



**CALIFORNIA STATE
PUBLIC WORKS BOARD**

EDMUND G. BROWN JR. • GOVERNOR

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AGENDA WITH ANALYSIS

**NOTICE OF MEETING
STATE PUBLIC WORKS BOARD
Thursday, April 14, 2016**

**The STATE PUBLIC WORKS BOARD will meet on
Thursday, April 14, 2016, at 10:00 a.m. in Room 587,
915 Capitol Mall, Sacramento, California.**

Departments with requests for preliminary plan approval are reminded to contact their respective capital outlay analyst for an appointment to review plans. Plan review should be scheduled either on the screening meeting date or before that date.

PLEASE NOTE: Departments with preliminary plans, after Department of Finance staff review, please offer a briefing to the Legislative Analyst's Office.

Attachment

Pursuant to section 11125 of the Government Code, notice of all Board meetings will be given at least ten days in advance and such notice must include a copy of the agenda. Members of the Public may address the Board prior to it taking action on any matter in the agenda.

This notice and the Board agenda for the current month are available on the Internet at: <http://www.spwb.ca.gov>.

Individuals who need disability-related accommodation, including auxiliary aids for effective participation at this public meeting are invited to make their requests and preferences known to Karessa Belben at (916) 445-9694 or e-mail to karessa.belben@dof.ca.gov five days prior to the meeting.

STATE PUBLIC WORKS BOARD

**Thursday
April 14, 2016
10:00 a.m.
Room 587**

915 Capitol Mall
Sacramento, California

I.	Roll Call		
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BOND ITEMS

BOND ITEM—1

**BOARD OF STATE AND COMMUNITY CORRECTIONS (5227)
ADULT LOCAL CRIMINAL JUSTICE PROJECT
SANTA CRUZ COUNTY**

Authority: Sections 15820.92 – 15820.926 of the Government Code

Consider adoption of a resolution to:

- a) Authorize actions to be taken to provide for interim financing and declare the official intent of the Board to reimburse certain capital expenditures from the Public Buildings Construction Fund from the proceeds of the sale of bonds.**
- b) Authorize the sale of lease revenue bonds.**
- c) Approve other related actions in connection with the authorization, issuance, sale, and delivery of said revenue bonds.**

Total Bond Appropriation

\$24,635,000

BOND ITEMS

STAFF ANALYSIS ITEM—1

Board of State and Community Corrections
Adult Local Criminal Justice Project
Santa Cruz County

Action Requested

If approved, the requested action would adopt a resolution authorizing actions to be taken to provide for interim financing, authorize the sale of lease revenue bonds, and other related actions.

Scope Description

This project is within scope. This project will include renovations to and expansion of the existing county jail on county-owned land in an unincorporated area of Santa Cruz County near the city of Watsonville. This project will include renovations to approximately 19,000 square feet of space in two existing buildings, the construction of approximately 12,000 square feet of new space in three additions to the same two existing buildings, and the construction of a new, approximately 3,000 square foot visitation building.

The existing minimum security building will be renovated and expanded to provide housing space with approximately 64 minimum security beds; a dayroom; and laundry, program, administrative, support, and storage space. One wing of the existing minimum security building will be demolished to allow construction of the new housing addition.

The existing medium security building will be renovated and expanded to include a lobby, a kitchen, a safety cell, and storage and support space.

The new visitation building will provide a contact visiting room, non-contact visiting space, an interview room, and support space.

This project will also include the installation of upgrades to the on-site utility systems including, but not limited to, water; septic sewer; electrical; plumbing; mechanical; heating, ventilation and air conditioning; telecommunications; security; fire protection; and storm water systems. A delivery vehicle sallyport will be constructed and an existing parking lot will be refurbished into a service yard. The renovations and expansions will be constructed primarily of steel, masonry, and concrete for long-term durability, and will include seismic upgrades to existing buildings and install secure perimeter fencing.

Funding and Project Cost Verification

This project is within cost. Section 15820.922 of the Government Code (SB 1022) appropriates \$509,060,000 lease revenue bond financing authority to partially finance the design and construction of adult local criminal justice projects. Award of this funding to individual counties was administered through the Board of State and Community Corrections (BSCC). BSCC has conditionally awarded \$24,635,000 from this appropriation to Santa Cruz County for this project. All of the acquisition/study and any design and construction costs in addition to this amount will be paid by the County.

On September 12, 2014, the Board established the scope, cost, and schedule of this project, allocating \$24,635,000 of the \$509,060,000 lease revenue bond financing authority appropriated in section 15820.922 of the Government Code to partially finance the design and construction of this project; however, only \$24,604,000 of the award has been allocated due to limitations associated with the total project cost. At the time of establishment, the total estimated project cost was \$28,428,000. On November 18, 2015, the Board approved the performance criteria for the project, for a total estimated project cost of \$28,397,000.

