

TO: Chairman and Members

DATE: January 17, 2013

**SUBJECT: AB 900 Phase II Jail Construction Financing
Program – Siskiyou County Time Extension**

AGENDA ITEM: B

**ACTION: X
INFORMATION:**

RESOURCE PERSON: Charlene Aboytes

Summary:

This agenda item informs the Board of State and Community Corrections (BSCC) of Siskiyou County's ability to meet the site assurance requirement in the Assembly Bill (AB) 900 Phase II Request for Proposals – Construction or Expansion of County Jails.

Background:

AB 900 (Chapter 7, Statutes of 2007) provided for \$1.22 billion in lease-revenue bond financing for the construction of county jail facilities, with the funding authority divided into two phases. The Corrections Standards Authority (CSA) Board conditionally awarded Phase I funding to counties beginning in May 2008. Phase II funding was awarded to counties beginning in March 2012.

On October 7, 2011 CSA released the AB 900 Phase II Request for Applications – Construction or Expansion of County Jails, as approved by the CSA Board. The Request for Applications identified a series of specific project milestone requirements (e.g., county to provide assurance that the county has control of a project site within 90 days of award). Funded counties are required to meet these milestones, showing the progress of their construction project in the planning stages and leading up to actual construction. These required project milestones, along with a project schedule submitted with each application, allow for a project's progress to be tracked by BSCC staff, and subsequent reporting of the projects' status to the BSCC Board. In the case of a county's project not meeting the schedule or required milestones, it allows the Board to review that county's award status and take action as may be deemed appropriate.

Siskiyou County received a conditional award for AB 900 Phase II financing at the September 2012 BSCC meeting. At the subsequent November BSCC meeting, the Board approved the County's amended application. As indicated above, within 90 days from notice of award, counties must provide formal assurance that they have project site control through either ownership or comparable long-term possession. The 90 day period for Siskiyou County expires on February 14, 2013. At this time, they are unable to meet this deadline. See Attachment B for Siskiyou County's request for an extension time of nine months to meet this requirement.

Recommendation/Action Needed:

Staff recommends the BSCC take the following actions:

- Approve the request from Siskiyou County for an extension of nine months to comply with the site assurance requirement.

SISKIYOU COUNTY



SHERIFF'S DEPARTMENT

Jon Lopey
Sheriff

December 12, 2012

Ms. Charlene Aboytes, Field Representative
Board of State and Community Corrections
600 Bercut Drive
Sacramento, CA 95811

RE: Request for time Extension for submission of Site Assurance and Real Estate Due Diligence
AB 900 Grant ID #A20-12

Dear Ms. Aboytes,

The purpose of this letter is to formally request an extension for the submission of Site Assurance and Real Estate Due Diligence as a result of Siskiyou County being conditionally awarded funding for a new jail, pursuant to AB 900. During the Board of State and Community Corrections (BSCC) meeting of November 8, 2012, Siskiyou County received a conditional award for AB 900 Phase II Jail Construction Financing in the amount of \$24,140, 000.00. The extension request is being made for nine (9) months, based on the county's assessment of required milestones. Siskiyou County will endeavor to complete the due diligence task list earlier if possible.

As mentioned in our amended application, Siskiyou County did not own a suitable project site at the time the original application for AB 900 Grant funding was submitted. Since our Conditional Award was announced on November 8, 2012, Siskiyou County authorities have been working diligently to complete all the required steps to purchase property and complete the required due diligence to meet the requirements in preparation for a new jail facility, since the original plan to use county airport property was eliminated after a meeting with the Federal Aviation Agency (FAA) determined the feasibility of the original plan was questionable due to excessive time frames required to ameliorate "federal trust land" release requirements. As you are aware, procedures for local government agencies to purchase property is complex and very time consuming. The Siskiyou County Sheriff's Office (SCSO) has dedicated several members of its limited staff to coordinate and achieve all project goals. The project team includes a very capable hand-selected team – one Assistant Sheriff, our Corrections Lieutenant, and an Administrative Sergeant.

On January 3, 2012 the Siskiyou County Board of Supervisors approved the submission of the application for Jail Construction Funding under the State AB 900 Program. Due to the extremely limited grant time frames, Siskiyou County commenced a property search simultaneously and continuously for a possible facility site for the jail facility. Siskiyou County has developed several very promising land proposals for the new jail site. On December 4, 2012, the Siskiyou County Board of Supervisors was updated on the progress of this project and the consensus unanimously favored the continuation of the new jail acquisition project, including the land portion of the provisional award.

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The requested extension will have the following affects on the AB 900 Project Timetables:

Site Assurance Time Extension Request:

Siskiyou County has been diligently working on site acquisition actions; however, as previously mentioned, due to site development problems, Siskiyou County respectfully requests a nine (9) month extension to the site assurance date. This site extension will result in a revised completion date of October 21, 2013.

