CALIFORNIA STATE
PUBLIC WORKS BOARD ARNOLD SCHWARZENEGGER, GOVERNOR
915 L STREET ■ NINTH FLOOR ■ SACRAMENTO CA ■ 95814-3706 ■ (916) 445-9694

AGENDA WITH ANALYSIS

NOTICE OF MEETING
STATE PUBLIC WORKS BOARD
Friday, April 10, 2009

The **STATE PUBLIC WORKS BOARD will meet on Friday, April 10, 2009, at 10:00 a.m. in Room 113, State Capitol, Sacramento, California.** In accordance with provisions of Section 11125 of the Government Code, a copy of the Agenda is attached.

Greg Rogers
Administrative Secretary

Attachment

STATE PUBLIC WORKS BOARD
Friday,
April 10, 2009
10:00 a.m.
Room 113
State Capitol
Sacramento, California

I. Roll Call

Michael C. Genest, Director, Department of Finance
Will Bush, Director, Department of General Services
Will Kempton, Director, Department of Transportation
John Chiang, State Controller
Bill Lockyer, State Treasurer

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Patrick W. Henning, Director, Employment Development Department
(Advisory Member)

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Assembly Member, Mike Eng, Legislative Advisor
Assembly Member, Mary Hayashi, Legislative Advisor
Assembly Member, Legislative Advisor
Senator, Mark J. DeSaulnier, Legislative Advisor
Senator, Denise Ducheny, Legislative Advisor
Senator, Abel Maldonado, Legislative Advisor

II. Approval of minutes from the March 13, 2009 and March 30, 2009 meetings

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BOND ITEMS

BOND ITEM—1

UNIVERSITY OF CALIFORNIA (6440)
DAVIS AND RIVERSIDE CAMPUSES
VARIOUS PROJECTS
SACRAMENTO AND RIVERSIDE COUNTIES

Authority: *Davis Campus Medical Center Surgery and Emergency Services Pavilion - Section 15820.81 of the Government Code as amended by Chapter 71, Statutes of 2000*

Riverside Campus Genomics Building – Chapter 208, Statutes of 2004, Item 6440-301-0660 (1)

Consider adoption of a resolution to:

1. Authorize the sale of the State Public Works Board Lease Revenue Bonds—Regents of the University of California, 2009 Series E, Various University of California projects.
2. Approve the form of and authorize the execution of a Ninety-Second Supplemental Indenture to the amended Master Indenture dated April 1, 1994, between the State Treasurer and the State Public Works Board.
3. Approve the form of and authorize the execution of a Site Lease and a Space Lease between the Regents of the University of California and the State Public Works Board.
4. Approve the form of and authorize the execution of a Facility Lease and a Facility Space Lease between the State Public Works Board and the Regents of the University of California.
5. Approve the form of and authorize the execution of a Continuing Disclosure Agreement.
6. Approve the form of and authorize the delivery of a Preliminary Official Statement.
7. Approve and authorize the delivery of an Official Statement.
8. Approve other related actions in connection with the authorization, issuance, sale, and delivery of said revenue bonds.

Estimated Project Costs to be Financed	**$156,390,000**
Estimated Par Value of Bonds to be Issued	**$171,875,000**
"To Not Exceed" Par Amount	**$194,000,000**

BOND ITEMS

STAFF ANALYSIS ITEM—1

University of California, Davis and Riverside Campuses
Various Projects
Sacramento and Riverside Counties

Action requested
The requested action would authorize the sale of the 2009 Series E lease revenue bonds and other related actions in connection with the issuance, sale and delivery of said revenue bonds, including approving the forms of and authorizing the execution and delivery of a supplemental indenture, site lease, facility lease, a continuing disclosure agreement, a preliminary official statement, and an official statement.

Scope Description
These projects are within scope.

Davis Campus: Medical Center Surgery and Emergency Services Pavilion (space lease)

The UCDMC Surgery and Emergency Services Pavilion project constructs an addition of 231,383 assignable square feet (asf) (469,120 gross square feet (gsf)) to the existing UCDMC Main Hospital Building. The project program includes operating rooms, emergency department, surgical intensive care units, clinical laboratories and support space. Of the 231,383 asf, the Board space is estimated to be 61,466 asf, consisting primarily of operating rooms and intensive care units on the 3rd floor. In addition, the Board space includes 57,532 asf of tenancy in common space.

Riverside Campus: Genomics Building

The Genomics Building project constructs a new four story 65,243 asf (109,000 gsf) facility for multi disciplinary research in plant, pest and microbial genomics issues. The building includes instructional and research laboratories, research support facilities, offices and office support, a conference facility, and building support space.

Funding and Project Cost Verification
These projects are within cost.

Davis Campus Medical Center Surgery and Emergency Services:

$424,475,000 total estimated project costs

$102,590,000 project costs from lease revenue financing

Riverside Campus Genomics Building:

$ 53,800,000 total estimated project costs

$ 53,800,000 project costs from lease revenue financing

CEQA

Davis Campus Medical Center Surgery and Emergency Services project—The University certifies that the project is in compliance with the requirements of CEQA. A Focused Tiered EIR (tiered from the 1989 Davis Medical Center LRDP EIR) was prepared for the project, the findings of which were certified by the Regents on December 13, 2002. A Notice of Determination was filed with the State Clearinghouse on January 16, 2003.

Riverside Campus Genomics Building—The University certifies that the project is in compliance with the requirements of CEQA. A Mitigated Negative Declaration was prepared for the project, the Findings of which were certified by The Regents on May 17, 2005. A Notice of Determination was filed with the State Clearinghouse and accepted on May 26, 2005.

Real Estate Due Diligence

The Department of General Services has completed its due diligence review (letter dated June 28, 2005, for the Davis Medical Center Surgery and Emergency Services project and letter dated May 27, 2005, for the Riverside Genomics Building) and concluded that there are no exceptions identified during the course of their investigation that would adversely impact the quiet enjoyment of the project's areas.