\$28,397,000 total authorized project cost

\$28,397,000 total estimated project cost

\$24,604,000 state costs previously allocated: \$1,393,000 performance criteria, and \$23,211,000 design-build (\$18,708,000 contract, \$1,871,000 contingency, \$18,000 A&E, \$1,000,000 agency retained, and \$1,614,000 other project costs)

\$3,793,000 local costs previously allocated: \$3,190,000 acquisition/study, \$269,000 performance criteria, and \$334,000 design-build (other project costs)

CEQA

A Notice of Exemption was filed with the County Clerk on August 22, 2013 and the 35-day statute of limitations expired without challenge.

Due Diligence

The Summary of Conditions Letter for this project was completed on September 14, 2015, and no issues that would adversely affect the beneficial use and quiet enjoyment of the project were identified.

Project Schedule

Approve performance criteria	November 2015
Start construction	June 2016
Construction complete	November 2017

Staff Recommendation: Adopt resolution.

CONSENT ITEMS

CONSENT ITEM—1

**CALIFORNIA CONSERVATION CORPS (3340)
DELTA SERVICE DISTRICT CENTER
SAN JOAQUIN COUNTY**

*Authority: Chapter 106, Statutes of 2001, Item 3340-301-0001 (3);
Chapter 3, Statutes of 2002, Third Extraordinary Session, as reappropriated by
the Budget Act of 2002 and reverted by the Budget Act of 2005
Chapter 38, Statutes of 2005, Item 3340-301-0660 (1), as reappropriated by
the Budget Acts of 2006, 2008, 2010, 2011, 2012, and 2013
Chapter 268, Statutes of 2008, Item 3340-301-0660 (1), as reappropriated by
the Budget Acts of 2010, 2011, 2012, and 2013*

Consider approving an augmentation

\$2,863,000
(10.4 percent total project)
(12.8 percent cumulative)

CONSENT ITEMS

STAFF ANALYSIS ITEM—1

California Conservation Corps
Delta Service District Center
San Joaquin County

Action requested

If approved, the requested action would approve an augmentation.

Scope Description

The project is within scope. The project consists of an administration building, warehouse, hazardous material storage shed, multi-purpose building with kitchen/dining room, dormitories, education building, and recreation building. Site improvements include paved roadways, parking areas, walkways, and activity and maintenance yard areas.

Funding and Cost Verification

The project is not within cost. A total of \$27.5 million has been appropriated for this project (\$255,000 General Fund and \$27.2 million in lease revenue bond funds), of which \$3.2 million (\$255,000 in General Fund and \$3 million in lease revenue bond funds) has been expended on the study, preliminary plans, and working drawings phases.

The project has been stopped and re-started three times due to design changes and the restricted availability of interim financing. These project delays have resulted in design revisions to comply with California State Fire Marshal building code updates and increased construction costs due to inflation. We note that the last construction appropriation, based upon market estimates at the time, was approved in 2008. Construction bids were recently received for this project and this augmentation would allow the California Conservation Corps to award the contract in April of 2016 to the lowest responsive bidder, and begin construction in May of 2016.

If the project is not awarded prior to July 2016, the construction documents will need to be revised to comply with another code update, which would result in an additional delay of approximately one year to re-design and re-bid the project and estimated increased project costs of at least \$5 million.

On March 17, 2016, Finance notified the chairs of the Joint Legislative Budget, the Senate Appropriations, and Assembly Appropriations Committees of its intent to approve the augmentation of this project and to recommend the Board recognize it no sooner than 20 days from that date.

\$27,480,000	total currently authorized project costs
\$30,343,000	total estimated project costs
\$ 3,227,000	project costs previously allocated: \$281,000 for study and acquisition, \$614,000 for preliminary plans, and \$2,332,000 for working drawings
\$24,253,000	project costs to be allocated for construction
\$ 2,863,000	requested increase to augment construction phase

CEQA

A Notice of Determination was filed with the State Clearinghouse on January 27, 2014 and the 30-day statute of limitations expired without challenge.

Real Estate Due Diligence

A Summary of Conditions Letter covering the property impacted by this project was completed on August 1, 2013, and no issues that would adversely affect the beneficial use and quiet enjoyment of the project were identified.

