



April 10, 2023

Honorable Board of Supervisors
County of Alameda
1221 Oak Street, Suite 536
Oakland, California 94612-4305

SUBJECT: ADOPT A RESOLUTION DESIGNATING \$26,662,922 COUNTY MATCH FUNDING FOR THE SANTA RITA JAIL MENTAL HEALTH PROGRAM AND SERVICES UNIT PROJECT THROUGH THE SENATE BILL 863 FINANCING PROGRAM; APPROVE THE USE OF CAPITAL DESIGNATIONS FOR THE BALANCE OF THE COUNTY MATCH FUNDING; AMOUNT: \$26,249,950; AMEND THE FISCAL YEAR 2023-2027 CAPITAL IMPROVEMENT PLAN TO INCREASE THE PROJECT BUDGET, 5325 BRODER BOULEVARD, DUBLIN; PROJECT NO. CPP17C160160000; PROJECT BUDGET INCREASE AMOUNT: \$18,954,950

Dear Board Members:

RECOMMENDATIONS:

- A. Adopt a Resolution designating \$26,662,922 County match funding, comprised of \$25,119,887 cash match and \$1,543,035 in-kind match for the Santa Rita Jail Mental Health Program and Services Unit Project under the Senate Bill 863 Local Criminal Justice Facilities Financing Program;
- B. Amend the Fiscal Year 2023-2027 Capital Improvement Plan to increase the budget for the Santa Rita Jail Mental Health Program and Services Unit Project, Project No. CPP17C160160000, from \$62,047,972 to \$81,002,922 (\$18,954,950 increase);
- C. Approve the use of Capital Financing Plan Designation in the amount of up to \$26,249,950 for the balance of the County match funding for the Santa Rita Jail Mental Health Program and Services Unit Project; Project No. CPP17C160160000; and
- D. Authorize and direct the Auditor-Controller to make the related budget adjustments.

DISCUSSION/SUMMARY:

The Santa Rita Jail (SRJ), originally constructed in 1988, was not designed to serve the programming, health care, mental health, rehabilitative services, and related administrative functions currently provided in the facility by the Alameda County Sheriff's Office (ACSO) and other County of Alameda agencies. To meet these needs, ACSO applied for and received approval for the planning and construction of the new SRJ Mental Health Program and Services Unit (MHPSU) Project ("the Project") utilizing bond financing under Senate Bill (SB) 863.

On June 30, 2015, your Board approved (Item No. 26, File No. 29602) Resolution No. 2015-248, authorizing the submission of a proposal to the Board of State and Community Corrections (BSCC) for SB 863 funding the Project.

On September 15, 2015, your Board approved (Item No. 66, File No. 29648) an amendment to Resolution No. 2015-248, attesting to \$333,000 as the current fair market land value for the proposed project and approving the form of documents deemed necessary identified by the State Public Works Board (SPWB) to the BSCC.

On June 14, 2016, your Board approved (Item No. 37.2, File No. 29780) Resolution 2016-169 setting aside County matching funds and amended Category I of the Fiscal Year (FY) 2015-20 Capital Improvement Plan (CIP) to add improvements for the SRJ facility, which included the Project.

On January 10, 2017, your Board approved (Item No. 21) an award to DLR Group Architects (DLR) for the initial portion of architectural and engineering (A/E) services followed by an amendment for the bridging phase of the Project approved by your Board on December 5, 2017 (Item No. 19).

On September 18, 2018, your Board approved (Item No. 39) a Professional Services Agreement with Kitchell Capital Expenditures Managers, Incorporated (Kitchell) for project and construction services.

The Project was formally established with SPWB and State Department of Finance (DOF) in 2019 with the County of Alameda's execution of the Project Delivery and Construction Agreement and Forms of Agreement on January 15, 2019 (Item No. 58, File No. 30263) and the execution of the Jail Construction Agreement, between the County of Alameda and BSCC on June 18, 2019 (Item No. 15, File No. 30325).

The architectural bridging design services began on January 22, 2019, and concluded on January 10, 2020. As formerly designed, the SRJ MHPSU was an approximately 38,000 square foot, two-story building located between Housing Units (HU) 23 and 24. Shortly upon the conclusion of architectural bridging, ongoing litigation required additional staffing at SRJ.

On May 12, 2020, your Board approved (Item No. 72) 107 Full-Time Equivalent (FTE) positions for the Alameda County Health Care Services Agency/Behavioral Health Care Services (BHCS) to augment staffing and care coordination at SRJ.

