

**RESOLUTION OF THE BOARD OF SUPERVISORS OF THE
COUNTY OF SANTA BARBARA, STATE OF CALIFORNIA**

IN THE MATTER OF APPROVING AND) RESOLUTION NO. _____
AUTHORIZING THE CHAIR OF THE)
BOARD OF SUPERVISOR TO ENTER)
INTO THE GROUND LEASE AND)
RIGHT OF ENTRY FOR)
CONSTRUCTION AND OPERATION)
WITH THE CALIFORNIA)
DEPARTMENT OF CORRECTIONS)
AND REHABILITATION)

WHEREAS, pursuant to Chapter 3.11 of Part 10b of Division 3 of Title 2 of the California Government Code (“AB 900 Phase II Jail Financing Program”), the State Public Works Board (“Public Works Board”) is authorized to finance the acquisition, design and construction of a jail facility as approved by the Corrections Standards Authority (“CSA”); and

WHEREAS, on May 14, 2013, the County of Santa Barbara, through its Board of Supervisors (“County”), entered into a Project Delivery and Construction Agreement (“PDCA”) with the Department of Corrections and Rehabilitation of the State of California (“Department”), the Board of State and Community Corrections (“BSCC”) and the State Public Works Board, which approved the County’s plan to build the AB900 Phase II Northern Branch Jail (“Project”) at 2301 Black Road in Santa Maria (“Project Site”); and

WHEREAS, the PDCA requires that the County execute a Ground Lease with the Department which will lease to the Department the portion of the Project Site used for the Project. The Ground Lease is necessary to allow the Public Works Board to oversee and issue lease revenue bonds to fund the Project through the AB 900 Phase II Jail Financing Program; and

WHEREAS, the Ground Lease requires that the County approve a Resolution confirming its authority to enter into the Ground Lease; and

WHEREAS, the AB 900 Phase II Financing Program requires that the Board of Supervisors approve the form of the Ground Lease and the Right of Entry for Construction and Operation; and

WHEREAS, concurrent with the execution of the Ground Lease the Department and the County will enter into a Right of Entry for Construction and Operation, authorizing the County to enter the Project Site for the purpose of constructing the Project.

NOW, THEREFORE, BE IT RESOLVED AND ORDERED by the Board of Supervisors of the County of Santa Barbara as follows:

1. The Board of Supervisors has full legal right, power and authority to enter into the Ground Lease and the Right of Entry for Construction and Operation with the Department and to transfer and convey the Project Site to the Department for purposes of financing the Project.

2. The Board of Supervisors has full legal right, power and authority to carry out and consummate all transactions contemplated by the Ground Lease and Right of Entry for Construction and Operation by this Resolution, and has duly authorized the execution and delivery of the Ground Lease.

3. As such, the Board of Supervisors of Santa Barbara County does hereby approve the substantial form of the Ground Lease and the Right of Entry for Construction and Operation for the AB 900 Phase II Northern Branch Jail.

4. The Chair of the Board of Supervisors, or her designee, is hereby authorized, for and in the name of the County, to execute acknowledge and deliver the Ground Lease and the Right of Entry for Construction and Operation, in substantially the form hereby approved, with such additions thereto and changes therein as are required by the Department, BSCC or the State Public Works Board to effectuate the AB 900 Phase II Financing Program and as condition to the issuance of the Bonds, and all documents required to consummate the transactions contemplated by the Ground Lease and the Right of Entry for Construction and Operation.

PASSED AND ADOPTED this ____ day of _____, 2015, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

Chair of the Board of Supervisors

[SEAL]

ATTEST:

MONA MIYASATO
Clerk of the Board of Supervisors

**APPROVED AS TO ACCOUNTING
FORM:**

Robert W. Geis, C.P.A.,
Auditor-Controller

APPROVED AS TO FORM:

MICHAEL C. GHIZZONI,
County Counsel