Project Schedule

Approve preliminary plans:	May 2010
Approve working drawings:	June 2014
Start construction:	May 2016
Complete construction:	July 2017

Staff Recommendation: Approve augmentation

CONSENT ITEM

CONSENT ITEM—2

DEPARTMENT OF STATE HOSPITALS (4440)
STATEWIDE: ENHANCED TREATMENT UNITS
SAN LUIS OBISPO COUNTY & SAN BERNARDINO COUNTY

*Authority: Chapter 25, Statutes of 2014, Item 4440-301-0001(1)
Chapters 10 and 11, Statutes of 2015, Item 4440-301-0001(4)*

Consider approving scope change

CONSENT ITEM

STAFF ANALYSIS ITEM—2

Department of State Hospitals
Statewide—Enhanced Treatment Units
San Luis Obispo County & San Bernardino County

Action requested

If approved, the requested action would approve a scope change.

Scope Description

This project is not within scope. The current scope includes the conversion of existing patient dorm rooms at the Department of State Hospitals (DSH) to individual rooms, conversion of existing patient dorm rooms to individual and group treatment space, the installation of lockable doors on patient rooms, the installation of toilets and sinks in patient rooms, and the conversion of existing day rooms into laundry, day/dining rooms, and other related program space. The scope would have provided four ETUs at four locations: DSH—Atascadero, DSH-Coalinga, DSH-Napa, and DSH-Patton. This would provide a total of 44 ETU beds statewide.

DSH is requesting a scope change after conducting site visits to similar programs in the State of New Jersey and the United Kingdom, noting design advantages with the DSH-Atascadero and DSH-Patton sites such as the size and sight lines down corridors making those facilities more attractive locations for ETU conversion in lieu of the DSH-Napa and DSH-Coalinga facilities, which would require more extensive design modifications. The revised scope would provide two ETUs at two locations: DSH-Atascadero and DSH-Patton. This will provide a total of 49 ETU beds statewide.

On March 17, 2016, the Department of Finance notified the chairs of the Joint Legislative Budget, the Senate Appropriations, and Assembly Appropriations Committees of its intent to approve the scope change of this project and to recommend the Board recognize it no sooner than 20 days from that date.

Funding and Cost Verification

This project is within cost. The project in total is \$13,570,000. The 2014 Budget Act appropriated \$2,103,000 for preliminary plans and working drawings for this project.

The construction phase is estimated to be 12 months and \$11,467,000 was appropriated in 2015. Project completion is expected to be December 2018.

\$13,570,000 total authorized project cost

\$13,570,000 total estimated project cost

\$2,103,000 project costs previously allocated: \$1,234,000 for preliminary plans and \$869,000 for working drawings

\$11,467,000 project costs to be allocated: \$11,467,000 construction (\$8,412,000 contracts, \$589,000 contingency, \$1,138,000 A&E, and \$1,328,000 other project costs)

CEQA

A Notice of Determination is expected to be filed with the State Clearinghouse in May 2016, and the 30-day statute of limitations will expire after that date.

Real Estate Due Diligence

Real Estate Due Diligence for this project will commence in March 2016 and will be completed prior to preliminary plan approval.

Project Schedule

Approve preliminary plans	October 2016
Complete working drawings	May 2017
Start construction	November 2017
Complete construction	December 2018

Staff Recommendation: Approve scope change.

ACTION ITEMS

ACTION ITEM—1

**HIGH SPEED RAIL AUTHORITY (2665)
INITIAL OPERATING SEGMENT, SECTION 1
MADERA COUNTY**

*Authority: Chapter 152, Statutes of 2012, Item 2665-306-0890 (1)
Chapter 152, Statutes of 2012, Item 2665-306-6043 (1)
Chapter 25, Statutes of 2014, Item 2665-306-3228 (1)
Section 39719(b)(2) of the Health and Safety Code
Section 39719.1 of the Health and Safety Code*

Consider authorizing site selection of 97 assessors parcels in full or in part.

Madera County	
Avenue 19 to Avenue 17	
High Speed Rail Authority	Assessor Parcel Number
MF-20-1231	029-220-014
MF-20-1108	036-021-005
MF-20-1126	036-022-008
MF-20-1127	036-022-007
MF-20-1128	036-022-006
MF-20-1129	036-022-005
MF-20-1130	036-022-004
MF-20-1131	036-022-003
MF-20-1132	036-061-002
MF-20-1134	036-062-005
MF-20-1135	036-062-006
MF-20-1136	036-062-007
MF-20-1102	032-440-002
MF-20-1103	032-440-007
MF-20-1104	032-440-008
MF-20-1105	032-440-009
MF-20-1109	032-440-012
MF-20-1110	032-440-011
MF-20-1111	032-440-010
MF-20-1112	032-440-029

