



County of Sonoma
State of California

Date: November 16, 2021

Item Number: _____

Resolution Number: _____

4/5 Vote Required

Resolution Of The Board Of Directors Of The County Of Sonoma, State Of California, To Authorize And Delegate Authority To The Director Of General Services To Negotiate, Execute, And Administer Certain Actions And Agreements Including: To Execute That Certain Ground Lease With The State Of California (State), For The Leasing, Financing, Construction, And Operation Of The Proposed Adult Detention Behavioral Health Housing Unit (ADBHHU), To Execute A Right Of Entry License Or Agreement With The State, For County Use, Including Long-Term, Of The ADBHHU Site For Project Construction, Operation, And Other Project-Related Needs, To Execute A Facility Sublease With The State For County Long-Term Lease Of The ADBHHU Site And The Project Facility, To Execute Any And All Other Necessary And Appropriate Instruments And Documents With The State Related To The Project Delivery And Construction Agreement And The Project Lease-Financing And Bonding Transactions; Authorize And Direct County Counsel, The County Chief Administrative Officer (CAO), The County Director Of General Services (GSD), And The County Of Sonoma Sheriff (Sheriff) To Cooperate In Obtaining Eligibility For, And The Issuance Of, State Lease Revenue Bond Financing For Purposes Of The ADBHHU Project; Authorize And Direct The County CAO, Director Of GSD And/Or The Sheriff To Execute All Documents Reasonably Needed To Accomplish Such Bond Financing, And Directing The Filing Of A Notice Of Exemption In Compliance With The California Environmental Quality Act.

Whereas, County has received preliminary approvals needed from the State of California Department of Finance (DOF) to proceed with the funding and construction of the Adult Detention Behavioral Health Housing Unit (ADBHHU). The ADHBBU will be a 32,000 square foot, 72-bed mental health detention facility attached to the Sheriff's Office Main Adult

Detention Facility (MADF);

Whereas, the financing of the ADBHHU will occur through issuance of State lease-revenue bonds previously approved under SB 863. As part of the funding of the ADBHHU, the County will execute a Ground Lease encumbering County lands in conjunction with the issuance of Bond financing for the ADBHHU project; and

Whereas, County staff seek authority to execute the Ground Lease with State's Department of Corrections and Rehabilitation (DCR), Board of State and Community Corrections (BSCC) and or State Public Works Board (SPWB), for the leasing, financing, construction, and operation of the proposed ADBHHU; and

Whereas, pursuant to the Ground Lease and related project instruments, the County will be granted a license to construct and operate the ADBHHU, and ultimately the property will be subleased back to the County for long-term operation and maintenance of the ADBHHU project. The subject County lands are not required for any other County purposes and the Ground Lease enables County use and development of the property for the important ADBHHU public project and the inmate services that will be facilitated by it; and

Whereas, the financing and ultimate construction of the ADBHHU will create important public benefits namely to enable the County to provide quality treatment for our inmates requiring mental health services. With the mental health treatment programs offered by the Sheriff's Office to the inmate population, the County is working towards the ultimate goal of improved behavioral health outcomes for the incarcerated and a significant reduction in recidivism; and

Whereas, the execution of this ADBHHU project fulfills Strategic Plan Healthy and Safe Communities Pillar to provide equitable access to quality housing, health, and human services for all, as upon its construction, the ADBHHU will demonstrate a continued investment in public safety so that residents and visitors feel safe in our community by expanding detention alternatives with the goal of reducing the jail population, from pre-pandemic levels, while simultaneously reducing recidivism amongst the supervised offender population;

Now, Therefore, Be It Resolved that this Board of Directors hereby finds, determines, declares and orders as follows:

1. *Truth of Recitals.* That the foregoing recitations are true and correct.
2. *Delegation of Authority.* Authorize and delegate authority to the Director of General Services (the Director) to negotiate, execute, and administer the following actions with the State of California (State), including with State's Department of Corrections and Rehabilitation (DCR), Board Of State And Community Corrections (BSCC) and or State Public Works Board (SPWB), for the leasing, financing, construction, and operation of the proposed Adult Detention Behavioral Health Housing Unit (ADBHHU), as contemplated by and in furtherance of that certain Project Delivery and Construction Agreement, dated February 3, 2017, between County and DCR, BSCC, and SPWB:
3. *Ground Lease.* The Ground Lease with the State, for the long-term lease of the County-owned ADBHHU site to the State.
4. *Right of Entry.* A Right of Entry license or agreement with the State, for County use, including long-term, of the ADBHHU site for project construction, operation, and other project-related needs.
5. *Facility Leaseback.* A Facility Sublease with the State, for County long-term lease of the ADBHHU site and the project facility.
6. *Related Project Lease, Financing, and Bonding Documents.* Any and all other necessary and appropriate instruments and documents with the State related to the above-described Project Delivery and Construction Agreement and the project lease-financing and bonding transactions, including any amendments or supplements to any of the above-mentioned documents and instruments, in form approved by County Counsel.
7. *Authorize Bond Issuance Cooperation.* Authorize and direct County Counsel (Counsel), the County Chief Administrative Officer (CAO), the County Director of General Services (GSD), and the County of Sonoma Sheriff (Sheriff) to cooperate in obtaining eligibility for, and the issuance of, State lease revenue bond financing for purposes of the ADBHHU project.
8. *Authorize and direct the County CAO, Director of GSD and/or the Sheriff to execute all documents reasonably needed to accomplish such bond financing, including without limitation certificates, legal opinions or instruments as may be appropriate and reasonably requested by the State, in form approved by Counsel.*

Resolution #21-

Date:

Page 4

9. *Authorization for Recordation.* That the County concurs that the Director is authorized to record with the Sonoma County Recorder any instruments necessary or convenient to complete this project.

Supervisors:

Gorin:

Rabbitt:

Coursey:

Gore:

Hopkins:

Ayes:

Noes:

Absent:

Abstain:

So Ordered.