

THE BOARD OF SUPERVISORS OF THE COUNTY OF STANISLAUS  
ACTION AGENDA SUMMARY

DEPT: Chief Executive Office

BOARD AGENDA # \*B-4

Urgent

Routine

AGENDA DATE October 18, 2011

CEO Concurs with Recommendation YES  NO   
(Information Attached)

4/5 Vote Required YES  NO

SUBJECT:

Approval to Execute and Record a Lot Merger at the Juvenile Justice Commitment Center to Comply with State of California Property Regulations

STAFF RECOMMENDATIONS:

1. Approve the lot line adjustment merging two parcels comprising the Stanislaus County Juvenile Justice Center site at 2215 Blue Gum Avenue, Modesto (APN 018-012-006) into a single parcel as required by State Fire Marshal as a condition for construction of the Juvenile Commitment Center project and authorize the County Chief Operations Officer and the Clerk of the Board of Supervisors to sign and record the lot line adjustment documents.

FISCAL IMPACT:

There is no fiscal impact of the recommended action to merge the existing Juvenile Justice Center lots. The Juvenile Commitment Center (SB 81) project construction contract was awarded to Roebbelen Contracting, Inc. by the Board of Supervisors on September 20, 2011.

The Juvenile Commitment Center was initiated on January 12, 2010 when the Board of Supervisors approved a project budget of \$2,424,724 for the development of plans and specifications for the construction of the 2007 Local Youthful Offender Rehabilitative Facility Program as provided in State Senate Bill 81 (SB 81.) (Continued on Page 2)

BOARD ACTION AS FOLLOWS:

No. 2011-635

On motion of Supervisor Chiesa, Seconded by Supervisor Withrow and approved by the following vote,

Ayes: Supervisors: O'Brien, Chiesa, Withrow, DeMartini, and Chairman Monteith

Noes: Supervisors: None

Excused or Absent: Supervisors: None

Abstaining: Supervisor: None

1) X Approved as recommended

2) Denied

3) Approved as amended

4) Other:

MOTION:

ATTEST: CHRISTINE FERRARO TALLMAN, Clerk

File No.

**FISCAL IMPACT:**

On December 21, 2010 the Board of Supervisors approved the project's initial financing plan. The original financing plan for the construction of a 60 bed facility was originally estimated not to exceed \$24,232,528. The Financing Plan includes State funding of \$18 million towards construction, funded through a lease-revenue bond financing plan. The primary sources of cash match the County has committed includes funding of \$1,725,000 from Public Facility Fees (PFF), funding of \$2,732,528 from the Criminal Justice Facility Fund, and a non-cash match from land valued at \$1,775,000 at the site where the new facility will be constructed, for a total match of \$6,232,528.

Following the projects design and approvals by the State Corrections Standards Authority, State Public Works Board, the State Department of Finance and after receiving interim State project funding from the Pooled Monies Investment Board, the Board of Supervisors authorized receipt of construction bids on July 12, 2011. Bids were received on August 24, 2011. A conditional award of a construction contract conditioned upon State approval to proceed with the construction of the Stanislaus County Juvenile Commitment Center Project to Roebbelen Contracting, Inc. of El Dorado Hills, California for the lump sum amount not to exceed \$14,983,000 on September 20, 2011. The State of California has officially authorized the Project to proceed to construction and the construction contract has been fully executed.

The Board of Supervisors also authorized an increase in appropriations of \$18,514,104 and estimated revenue of \$16,481,300 for the construction phase of the project to provide full project funding revised based on the final construction contract amount. The revised project funding sources and expenses are outlined on the chart below:

<b>Juvenile Commitment Center Sources</b>	<b>Amount</b>
<b>State Funding</b>	\$16,481,300
<b>Detention Public Facility Fees</b>	\$1,450,000
<b>Criminal Justice Public Facility Fees</b>	\$275,000
<b>Criminal Justice Facilities Fund</b>	\$2,732,528
<b>Land</b>	\$1,775,000
<b>Total</b>	<b>\$22,713,828</b>

