



Monterey County

168 West Alisal Street,
1st Floor
Salinas, CA 93901
831.755.5066

Board Order

Upon motion of Supervisor Parker, seconded by Supervisor Armenta and carried by those members present, the Board of Supervisors hereby:

Adopted Resolution 15-130:

- a. Approving the submission of the Certification Agreement to the Green Building Certification Institute (GBCI) for the purpose of initiating the United States Green Building Council (USGBC) Leadership in Energy and Environmental Design (LEED) Certification Program; and
- b. Authorizing the Chair of the Board to sign the Confirmation of Agent's Authority to GBCI authorizing the Director of Public Works or his designee to act as the Owner's Agent for the New Juvenile Hall project for the purposes of processing Project documents to achieve LEED Silver Certification.

PASSED AND ADOPTED on this 9th day of June 2015, by the following vote, to wit:

AYES: Supervisors Armenta, Phillips, Salinas, Parker and Potter
NOES: None
ABSENT: None

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 order of said Board of Supervisors duly made and entered in the minutes thereof of Minute Book 78 for the meeting on June 9, 2015.

Dated: June 12, 2015
File ID: RES 15-056

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

By Denise Hancock
Deputy

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

Resolution No. 15-130

- a. Approving the submission of the Certification Agreement to the Green Building Certification Institute for the purpose of initiating the United States Green Building Council (USGBC) Leadership in Energy and Environmental Design (LEED) Certification Program; and
b. Authorizing the Chair of the Board to sign the Confirmation of Agent's Authority to GBCI authorizing the Director of Public Works or his designee to act as the Owner's Agent for the New Juvenile Hall project for the purposes of processing Project documents to achieve LEED Silver Certification.

WHEREAS, the Preliminary Planning for design of the New Juvenile Hall facility began in February 2014, and it is the County's intent to design a facility fully meeting the Leadership in Energy and Environmental Design (LEED) Silver equivalency requirements of Chapter 18.11 Green Building Standards of Monterey County;

WHEREAS, on August 26, 2014, the Board of Supervisors adopted Board Resolution 14-245, authorizing the expenditure of \$17,791,824 as matching funds for the conditional SB 81 2007 Youthful Offender Rehabilitative Facility Construction Funding Program award of \$35 Million from the State of California for the New Juvenile Hall Project and authorized and directed the County Administrative Officer (CAO), Resource Management Agency (RMA) Director, and the Chief Probation Officer to take such other further actions as may be necessary or appropriate to meet the State's requirements for the award of the SB 81 2007 Youthful Offender Rehabilitative Facility Construction Funding Program;

WHEREAS, design and construction of a facility receiving a LEED Silver certification will result in savings from reduced operating costs, energy consumption, and greenhouse gas emissions of a high-efficiency facility;

WHEREAS, LEED Silver efficiency of the new Juvenile Hall facility operations will also help the County meet its overall energy efficiency requirements, contribute to the Municipal Climate Action Plan (MCAP) that provides for the reduction of Greenhouse Gas (GHG) emissions associated with County operations by 15 percent from 2005 levels by Year 2020, and promote the sustainability of natural resources;

WHEREAS, the County must enter into a Certification Agreement with the Green Building Certification Institute to register and formally establish the Project to receive design and construction reviews of LEED Professionals to determine whether a facility will accumulate sufficient points to obtain a LEED Silver certification;

WHEREAS, the County authorizes the Director of Public Works or his designee to process the Project documents to achieve LEED Silver Certification; and

WHEREAS, GBCI requires an executed *Confirmation of Agent's Authority* from the Owner to enable the Agent to participate in processing documents for the purpose of achieving LEED certification.

NOW THEREFORE BE IT RESOLVED THE MONTEREY COUNTY BOARD OF SUPERVISORS HEREBY

- a. Approves the submission of the Certification Agreement to the Green Building Certification Institute for the purpose of initiating the United States Green Building Council (USGBC) Leadership in Energy and Environmental Design (LEED) Certification Program; and
- b. Authorizes the Chair of the Board to sign the Confirmation of Agent's Authority to GBCI authorizing the Director of Public Works or his designee to act as the Owner's Agent for the New Juvenile Hall project for the purposes of processing Project documents to achieve LEED Silver Certification.

PASSED AND ADOPTED upon motion of Supervisor Potter, seconded by Supervisor Armenta carried this 9th day of June 2015, by the following vote, to wit:

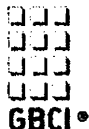
AYES: Supervisors Armenta, Phillips, Salinas, Parker and Potter
NOES: None
ABSENT: None

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 order of said Board of Supervisors duly made and entered in the minutes thereof of Minute Book 78 for the meeting on June 9, 2015.