With no space for the additional FTE positions within the jail, the SRJ MHPSU building needed to be redesigned to accommodate the increased BHCS staffing. The redesign also eliminated all medical program components from the Project's scope. The former site at HU 23 and 24 could not accommodate the building and it was requested that the Project scope be revised to relocate to the HU 5 location. This location provided the space needed to redesign the building to include workspace for the additional FTE positions. Additionally, the HU 5 site allowed the new MHPSU building to operate independently of the current SRJ utility infrastructure loops (mechanical, electrical, and plumbing) that complicated the former design.

On May 18, 2021, your Board approved (Item No. 30650, File No. 43.1) amendments and contributed \$412,972 County funding for consultant services related to the building redesign: Amendment No. 3 to the Professional Services Agreement with DLR for A/E services; and Amendment No. 1 to the Professional Services Agreement with Kitchell for construction management services.

In order to obtain the State of California SB 863 award, the budget, schedule and bridging documents must be submitted to BSCC. Also, the County of Alameda is required to identify the source and authority of use of the local match funds as well as demonstrate the commitment of said monies. The bridging documents and cost estimates are now completed and the document submission to BSCC is finalized. BSCC has reviewed all documents and is in the process of forwarding them to DOF with a recommendation for approval of State funding. DOF requires the attached Resolution as well as this board letter to confirm County funds. At that time, ground lease negotiations will begin, the parcel will be adjusted, bonds will be removed, followed by Ground Lease execution. DOF will then send a letter to the Legislature. SPWB will then approve the Project's scope and the Request for Proposal, followed by an award to a Design/Build Entity, at which point design can begin.


FINANCING:


The revised Project costs estimated at \$81,002,922 are financed through the State of California BSCC under the SB 863 Local Criminal Justice Facilities Financing Program in the amount of \$54,340,000 and the County match funding in the amount of \$26,662,922. Appropriations for the balance of the County match funding in the amount of \$26,249,950 will be transferred to the General Services Agency Capital Projects Fund Fiscal Year 2022-23 budget for the Project. Funding for the County match will be through a combination of sources including but not limited to the Capital Financing Plan Designation and other eligible departmental revenue sources. There will be no increase in net County cost.

VISION 2026 GOAL:

The Project meets the 10X goal pathway of **Healthcare for All and Accessible Infrastructure** in support of our shared vision of **Safe and Livable Communities**.

Respectfully submitted,

DocuSigned by:

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Kimberly Gasaway
Director, General Services Agency

DocuSigned by:

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Yesenia Sanchez
Sheriff-Coroner, Alameda County Sheriff's Office

Attachment

cc: County Administrator
Auditor-Controller
County Counsel

RESOLUTION NO. 2023-211

A RESOLUTION DESIGNATING COUNTY MATCH FUNDING FOR THE SANTA RITA JAIL MENTAL HEALTH PROGRAM AND SERVICES UNIT PROJECT UNDER THE SB 863 ADULT LOCAL CRIMINAL JUSTICE FACILITIES CONSTRUCTION FINANCING PROGRAM

WHEREAS, the State of California made available a lease revenue bond financing program to construct and renovate adult local criminal justice facilities through the SB 863 Adult Local Criminal Justice Facilities Construction Financing Program (the Program); and

WHEREAS, on June 30, 2015, the Board of Supervisors adopted Resolution No. 2015-248 authorizing the Alameda County Sheriff to apply for funding the Santa Rita Jail (SRJ) Mental Health Program and Services Unit (MHPSU) Project (the Project) under SB 863; and

WHEREAS, by adopting Resolution 2015-248, the Board approved the existing SRJ site located at 5325 Broder Boulevard, Dublin, California, for the MHPSU, complying with the site assurance requirements of SB 863; and

WHEREAS, the application for the MHPSU facility was submitted and found worthy of funding by the Board of State and Community Corrections (BSCC) at a BSCC meeting on November 12, 2015; and

WHEREAS, on December 17, 2015, the State of California, through its BSCC, conditionally awarded the County \$54,340,000 in Program Funds toward the Project; and

WHEREAS, the BSCC approved a revised scope of work on November 18, 2021, which included the relocation of the Project to allow for a standalone building as well as the removal of medical health treatment and OB/GYN clinic and the addition of office space for Behavioral Healthcare Services staff from the space program; and

WHEREAS, the total estimated cost of the MHPSU is \$81,002,922; and

WHEREAS, BSCC has requested that the County of Alameda identify and designate all County funds that will be used to complete the Project; and

WHEREAS, the County of Alameda will provide General Fund funding totaling \$26,662,922 which consists of \$25,119,887 cash match and \$1,543,035 in-kind match designated for the MHPSU;

NOW, THEREFORE BE IT RESOLVED as follows:

Section 1: That the Board of Supervisors hereby designates toward the Project County Funding in the total amount of \$26,662,922, consisting of revenue from the sources and in the amounts identified below:

- A. That \$25,119,887 of General Fund Capital Designation funds be set aside and dedicated as the County's Cash Match for the sole use of the Project.
- B. That \$1,543,035 of General Fund Capital Designation funds be set aside and dedicated as the County's In-Kind Match for the sole use of the Project's County administration costs.

