To: Honorable Board of Supervisors  
From: Steven M. Smith, Interim County Administrator  
Department: County Administrator  
Subject: Authorization for the Chair of the Board of Supervisors to sign a Project Delivery and Construction Agreement for the SB81 Local Youthful Offender Rehabilitative Facilities Financing Program for the Tri-County Rehabilitation Facility Serving Yuba, Sutter, and Colusa Counties

Recommendation:  
The Board of Supervisors authorize the Board Chair to sign a Project Delivery and Construction Agreement for the SB81 Local Youthful Offender Rehabilitative Facilities Financing Program for the Tri-County Rehabilitation Facility Serving Yuba, Sutter, and Colusa counties.

Background:  
In August 2015, the counties of Sutter, Yuba, and Colusa formed a Joint Powers Authority to construct a new Tri-County Juvenile Rehabilitation Facility to replace the outdated structure located on 14th Street in Marysville, California. Yuba County was designated as the lead agency for the project that is funded by two awards of grant funding plus contributions from the three counties originally totaling $19,051,806. The project scope was recently amended from 48 to 32 beds considering an increase of $5,172,111 over the original construction cost estimate from 2015.

On February 26, 2019, in response to the increase in construction costs and subsequent reduction in scope, the Board approved a revised Joint Powers Authority agreement acknowledging various modifications which needed to be made as required by the California Department of General Services and the Department of Finance; including the delineation of real property ownership and management/oversight concerns, and clarifying differentiations between the Bi-County and Tri-County structures and processes. Doing so paved the way for the next steps in the process including the Notice to Proceed for construction which is currently scheduled for January 2020.

For the Board of State and Community Corrections (BSCC) to authorize the financing of the revised project, the attached Agreement needs to be signed by each of the participating counties. This agreement will formalize a ground and facility lease between Yuba County and the BSCC, establish a Right of Entry for Construction and Operation, allows the BSCC to oversee lease revenue bonds for the financing, and formalizes the additional cash match contribution for each of the counties.

Prior Board Action:  
On October 9, 2018, the Board approved the reduction in project scope from 48 to 32 beds.
On February 26, 2019, the Board approved the revised Joint Powers Authority agreement delineating ownership and oversight subjects requested by the State.

**Board Alternatives:**
The Board could not authorize the agreement to be signed, but doing so will place in jeopardy the project initiation.

**Other Department and/or Agency Involvement:**
Yuba County staff and Colusa County staff are seeking the same approval from their respective Boards of Supervisors.

**Action Following Approval:**
If approved, Yuba County staff will forward the agreement to the State. It will then be at the State’s discretion to issue a Notice to Proceed for construction. Staff will return to the Board with a recommended budget amendment to commit the required additional funds to serve as Sutter County’s share of the project.

**Fiscal Impact:**
In February of 2019, the California Department of Corrections and Rehabilitation revalued the project with current cost estimates and determined the new project cost to be $20,546,000; which raises the funding shortfall to $5,290,000. Using the 40/40/20 cost sharing ratio previously agreed to in the Joint Powers Agreement, Sutter County would need to provide $2,116,000. This amount is $597,678 higher than the original cash match share of $1,518,322. Staff will soon bring a budget amendment to the Board to recommend transfer of the funds to the Tri-County Juvenile Hall project budget.

**Countywide Goals and/or Top Priorities Compliance:**
Approval of this item complies with Countywide goal C: “Maintain strong commitment to public safety (including Law Enforcement, District Attorney, Public Defender, Probation, Fire, Emergency Management, and related services).”

**Standing Committee Review:**
Due to the non-controversial nature of this item, it was not reviewed by a standing committee of the Board.

Respectfully Submitted,

s/ Steven M. Smith  
Interim County Administrator

**Attachments:**
1. SB 81 Tri-County - PDCA (Execution Copy)