

**SUBMITTAL TO THE BOARD OF SUPERVISORS
COUNTY OF RIVERSIDE, STATE OF CALIFORNIA**

118



FROM: Economic Development Agency

SUBMITTAL DATE:
November 23, 2011

SUBJECT: Adoption of Resolution No. 2011-280, Assurances Required for the 2011 Local Jail Construction Financing Program Application (AB900 – Phase II)

RECOMMENDED MOTION: That the Board of Supervisors:

1. Adopt Resolution No. 2011-280 which contains the assurances and information required by the Corrections Standards Authority for the County to proceed with submitting a formal application for funding under the 2011 Local Jail Construction Financing Program; and
2. Authorize the Economic Development Agency and/or the Sheriff's Department to incur any relevant and necessary costs up to \$150,000, required to submit a competitive application to the Correction Standards Authority including but not limited to any preliminary design costs, with reimbursement from the Tobacco Securitization funds.

BACKGROUND: Commences on Page 2

REVIEWED BY CIP

Christopher Hans

Robert Field
Robert Field
Assistant County Executive Officer/EDA

FINANCIAL DATA	Current F.Y. Total Cost:	\$ 150,000	In Current Year Budget:	Yes
	Current F.Y. Net County Cost:	\$ 150,000	Budget Adjustment:	No
	Annual Net County Cost:	\$ 0	For Fiscal Year:	2011/12

COMPANION ITEM ON BOARD OF DIRECTORS AGENDA:

SOURCE OF FUNDS: Tobacco Securitization funds (previously approved funding) reimbursed by State Funding Program (AB900)

Positions To Be Deleted Per A-30	<input type="checkbox"/>
Requires 4/5 Vote	<input type="checkbox"/>

C.E.O. RECOMMENDATION:

APPROVE

BY: *Jennifer L. Sargent*
Jennifer L. Sargent

County Executive Office Signature

FISCAL PROCEDURES APPROVED
 PAUL ANGULO, CPA, AUDITOR-CONTROLLER
 BY: *Samuel Wong* 11/21/11
 DATE: *11-17-11*
 BY: ANITA C. WILLIS
 FORM APPROVED COUNTY COUNSEL
 BY: *State C. Willis*

Dep't Recomm.: Consent
 Per Exec. Ofc.: Consent
 Policy
 Policy

BACKGROUND:

On October 18, 2011 (Item 3.12), the Board approved Resolution No. 2011-257 which granted permission for the Economic Development Agency and Sheriff's Department to proceed with submitting an application to secure financing through the State's 2011 Local Jail Construction Financing Program (also known as AB 900, Phase II). Upon this approval, the project team submitted the required Interest Statement which notified the Corrections Standards Authority (CSA) that the County was seeking \$100 million in funding to further expand the capacity of our local jail system. On October 25, 2011, the project team received notification from the CSA that the county was approved to submit a formal application for funding which is due on or before January 4, 2012. As part of the application process, the Board must approve the attached Resolution No. 2011-280 which provides the required assurances and additional project information as noted in the application form.

The 2011 Local Jail Construction Financing Program is funded through the Public Safety and Offender Rehabilitation Services Act of 2007 (AB 900) which grants authority to the State Public Works Board (SPWB) and the California Department of Corrections and Rehabilitation (CDCR) to enter into agreements with participating counties for local jail construction projects approved by the CSA. As the approving body, the CSA oversees the funding application process which includes issuing the Request for Proposals. The CSA released the application for Phase II funding on October 7, 2011. Per staff assessments, Phase II of the AB 900 funding cycle is best suited to the County's correctional needs and offers a significant opportunity to secure State funding for local jail construction projects.

Staff recommends that the Board adopt the attached Resolution and authorize the established project team to continue to take all necessary steps to submit a competitive application to the CSA.

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3 **RESOLUTION NO. 2011-280**
4 **RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF RIVERSIDE FOR**
5 **ASSURANCES REQUIRED FOR 2011 LOCAL JAIL CONSTRUCTION FINANCING**
6 **PROGRAM APPLICATION (AB900 – PHASE II)**

7 **WHEREAS**, the Economic Development Agency and the Sheriff's Department have
8 established a collaborative team to secure funding to further expand the capacity of the
9 County's jail system through the construction of additional correctional system facilities;

10 **WHEREAS**, the people of the State of California have enacted the Public Safety and
11 Offender Rehabilitation Act of 2007, which provides funds to the State of California and its
12 political subdivisions for acquisition, design, and construction of local jail facilities;

13 **WHEREAS**, the State Corrections Standards Authority (CSA) has been delegated the
14 responsibility to administer the local jail construction funding program which includes the
15 solicitation of applications for funding;

16 **WHEREAS**, the County with permission from the Board has submitted an Interest
17 Statement to the CSA and has received notification that the County has been approved to
18 submit a formal funding application; and

19 **WHEREAS**, the AB900 application procedures established by the CSA require a
20 resolution from the Board of Supervisors which contain the following components;

21 **NOW THEREFORE, BE IT RESOLVED, FOUND, DETERMINED, AND ORDERED** by
22 the Board of Supervisors of the County of Riverside, State of California, in regular session
23 assembled on December 6, 2011, as follows:

- 24 1. That the Board of Supervisors hereby finds and declares that the above recitals are
25 true, correct and incorporated herein.
- 26 2. That the following County staff will serve as key personnel for the project: Robert
Field, Assistant County CEO/EDA, County Construction Administrator; Larry
Parrish, Interim County Executive Officer, Project Financial Officer; and Jennifer
McConville, Correctional Lieutenant, Project Contact Person.

3. That the Chairman of the Board of Supervisors has authorization to sign the Applicant's Agreement and submit the application for funding.
4. Assurance that the County will adhere to state requirements and terms of the agreements between the County, the California Department of Corrections and Rehabilitation, the Corrections Standards Authority and the State Public Works Board in the expenditure of any state financing allocation and county contribution funds.
5. Assurance that the County will appropriate after notification of conditional award of financing, but before state/county financing agreements, the amount of contribution identified by the County on the financing program application form submitted to the Corrections Standards Authority; the County acknowledges the need to identify the source of funds for county contribution and other county borne costs, and assures that the state and cash contribution does not supplant funds otherwise dedicated or appropriated for construction activities.
6. Assurance that the County will safely staff and operate the facility that is being constructed (consistent with Title 15, California Code of Regulations) within ninety (90) days after project completion.
7. Assurance that the County has project site control through either fee simple ownership of the site or comparable long-term possession of the site, and right of access to the project sufficient to assure undisturbed use and possession of the site, and will not dispose of, modify the use of, or change the terms of the real property title, or other interest in the site of facility subject to construction, or lease the facility for operation to other entities, without permission and instructions from the Corrections Standards Authority.
8. Attestation to \$3.1 million as the current fair market land value for the proposed expanded jail facility site.

FORM APPROVED COUNTY COUNSEL

BY:  ANITA C. WILLIS

DATE

11-17-11

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