Action Item 1 Continued	
Authority Parcel Number	Assessor Parcel Number
MF-20-1113	032-440-028
MF-20-1114	032-440-027
MF-20-1117	032-440-026
MF-20-1118	032-440-025
MF-20-1121	032-440-024
MF-20-1123	032-440-023
MF-20-1122	032-440-022
MF-20-1106	032-011-012
MF-20-1125	032-011-013
MF-20-1124	032-011-011
MF-20-1139	032-011-010
MF-20-1142	032-011-009
MF-20-1144	032-011-008
MF-20-1141	036-240-020
MF-20-1143	036-240-021
MF-20-1145	036-240-019
MF-20-1148	036-240-018
MF-20-1159	036-240-017
MF-20-1146	036-240-012
MF-20-1147	036-240-011
MF-20-1150	036-240-010
MF-20-1152	036-240-009
MF-20-1154	036-240-008
MF-20-1155	036-240-007
MF-20-1160	036-240-006
MF-20-1168	036-232-016
MF-20-1169	036-232-017
MF-20-1170	036-232-018
MF-20-1171	036-232-019
MF-20-1172	036-222-012
MF-20-1173	036-222-011
MF-20-1174	036-222-010
MF-20-1175	036-222-009
MF-20-1176	036-222-008
MF-20-1177	036-222-007
MF-20-1178	036-222-006
MF-20-1179	036-222-005
MF-20-1180	036-222-004
MF-20-1181	036-222-003

Action Item 1 Continued	
Authority Parcel Number	Assessor Parcel Number
MF-20-1182	036-222-002
MF-20-1183	036-010-006
MF-20-1184	036-010-012
MF-20-1192	036-140-062
MF-20-1195	036-140-030
MF-20-1198	036-140-046
MF-20-1197	036-140-045
MF-20-1202	036-140-032
MF-20-1188	036-280-008
MF-20-1193	036-280-004
MF-20-1194	036-280-016
MF-20-1190	031-221-001
MF-20-1196	037-010-001
MF-20-1199	037-010-002
MF-20-1200	037-010-003
MF-20-1201	037-010-004
MF-20-1204	037-010-005
MF-20-1203	037-010-006
MF-20-1207	037-010-017
MF-20-1208	037-010-018
MF-20-1214	037-010-037
MF-20-1215	037-010-040
MF-20-1216	037-010-028
MF-20-1217	037-010-029
MF-20-1209	037-010-027
MF-20-1218	037-010-030
MF-20-1219	037-010-031
MF-20-1220	037-010-032
MF-20-1222	037-020-005
MF-20-1223	037-020-006
MF-20-1224	037-030-002
MF-20-1225	037-030-003
MF-20-1226	037-030-004
MF-20-1227	037-030-005
MF-20-1228	031-240-001
MF-20-1228	031-240-023
MF-20-1229	031-240-030
MF-20-1229	031-240-031

ACTION ITEMS

STAFF ANALYSIS ITEM—1

High Speed Rail Authority
Initial Operating Segment, Section 1
Madera County

Action Requested

If approved, the requested action would authorize site selection of 97 assessors parcels in full or in part.

Scope Description

This project is within scope. The Initial Operating Segment, Section 1 (IOS-1) is expected to be approximately 120 miles starting from Madera and extending southward almost to Bakersfield. This initial section includes the realignment of Highway 99 in Fresno and relocation of railroad lines, the construction of bridges over the San Joaquin and Fresno Rivers as well as other waterways, several dozen grade separations, multiple viaducts and trenches, and the acquisition of approximately 1,400 parcels. The IOS-1 is the first construction phase of the High Speed Train System (HSTS). The HSTS consists of Phase 1, which would provide 520 miles of the HSTS extending from San Francisco to Los Angeles/Anaheim, and Phase 2, which would extend the system to Sacramento and San Diego.

Funding and Cost Verification

This project is within cost. Chapter 152, Statutes of 2012, appropriated \$5.850 billion (\$2.609 billion High Speed Passenger Train Fund and \$3.241 billion federal funds) and Chapter 25, Statutes of 2014 provided an additional \$191.4 million Greenhouse Gas Reduction Fund for the IOS-1. In addition, Health and Safety Code section 39719 (b)(2) appropriates 25 percent of the annual proceeds of the Greenhouse Gas Reduction Fund for the Phase I Blended System and Health and Safety Code section 39719.1 authorizes repayment of a \$400 million General Fund loan from the Greenhouse Gas Reduction Fund for the Phase I Blended System. The IOS-1 is a component of the Phase I Blended System.

Background

To date, the Board has site-selected approximately 1,300 parcels comprising approximately 120 miles from Madera to near Bakersfield. This total does not reflect properties associated with Right-of-Way transfer agreements with local government.

