



Legislation Details (With Board Report)

File #:	RES 22-156	Name:	Adopt Resolution to Transfer Funds for Change Order #440 JHA Global Settlement
Type:	BoS Resolution	Status:	Passed
File created:	8/10/2022	In control:	Board of Supervisors
On agenda:	8/23/2022	Final action:	8/23/2022

Title: Adopt a resolution to:

a. Authorize and direct the Auditor-Controller to amend the FY 2022-23 Adopted Budget to increase appropriations for Other Financing Uses, Fund 001, Unit 8038, Appropriation Unit CAO017 by \$1,954,013 financed by a decrease in appropriations of \$977,007 in Contingencies, Fund 001, Unit 8034, Appropriation Unit CAO020, and a release of \$977,006 in the Cannabis Tax Assignment 001-3132 (4/5ths vote required);

b. Authorize and direct the Auditor-Controller to amend the FY 2022-23 Adopted Budget by increasing appropriations and operating transfers in by \$1,954,013 for Facility Master Plan Projects, Fund 404, Unit 8564, Appropriation Unit PFP057, financed by an operating transfer out of \$1,954,013 from Other Financing Uses, Fund 001, Unit 8038, Appropriation Unit CAO017 for costs related to settlement and closeout of the Jail Housing Addition Project 8819 (4/5ths vote required); and

c. Authorize and direct the Auditor-Controller to transfer \$1,954,013 for FY 2022-23 to Facility Master Plan Projects, Fund 404, Unit 8564, Appropriation Unit PFP057 from Other Financing Uses, Fund 001, Unit 8038, Appropriation Unit CAO017 (4/5ths vote required).

Sponsors:

Indexes:

Code sections:

Attachments: 1. Board Report, 2. Attachment A - Resolution, 3. Completed Board Order Item No. 66, 4. Completed Resolution Item No. 66

Date	Ver.	Action By	Action	Result
8/23/2022	1	Board of Supervisors	adopted	Pass

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c. Authorize and direct the Auditor-Controller to transfer \$1,954,013 for FY 2022-23 to Facility Master Plan Projects, Fund 404, Unit 8564, Appropriation Unit PFP057 from Other Financing Uses, Fund 001, Unit 8038, Appropriation Unit CAO017 (4/5ths vote required).

RECOMMENDATION:

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

1. Authorize and direct the Auditor-Controller to amend the FY 2022-23 Adopted Budget to increase appropriations for Other Financing Uses, Fund 001, Unit 8038, Appropriation Unit CAO017 by \$1,954,013 financed by a decrease in appropriations of \$977,007 in Contingencies, Fund 001, Unit 8034, Appropriation

Unit CAO020, and a release of \$977,006 in the Cannabis Tax Assignment 001-3132 (4/5ths vote required);

2. Authorize and direct the Auditor-Controller to amend the FY 2022-23 Adopted Budget by increasing appropriations and operating transfers in by \$1,954,013 for Facility Master Plan Projects, Fund 404, Unit 8564, Appropriation Unit PFP057, financed by an operating transfer out of \$1,954,013 from Other Financing Uses, Fund 001, Unit 8038, Appropriation Unit CAO017 for costs related to settlement and closeout of the Jail Housing Addition Project 8819 (4/5ths vote required); and

3. Authorize and direct the Auditor-Controller to transfer \$1,954,013 for FY 2022-23 to Facility Master Plan Projects, Fund 404, Unit 8564, Appropriation Unit PFP057 from Other Financing Uses, Fund 001, Unit 8038, Appropriation Unit CAO017 (4/5ths vote required).

SUMMARY/DISCUSSION:

The Monterey County Jail Housing Addition AB 900 Phase II Project (hereafter, “Project”) is 133,673 gross square feet and provides 576 new beds in eight (8) housing units distributed on two (2) floors, program spaces for inmates, administration and staff support spaces, and a public entrance with video visitation.

The Project is substantially complete. Several issues had significant impacts to the Project budget and schedule. These included field changes required by the California State Fire Marshall (CSFM) and unplanned early partial occupancy needed as part of the Sheriff’s Office COVID-19 response.

Final costs to close out the project and settle contractor delay claims are to be financed through fifty percent (50%) from the Cannabis Tax assignment and fifty percent (50%) from General Fund contingencies. This Board action is required to authorize transfer of funds necessary to pay these final settlement costs

OTHER AGENCY INVOLVEMENT:

Public Works, Facilities and Parks (PWFP) staff have worked closely with the County Administrative Office (CAO) and the Office of the County Counsel-Risk Management to identify eligible funding sources for this settlement.

FINANCING:

Global settlement costs are to be funded by \$977,007 from General Fund Contingencies, which has a current balance of \$1,786,124 and \$977,006 from Cannabis Tax Assignment, which has a current balance of \$3,047,122.00. If approved, this action would reduce the balances of Contingencies and Cannabis Tax Assignment to \$809,117 and \$2,070,116 respectively.

BOARD OF SUPERVISORS STRATEGIC INITIATIVES:

The Project will provide a larger detention facility which is critically needed as the current high occupancy count exceeds the existing facility’s capacity and assists the County with State-mandated milestones. The recommended action supports the Board of Supervisors Strategic Initiatives as indicated below:

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

Prepared by: Florence Kabwasa-Green, Project Manager III (831) 755-4805

Reviewed by: Lindsay Lerable, Chief of Facilities

Tom Bonigut, PE, Assistant Director of Public Works, Facilities and Parks

Approved by: Randell Ishii, MS, PE, TE, PTOE, Director of Public Works, Facilities and Parks

The following attachments are on file with the Clerk of the Board:
Attachment A - Resolution