<b>Juvenile Commitment Center Uses</b>	<b>Amount</b>
<b>Cash Uses for Design/Construction</b>	\$20,938,828
<b>Non-Cash Uses for Land/Site Acquisition</b>	\$1,775,000
<b>Total</b>	<b>\$22,713,828</b>

Approval to Execute and Record a Lot Merger at the Juvenile Justice Commitment Center to Comply with State of California Property Regulations  
Page 3

This Board of Supervisors action fulfills a requirement by the State of California for the merger of two existing lots that remained from the site's former State Hospital use prior to the County's acquisition of the property. There is no additional fiscal impact of this action.

**DISCUSSION:**

The Juvenile Commitment Center project is a State Senate Bill 81 Local Youthful Offender Rehabilitative Facility project, financed jointly by State lease revenue bonds and matching funds from Stanislaus County. The project is subject to the requirements of the State Corrections Standards Authority and review by and approval of the State Fire Marshal. During the design review and State Fire Marshall review process, the State Fire Marshal conditioned approval of the project upon merger of two existing lots (see Exhibit "C", attached) identified as Parcel 1 and Parcel 2 into a single lot.

Parcels 1 and 2 are remnants of the property's former ownership by the State of California and use as the Hammond State Hospital site until it was split in 1970 between Stanislaus County and Yosemite Community College District. The merger of Parcels 1 and 2 only affect the Stanislaus County property and the site of the Juvenile Commitment Center project *not* the nearby Junior College.

Approval of this action will authorize the County's Chief Operations Officer to sign and record the attached legal descriptions before and after the lot merger and the lot merger plat.

**STAFFING IMPACT:**

There is no staffing impact as a result of this action. Existing County Chief Executive Office-Capital Projects staff and Probation Department staff continue to manage the projects toward its successful completion.

**POLICY:**

This action satisfies the requirements of the State of California for continued development of the Juvenile Commitment Center project pursuant to the Board's priority of providing efficient delivery of public services.

**CONTACT INFORMATION:**

Patricia Hill Thomas, Chief Operations Officer (209) 525-6333

**EXHIBIT "A"**  
**STANISLAUS COUNTY JUVENILE**  
**DETENTION CENTER**  
**LEGAL DESCRIPTION**  
**PRIOR TO PARCEL MERGER**

ALL that certain real property situate in the City of Modesto, County of Stanislaus, State of California, lying within a portion of the North half of Sections 24, Township 3 South, Range 8 East, Mount Diablo Meridian, described as follows:

**PARCEL 1:**

Parcel 1 as shown on that map filed in the Office of the Recorder of the County of Stanislaus on October 26, 1992 in Book 45 of Parcel Maps at Page 43.

Containing 18.44 Acres more or less

Subject to all easements and/or rights of way of record.

**PARCEL 2:**

Parcel 2 as shown on that map filed in the Office of the Recorder of the County of Stanislaus on October 26, 1992 in Book 45 of Parcel Maps at Page 43.

Containing 10.00 Acres more or less

Subject to all easements and/or rights of way of record.

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Patricia Hill Thomas  
Chief Operations Officer /  
Assistant Executive Officer

**EXHIBIT "B"**  
**STANISLAUS COUNTY JUVENILE**  
**DETENTION CENTER**  
**LEGAL DESCRIPTION**  
**AFTER PARCEL MERGER**

ALL that certain real property situate in the City of Modesto, County of Stanislaus, State of California, lying within a portion of the North half of Sections 24, Township 3 South, Range 8 East, Mount Diablo Meridian, described as follows:

**PARCEL A:**

Parcel 1 together with Parcel 2 as shown on that map filed in the Office of the Recorder of the County of Stanislaus on October 26, 1992 in Book 45 of Parcel Maps at Page 43.

