

**Before the Board of Supervisors
County of Placer, State of California**

In the matter of

Resol No. 2015-201

A Resolution authorizing application to the California Board of State and Community Corrections 2015 Jail Construction Financing Program, SB863, in the amount of \$40 million, to provide funding to assist with the construction of a 168-bed medium security facility and associated educational, vocational, behavioral, and additional mental health treatment space.

The following Resolution was duly passed by the Board of Supervisors of the County of Placer at a regular meeting held September 15, 2015 by the following vote on roll call

Ayes: DURAN, WEYGANDT, HOLMES, MONTGOMERY, UHLER
Noes: NONE
Absent NONE

Signed and approved by me after its passage



Chair, Board of Supervisors

Attest:



Clerk of said Board

WHEREAS, this Resolution supersedes Resolution #2015-178, approved by the Board of Supervisors on August 18, 2015

BE IT RESOLVED by the Board of supervisors of the County of Placer, State of California, that this Board hereby authorizes the Sheriff's Office to submit an application to the California Board of State and Community Corrections 2015 Jail Construction Financing Program, SB863, in the amount \$40 million, to provide funding to assist with the construction of a 168-bed medium security facility and associated educational, vocational, behavioral, and additional mental health treatment space at the South Placer Jail (SPJ), located at the Bill Santucci Justice Center, a County owned parcel in Roseville, CA

BE IT FURTHER RESOLVED that the Board of Supervisors hereby.

- A Appoints Rob Unholz, Capital Improvements Program Manager, as the County Construction Administrator and Project Contact Person, Valerie Bayne, Administrative Services Manager, as the Project Financial Officer; and,
- B. Approves the forms of the project documents deemed necessary, as identified by the State Public Works Board (SPWB) to the BSCC, to effectuate the financing authorized by the legislation, and,
- C Authorize the Chair to sign said application, agreements and forms of the project documents, and submit for funding, and,
- D Assures that the County will adhere to state requirements and terms of the agreements between the County, BSCC, and the SPWB in the expenditure of State financing and County match funds; and,
- E Assures and authorizes an adequate amount of available matching funds to satisfy the county's contribution. The identified matching funds as detailed in the budget summary table submitted with the RFP are compatible with the states' lease revenue bond financing. County Cash Contribution Funds Are Legal And Authorized The payment of the county cash contribution funds for the proposed adult local criminal justice facility project (i) is within the power, legal right, and authority of the County, (ii) is legal and will not conflict with or constitute on the part of the County a material violation of, a material breach of, a material default under, or result in the creation or imposition of any lien, charge, restriction, or encumbrance upon any property of the County under the provisions of any charter instrument, bylaw, indenture, mortgage, deed of trust, pledge, note, lease, loan, installment sale agreement, contract, or other material agreement or instrument to which the County is a party or by which the County or its properties or funds are otherwise subject or bound, decree, or demand of any court or governmental agency or body having jurisdiction over the County or any of its activities, properties or funds, and (iii) have been duly authorized by all necessary and appropriate action on the part of the governing body of the County. No Prior Pledge. The county cash contribution funds and the Project are not and will not be mortgaged, pledged, or hypothecated by the County in any manner or for any purpose and have not been and will not be the subject of a grant of a security interest by the County. In addition, the county cash contribution funds and the Project are not and will not be mortgaged, pledged, or hypothecated for the benefit of the County or its creditors in any manner or for any purpose and have not been and will not be the subject of a grant of a security interest in favor of the

County or its creditors The County shall not in any manner impair, impede or challenge the security, rights and benefits of the owners of any lease-revenue bonds sold by the State Public Works Board for the Project (the "Bonds") or the trustee for the Bonds Authonzation to Proceed with the Project. The Project proposed in the County's SB 863 Financing Program proposal is authorized to proceed in its entirety when and if state financing is awarded for the Project within the SB 863 Financing Program; and,

- F Assures that the County will fully and 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, and,
- G Assures that the county has project site control through fee simple ownership of the site and assure undisturbed use and possession of the site, and will not dispose of, modify the use of facility subject to construction, or lease the facility for operations to other entities, without permission and instructions from the BSCC, for so long as the SPWB lease-revenue bonds secured by the financed project remain outstanding, and,
- H. Attestation to \$455,000 as the current fair market land value for the proposed new or expanded facility, as professionally appraised by Bender Rosenthal, Incorporated