Dated: June 12, 2015
File Number: RES 15-056

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

By Denise Hancock
Deputy



Green Building Certification Institute™

CONFIRMATION OF AGENT'S AUTHORITY

This Confirmation of Agent's Authority (this "Confirmation"), provided to and for the benefit of GBCI, will be effective upon GBCI's receipt of an executed copy of the same via upload to the "Details" page within the Application. This Confirmation shall be made part of, and subject to, the Certification Agreement, the LEED® Project Certification Agreement, the LEED® Project Application Review Agreement, or the LEED® Volume Certification Services & Licensing Agreement (collectively referred to herein as the "Certification Agreement"), whichever the case may be, by and between Owner and GBCI regarding the Project. All capitalized terms used in this Confirmation and not defined herein shall have the respective meanings ascribed in the Certification Agreement. Any attempt to modify the terms of this form may render it invalid in GBCI's sole discretion.

1. SCOPE OF AUTHORITY. Owner hereby confirms that Agent has been granted authority to accept the Certification Agreement (as amended, supplemented, waived or otherwise modified from time to time by GBCI) in relation to the Project on behalf of Owner with Owner's full knowledge. If Agent has already accepted the Certification Agreement, Owner expressly ratifies such actions as having been performed on Owner's behalf. Owner understands that by providing this Confirmation, Owner shall be bound by the actions of Agent as if the same were taken directly by Owner. If Owner was previously undisclosed (meaning, Agent identified itself as the Owner upon registration), Owner directs GBCI to amend the Application to properly identify Owner.

2. PROJECT. This Confirmation applies to the Project (or to any and all the Projects registered within the Campus, or associated with the Prototype) identified below:

Monterey County New Juvenile Hall (Project, Campus, or Prototype Name)	(DLR Project #75-14125-00, WRD #14023) (ID Number)
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3. OWNER. The Owner, as defined in the Certification Agreement, is identified below:

County of Monterey (Name of Owner)		Simon Salinas, Chair of the Board of Supervisors (Name of Owner's Representative - If Owner is an Organization)	
168 W. Alisal Street 1st Floor (Address)			
Salinas (City)	CA (State)	939001 (Zip Code)	COB@co.monterey.ca.us (Email)

4. AGENT. The Agent, as defined in the Certification Agreement, is identified below:

County of Monterey, Resource Management Agency, Department of Public Works (Name of Agent - Must be an Organization)		Donald D. Searle, Architectural Services Manager (Name of Agent's Representative)	
168 W. Alisal Street 2nd Floor (Address)			
Salinas (City)	CA (State)	939001 (Zip Code)	searled@co.monterey.ca.us (Email)

5. REVOCATION OF AUTHORITY. Owner acknowledges that GBCI and its employees, agents, successors, and assigns will continue to rely on the representation of authority provided by this Confirmation unless and until GBCI receives written notice from Owner that the authority of Agent to act on Owner's behalf has been revoked, and GBCI provides notice to Owner of receipt and GBCI's acceptance of such termination of authority. Any termination of authority shall only apply to Agent's actions taken following GBCI's acknowledgement of the same. Owner must provide written notice of termination of authority to GBCI by **both** certified mail with return receipt requested to: *Attn General Counsel, Green Building Certification Institute, 2101 L Street, NW, Suite 500, Washington, DC 20037* **and** by email to: *legal@gbci.org*. Notices not sent in accordance with the foregoing shall be null and void and of no effect.

IN WITNESS WHEREOF, each of the parties hereto have executed this Confirmation by their duly authorized representatives. Owner represents and warrants that Owner has reviewed the Certification Agreement, that the execution of this Confirmation is within Owner's respective organizational powers, that such execution and performance has been duly authorized by all necessary action, corporate or otherwise, does not require any consent of or filing with any third person or governmental body or agency, and does not violate: i) any law, judgment, or order; ii) Owner's organizational documents; or iii) any agreement with any third party. This Confirmation is not valid unless accepted by GBCI, in GBCI sole discretion.

OWNER:

(Signature for Owner)
Simon Salinas, Chair, Board of Supervisors
(Name/Title)

6/9/15
(Date)

AGENT:

(Signature for Agent)
Donald D. Searle, Architectural Services Manager
(Name/Title)

6/9/15
(Date)

This Confirmation must be submitted to GBCI via the "Details" page within the Application. To access the Details page, log into the Application for the Project in ZED Online and select the "Details" Tab. For assistance completing or submitting this Confirmation, please contact GBCI via the technical customer service contact form available at www.gbci.org/contactus.