Section 2: That the Board of Supervisors does hereby represent, warrant and covenant as follows:

- A. **Lawfully Available Funds.** The County cash contribution funds, as identified in Section 1, have been derived exclusively from lawfully available funds of the County.
- B. **County Cash Contribution Funds Are Legal and Authorized.** The payment of the County Cash Contribution Funds for the 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, 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 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.
- C. **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; 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 the Project (the Bonds) or the trustees for the Bonds.
- D. **County Designated Funds.** The County hereby assures that is has designated \$26,662,922 in local funds to satisfy the County's contribution toward the Project; the identified funds are compatible with the State's lease revenue bond financing; and the cash match contribution does not supplant funds otherwise dedicated or appropriated to construction activities.

Section 3: That, except to the extent modified herein, Resolution No. 2016-169, governing, among other things, Program application submittal and delegation of authority with respect to Project design and construction, remains in full force and effect.

This Resolution was passed and adopted by the Board of Supervisors at a meeting held on the 9th day of May, 2023 by the following vote:

AYES: Supervisors Carson, Haubert, Marquez & Tam - 4

NOES: 0

EXCUSED: President Miley - 1

ABSTAINED: 0



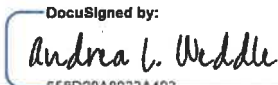
Nate Miley
President, Board of Supervisors

ATTEST:

By: 
Clerk of Board of Supervisors

APPROVED AS TO FORM:

DONNA R. ZIEGLER
COUNTY COUNSEL

By: 
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Andrea L. Weddle
Chief Assistant County Counsel

SUBJECT OF BOARD LETTER Amend the FY 2023-2027 CIP to increase the project budget

by \$18,954,950; transfer balance of the County match funding from designation to project fund - \$26,249,950

BY: 2023

FUND: 27041

The use of Designations, as follows:

NAME OF DESIGNATION	ORG	AMOUNT

The increase (decrease) in anticipated revenue, as follows:

Informational

ORG	ACCT	PROG	PROJ/GR	AMOUNT
200700	485110	00000	CPP17C160160000	\$26,249,950
ORG TOTAL				\$26,249,950

Informational

ORG	ACCT	PROG	PROJ/GR	AMOUNT
ORG TOTAL				\$0

GRAND TOTAL ANTICIPATED REVENUE \$26,249,950

The increase (decrease) in appropriations, as follows:

Informational

ORG	ACCT	PROG	PROJ/GR	AMOUNT
200700	650011	00000	CPP17C160160000	\$26,249,950
ORG TOTAL				\$26,249,950

Informational

ORG	ACCT	PROG	PROJ/GR	AMOUNT
ORG TOTAL				\$0

GRAND TOTAL APPROPRIATION \$26,249,950

FINANCIAL RECOMMENDATION (A)

AGENDA DATE: 4/25/2023

Subject of Board Letter:

Amend the FY 2023-2027 CIP to increase the project budget

by \$18,954,950; transfer balance of the County match funding from designation to project fund - \$26,249,950

BY: 2023

FUND: 10000

The use of Designations, as follows:

NAME OF DESIGNATION	ORG	AMOUNT
Capital Financing Plan		\$26,249,950

The increase (decrease) in anticipated revenue, as follows:

Informational

ORG	ACCT	PROG	PROJ/GR	AMOUNT
ORG TOTAL				\$0.00

Informational

ORG	ACCT	PROG	PROJ/GR	AMOUNT
ORG TOTAL				\$0

GRAND TOTAL ANTICIPATED REVENUE \$0.00

The increase (decrease) in appropriations, as follows:

Informational

ORG	ACCT	PROG	PROJ/GR	AMOUNT
200700	670011	00000		26,249,950
ORG TOTAL				\$26,249,950

Informational

ORG	ACCT	PROG	PROJ/GR	AMOUNT
ORG TOTAL				\$0.00

GRAND TOTAL APPROPRIATION \$26,249,950