Project Schedule

Davis Medical Center Surgery and Emergency Services:

Approve preliminary plans	August 2003
Complete working drawings	August 2004
Complete construction	March 2010

Riverside Genomics Building:

Approve preliminary plans	January 2006
Complete working drawings	August 2006
Complete construction	April 2009

Staff Recommendation: Adopt the resolution.

BOND ITEM—2

UNIVERSITY OF CALIFORNIA (6440)
SAN DIEGO CAMPUS
HILLCREST SEISMIC IMPROVEMENTS
SAN DIEGO COUNTY

Authority: *Section 15820.85 of the Government Code as amended by Chapter 71, Statutes of 2000*

Consider adoption of a resolution to:

1. Authorize the sale of the State Public Works Board Lease Revenue Bonds—Regents of the University of California, 2009 Series F, San Diego Medical Center Hillcrest Seismic Improvements.

2. Approve the form of and authorize the execution of an Indenture, between the State Treasurer and the PWB.

3. Approve the form of and authorize the execution of a First Supplemental Indenture to Incorporate the Bonds into the Series I Indenture Pooled Reserve Fund.

4. Approve the form of and authorize the execution of a Continuing Disclosure Agreement.

5. Approve the form of and authorize the execution and delivery of a Preliminary Official Statement.

6. Approve and authorize the execution and delivery of an Official Statement.

7. Approve other related actions in connection with the authorization, issuance, sale, and delivery of said revenue bonds.

Estimated Project Costs to be Financed	**$40,000,000**
Estimated Par Value of Bonds to be Issued	**$41,415,000**
"To Not Exceed" Par Amount	**$46,000,000**

BOND ITEMS

STAFF ANALYSIS ITEM—2

University of California, San Diego
Hillcrest Seismic Improvements
San Diego County

Action requested

The requested action would authorize the sale of the 2009 Series F lease revenue bonds and other related actions in connection with the issuance, sale, and delivery of said revenue bonds, including approving the forms of and authorizing the execution and delivery of a supplemental indenture, site lease, facility lease, a continuing disclosure agreement, a preliminary official statement, and an official statement.

Scope Description

This project is within scope.

San Diego Campus: UCSDMC Hillcrest Seismic Improvements (asset transfer)

Phase 1 Utility Bridge project—Replaces the seismically deficient pedestrian/utility bridge carrying major utility lines between the Central Plant and the UCSD Medical Center Hillcrest campus. The project provides a new steel structure supported by caissons installed into the existing slope. After new utility lines are installed and operational, the existing concrete structure and the old utility lines will be demolished. The structure is built to current seismic standards and will require no future upgrade to meet 2030 standards.

Phase 2 Seismic Deficiencies—Corrects seismic deficiencies in the Main Hospital Building, the Central Plant, the Telecommunications Building, and the utility tunnel. The majority of the work involves upgrading the non structural systems in the Main Hospital by bracing existing utilities above the ceiling areas. The project includes renovations to several critical/acute care departments. The Central Plant is being structurally upgraded and will include the construction of a new enclosure for the Chiller Building. All three buildings have extensive asbestos containing material that has been mitigated as a part of the project.

Pacific Hall Science and Research Building—The Pacific Hall Science and Research Building on the UCSD campus (collateral asset) is a research and instructional facility that houses space for the departments of biology and chemistry. The six story building (plus basement) contains 183,751 gross square feet with laboratory and laboratory support space, animal facilities, conference, and support and storage space.

Funding and Project Cost Verification

This project is within cost. Based on a 2005 review, the Department of General Services (DGS) concluded that the Pacific Hall Science and Research Building is a good quality office and laboratory building and the replacement cost of the building ($53,716,000) is considered to be appropriate and supportable.

Phase 1

$ 8,637,000	total estimated project costs
$ 3,093,000	project costs from lease-revenue financing

Phase 2

$43,454,000	total estimated project costs
$36,907,000	project costs from lease-revenue financing

CEQA

The University certifies that the project is in compliance with the requirements of CEQA. Work for both Phase 1 and the Phase 2 is classified as Categorically Exempt.

Real Estate Due Diligence

The DGS has completed its due diligence review (letter dated May 27, 2005) and concluded that there are no exceptions identified during the course of their investigation that would adversely impact the quiet enjoyment of the project area.

Project Schedule

Approve preliminary plans	July 2003	*(this is the date of Phase 1 approval, which was the earlier of the 2 preliminary plans approvals)*
Approve working drawings	March 2007	
Complete construction	April 2009	

Staff Comments

Pursuant to Government Code Section 15820.86, which allows the property securing the financing to be different from the property improved by the proceeds of the bonds, Pacific Hall Science Research Building on the UCSD campus will be leased to the Board from the Regents pursuant to the Site Leases, and leased back to the Regents pursuant to the Facility Lease (known as asset transfer) rather than the UCSD Medical Center facilities. The Board's approval of the forms of the leases triggered a 60-Day validation period, which elapsed November 13, 2003.

Staff Recommendation: Adopt the resolution.

CONSENT ITEMS

CONSENT ITEM—1

JUDICIAL COUNCIL OF CALIFORNIA (0250)
AMINISTRATIVE OFFICES OF THE COURTS (AOC)
NEW MAMMOTH LAKES COURTHOUSE
MONO COUNTY
AOC Facility Number 26-B2

Authority: *Chapters 47 and 48, Statutes of 2006, Item 0250-301-3037 (1.3), as reappropriated by Chapters 171 and 172, Statutes of 2008, Item 0250-491 (1.3) Chapters 171 and 172, Statutes of 2007, Item 0250-301-3037 (3) Chapters 268 and 269, Statues of 2008, Item 0250-301-3037 (3)*

Consider approval of preliminary plans

CONSENT ITEMS

STAFF ANALYSIS ITEM—1

Judicial Council of California
Administrative Offices of the Courts
New Mammoth Lakes Courthouse
Mono County

Action Requested
If approved, the requested action would approve preliminary plans.

