

BEFORE THE BOARD OF SUPERVISORS
OF THE
COUNTY OF FRESNO, STATE OF CALIFORNIA

IN THE MATTER OF INCREASING THE FY 2014-15)
APPROPRIATIONS AND ESTIMATED REVENUES IN) RESOLUTION
THE CAPITAL PROJECTS ORGANIZATION 1910 IN)
THE AMOUNT OF \$1,028,130.82 FOR A CONTINGENCY)
FUND TO PAY FOR POTENTIAL WEST ANNEX JAIL)
PROJECT RELATED EXPENDITURES THAT ARE NOT)
ELIGIBLE FOR 2006 TOBACCO SECURITIZATION BOND)
FINANCING OR FOR STATE SB 1022 FINANCING FOR)
THE DEVELOPMENT OR CONSTRUCTION OF THE)
WEST ANNEX JAIL PROJECT)

WHEREAS, on October 22, 2013, the Board of Supervisors (the "Board") of the County of Fresno (the "County") adopted Board Resolution No. 13-393, which among other things, authorized the County's submittal of its application to the California Board of State and Community Corrections (BSCC) for State Senate Bill Adult Local Criminal Justice Facilities Financing (State SB 1022 Financing) to be funded by SB 1022 State lease revenue bonds, in the amount of \$79,194,000 for the cost of development and construction of the County's proposed 300-bed West Annex Jail Project in downtown Fresno (the "Project"); and

WHEREAS, on March 18, 2014, the BSCC granted the County of Fresno a conditional award of up to \$79,194,000 to improve local criminal justice facilities (i.e., the proposed Project); and

WHEREAS, the County's receipt of the State funds requires the County to contribute a minimum 10% of the total Project costs as Participating County Contribution (10% Match) and such 10% Match may be combined cash (hard) contribution and in-kind (soft) contribution; and

WHEREAS, the total Project costs are estimated at \$87,993,000, which would require the County to contribute \$8,799,000 (rounded to the nearest \$1,000) as its 10% Match; and

WHEREAS, also on October 22, 2013, among the actions that the Board took in connection with the proposed Project, the Board adopted a budget resolution, Board Resolution No. 13-394, which appropriated \$7,968,000 of lawfully available 2006 Tobacco Securitization Bond proceeds, on deposit in the Endowment Fund, to pay for a portion of the County's 10% Match for a portion of the costs of the proposed Project; and

WHEREAS, the County may need to utilize an alternative funding source for all Project-related costs not eligible to be financed with 2006 Tobacco Bond financing or SB 1022 financing; and

WHEREAS, such Project-related costs not eligible to be financed with 2006 Tobacco Bond financing or SB 1022 financing will, upon the determination of the Auditor-Controller/Treasurer-Tax Collector, be classified as Project-related expenses, and such Project-related expenses are necessary for the Sheriff's provision of public safety services, including but not limited to the operation of the County's jail;

WHEREAS, the County has received \$1,028,130.82 from one-time unbudgeted Proposition 172 revenue made available from the State of California due to an eleven-quarter error in allocations of state sales tax revenues by the State Board of Equalization; and

WHEREAS, such Proposition 172 funds are appropriate for the use of, and shall be made available for such Project-related expenses; and

WHEREAS, the \$1,028,130.82 is not included in the FY 2014-15 adopted appropriations and estimated revenues of the Capital Projects Org 1910; and

WHEREAS, Section 29130 of the Government Code provides for the appropriations of these funds by a 4/5 vote of the Board of Supervisors.

NOW, THEREFORE, IT IS ORDERED that the Auditor-Controller/Treasurer-Tax Collector is authorized to increase the FY 2014-15 budget of Capital Projects Org 1910 as follows:

FUND	0001	General Fund
SUBCLASS	10000	
ORGANIZATION	1910	Capital Projects

8150 BUILDING & IMPROVMENTS

ACCOUNT	8150	Building & Improvements	\$1,028,130.82
PROGRAM	91000	SB 1022 West Annex Jail	

TOTAL BUILDING & IMPROVEMENTS	\$1,028,130.82
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TOTAL APPROPRIATIONS	\$1,028,130.82
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BE IT FURTHER RESOLVED that the estimated revenues for the FY 2014-15 Capital Projects Org 1910 be increased in the amount of \$1,028,130.82 as follows:

1	FUND	0001	General Fund	
	SUBCLASS	10000		
2	ORGANIZATION	1910	Capital Projects	
	ACCOUNT	3577	State Aid – Public Safety Pr 172	\$1,028,130.28
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4			TOTAL ESTIMATED REVENUES	<u>\$1,028,130.28</u>
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6 APPROVED AS TO ACCOUNTING FORM:

7 VICKI CROW, C.P.A.
8 AUDITOR-CONTROLLER/TREASURER-TAX COLLECTOR

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10 BY: 

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1 THE FOREGOING was passed and adopted by the following vote of the Board of
2 Supervisors of the County of Fresno this 24th day of February, 2015, to-wit:

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4 AYES: Supervisors Pacheco, Mendes, Borgeas, Perea, Poochigian

5 NOES: None

6 ABSENT: None

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9 Deborah A. Poochigian
CHAIRMAN, Board of Supervisors

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12 ATTEST:
13 BERNICE E. SEIDEL
Clerk, Board of Supervisors

14
15 By 

16 Deputy

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20 AGENDA ITEM NO. 11
RESOLUTION NO. 15-047