



Legislation Details (With Board Report)

File #: RES 23-021 **Name:** Adopt Resolution for settlement agreement to New Juvenile Hall project 8811

Type: BoS Resolution **Status:** Public Works, Facilities & Parks - Consent

File created: 2/7/2023 **In control:** Board of Supervisors

On agenda: 2/28/2023 **Final action:** 2/28/2023

Title: It is recommended that the Board of Supervisors adopt a resolution to:

- a. Authorize and direct the Auditor-Controller to amend the Fiscal Year 2022-23 Adopted Budget for General Liability Internal Service Fund, Fund 475, Appropriation Unit COU003, increasing Operating Transfer Out object 7614 by \$2,998,000 and decreasing Claims, Judgements & Damages object 7091 by \$2,998,000 (4/5ths vote required);
- b. Authorize and direct the Auditor-Controller to amend the Fiscal Year 2022-23 Adopted Budget to increase Operating Transfer In revenue by \$2,998,000 in Facility Master Plan Projects, Fund 404, Appropriation Unit PFP057 (4/5ths vote required); and
- c. Authorize and direct the Auditor-Controller to transfer \$2,998,000 for the Fiscal Year 2022-23 from General Liability Internal Service Fund, Fund 475, Appropriation Unit COU003 to Facility Master Plan Projects, Fund 404, Appropriation Unit PFP057, as originally directed in RES 21-067 item f in Fiscal Year 2020-21 (4/5ths vote required).

Sponsors:

Indexes:

Code sections:

Attachments: 1. Board Report, 2. Attachment A - Bd Rpt Legistar # 21-199, 3. Attachment B - BOS Resolution No 21-067, 4. Attachment C - BOS Resolution, 5. Completed Board Order Item No. 48, 6. Completed Resolution Item No. 48

Date	Ver.	Action By	Action	Result
2/28/2023	1	Board of Supervisors		

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RECOMMENDATION:

It is recommended that the Board of Supervisors adopt a resolution to:

- a. Authorize and direct the Auditor-Controller to amend the Fiscal Year 2022-23 Adopted Budget for General Liability Internal Service Fund, Fund 475, Appropriation Unit COU003, increasing Operating Transfer Out object 7614 by \$2,998,000 and decreasing Claims, Judgements & Damages object 7091 by \$2,998,000 (4/5ths vote required);
- b. Authorize and direct the Auditor-Controller to amend the Fiscal Year 2022-23 Adopted Budget to increase

Operating Transfer In revenue by \$2,998,000 in Facility Master Plan Projects, Fund 404, Appropriation Unit PFP057 (4/5ths vote required); and
c. Authorize and direct the Auditor-Controller to transfer \$2,998,000 for the Fiscal Year 2022-23 from General Liability Internal Service Fund, Fund 475, Appropriation Unit COU003 to Facility Master Plan Projects, Fund 404, Appropriation Unit PFP057, as originally directed in RES 21-067 item f in Fiscal Year 2020-21 (4/5ths vote required).

SUMMARY/DISCUSSION:

During the March 9, 2021 Board of Supervisor meeting, Resolution (RES) 21-067 (attachment B) was adopted as part of the descope and global settlement agreement related to the New Juvenile Hall Project 8811. The resolution authorized transferring \$3,657,359 to the Facility Master Plan Projects Fund to pay for the settlement cost. The funding provided for the transfer came from the General Fund Capital Projects Assigned Fund Balance (\$2,998,000) and the Building Improvement and Replacement Fund fund balance (\$659,359). The Building Improvement and Replacement funds of \$659,359 were transferred as directed during fiscal year 2020-21; however, the \$2,998,000 transfer was omitted. This was likely due to the way the financing was structured, which had the \$2,998,000 transfer from the General Fund (Fund 001) to the General Liability Internal Service Fund (Fund 475) first, before then being transferred to the Facility Master Plan Project Fund (Fund 404). The \$2,998,000 was transferred to the General Liability Internal Service Fund, but those funds were never transferred to the Facility Master Plan Project Fund. A current year resolution is required to transfer these funds.

OTHER AGENCY INVOLVEMENT:

Public Works, Facilities and Parks (PWWP) coordinated this recommendation with the County Administrative Office Budget & Analysis Division and the Office of the County Counsel.

FINANCING:

The General Liability Internal Service Fund, Fund 475, received the \$2,998,000 allocation from the General Fund in FY 2020-21. The funds are available and there are sufficient appropriations for this transfer in FY 2022-23; however it requires budget appropriations be moved from Claims, Judgements & Damages object code 7091 to Operating Transfer Out object 7614. If the Board approves the resolution, the funds will be transferred to the Facility Master Plan Project Fund to cover the settlement costs paid in FY 2020-21.

BOARD OF SUPERVISORS STRATEGIC INITIATIVES:

Provision of a New Juvenile Hall facility supports the Board of Supervisors Administration, Infrastructure and Public Strategic Initiatives by enhancing the safety of County staff, facility occupants, and the public.

- Economic Development
- Administration
- Health & Human Services
- Infrastructure
- Public Safety

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Reviewed by: Jessica Cordiero-Martinez, Finance Manager III
Approved by: Randell Ishii, MS, PE, TE, PTOE, Director of Public Works, Facilities, & Parks

The following attachments are on file with the Clerk of the Board:
Attachment A - Board Report Legistar File Number: 21-199
Attachment B - BOS Resolution No 21-067

Attachment C - BOS Resolution