Scope Description
This project is within scope. The scope for this project is to construct a new trial court building of approximately 20,000 gross square feet to accommodate two courtrooms on a 2 acre site in the town of Mammoth Lakes. The scope includes a 2 story building, site work, utilities, parking, and Fixtures/Furniture/Equipment.

Funding and Cost Verification

This project is within cost.

The construction estimate at the end of preliminary plans (100 percent design development) prepared by the Sundt Construction Company (Construction Manager-at-Risk), indicates that a construction cost of $16,414,512 reflects the anticipated construction bids. Based on the approved state budget for FY 2008-09, the project is within budget.

$21,522,000	total estimated project costs
$21,522,000	total authorized project costs
$ 2,055,000	project costs previously allocated: $1,353,000 acquisition and $702,000 preliminary plans
$19,467,000	project costs to be allocated: $944,000 working drawings and $18,523,000 construction ($16,504,000 contract, $825,000 contingency, $777,000 A&E, and $417,000 other)

CEQA

A Notice of Determination was filed with the State Clearinghouse on December 7, 2007, and the 30-Day statute of limitations expired on January 7, 2008, with no adverse comments.

Project Schedule:

Approve preliminary plans	April 2009
Complete working drawings	November 2009
Complete construction	July 2011

Staff Recommendation: Approve preliminary plans.

CONSENT ITEM—2

JUDICIAL COUNCIL OF CALIFORNIA (0250)
ADMINISTRATIVE OFFICE OF THE COURTS
1070 PALM STREET, SAN LUIS OBISPO COUNTY
AOC Facility Number 40-H1, DGS Parcel No. 10564

Authority: *Trial Court Facilities Act of 2002, Chapter 1082, Statutes of 2002, commencing with Section 70301 of the Government Code, as amended.*

Consider the acceptance of real property through a transfer of title

CONSENT ITEMS

STAFF ANALYSIS ITEM—2

Judicial Council of California
Administrative Office of the Courts
1070 Palm Street, AOC Facility Number 40-H1
San Luis Obispo County

Action Requested
If approved, the requested action would authorize the acceptance of real property through a transfer of title.

Scope Description
This transaction is within scope. The County of San Luis Obispo (County) is transferring fee title in and to the court facility commonly known as 1070 Palm Street, located in San Luis Obispo, California (Court Facility), to the State of California (State) on behalf of the Judicial Council of California (Council), Administrative Office of the Courts (AOC), pursuant to that certain Transfer Agreement Between the Judicial Council of California, Administrative Office of the Courts and the County of San Luis Obispo for the Transfer of Responsibility and Title for Court Facility, dated December 16, 2008 (Transfer Agreement). The Court Facility consists of approximately 6,160 square feet of real property improved with a one story building, parking lot, and associated landscaping. Following the no cost of transfer of title, the AOC shall be responsible for the funding and operation of the Court Facility, with the exception of the Parking Area, which will remain the responsibility of the County.

Funding and Cost Verification

This transaction is within cost. The County shall not be entitled to compensation for any equity value in the square footage occupied by the Superior Court in the Court Facility pursuant to SB 1732 (Escutia), Chapter 1082, Statutes of 2002, Section 1(d)(6). The only costs associated with acceptance of this no cost acquisition are the staff costs to process the acceptance.

CEQA

A Notice of Exemption was filed with the State Clearinghouse on December 15, 2008, and the 35-Day statute of limitations period expired on January 19, 2009, with no adverse comments.

Project Schedule

The anticipated date of close of escrow is April 2009.

Condition of Property

Staff from the AOC's Office of Court Construction and Management conducted its initial site visit to the Court Facility on June 12, 2007, to assess the general condition of the property. This site visit together with subsequent visits were made to assess the real property for apparent conditions that could adversely impact habitability or safety; identify County furnishings, fixtures, and equipment to be transferred and conveyed to the State along with the real property; and to identify any tenancies, encroachments, apparent easements, or other rights to occupy or use the property that might be vested in parties other than the County or the Court. Since the AOC's initial visit the status of the building assessment has remained unchanged. The Office of Court Construction and Management concluded that the Court Facility does not contain any apparent hazards to the health and safety of the occupants or property.

Phase I

A Phase I report was completed in February 2008, by Environmental Resources Management Inc. (ERM) in accordance with the American Society for Testing and Materials Standard Practice for Environmental Site Assessments: Phase I (E-1527-00) (ASTM 2000). The Phase I found no on site or off site recognized environmental conditions with respect to the subject site. However, based on the age of the building, the Phase I reported the possible presence of (1) lead based paints in the exterior or interior wall paint at the subject property; and (2) asbestos containing materials (ACM) which could have been used in building construction. No evidence of paint cracking or chipping was observed during the site visit and facility personnel noted that individual materials have been tested prior to renovation to determine the presence of ACMs. The building's previous roof was tested for ACMs and the presence of ACMs was confirmed, however, the roof was replaced with a new composite roof approximately 2 to 3 years prior to the site visit. The Phase I also points out a 1990 release of gasoline on an adjacent 0.45 mile property that impacted the groundwater. This site has undergone remediation and its current status is post remedial action monitoring; as such, the potential for impacts to the subject property is deemed low.

Seismic Safety Assessment of the Improvements

Pursuant to SB 1732 (Escutia), Chapter 1082, Statutes of 2002 (Act), Section 70327, any Court Facility less than 10,000 square feet of space is exempt from the seismic safety assessment requirement upon approval of the Director of Finance and the AOC. This facility has been exempted pursuant to Finance and AOC approval.

