

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

Resolution No. _____

- a. Authorizing Sheriff Scott K. Miller to sign and submit an application for a local adult detention facility AB 900 construction grant in the amount of \$80 million, and making other necessary and appropriate findings and declarations supporting the AB 900 construction grant application;)
- b. Authorizing the expenditure of \$684,207 from Capital Projects Fund 404, Budget Unit 8174, Appropriation Code RMA015, to cover grant preparation costs and other grant related expenses; and)
- c. Authorizing the Auditor-Controller, CAO, Resource Management Agency Director, Public Works Director, and County Counsel to take such other and further actions necessary or appropriate, consistent with this action, to apply for the AB 900 construction grant.....)

WHEREAS, the existing Monterey County Jail lacks sufficient beds to impose criminal sanctions for felons sentenced in Monterey County, consists primarily of dormitory beds unsuitable to house the more dangerous felons held today and is severely overcrowded; and

WHEREAS, the existing jail is the only structure used to house adult inmates sentenced to county jail in Monterey County; and

WHEREAS, the need for a new adult detention facility has been identified by a Title 24 needs assessment that is currently being updated; and

WHEREAS, the State legislature, through AB 900 (“Public Safety and Offender Rehabilitation Services Act of 2007”), has authorized the Department of Corrections, through agreement with participating counties, to acquire land, design, construct, and expand detention facilities; and

WHEREAS, the procedure for obtaining funds from the State for the construction of these facilities is through grant application to the State.

NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors of the County of Monterey as follows:

- A. Sheriff Scott K. Miller is appointed as the person authorized to sign the AB 900 grant application; Richard P. Sauerwein, Architectural Services Manager, is appointed as the County’s construction manager; Shawne Ellerbe, Finance Manager, is appointed as the County’s project financial officer; and Chief Jeffrey Budd, Office of the Sheriff, is appointed as the project contact person.
- B. Sheriff Miller is authorized to sign the AB 900 grant application in the amount of \$80 million, and to submit the application for grant funding for the purpose of constructing an addition to the Monterey County Jail.

- C. The County will adhere to state requirements and terms of the agreements between Monterey County, the California Department of Corrections and Rehabilitation, the Corrections Standards Authority and the State Public Works Board in the expenditure of state financing allocation and county contribution funds.
- D. The County will appropriate the amount of County contribution identified on the financing program application form submitted to the Corrections Standards Authority after notification of conditional award but before any state/county financing agreements are executed, and will identify the source of the County's contribution. The County will identify the source of any other County borne costs, and assures that state and cash contribution do not supplant funds otherwise dedicated or appropriated for construction activities.
- E. 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.
- F. The County has fee simple ownership of the project site on which the addition to the Monterey County Jail will be constructed, has project site control 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 real property title, or other interest in the site of the facility subject to construction, or lease the facility for operation to other entities, without permission and instructions from the Corrections Standards Authority.
- G. The County Assessor estimates the current fair market value of the proposed project site at \$1,306,000, and the County will commission an independent appraisal to confirm the fair market value of the proposed project site.
- H. The amount of \$684,207 is hereby authorized to be spent from Capital Projects Fund 404, Budget Unit 8174, Appropriation Code RMA015 to cover grant preparation costs and other grant related expenses.
- I. The Auditor-Controller, CAO, Resource Management Agency Director, Public Works Director, and County Counsel are hereby authorized to take such other and further actions necessary or appropriate, consistent with this action, to apply for the AB 900 construction grant.

PASSED AND ADOPTED on this 6th day of December 2011, upon motion of Supervisor _____, seconded by Supervisor _____, by the following vote, to-wit:

AYES:

NOES:

ABSENT:

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 resolution of said Board of Supervisors duly made and entered in the minutes thereof at page ____ of Minute Book _____, on _____, 2011.

Dated: _____, 2011

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

By _____
Deputy