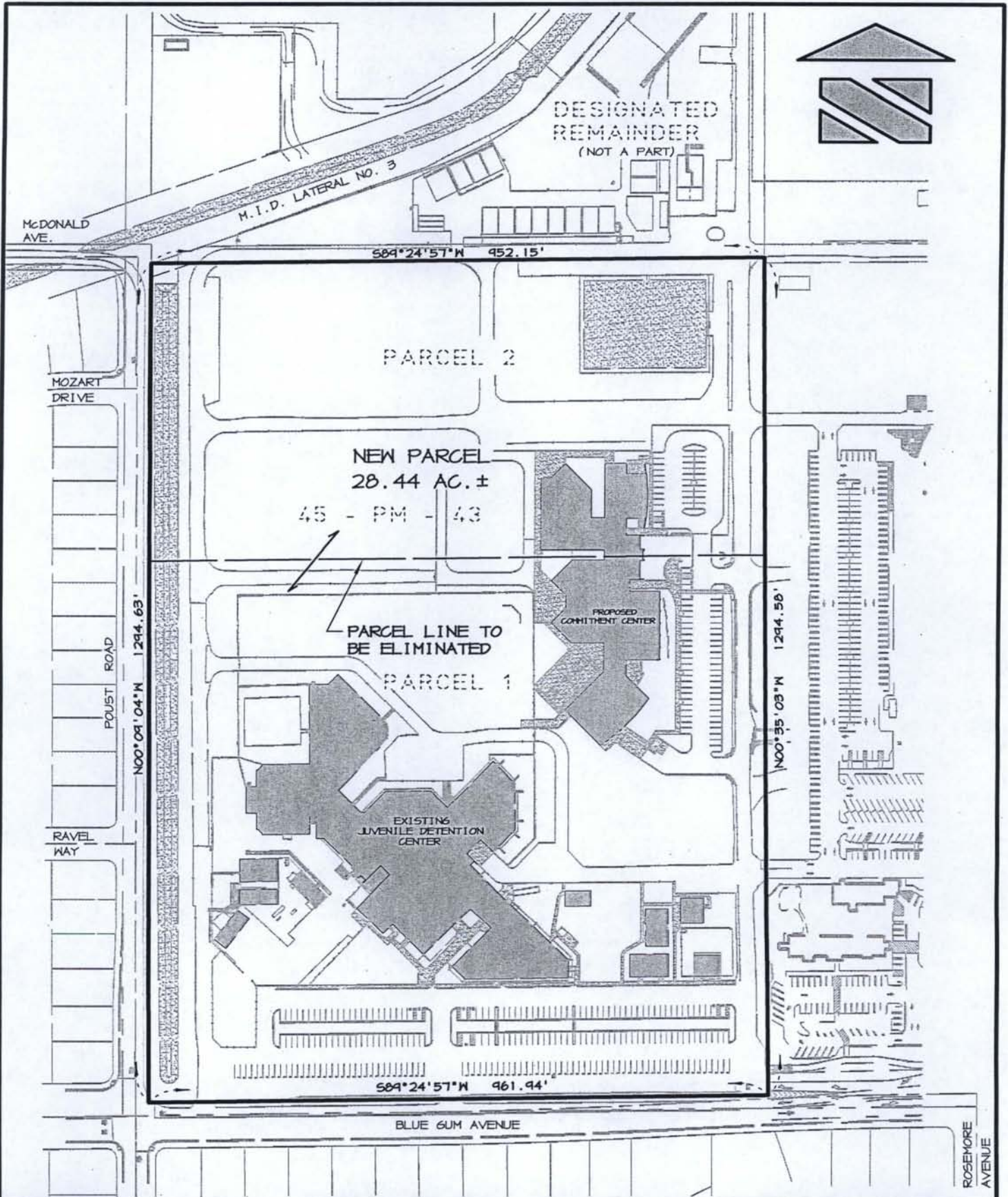
Containing 28.44 Acres more or less

Subject to all easements and/or rights of way of record.

The above described Parcel A hereby merges Parcels 1 and 2 as shown on that map filed in the Office of the Recorder of the County of Stanislaus on October 26, 1992 in Book 45 of Parcel Maps at Page 43 and shall herein after be considered one parcel of land.