Other:

- The County adopted a Resolution on December 16, 2008, approving the Transfer Agreement to transfer title and responsibility of the Court Facility to the State.
- The Transfer Agreement requires that delivery of title to the property to be free and clear of any mortgages or liens.
- The Transfer Agreement requires the JCC to consult with the County concerning the future disposition of the Court Facility pursuant to the provisions of, Section 70391(c)(2) (Act). When requested by the transferring county, a surplus court facility shall be offered to that county at fair market value prior to being offered to any other state agency or other local government agency.
- A Memorandum of Agreement between the County and the AOC stipulates that the AOC shall comply with the provisions of the Act. Prior to engaging in any disposition of the Court Facility by the State following the transfer of title, the County will be entitled to the County's share of any net proceed obtained by the AOC from the sale of the real property.
- The County has agreed to indemnify the AOC for any liability imposed on the AOC pursuant to the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. Sec. 9601 et seq.), or related provisions for conditions at the time of transfer whether known or not known that existed in, on, or under the real property during the period of its ownership.
- The Phase I report indicates that it is likely that there are potential concerns for lead based paint and asbestos containing materials in the building. Prior to any structural changes or renovations, appropriate local, state, and federal rules/regulations will be followed by the AOC with respect to the handling and disposal of these materials.
- The AOC is not aware of any lawsuits pending concerning the property.
- The Superior Court occupies the entire facility; therefore, the County is not entitled to any compensation.
- In accordance with SB1732, there is adequate parking for the Court Facility.
- There are no historic issues associated with the Court Facility.
- There is no implied dedication involved with this project.

Staff Recommendation: **Authorize the acceptance of real property through a transfer of title.**

CONSENT ITEM—3

JUDICIAL COUNCIL OF CALIFORNIA (0250)
ADMINISTRATIVE OFFICE OF THE COURTS
SANTA CLARA COURTHOUSE, SANTA CLARA COUNTY
DGS Parcel No. 10551 AOC Facility Number 43-G1

Authority: *Trial Court Facilities Act of 2002, Chapter 1082, Statutes of 2002, commencing with Section 70301 of the Government Code, as amended.*

Consider the acceptance of real property through a transfer of title

CONSENT ITEMS

STAFF ANALYSIS ITEM—3

Judicial Council of California
Administrative Office of the Courts
Santa Clara Courthouse, AOC Facility Number 43-G1

Action Requested
If approved, the requested action would authorize the acceptance of real property through a transfer of title.

Scope Description
This transaction is within scope. The County of Santa Clara (County) is transferring fee title in and to the court facility commonly know as the Santa Clara Courthouse, located at 1095 Homestead Road, Santa Clara, California (Court Facility), and granting all right, title and interest to the Court Facility's parking area to the State of California (State) on behalf of the Judicial Council of the California (Council), Administrative Office of the Courts (AOC), pursuant to that certain Transfer Agreement Between the Judicial Council of California, Administrative Office of the Courts and the County of Los Angeles for the Transfer of Responsibility and Title for Court Facility, dated September 23, 2008 (Transfer Agreement). The Court Facility consists of approximately 1.26 acres of real property improved with a three story building, parking lot, and associated landscaping. Following the transfer of title, the AOC shall be responsible for the funding and operation of the Court Facility.

Funding and Cost Verification

This transaction is within cost. The County shall not be entitled to compensation for any equity value in the square footage occupied by the Superior Court in the Court Facility pursuant to SB 1732 (Escutia), Chapter 1082, Statutes of 2002, Section 1(d)(6). The only costs associated with acceptance of this no-cost acquisition are the staff costs to process the acceptance.

CEQA

A Notice of Exemption was filed with the State Clearinghouse on November 4, 2008, and the 35-day statute of limitations period expired on December 9, 2008, with no adverse comments.

Project Schedule

The anticipated date of close of escrow is May 1, 2009.

Condition of Property

Staff from the AOC's Office of Court Construction and Management conducted an initial site visit of the Court Facility on November 19, 2007, to assess the general condition of the property. The site visit entailed a tour of the facility and surrounding property including a review of the real property for apparent conditions that could adversely impact the habitability or safety of the property; identification of furnishings, fixtures, and equipment that the County will transfer and convey to the State along with the real property; and to identify any tenancies, encroachments, apparent easements, or other rights to occupy or use the property that might be vested in parties other than the County or the AOC. Subsequent visits made by AOC staff report no changes from the findings and observations made during the initial site visit. The Office of Court Construction and Management concluded that the Court Facility did not contain any apparent hazards to the health and safety of the occupants or property.

Phase I:

A Phase I report was completed on July 31, 2008, by Tetra Tech EM Inc., in accordance with the American Society for Testing and Materials Standard Practice for Environmental Site Assessments: Phase I (E-1527-00) (ASTM 2000). The Phase I includes an evaluation of significant environmental, health, and safety conditions impacting the interior and exterior of the Court Facility. In preparing the Phase I, a visual inspection of the Court Facility was performed to detect any apparent hazardous conditions in, on, or about the Court Facility, and the historical uses of the real property were reviewed. The Phase I found no recognized environmental conditions with respect to the subject site. There were however, two items of concern noted: (1) Based on the age of the courthouse facility, lead based paint may be present, and; (2) the presence asbestos containing materials on the site. Tectra Tech, however, did not identify conditions indicative of releases or threatened releases of hazardous substances on, at, in or to the subject site.

Seismic Safety Assessment of the Improvements:

Mason Walters of Forell/Elsesser, licensed structural engineers, performed a Tier I seismic safety assessment of the building located in the Court Facility in August 2003, and inspected and evaluated the Court Facility for seismic safety in accordance with the method and criteria developed by the Department of General Services' Real Estate Services Division. The building was determined to have a seismic safety rating of Level V, as defined in the Risk Acceptability Table of the State Building Seismic Program, developed by the Division of State Architect, April 1994. In 2007, the County of Santa Clara entered into a construction contract for a seismic upgrade, designed by Biggs Cardosa Associates, Inc., licensed structural engineers. The structural upgrade was completed and certified by Biggs Cardosa Associates, Inc. on May 19, 2008, as complete, and in conformance with approved construction plans and specifications, resulting in the improvement of the seismic safety rating to Level IV or better.