Site selection of the 97 properties listed in this item will extend the northern terminus of the IOS--1 approximately three miles, from Avenue 17 to Avenue 19, within Madera County. On March 8, 2016, The High Speed Rail Board approved a Resolution to extend the design-build contract to Avenue 19.

For these properties, the CEQA and NEPA processes were completed in 2012. Consistent with corridor based projects, minimal real estate due diligence has occurred to date as the alignment determines which properties must be acquired and any abatement or title issues will be resolved during or shortly after acquisition.

Staff Recommendation: Authorize site selection of 97 assessors parcels in full or in part.

ACTION ITEMS

ACTION ITEM—2

**HIGH SPEED RAIL AUTHORITY (2665)
INITIAL OPERATING SEGMENT, SECTION 1
FRESNO COUNTY**

*Authority: Chapter 152, Statutes of 2012, Item 2665-306-0890 (1)
Chapter 152, Statutes of 2012, Item 2665-306-6043 (1)
Chapter 25, Statutes of 2014, Item 2665-306-3228 (1)
Section 39719(b)(2) of the Health and Safety Code
Section 39719.1 of the Health and Safety Code
Section 15854 of the Government Code*

Consider amending the following Resolutions of Necessity (RON) authorizing the use of eminent domain to acquire the following properties:

**RON 2013-0024, adopted November 14, 2014
Meraz Family Trust Property (Fresno County)
Authority Parcel Numbers: FB-10-0001-1 and FB-10-0001-01-01
Assessor Parcel Number: 442-122-02**

**RON 2014-0052, adopted August 13, 2014
Pacific Orchard Property (Madera County)
Authority Parcel Numbers: MF-20-0899-1, MF-20-0899-2, MF-20-0900-1, MF-20-0900-2,
MF-20-0900-3, MF-20-0900-4, and MF-20-1021-1
Assessor Parcel Numbers: 048-200-002, 048-200-008, and 048-200-003**

ACTION ITEMS

STAFF ANALYSIS ITEM—2

High Speed Rail Authority
Initial Operating Segment, Section 1
Fresno County

Action Requested

If approved, the requested action would amend Resolution of Necessity 2013-0024 authorizing the use of eminent domain to acquire the Meraz Family Trust Property in Fresno County.

Meraz Family Trust Property: On November 14, 2014, the Board adopted Resolution of Necessity 2013-0024, authorizing the use of eminent domain to acquire a portion of the Meraz Family Trust property. Since that time, there have been design changes that reduced the remainder property to a point where the owners determined it would negatively impact their business operations, resulting in their consent to a full acquisition. It is requested that an amended RON be adopted to conform to the currently proposed acquisition.

Pacific Orchards Property: **Property Pulled**

Staff Recommendation: Approve the amendment of Resolution of Necessity 2013-0024 authorizing the use of eminent domain to acquire the Meraz Family Trust Property in Fresno County.

ACTION ITEMS

ACTION ITEM—3

**HIGH SPEED RAIL AUTHORITY (2665)
INITIAL OPERATING SEGMENT, SECTION 1
MADERA, FRESNO, KINGS, TULARE AND KERN COUNTIES**

*Authority: Chapter 152, Statutes of 2012, Item 2665-306-0890 (1)
Chapter 152, Statutes of 2012, Item 2665-306-6043 (1)
Chapter 25, Statutes of 2014, Item 2665-306-3228 (1)
Section 39719(b)(2) of the Health and Safety Code
Section 39719.1 of the Health and Safety Code
Section 15854 of the Government Code*

Consider the adoption of Resolutions of Necessity authorizing the use of eminent domain to acquire the following properties:

- 1. Corcoran Irrigation Property (Kings County)
Authority Parcel Number: FB-16-0284-1
Assessor Parcel Number: 028-280-023**
- 2. Craig Property (Kern County)
Authority Parcel Numbers: FB-15-0178-1, FB-15-0178-01-01, and FB-15-0178-02-01
Assessor Parcel Number: 030-441-10**
- 3. Melga Canal Company Property (Kings County)
Authority Parcel Numbers: FB-16-0213-1, FB-16-0213-2 and FB-16-0213-3
Assessor Parcel Number: 028-080-014**
- 4. JHS, DBH, and JCH Family Property (Fresno County)
Authority Parcel Numbers: FB-10-0593-1 and FB-10-0593-2
Assessor Parcel Number: 330-060-36S**
- 5. Daniel Property (Kern County)
Authority Parcel Number: FB-15-0312-1
Assessor Parcel Number: 072-170-29**
- 6. Gomez Property #1 (Kings County)
Authority Parcel Numbers: FB-16-0309-1, FB-16-0309-2, FB-16-0309-3,
FB-16-0309-01-01, and FB-16-0309-02-01
Assessor Parcel Number: 034-040-009**
- 7. Gomez Property #2 (Kings County)
Authority Parcel Numbers: FB-16-0310-1, FB-16-0310-2, FB-16-0310-3,
FB-16-0310-01-01 and FB-16-0310-02-01
Assessor Parcel Number: 034-040-004**
- 8. Quad 7 Property (Madera County)
Authority Parcel Numbers: MF-20-0935-1, MF-20-0935-2, MF-20-0935-3,
MF-20-0935-4, MF-20-0935-5, and MF-20-1039-1
Assessor Parcel Number: 047-080-001**

