granting these easements. With regard to the project, in addition to the \$25 million committed by the State for this building, \$2.5 million has been set aside by the Board as local match for this project. Subsequent to the construction cost estimate of \$27.5 million, the Board elected to invest an additional \$40,000 for an energy assessment of the facility, and then elected to utilize 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 backfill additional expense.

Agreement/Resolution/Ordinance Approved by County Counsel: Yes

CEO Liaison: Executive Office

CEO Review: Choose an item.

CEO Comments:

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Executed By: Atlas Pearson, Deputy Clerk I

Final Status: Approved

Date: JANUARY 8, 2021