Other:

- The State may refuse to accept responsibility for the Court Facility only if (a) the Court Facility contains one or more "deficiencies," as defined at Government Code Section 70326(b), and (b) the County and the AOC have not made provision for the correction of the deficiencies as part of the Transfer Agreement, pursuant to Section 70326(c) or Section 70327(d) of the Government Code. Neither of these situations exist.
- The AOC is not aware of any lawsuits pending concerning the property.
- On September 23, 2008, the County approved the Transfer Agreement to transfer title and responsibility of the Court Facility to the State.
- The Transfer Agreement requires the delivery of title to the property to be free and clear of any mortgages or liens.
- In accordance with SB1732, there is adequate parking for the Court Facility. The County is granting all right, title, and interest to 112 parking spaces in the adjacent parking lot; together with vehicular access to the prisoner entry bridge and public entrance located on the north side of the courthouse building.
- The AOC will grant the County the right of ingress, egress, and access to all parts of the Court Facility where the County's telecommunications and information technology equipment is located for the County's continued use, operation, and maintenance.
- From and after the closing date, the AOC will be responsible for monitoring and managing the Building Information Management Systems serving the Court Facility and for coordinating the provision of any necessary information technology and telecommunications infrastructure.
- There are no historic issues associated with the Court Facility.
- The County has agreed to indemnify the AOC against any known conditions that existed in, on, or under the real property during the period of their ownership.
- The Phase I report indicates that it is likely that there are potential concerns for lead-based paint and asbestos containing materials in the building. Prior to any structural changes or renovations, all appropriate local, state, and federal rules/regulations will be followed with respect to the handling and disposal of these materials. In addition, prior to any ground disturbing activities, appropriate local, state, and federal rules/regulations will be followed with respect to handling and possible disposal of contaminated soil.

Staff Recommendation: **Authorize the acceptance of real property through a transfer of title.**

CONSENT ITEM—4

JUDICIAL COUNCIL OF CALIFORNIA (0250)
ADMINISTRATIVE OFFICE OF THE COURTS
LONG BEACH COURTHOUSE
LOS ANGELES COUNTY
JCC Parcel Number 19-Y5; DGS Parcel Number 10567

Authority: Chapters 171 and 172, Statutes of 2007, Item 0250-301-3037(1.6)

Consider authorization of site selection

CONSENT ITEMS

STAFF ANALYSIS ITEM—4

Judicial Council of California
Administrative Offices of the Courts
Long Beach Courthouse
Los Angeles County

Action requested
If approved, the requested action would authorize site selection.

Scope Description
This project is within scope. This requested action will authorize site selection of approximately 5.921 acres for the construction of the new 30 courtroom Long Beach Courthouse with secure parking for judicial officers and staff in the city of Long Beach (City). The site is comprised of several parcels within two city blocks situated in the City's new Redevelopment Area, bounded by West Broadway, 3rd Street, Magnolia Avenue and Maine Avenue. The two blocks are separated by a street that will be vacated by the City and conveyed at no cost to the State. The site is ideally located in proximity to the existing courthouse and other governmental entities. Furthermore, the State owned parking structure currently utilized by the existing courthouse is located within one-half block of the subject property. As such, additional costs for the construction of a new parking lot would be unnecessary and a cost savings to the Judicial Council of California (JCC), Administrative Office of the Courts (AOC). The City's Redevelopment Agency is agreeable to exchanging this site plus additional monetary consideration (for the development of the future courthouse) for the existing Long Beach Courthouse.

Funding and Cost Verification
This project is within cost.

CEQA
Subsequent to the site selection process and in accordance with the California Environmental Quality Act (Public Resources Code Section 21000-21177) and pursuant to Section 15063 of Title 14 of the California Code of Regulations, the JCC, acting in the capacity of Lead Agency, has undertaken the preparation of an Initial Study to determine if the proposed project would have a significant environmental impact. Based on initial study, the JCC anticipates filing a mitigated negative declaration (MND). The completed MND (or EIR if JCC later determines that is necessary) will be submitted with a future site acquisition application for the selected site.

Project Schedule
The anticipated close of escrow is October 2009.

Condition of Properties
Department of General Services (DGS), Environmental Services Section (ESS) staff conducted a site visit to the proposed New Long Beach Courthouse site on March 18, 2009. The 5.9 acre subject property consists of two downtown Long Beach city blocks. The property is bounded by West 3rd Street to the north, Magnolia Avenue to the east, Broadway to the south, and Maine Avenue to the West. Daisy Avenue runs north/south and separates the two city blocks. There is only one original structure remaining on the site, at the corner of Magnolia Avenue and Broadway, and it is currently being demolished.

A Phase I Environmental Site Assessment was completed for the entire site in 2004 and a follow up Phase II Environmental Site Assessment was completed for the site in August 2008 to document soil and soil gas assessment at the proposed Long Beach Courthouse Property and adjacent sites. The recommendations based upon the proposed land use as a court facility were that no further assessment is recommended. The report did recommend that dust control measures be employed during construction to reduce the exposure to construction worker from the naturally occurring arsenic in the onsite soils. Based upon the information in the Phase II report and the site visit, ESS staff agrees that no further evaluation is recommended.

Other:
- The proposed site meets the size, location, and compatibility requirements of the JCC.
- The subject property is improved with surface parking lots.
- The purchase price will not exceed the estimated fair market value as determined by a Department of General Services approved appraisal.
- The Redevelopment Agency of the City of Long Beach and the AOC have entered into a non-binding Letter of Intent dated February 11, 2009, solely as a preliminary expression of general intent and interest to be used for general negotiation and discussion purposes.
- There is no implied dedication involved with this project.
- There will be no relocation assistance for this project.
- There are mineral leases on the subject property that will need to be researched to determine the ownership of the surface rights.
- The project has been authorized to be the pilot project for a Public - Private Partnership (PPP) transaction. The AOC has issued a Request for Qualifications and received 12 responses. The Request for Proposal will be issued to the selected contractors by May 1, 2009.