9. **Millennium Acquisitions Property (Fresno County)**
Authority Parcel Numbers: MF-10-0208-1, MF-10-0208-2, MF-10-0208-3,
MF-10-0209-1, MF-10-0209-2, MF-10-0209-3, MF-10-0210-1, MF-10-0210-2, and
MF-10-0210-3
Assessor Parcel Numbers: 504-091-01S, 504-091-02S, 504-091-03S, and 504-091-04S
10. **Leonardo Bros. Dairy Property #1 (Fresno County)**
Authority Parcel Numbers: FB-10-0465-1, FB-10-0465-2, FB-10-0465-3, FB-10-0465-4,
and FB-10-0465-5
Assessor Parcel Numbers: 385-180-27, 385-180-31S, and 385-180-50S
11. **Leonardo Bros. Dairy Property #2 (Fresno County)**
Authority Parcel Numbers: FB-10-0729-1 and FB-10-0729-2
Assessor Parcel Number: 385-170-47S
12. **Modern Custom Fabrications Property (Fresno County)**
Authority Parcel Numbers: FB-10-0177-1, FB-10-0177-01-01, FB-10-0177-02-01, and
FB-10-0177-03-01
Assessor Parcel Number: 467-020-47
13. **2113 E Manning Avenue Property (Fresno County)**
Authority Parcel Numbers: FB-10-0703-1 and FB-10-0703-2
Assessor Parcel Number: 338-170-17
14. **F and R Auto Repair Property (Kern County)**
Authority Parcel Numbers: FB-15-0171-1, FB-15-0171-01-01 and FB-15-0171-02-01
Assessor Parcel Number: 030-092-02
15. **Garcia Property (Kern County)**
Authority Parcel Numbers: FB-15-0172-1, FB-15-0172-01-01 and FB-15-0172-02-01
Assessor Parcel Number: 030-422-01
16. **Tri West Investments (Kings County)**
Authority Parcel Numbers: FB-16-0170-1, FB-16-0170 -2, FB-16-0170-3,
FB-16-0170-4, FB-16-0170-5, and FB-16-0170-01-01
Assessor Parcel Number: 016-130-055
17. **Morris Proctor, Inc. Property (Tulare County)**
Authority Parcel Numbers: FB-54-0001-1, FB-54-0001-2, FB-54-0001-3, FB-54-0001-4,
FB-54-0001-5, FB-54-0001-6 and FB-54-0001-7
Assessor Parcel Numbers: 291-030-030, 291-030-031 and 291-030-036

ACTION ITEMS

STAFF ANALYSIS ITEM—3

High Speed Rail Authority
Initial Operating Segment, Section 1
Fresno, Kings, Tulare and Kern Counties

Action Requested

Adopt Resolutions of Necessity authorizing the use of eminent domain to acquire 13 properties in Fresno, Kings, Tulare, and Kern Counties totaling approximately 50 acres. Specifically, the request would adopt Resolutions of Necessity for properties 2-7, 9-11, and 14-17.

Scope Description

This project is within scope. The Initial Operating Segment, Section 1 (IOS-1) is expected to be approximately 120 miles starting near Madera (north of Fresno) and extending southward almost to Bakersfield. This initial section includes the realignment of Highway 99 in Fresno, construction of a bridge over the San Joaquin River, several grade separations, two viaducts and the acquisition of approximately 1,400 parcels. The IOS-1 is the first construction phase of the High Speed Train System (HSTS). The HSTS consists of Phase 1, which would provide 520 miles of the HSTS extending from San Francisco to Los Angeles/Anaheim, and Phase 2, which would extend the system to Sacramento and San Diego.

Funding and Cost Verification

This project is within cost. Chapter 152, Statutes of 2012, appropriated \$5.850 billion (\$2.609 billion High Speed Passenger Train Fund and \$3.241 billion federal funds) and Chapter 25, Statutes of 2014 provided an additional \$191.4 million Greenhouse Gas Reduction Fund for the IOS-1. In addition, Health and Safety Code section 39719 (b)(2) appropriates 25 percent of the annual proceeds of the Greenhouse Gas Reduction Fund for the Phase I Blended System and Health and Safety Code section 39719.1 authorizes repayment of a \$400 million General Fund loan from the Greenhouse Gas Reduction Fund for the Phase I Blended System. The IOS-1 is a component of the Phase I Blended System.