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Patricia Hill Thomas  
Chief Operations Officer /  
Assistant Executive Officer



DRAWN	DLS
DATE	6/1/11
SCALE	1"=200'
JOB #	722C-11
DWG.	722C_Merger

**EXHIBIT "C"**

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**LOT MERGER**

STANISLAUS COUNTY JUVENILE  
DETENTION CENTER

MODESTO CALIFORNIA



**ASSOCIATED  
ENGINEERING, INC.**

Surveying • Design • Planning

4206 TECHNOLOGY DRIVE, SUITE 4  
MODESTO, CALIFORNIA 95356  
PH: (209) 545-3390 FAX: (209) 545-3875



Stanislaus, County Recorder  
Lee Lundrigan Co Recorder Office  
**DOC- 2012-0015354-00**

Thursday, FEB 23, 2012 14:00:39  
Ttl Pd \$0.00 Rcpt # 0003172652  
OMK/R2/1-6

RECORDING REQUESTED BY AND  
WHEN RECORDED RETURN TO:

Stanislaus County  
Chief Executive Office  
1010 Tenth Street, Suite 6800  
Modesto, CA 95354

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Space Above This Line for Recorder's Use

CERTIFICATE OF MERGER

This is to certify that, pursuant California Government Code Section 66412(d) and the Stanislaus County Board of Supervisors Action Number 2011-635, on October 18, 2011 approved the merger herein described at the Stanislaus County Juvenile Justice Center to adjust the lines between contiguous parcels whereby the boundary lines of the real property described as Exhibit "A", attached hereto and made a part hereof, will be adjusted to result in parcels described in Exhibit "B", also attached and incorporated herein. The approved merger shall not result in the creation of a greater number of parcels than originally existed. The above described merger shall be reflected in a deed which shall be recorded as required by Section 66412(d) of the California Government Code.

CHRISTINE FERRARO-TALLMAN, CLERK OF THE BOARD OF SUPERVISORS

The undersigned duly authorized officer of Stanislaus County declares that the foregoing is true and correct under penalty of perjury under the laws of the State of California.

By:

*Christine Ferraro Tallman*

Cristine Ferraro-Tallman, Clerk of the Board of Supervisors  
Stanislaus County, California

*Feb. 15, 2012*  
Date

**EXHIBIT "A"**  
**STANISLAUS COUNTY JUVENILE**  
**DETENTION CENTER**  
**LEGAL DESCRIPTION**  
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Containing 10.00 Acres more or less

Subject to all easements and/or rights of way of record.



  
Dave L. Skidmore, L.S. 7126  
1/11/12



**EXHIBIT "B"**  
**STANISLAUS COUNTY JUVENILE**  
**DETENTION CENTER**  
**LEGAL DESCRIPTION**  
**AFTER PARCEL MERGER**

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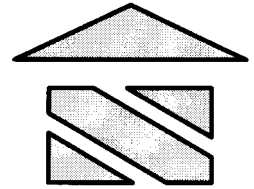
Containing 28.44 Acres more or less

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The above described Parcel A hereby merges Parcels 1 and 2 as shown on that map filed in the Office of the Recorder of the County of Stanislaus on October 26, 1992 in Book 45 of Parcel Maps at Page 43 and shall herein after be considered one parcel of land.



  
Dave L. Skidmore, L.S. 7126  
1/11/12



DESIGNATED  
REMAINDER  
(NOT A PART)

MCDONALD  
AVE.

M.I.D. LATERAL NO. 3

589°24'57"W 952.15'

PARCEL 2

MOZART  
DRIVE

NEW PARCEL  
28.44 AC. ±

45 - PM - 43

PARCEL LINE TO  
BE ELIMINATED

PROPOSED  
COMMITMENT CENTER

PARCEL 1

FOUST ROAD 1244.63'  
N00°01'04"W

1244.58'  
N00°55'03"W

RAVEL  
WAY

EXISTING  
JUVENILE DETENTION  
CENTER

589°24'57"W 961.94'