Staff Recommendation: Authorize site selection

CONSENT ITEM—5

DEPARTMENT OF GENERAL SERVICES (1760)
CALIFORNIA HIGHWAY PATROL (2720)
OCEANSIDE AREA OFFICE
SAN DIEGO COUNTY
CHP 504A, DGS PARCEL NUMBER 10434

Authority: *Chapters 47and 48, Statues of 2006, Item 2720-301-0044 (6)*
Chapters 268 and 269, Statues of 2008, Item 2720-301-0044 (2.5)

Consider authorization of acquisition

CONSENT ITEMS

STAFF ANALYSIS ITEM—5

Department of General Services
California Highway Patrol
Oceanside Area Office
San Diego County

Action requested
If approved, the request would authorize acquisition.

Scope
This project is within scope. This request will authorize acquisition of the fee simple interest of approximately 2.5 acres of vacant land for the purposes of constructing a new 20,800 square foot (sf) facility with automotive bay and 400 sf area for Telecom facilities. The site will also contain an emergency 900 sf generator building, fencing, a fuel island, and parking for 95 cars, including 2 handicap spaces and motorcycle parking. This new facility will be an Essential Services Office.

Funding and Cost Verification

This project is within cost. Chapters 47 and 48, Statues of 2006, Item 2720-301-0044 (6) provides $2,031,000 for acquisition. An augmentation of $101,500 was approved as a delegated item in the May 2008 Board agenda. The property can be acquired with the funds available and in accordance with Legislative intent. In addition to acquisition funding, Chapters 268 and 269, Statues of 2008, Item 2720-301-0044 (2.5) provides $1,023,000 for preliminary plans.

CEQA

A Notice of Determination was filed with the State Clearinghouse on January 22, 2009, and the 30-day statute of limitations expired with no adverse comments on February 21, 2009.

Project Schedule

The anticipated close of escrow is May 2009.

Condition of Property

On January 15, 2008, staff from the Department of General Services (DGS), Environmental Services Section (DGS/ESS) conducted a site visit for the proposed California Highway Patrol (CHP) facility. The site is currently vacant and is an existing five acre parcel to be split in half (approximately). It is located at the southwest corner of Hacienda Drive and La Tortuga Drive within the incorporated City of Vista, California.

The parcel is currently undeveloped and vacant. The parcel is characterized by a sloping terrain with steepness from 13 – 20 percent. The 2.5 acres being sought by the CHP is at the top of the hill which is generally level. The property is zoned commercial acreage. The proposed use as a CHP replacement facility is compatible with this zoning. It is surrounded by mixed development (commercial and residential). The property is bounded to the south by undeveloped parcels. An Environmental Site Assessment, Phase I (Phase I) was completed in May 2005 by Vinje & Middleton Engineering, Inc., Escondido, CA. This Phase I was reviewed by DGS/ESS staff and found to be in accordance with the standards established under the American Society of Testing Materials (ASTM).

Prior land usage was as an avocado and orange grove. The Phase I site inspection did not identify any evidence of use, storage, or disposal of hazardous substances or petroleum hydrocarbons in association with past land use. When the site was actively farmed, only citrus oil was sprayed on grove trees. The compound is not identified as hazardous and no agricultural production has occurred on the property for over 20 years. None of the mixed development surrounding the site represents activities of environmental concern (North County Correctional Facility, North County Regional Court House, multi-family residential, and LA Fitness Center).

During the DGS/ESS site visit, no evidence of contamination was observed on the subject property. No other environmental hazards or conditions were found during the site visit. The properties are not in industrial use. The Phase I revealed no evidence of environmental conditions and ESS staff concur with this finding.

Other:

- The State Public Works Board (Board) approved site selection for this project as a delegated action of the May 2008 agenda.
- The purchase price will not exceed the estimated fair market value as determined by a DGS approved appraisal.
- The property is vacant and unimproved and there is no relocation assistance involved with the project.
- There is no implied dedication applicable to this property.
- All utility connections are available at the site.
- The CHP is not aware of any lawsuits pending concerning the property. The Property Acquisition Agreement (PAA) will require delivery of title to the property free and clear of any mortgages or liens.
- The PAA does not include the state's standard indemnification language, potentially exposing the state to additional fiscal liability; however, the DGS/ESS site visit of January 15, 2008, did not identify conditions that likely pose an exceptional risk to the state. The indemnification language in the PAA limits the Seller's liability to their period of ownership. The modified indemnification language in the PAA does not limit, hinder, or interfere with the State's right to seek remediation from the Seller or any previous property owner for any potential adverse impact should one be discovered.
- CHP estimates total project cost, including acquisition, to be $23,220,000.
- Maintenance of the site prior to the start of construction will be absorbed within CHP existing funds.

Staff Recommendation: Authorize acquisition.

CONSENT ITEM—6

DEPARTMENT OF MOTOR VEHICLES (2740)
VICTORVILLE FIELD OFFICE RECONFIGURATION
SAN BERNARDINO COUNTY

Authority: *Chapters 171 and 172, Statutes of 2007, Item 2740-301-0044(2) as reappropriated by Chapters 268 and 269, Statutes of 2008, Item 2740-490(2)*

Consider approval of preliminary plans

CONSENT ITEMS

STAFF ANALYSIS ITEM—6

Department of Motor Vehicles
Victorville Field Office Reconfiguration
Victorville, San Bernardino County

Action Requested
If approved, the requested action would approve preliminary plans.

Scope Description
This project is within scope. The project provides for the interior renovation of the existing 5,700 square foot (sf) office as well as a 3,000 sf addition to the existing DMV field office located in Victorville. Interior renovations include replacement of interior finishes; heating, ventilation and air conditioning system; and electrical systems. The project will also expand parking capacity.

Funding and Cost Verification

This project is within cost. The Budget Act of 2007 provided $3,824,000 for all phases of this project. Of that amount, $331,000 for preliminary plans were encumbered, $308,000 for working drawings was reappropriated and the remaining $3,185,000 was allowed to revert on the natural. Funding for the construction phase of this project was proposed in the 2009-10 Governor's Budget.

