

**Before the Board of Supervisors in and for the
County of Monterey, State of California**

Resolution No. _____

Resolution authorizing acceptance of additional State funding, proceeding with 576 bed Project, amendment and entry into professional service agreements, approving County matching funds, and further actions in relation to the Jail Housing Addition Project, Project 8819:

- a. Accept additional State of California conditional funding in the amount of \$43,705,000 (total funding of \$80 Million);
- b. Increase the Project from a 288 to a 576 medium-security bed facility with essential administrative and support space improvements;
- c. Approve additional minimum matching funds of \$4,867,222 (total cash and in-kind match of \$8,900,000);
- d. Authorize the negotiation of an amendment of the architectural Professional Services Agreement with Lionakis to encompass full conditional award milestones (not-to-exceed an additional amount of \$3,500,000);
- e. Authorize the taking of such other further actions as may be necessary or appropriate to meet the State's milestone requirements for design submissions under AB 900 Phase II funding program;
- f. Authorize the negotiation and execution of an amendment for professional services with HMC Architects or an agreement with EMC Planning to complete an Environmental Impact Report for the State full conditional award (not-to-exceed amount of \$400,000); and
- g. Authorize negotiation of and enter into an agreement with Kitchell CEM for Project Management Services to comply with State full conditional award milestones (not-to-exceed amount of \$2 Million)

WHEREAS, the existing Monterey County Jail lacks sufficient beds to adequately house felons sentenced with criminal sanctions in Monterey County, the Jail primarily containing dormitory beds unsuitable for the more dangerous felons currently housed, and experiencing high occupancy counts;

WHEREAS, the State legislature, through AB 900 ("Public Safety and Offender Rehabilitation Services Act of 2007"), has authorized the Department of Corrections, through agreement with participating counties, to acquire land, design, construct, and expand detention facilities;

WHEREAS, the Board of Supervisors on December 6, 2011, approved Board Resolution No. 11-377 authorizing Sheriff Scott K. Miller to sign and submit an application for a local adult detention facility AB 900 construction grant in the amount of \$80 Million, and made other necessary and appropriate findings and declarations supporting the AB 900 construction grant application;

WHEREAS, the application was submitted and found worthy of funding at the Corrections Standards Authority (CSA) Board Meeting on March 8, 2012;

WHEREAS, on July 26, 2012, the Board of State and Community Corrections (BSCC), previously known as the CSA until renamed on July 1, 2012, voted to approve a conditional funding award of \$36,295,000 toward a \$40,327,778-expansion of the County of Monterey Adult Jail;

WHEREAS, since the March 2012 conditional fund allocation, the State has reallocated unused funds from Phase I conditional awards into Phase II medium-size counties, which now allows the third-ranked county to be fully funded as well as a partial conditional funding award offer to Monterey County;

WHEREAS, in early August 2012, the County submitted an Amended Application, consistent with the new conditional award, to revise the Project scope to the BSCC per the Board's direction on August 9, 2012;

WHEREAS, on August 28, 2012, action by the Board of Supervisors authorized the Jail Housing Addition Project (8819) an expansion of 288 medium-security beds with essential administrative and support space improvements as well as directed staff to begin the process of public outreach, environmental clearance, design, and preparation of construction documents for the Project;

WHEREAS, the BSCC at their September 2012 Board meeting confirmed the project scope changes per the County's Amended Application;

WHEREAS, BSCC's acceptance of the County's Amended Application with revised scope triggered a series of specific milestones activities that the County must comply with in order to maintain the conditional award;

WHEREAS, on September 20, 2013, Senate Bill 365 (SB 365) was presented to Governor Brown for signature and was signed on October 8, 2013, moving AB 900 Phase I funding to AB 900 Phase II and authorizing the BSCC to increase Monterey County's conditional award from \$36,295,000 to the full conditional award of \$80 Million;

WHEREAS, the BSCC Board will vote on this additional conditional award on November 14, 2013; and

WHEREAS, staff is presently seeking the Board's approval of the County's acceptance of the pending conditional funding award offer to allow the County and its Consultants to immediately direct their efforts toward a larger 576-bed-facility scale design.

NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors of the County of Monterey as follows:

- a. Approves the acceptance of additional conditional funding for the Jail Housing Addition Project, Project 8819, in the amount of \$43,705,000, to increase the present Project from a 288 medium-security bed facility to a 576 medium-security bed facility with essential administrative and support space improvements based on the State of California conditional award of \$80 Million;
- b. Approves the additional minimum matching funds in the amount of \$4,867,222 to the previously approved match of \$4,032,778, for a total cash and in-kind match of \$8,900,000;
- c. Authorizes the Sheriff to accept the additional conditional funding award from the Board of State and Community Corrections;
- d. Authorizes the Director of Public Works to negotiate and expand the Professional Services Agreement with Lionakis to increase its scope to comply with State full conditional award milestones, with a not-to-exceed additional amount of \$3,500,000 for additional architectural services;

e. Authorizes and directs the County Administrative Officer, Director of Public Works, and Sheriff to takes such other further actions as may be necessary or appropriate to meet the State's milestone requirements for design submissions as defined under the AB 900 Phase II funding program;

f. Authorizes the Director of Public Works to negotiate and execute an amendment for professional services with HMC Architects or an agreement with EMC Planning to complete an Environmental Impact Report for the State full conditional award, with a not-to-exceed amount of \$400,000; and

g. Authorizes the Director of Public Works to negotiate and enter into an agreement for professional services with Kitchell CEM to provide Project Management Services to comply with State full conditional award milestones, with a not-to-exceed amount of \$2 Million.

PASSED AND ADOPTED on this 5th day of November 2013, by the following vote, to-wit:

AYES:

NOES:

ABSENT:

I, Gail T. Borkowski, Clerk of the Board of Supervisors of the County of Monterey, State of California, hereby certify that the foregoing is a true copy of an original resolution of said Board of Supervisors duly made and entered in the minutes thereof of Minute Book _____, for the meeting on _____.

Dated:

Gail T. Borkowski, Clerk of the Board of Supervisors
County of Monterey, State of California

By _____
, Deputy