Background

In order to adopt a Resolution of Necessity that is required to initiate the eminent domain proceedings, the Board must consider that the following conditions have been met:

- (A) The public interest and necessity require the project;
- (B) The project is planned or located in the manner that will be most compatible with the greatest public good and the least private injury;
- (C) The property sought to be acquired is necessary for the project; and,
- (D) The offer required by Government Code section 7267.2 has been made to the owner or owners of record.

In 2008 the voters of California approved Proposition 1a, authorizing monies from the High-Speed Passenger Train Bond fund in support of this Project. In 2009 and 2010 the federal government approved funds in support of the portion of this Project extending from San Francisco to Anaheim, and in 2012 and 2014, through Chapter 152, Statutes of 2012 and Chapter 25, Statutes of 2014, the Legislature appropriated funds for the acquisition and

design-build phases of the IOS-1 of the Project, extending from Madera to just north of Bakersfield.

The Property Acquisition Law, commencing with section 15850 of the Government Code, authorizes the Board to select and acquire in the name of the State of California (State) with the consent of the State agency concerned, the fee or any lesser right or interest in any real property necessary for any State purpose or function. This law also authorizes the Board to acquire property by condemnation, in the manner provided for in Title 7 (commencing at section 1230.010) of Part 3 of the Code of Civil Procedure.

Each of the properties is within the right of way for IOS-1 and was site selected at previous Board meetings. The site selections took place after an environmental review process where it was determined that any alternative alignment would include the selected parcels, or where a preferred alignment had already been approved by both the High Speed Rail Authority Board and the Federal Railroad Administration. Acquisition of these properties will allow the High Speed Rail Authority to move forward with construction of the HSTS.

Between November 2014 and February 2016, the various owners were provided with a first written offer to purchase the subject property, as required by Government Code section 7267.2. Negotiations to acquire the properties are continuing; however, in order to keep the project on schedule, the adoption of Resolutions of Necessity to authorize the use of eminent domain is required.

On March 25, 2016, and March 28, 2016, Notices of Intent to adopt a Resolution of Necessity were mailed to the respective property owners. These notices were sent in accordance with Code of Civil Procedure section 1245.235.

Property Specific Information:

1. Corcoran Irrigation Property (Kings County)
Authority Parcel Number: FB-16-0284-1
Assessor Parcel Number: 028-280-023

Property Pulled

2. Craig Property (Kern County)
Authority Parcel Numbers: FB-15-0178-1, FB-15-0178-01-01, and FB-15-0178-02-01
Assessor Parcel Number: 030-441-10
Full Acquisition: 0.74 acre total

This property will be needed for the construction of the HSTS between Poso Drive and 16th Street.

3. Melga Canal Company Property (Kings County)
Authority Parcel Numbers: FB-16-0213-1, FB-16-0213-2 and FB-16-0213-3
Assessor Parcel Number: 028-080-014
Partial Acquisition: 0.63 acre in easement

This property will be needed for the construction of the HSTS between Jackson Avenue and Jersey Avenue.

4. JHS, DBH, and JCH Family Property (Fresno County)
Authority Parcel Numbers: FB-10-0593-1 and FB-10-0593-2
Assessor Parcel Number: 330-060-36S
Partial Acquisition: 0.16 acre total (0.09 acre in fee and 0.07 acre in easement)

This property will be needed for the construction of the HSTS crossing of Highway 99 and Cedar Avenue, Between E. North Avenue and E. Muscat Avenue.

5. Daniel Property (Kern County)
Authority Parcel Number: FB-15-0312-1
Assessor Parcel Number: 072-170-29
Partial Acquisition: 0.32 acre in fee

This property will be needed for the Kimberlina Road grade separation.

6. Gomez Property #1 (Kings County)
Authority Parcel Numbers: FB-16-0309-1, FB-16-0309-2, FB-16-0309-3, FB-16-0309-01-01,
and FB-16-0309-02-01
Assessor Parcel Number: 034-040-009
Full Acquisition: 1.05 acres in fee

This property will be needed for the construction of the HSTS between 5 ½ Avenue and Niles Avenue and for the realignment to connect 5 ½ Avenue to Niles Avenue.