$4,052,000	total authorized project costs: ($331,000 preliminary plans, $308,000 working drawings and $3,413,000 construction ($2,381,000 contract, $167,000 contingency, $456,000 A&E, $241,000 other costs, and $168,000 agency retained)
$4,052,000	total estimated project costs
$ 639,000	project costs previously allocated: $331,000 preliminary plans and $308,000 working drawings
$3,413,000	project costs to be allocated: $3,413,000 construction ($2,381,000 contract, $167,000 contingency, $456,000 A&E, $241,000 other project costs, and $168,000 agency retained items)

CEQA

A Notice of Exemption was filed with the State Clearinghouse on February 18, 2009, and the waiting period expired on March 18, 2009, with no adverse comments.

Real Estate Due Diligence

The Department of General Services completed a Summery of Conditions Letter for this project on September 22, 2008, with no significant issues were identified.

Project Schedule:

Approve preliminary plans	April 2009
Complete working drawings	November 2009
Complete construction	August 2011

Staff Recommendation: Approve preliminary plans.

CONSENT ITEM—7

CALIFORNIA STATE UNIVERSITY (6610)
CHANNEL ISLANDS CAMPUS
ENTRANCE ROAD
VENTURA COUNTY

Authority: *Chapters 171 and 172, Statutes of 2007, Item 6610-301-6048(8)*
Chapters 268 and 269, Statutes of 2008, Item 6610-301-6041(3)

Consider approval of preliminary plans.

CONSENT ITEMS

STAFF ANALYSIS ITEM—7

California State University
California State University, Channel Islands
Entrance Road
Ventura County

Action Requested
If approved, the requested action would approve preliminary plans.

Scope Description
This project is within scope. This project would construct a new primary campus entrance road needed to provide improved traffic safety and security of access. This road will connect the campus to the realigned Lewis Road and Ventura County access bridge.

Funding and Cost Verification

This project is within cost.

$25,212,000	total estimated project costs
$25,212,000	total authorized project costs
$ 1,390,000	project costs previously allocated: $791,000 preliminary plans, $599,000 working drawings.
$23,822,000	project costs to be allocated: $23,822,000 construction ($20,835,000 contract, $1,042,000 contingency, $1,458,000 project administration).

CEQA

The University certifies that the project is in compliance with the requirements of CEQA. The Supplemental Environmental Impact Report (SEIR) was filed with the State Clearinghouse on March 13, 2008, and no challenges were received within the thirty days following the filing.

Real Estate Due Diligence

California State University (CSU), on behalf of the Board of Trustees of the CSU, acknowledges that they have full responsibility for reviewing and clearing due diligence issues for general obligation bond funded projects.

Project Schedule:

Approve preliminary plans	April 2009
Complete working drawings	October 2009
Complete construction	January 2012

Staff Recommendation: Approve the preliminary plans.

CONSENT ITEM—8

DEPARTMENT OF CORRECTIONS AND REHABILITATION (5225)
CALIFORNIA MEN'S COLONY
50-BED MENTAL HEALTH CRISIS BED FACILITY
SAN LUIS OBISPO, SAN LUIS OBISPO COUNTY

Authority: *Sections 15819.40(c) and 15819.402 - 15819.404 of the Government Code*

Consider establishment of scope, cost, and schedule

CONSENT ITEMS

STAFF ANALYSIS ITEM—8

Department of Corrections and Rehabilitation
California Men's Colony, 50-bed Mental Health Crisis Bed Facility
San Luis Obispo, San Luis Obispo County

Action Requested
If approved, the requested action would establish scope, cost, and schedule for this project.

Scope Description
This project is within scope. This project will design and construct a 50-bed Mental Health Crisis Bed (MHCB) facility that will provide the housing, treatment, and office space necessary to help stabilize inmate-patients experiencing a state of mental health crisis. This facility will be substantially similar to the 50-bed MHCB facility recently completed at the California Medical Facility (CMF).

In October 2006, the *Coleman* court ordered the Department of Corrections and Rehabilitation (CDCR) to include in its long term mental health bed plan a 50-bed MHCB project at the California Men's Colony (CMC). In response, this project was included in the Mental Health Bed

Plan submitted to the *Coleman* court in December 2006. In March 2007, the court ordered the CDCR to complete and occupy the 50-bed MHCB at CMC as soon as possible. Consequently, funding for this project was requested in the Budget Act of 2007.

The Budget Act of 2007 included provisional language directing the CDCR to fund the design and construction of this project from the funds appropriated in Section 15819.403(a) of the Government Code (AB 900, Phase I) for medical, dental, and mental health projects. This provision was contingent on Department of Finance certification that the *Coleman* Court resolved the 50-bed MHCB facility would be constructed rather than the larger consolidated care center that had been proposed at CMC. On April 24, 2008, Finance sent this certification to the Legislature. Moreover, on March 24, 2009, the *Coleman* Court ordered the Administration to get this project started within 30 days.

Funding and Cost Verification

This project is within cost. This action would allocate $63,715,000 of the $710,940,000 Public Buildings Construction Fund (lease revenue bond authority) appropriated in Section 15819.403(a) of the Government Code, as amended, to complete design and construction for this project.

$ 0	total authorized project cost
$63,715,000	total estimated project cost
$63,715,000	project costs to be allocated: $3,867,000 preliminary plans, $4,056,000 working drawings, $55,792,000 construction ($43,640,000 contract, $2,182,000 contingency, $2,833,000 A&E, $3,510,000 other project costs, and $3,627,000 agency retained items)

CEQA

Appropriate CEQA documentation will be completed for this project during the preliminary plans phase.

Real Estate Due Diligence

Real estate due diligence review and a Summary of Conditions Letter will be completed for this project during the preliminary plans phase.

Project Schedule:

Approve preliminary plans	July 2010
Approve working drawings	January 2011
Complete construction	March 2013

Staff Recommendation: Establish scope, cost, and schedule.