BLUE GUM AVENUE

ROSEMORE  
AVENUE

DRAWN	DLS
DATE	6/1/11
SCALE	1"=200'
JOB #	T22C-11
DWG.	T22C_Merger

### EXHIBIT "C"

## LOT MERGER

STANISLAUS COUNTY JUVENILE  
DETENTION CENTER

MODESTO CALIFORNIA



## ASSOCIATED ENGINEERING, INC.

Surveying • Design • Planning

4206 TECHNOLOGY DRIVE, SUITE 4  
MODESTO, CALIFORNIA 95356

PH: (209) 545-3390 FAX: (209) 545-3875

**ASSESSOR'S INFORMATION WAIVER**

The property owner(s) signature on this application authorizes the Stanislaus County Assessor's Office to make information relating to the current owners assessed value and pursuant to R&T Code Sec. 408, available to the Stanislaus County Department of Planning and Community Development.

**PROPERTY OWNER/APPLICANT SIGNATURE**

I hereby certify that the facts, statements, and information presented within this application form are true and correct to the best of my knowledge and belief. I hereby understand and certify that any misrepresentation or omissions of any information required in this application form may result in my application being delayed or not approved by the County. I hereby certify that I have read and fully understand all the information required in this application form including:

- 1. The Notices to All Applicants
- 2. Acknowledgments/Authorizations
- 3. The Indemnification

**Property Owner(s): (Attach additional sheets as necessary)**

<u>Patricia Hill Thomas</u>	<u>Patricia Hill Thomas</u>	
Signature(s)	Print Name	Date
<u>STANISLAUS COUNTY</u>	<u>Patricia Hill Thomas, Chf. Ops. Ofcr</u>	<u>February 15, 2012</u>

**Applicant(s): (If different from above)**

<u>Christine Ferraro Tallman</u>	<u>CHRISTINE FERRARO TALLMAN</u>	<u>2/15/12</u>
Signature(s)	Print Name	Date
<u>STANISLAUS COUNTY</u>	<u>Christine Ferraro Tallman, Clerk</u>	<u>February 15, 2012</u>

**ACKNOWLEDGMENT**

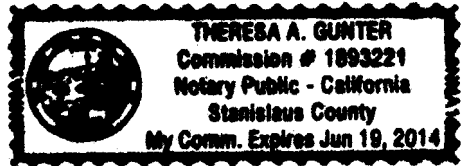
State of California  
County of STANISLAUS

On FEBRUARY 15, 2012, before me, THERESA A. GUNTER, NOTARY PUBLIC,  
(insert name and title of the officer)

personally appeared PATRICIA HILL THOMAS AND CHRISTINE FERRARO TALAMAN,  
who proved to me on the basis of satisfactory evidence to be the pers on(s) whose name(s) is/are  
subscribed to the within instrument and acknowledged to me that he/she/they executed the same in  
his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the  
person(s), or the entity upon behalf of which the pers on(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing  
paragraph is true and correct.

WITNESS my hand and official seal.



Signature [Handwritten Signature] (Seal)

**OPTIONAL**

Though the information below is not required by law, it may prove valuable to persons relying on the document  
and could prevent fraudulent removal and reattachment of this form to another document.

**Description of Attached Document**

Title or Type of Document: MERGER APPLICATION

Document Date: 2/15/2012 Number of Pages: 13

Signer(s) Other Than Named Above: N/A

**Capacity(ies) Claimed by Signer(s)**

Signer's Name: PATRICIA HILL THOMAS

- Individual
- Corporate Officer — Title(s): \_\_\_\_\_
- Partner —  Limited  General
- Attorney in Fact
- Trustee
- Guardian or Conservator
- Other: CHIEF OPERATING OFFICER

Signer Is Representing: STANISLAUS COUNTY

Signer's Name: CHRISTINE FERRARO TALAMAN

- Individual
- Corporate Officer — Title(s): \_\_\_\_\_
- Partner —  Limited  General
- Attorney in Fact
- Trustee
- Guardian or Conservator
- Other: CLERK OF THE BOARD OF SUPERVISORS

Signer Is Representing: STANISLAUS COUNTY