Real Estate Due Diligence Package Time Extension Request:

AB 900 Project timetables require that the Real Estate Due Diligence package be submitted to CSA within 120 days of the award. For Siskiyou County, the Site Assurance completion date was set as March 7, 2013. The requested project extension for this extension date is November 21, 2013.

Begin the CEQA Process:

AB 900 Project Timetables require the CEQA process begin within 90 days of the award. For Siskiyou County, the CEQA process was to begin on or before February 5, 2013. The requested project extension will result in a revised implementation date, if approved, of October 21, 2013.

State Public Works Board Meeting – Project Establishment:

AB 900 Project Timetables require the State Public Works Board Meeting – Project Establishment occurs within 12 months of the award. For Siskiyou County, the Public Works Meeting – Project Establishment was to occur prior to November 7, 2013. The requested project extension will result in a proposed revised completion date of October 21, 2014.

Schematic Design with Operational Program Statement:

AB 900 Project Timetables require the Schematic Design with Operational Program Statement for Design-Bid-Build projects be completed within 18 months of the award. For Siskiyou County, the Schematic Design with Operational Program Statement was to occur prior to May 7, 2014. The requested project extension proposal will result in a revised completion date of April 21, 2015.

Design Development (Preliminary Drawing) with Staffing Plan:

AB 900 Project Timetables reflected the Design Development (Preliminary Drawings) with Staffing Plan be completed by August 29, 2014 plus nine months with a completion date of May 29, 2015.

Staffing / Operating Cost Analysis Approved by the Board of Supervisors:

AB 900 Project Timetables reflected the Staffing/Operating Cost Analysis approved by the Board of Supervisors be completed by August 26, 2014. The requested project extension proposal will result in a revised completion date of May 26, 2015.

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Construction Documents (Working Drawings)

AB 900 Project Timetables reflected the Construction Documents (Working Drawings) be completed by January 16, 2015. The requested project extension proposal will result in a revised completion date of October 16, 2015.

Construction Bids:

AB 900 Project Timetables reflected the Construction Bids be completed by June 1, 2015. The requested project extension proposal will result in a revised completion date of March 1, 2016.

Notice to Proceed:

AB 900 Project Timetables reflected the Notice to Proceed be completed by June 26, 2015. The requested project extension proposal will result in a revised completion date of March 26, 2016.

Construction (Maximum of 3 years to Complete):

AB 900 Project Timetables reflected that the Construction be completed by April 28, 2017 plus nine months. The requested project extension proposal will result in a revised completion date of January 28, 2018.

Staffing / Occupancy within 90 days of Completion:

AB 900 Project Timetables reflected the Staffing / Occupancy within 90 days of completion date of January 28, 2018. The requested project extension proposal will result in a revised occupancy date of no later than April 28, 2018.

The site assurance activity is moving rapidly towards completion and a schedule is attached for your review.

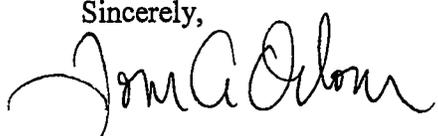
On behalf of Siskiyou County, its departments, officials, and citizens, I want to thank the BSCC for their consideration of this request. I can assure you that Siskiyou County not only has a critical need for a new jail facility but will also endeavor to work with other federal, state and local agencies to maximize the effectiveness of alternate sentencing programs with which to reduce crime, recidivism and the burden imposed on the public by criminal offenders.

Should you have any questions, please contact me, at (530) 842-8310, or, Mr. Tom Odom, County Administrator, at (530) 842-8005.

Sincerely,


Jon E. Lopey
Sheriff-Coroner

Sincerely,


Tom Odom
County Administrator

Attachment

Siskiyou County Sheriff's Office

New Jail Project (AB900)

Site Assurance Activity

Schedule

Site Assurance Activity	Proposed Start/Completion Date
Negotiations with the City of Yreka for property acquisition of Proposed Jail Facility. Land Acquisition Proposal is at Philippi Lane and is approximately 8.2 acres	Start Date: January 2013 Completion Date: March 2013
Draft Memorandum of Understanding/Purchase Agreement	Start Date: March 2013 Completion Date: April 2013
Review of any environmental issues or concerns including Phase II of environmental report	Start Date: March 2013 Completion Date: April 2013
Property Appraisal for site on Philippi Lane and review of appraisal with Board of Supervisors	Start Date: May 2013 Completion Date: June 2013
Draft Notice of Intent to Purchase and run three consecutive weeks in general circulation paper per government code	Start Date: July 2013 Completion Date: July 2013
Schedule Board of Supervisor meeting to approve formal purchase public property on Philippi for use as jail facility	Start Date: August 2013 Completion Date: August 2013
Completion of all necessary documents and contracts as appropriate to complete sale of property and acquire ownership	Start Date: September 2013 Completion Date: September 2013
Siskiyou County ownership and site control of 8.2 acres to construct a 150-bed new jail facility	Completion Date: October 2013