CONSENT ITEM—9

DEPARTMENT OF CORRECTIONS AND REHABILITATION (5225)
CALIFORNIA MEDICAL FACILITY
64-BED INTERMEDIATE CARE FACILITY
VACAVILLE, SOLANO COUNTY

Authority: *Chapters 47 and 48, Statutes of 2006, Item 5225-301-0001(13.5)*
Sections 15819.40(c) and 15819.402 - 15819.404 of the Government Code

Consider:

a. approval of preliminary plans

b. establishment of scope, cost, and schedule

CONSENT ITEMS

STAFF ANALYSIS ITEM—9

Department of Corrections and Rehabilitation
California Medical Facility, 64-bed Intermediate Care Facility
Vacaville, Solano County

Action Requested
If approved, the requested action would approve preliminary plans and establish scope, cost, and schedule for this project.

Scope Description
This project is within scope. This project will expand the Vacaville Psychiatric Program (VPP) at the California Medical Facility (CMF) to include an additional 64 Intermediate Care Facility (ICF) beds, bringing the total number of VPP inpatient beds to 364. The new 64-bed ICF will be operated by the Department of Mental Health (DMH) and will include housing, treatment, program, and office space. This facility will address various concerns of the *Coleman* Court by providing additional inpatient mental health treatment space for inmates who require a high security environment.

This project is part of the supplemental mental health bed plan approved by the *Coleman* Court in August 2007 and it consists of an expansion to the VPP. The VPP currently provides 24-hour acute and intermediate inpatient mental health care for 300 mentally ill inmate-patients. The program is jointly operated by the DMH and the Department of Corrections and Rehabilitation (CDCR). This project is necessary to provide adequate licensed inpatient mental health treatment capacity for the CDCR's growing population of male, Level IV inmates who require inpatient mental health care beyond short-term crisis care.

Funding and Cost Verification

This project is within cost. The Budget Act of 2006 appropriated $3,914,000 General Fund for the preliminary plans for this project. Preliminary plans for this project have been completed and the 45-Day notice required pursuant to Section 7003 of the Penal Code was submitted by the CDCR to the Legislature on November 3, 2008. This action would allocate $52,199,000 of the $710,940,000 Public Buildings Construction Fund (lease revenue bond authority) appropriated in Section 15819.403(a) of the Government Code, as amended, to complete working drawings and construction for this project.

$56,113,000	total authorized project cost
$56,113,000	total estimated project cost
$ 3,914,000	project costs previously allocated: preliminary plans
$52,199,000	project costs to be allocated: $3,288,000 working drawings, $48,911,000 construction ($37,063,000 contract, $1,853,000 contingency, $3,071,000 A&E, $3,888,000 other project costs, and $3,036,000 agency retained items)

CEQA

A Notice of Determination was filed with the State Clearinghouse on March 5, 2009, and the statute of limitations expired on April 4, 2009, without public comment.

Real Estate Due Diligence

The Department of General Services completed a Summary of Conditions Letter for this project on June 6, 2008, and it is noted that no significant issues were identified.

Project Schedule:

Approve preliminary plans	April 2009
Approve working drawings	January 2010
Complete construction	July 2012

Staff Recommendation: **Approve preliminary plans and establish scope, cost, and schedule.**

CONSENT ITEM—10

DEPARTMENT OF CORRECTIONS AND REHABILITATION (5225)
CALIFORNIA MEDICAL FACILITY
ENHANCED OUTPATIENT PROGRAM TREATMENT, PROGRAM, AND OFFICE SPACE
VACAVILLE, SOLANO COUNTY

Authority: *Sections 15819.40(c) and 15819.402 - 15819.404 of the Government Code*

Consider establishment of scope, cost, and schedule

CONSENT ITEMS

STAFF ANALYSIS ITEM—10

Department of Corrections and Rehabilitation
California Medical Facility
Enhanced Outpatient Program Treatment, Program, and Office Space
Vacaville, Solano County

Action Requested
If approved, the requested action would establish scope, cost, and schedule for this project.

Scope Description
This project is within scope. This project will design and construct a new building adjacent to the existing Enhanced Outpatient Program (EOP) housing. This new mental health building will not include any new housing, but will provide adequate treatment, program, and office space to support the existing EOP.

On October 17, 2007, the *Coleman* Court ordered the Department of Corrections and Rehabilitation (CDCR) to submit a development proposal to the Special Master within 150 days outlining their plan for providing adequate EOP treatment and counseling space at the California Medical Facility (CMF). The CDCR submitted the required development proposal on March 28, 2008. This plan proposed the design and construction of a new building to provide adequate treatment, program, and office space to support the 658 existing EOP beds at the CMF. Subsequently, on October 6, 2008, the *Coleman* Court ordered the CDCR to design and construct this project as described in their March 28, 2008 development proposal.

Funding and Cost Verification

This project is within cost. This action would allocate $52,428,000 of the $710,940,000 Public Buildings Construction Fund (lease revenue bond authority) appropriated in Section 15819.403(a) of the Government Code, as amended, to complete design and construction for this project.

$ 0	total authorized project cost
$52,428,000	total estimated project cost
$52,428,000	project costs to be allocated: $3,341,000 preliminary plans, $3,485,000 working drawings, $45,602,000 construction ($35,921,000 contract, $1,796,000 contingency, $1,501,000 A&E, $3,515,000 other project costs, and $2,869,000 agency retained items)

CEQA

Appropriate CEQA documentation will be completed for this project during the preliminary plans phase.

Real Estate Due Diligence

Real estate due diligence review and a Summary of Conditions Letter will be completed for this project during the preliminary plans phase.

Project Schedule:

Approve preliminary plans	September 2010
Approve working drawings	April 2011
Complete construction	July 2013

Staff Recommendation: Establish scope, cost, and schedule.

ACTION ITEMS

NONE

OTHER BUSINESS

NONE

REPORTABLES

To be presented at the meeting.