7. Gomez Property #2 (Kings County)
Authority Parcel Numbers: FB-16-0310-1, FB-16-0310-2, FB-16-0310-3, FB-16-0310-01-01,
and FB-16-0310-02-01
Assessor Parcel Number: 034-040-004
Full Acquisition: 0.98 acre in fee

This property will be needed for the construction of the HSTS between 5 ½ Avenue and Niles Avenue and for the realignment to connect 5 ½ Avenue to Niles Avenue.

8. Quad 7 Property (Madera County)
Authority Parcel Numbers: MF-20-0935-1, MF-20-0935-2, MF-20-0935-3, MF-20-0935-4,
MF-20-0935-5, and MF-20-1039-1
Assessor Parcel Number: 047-080-001

Property Pulled

9. Millennium Acquisitions Property (Fresno County)
Authority Parcel Numbers: MF-10-0208-1, MF-10-0208-2, MF-10-0208-3, MF-10-0209-1,
MF-10-0209-2, MF-10-0209-3, MF-10-0210-1, MF-10-0210-2, and MF-10-0210-3
Assessor Parcel Numbers: 504-091-01S, 504-091-02S, 504-091-03S, and 504-091-04S
Partial Acquisition: 4.93 acres total (4.41 acres in fee and 0.52 acre in easement)

This property will be needed for the construction of the HSTS between W. Herndon Avenue and W. Bullard Avenue and for the realignment of N. Golden State Boulevard.

10. Leonardo Bros. Dairy Property #1 (Fresno County)
Authority Parcel Numbers: FB-10-0465-1, FB-10-0465-2, FB-10-0465-3, FB-10-0465-4,
and FB-10-0465-5
Assessor Parcel Numbers: 385-180-27, 385-180-31S, and 385-180-50S
Partial Acquisition: 11.57 acres in fee

This property will be needed for the construction of the HSTS between S. Clovis Avenue and E. Elkhorn Avenue and for the E. Elkhorn Avenue grade separation.

11. Leonardo Bros. Dairy Property #2 (Fresno County)
Authority Parcel Numbers: FB-10-0729-1 and FB-10-0729-2
Assessor Parcel Number: 385-170-47S
Partial Acquisition: 2.62 acres total (2.53 acres in fee and 0.09 acre in TCE)

This property will be needed for the E. Elkhorn Avenue grade separation.

12. Modern Custom Fabrications Property (Fresno County)
Authority Parcel Numbers: FB-10-0177-1, FB-10-0177-01-01, FB-10-0177-02-01, and
FB-10-0177-03-01
Assessor Parcel Number: 467-020-47

Property Pulled

13. 2113 E Manning Avenue Property (Fresno County)
Authority Parcel Numbers: FB-10-0703-1 and FB-10-0703-2
Assessor Parcel Number: 338-170-17

Property Pulled

14. F and R Auto Repair Property (Kern County)
Authority Parcel Numbers: FB-15-0171-1, FB-15-0171-01-01 and FB-15-0171-02-01
Assessor Parcel Number: 030-092-02
Full Acquisition: 0.55 acre in fee

This property will be needed for the construction of the HSTS between 9th Street and 10th Street.

15. Garcia Property (Kern County)
Authority Parcel Numbers: FB-15-0172-1, FB-15-0172-01-01 and FB-15-0172-02-01
Assessor Parcel Number: 030-422-01
Full Acquisition: 0.21 acre in fee

This property will be needed for the construction of the HSTS between 10th Street and 12th Street.

16. Tri West Investments (Kings County)
Authority Parcel Numbers: FB-16-0170-1, FB-16-0170 -2, FB-16-0170-3, FB-16-0170-4,
FB-16-0170-5, and FB-16-0170-01-01
Assessor Parcel Number: 016-130-055
Partial Acquisition: 20.88 acres total (19.43 acres in fee and 1.45 acres in access
easement)

This property will be needed for the construction of the HSTS between Hanford Armona Road and Houston Avenue and for the Hanford Armona Road grade separation.

17. Morris Proctor, Inc. Property (Tulare County)
Authority Parcel Numbers: FB-54-0001-1, FB-54-0001-2, FB-54-0001-3, FB-54-0001-4,
FB-54-0001-5, FB-54-0001-6 and FB-54-0001-7
Assessor Parcel Numbers: 291-030-030, 291-030-031 and 291-030-036
Partial Acquisition: 5.59 acres total (0.23 acre in fee, 0.27 acre in access easement and
5.09 acres in TCE)

This property will be needed for the construction of the HSTS crossing of Highway 43, between Avenue 144 and Avenue 136.

Staff Recommendation: **Adopt Resolutions of Necessity authorizing the use of eminent domain to acquire 13 properties, specifically properties 2-7, 9-11, and 14-17, totaling approximately 50 acres.**

OTHER BUSINESS

NONE