



# Monterey County

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## Board Report

Legistar File Number: A 16-023

January 26, 2016

**Introduced:** 1/21/2016

**Version:** 1

**Current Status:** Agenda Ready

**Matter Type:** BoS Agreement

Authorize the Chair of the Board of Supervisors to execute the following agreements with the Department of Corrections and Rehabilitation of the State of California: 1) Ground Lease For a Youthful Offender Rehabilitative Facility Located in County of Monterey; 2) Easement Agreement for Grants of Access, Utilities and Repairs; and 3) Right of Entry for Construction and Operation for the New Juvenile Hall Project under the terms of SB 81: Local Youthful Offender Rehabilitative Facility Financing Program.

### RECOMMENDATION:

Authorize the Chair of the Board of Supervisors to execute the following agreements with the Department of Corrections and Rehabilitation of the State of California: 1) Ground Lease For a Youthful Offender Rehabilitative Facility Located in County of Monterey; 2) Easement Agreement for Grants of Access, Utilities and Repairs; and 3) Right of Entry for Construction and Operation for the New Juvenile Hall Project under the terms of SB 81: Local Youthful Offender Rehabilitative Facility Financing Program.

### SUMMARY/DISCUSSION:

On May 19, 2015 the Board adopted Resolution 15-116 approving the Project Delivery and Construction Agreement (PDCA) with the State Public Works Board, California Department of Corrections and Rehabilitation and the Board of State & Community Corrections (BSCC). Approval of the three agreements listed above are required under the PDCA and necessary for the County to comply with the January 22, 2016 Milestone set by the BSCC for the Monterey County SB 81 Local Youthful Offender Rehabilitative Facility Financing Program. The Ground Lease; Easement Agreement for Grants of Access, Utilities and Repairs; and the Right of Entry for Construction and Operation for the New Juvenile Hall Project to be executed by the Chair are substantially in the form attached, subject to minor revisions by the State, for example to correct the facility type description and the date of execution. The State has extended the Milestone date to January 29, 2016 to allow for time to make the minor corrections requested by the County.

The County is providing approximately \$17.8 Million in hard match and in-kind services and collateral in the form of a "free and clear site" as improved with the new juvenile facility. The County's risk is essentially this collateral, which it would lose only if the State defaults on the payment of the bonds and resorts to the collateral where necessary to pay outstanding bonds.

### OTHER AGENCY INVOLVEMENT:

RMA-Public Works and Probation are working jointly with BSCC to meet all State-mandated milestones to maintain the conditional award and move forward to the Construction Document

phase.

FINANCING:

There is no impact to the General Fund. On January 15, 2013, the Board approved a Five-Year CIP financing plan, which included this Project. In addition to the State grant of \$35 Million, the County has contributed \$17.792 Million from Fund 404 for a total project cost of \$52,791,824.

Prepared by: Prepared by: Donald D. Searle, Architectural Services Manager (831) 755-5061

Approved by: Benny J. Young, Interim Director of Public Works & Facilities

Approved by: Carl P. Holm, RMA Director

Dated: January 20, 2016

Attachments:

Attachment 1: Project Delivery and Construction Agreement SB81 Local Youthful Offender Rehabilitation Facility Financing Program Agreement dated October 9, 2015;

Attachment 2: Ground Lease For a Youthful Offender Rehabilitative Facility Located in County of Monterey;

Attachment 3: Easement Agreement for Grants of Access, Utilities and Repairs; and

Attachment 4: Right of Entry for Construction and Operation for the New Juvenile Hall Project