



**CALIFORNIA STATE  
PUBLIC WORKS BOARD**

**EDMUND G. BROWN JR. • GOVERNOR**

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**AGENDA WITH ANALYSIS  
STATE PUBLIC WORKS BOARD**

**Friday, January 13, 2017 at 10:00 a.m. in  
Room 113, State Capitol, Sacramento, California**

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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 Patrice Coleman at (916) 445-9694 or e-mail to [patrice.coleman@dof.ca.gov](mailto:patrice.coleman@dof.ca.gov), five days prior to the meeting.

**STATE PUBLIC WORKS BOARD  
Friday  
January 13, 2017  
10:00 a.m.  
Room 113  
State Capitol  
Sacramento, California**

- I.** Roll Call
  
- II.** Approval of minutes from the December 9, 2016 meeting
  
- III.** Consent Items Page 3
  
- IV.** Action Items Page 12
  
- V.** Other Business Page 23
  
- VI.** Reportables Page 23

## CONSENT ITEMS

### CONSENT ITEM—1

**CALIFORNIA HIGHWAY PATROL (2720)**  
**VENTURA: AREA OFFICE REPLACEMENT – JOHNSON DRIVE SITE**  
**VENTURA COUNTY**  
DGS Parcel No. 10870

*Authority: Chapter 318, Statutes of 2016, Item 2720-301-0044(4)*

**Consider authorizing acquisition**

## CONSENT ITEMS

### STAFF ANALYSIS ITEM—1

California Highway Patrol  
Ventura Area Office Replacement – Johnson Drive Site  
Ventura County

Action requested

**If approved, the request would authorize acquisition.**

Scope Description

**This project is within scope.** This request will authorize the California Highway Patrol (CHP) to purchase approximately 6.2 acres of land in the City of Ventura, Ventura County, for the construction of a replacement area office. The parcel is located along the south side of Johnson Drive near Highway 101 (the Property). The replacement area office will include an office building, an auto service building with car wash bay, a fuel island, a property storage building, a radio antenna tower, a generator, and gas tanks.

Funding and Cost Verification

**This project is within cost.** Item 2720-301-0044(4) of the Budget Act of 2016, as amended by Chapter 318, Statutes of 2016, provides \$5,669,000 Motor Vehicle Account (MVA) for the acquisition phase and \$1,623,000 MVA for the performance criteria phase of the project.

CEQA

A Notice of Exemption for acquisition was filed with the State Clearinghouse on June 9, 2016, and the 35-day statute of limitations expired without challenge.

Project Schedule

The anticipated close of escrow is February 2017.

Condition of Property Statement

In February 2015, the Department of General Services (DGS) visited the property. The site is bordered by a Motel 6 to the east and a Carl's Jr. fast food restaurant and Chevron gas station to the northwest. The site appeared undeveloped except for a private, concrete-paved road that enters the property from the northeast adjacent to a Motel 6 and exits to the southwest adjacent to a Chevron fueling station. The remainder of the site is covered with grass and small shrubs. Water and electrical connections were noted at the site, evidenced by three fire hydrants and an underground electrical enclosure, all located along the private roadway (Loop Road).

The site has never been developed with permanent structures, although it was used for agricultural purposes between 1947 and 1967. Consequently, there are no indications that the property has subsurface features commonly considered potential sources of contamination.

The site is approximately 1,500 feet east of the Montalvo West oil field and 2,000 feet northwest of the abandoned El Rio oil field. The closest oil well, an abandoned oil and gas well, is approximately one-half mile northeast of the site. There is no direct indication that the site has been impacted by oil and gas development.

Naturally occurring radon levels in the site vicinity are expected to be very low and within regulatory agency criteria. Review of the Geotracker database, maintained by the State Water Resource Control Board, revealed several closed leaking underground storage tanks in the area.

### **Environmental Site Assessment (ESA) Summary**

A Phase I ESA was completed in June 2015 and reviewed by DGS-Environmental Services Unit (ESU) staff. Based on the subject Phase I ESA, one Recognized Environmental Condition (REC) was identified at the site, as follows:

- **REC 1 – Dissolved Hydrocarbons in Groundwater.** Investigations at the adjoining former ExxonMobil service station, now a Chevron-branded station, have shown that groundwater immediately east of the shared property line has been impacted by fuel hydrocarbons, primarily methyl *tert*-butyl ether (MTBE), and the assumption is that fuel hydrocarbons have migrated beneath the subject site (ExxonMobil Contamination). The likely presence of fuel hydrocarbons in groundwater beneath the subject site is considered a REC for Phase I ESA purposes.

Based on the available data from the Phase I ESA, DGS contracted for a Phase II ESA to be conducted at the site. The Phase II was recently completed and included the collection of soil matrix and groundwater samples. The data collected during the Phase II investigation concluded the following:

- Tertiary Butyl Alcohol was detected in one groundwater sample at a concentration of 41 µg/L, which can be attributed to the former ExxonMobil station. Given the relatively low concentration and isolated location, it appears fuel hydrocarbons in groundwater beneath the site have largely attenuated and do not appear to be an environmental concern.
- Volatile Organic Compounds (VOCs) were present in soil vapor in the western portion of the site, in the vicinity of the property border shared with the former ExxonMobil service station. However, conservative modeling indicates that the VOCs are not likely to accumulate in future hypothetical commercial/industrial buildings at concentrations in excess of conservative Environmental Protection Agency (EPA) indoor air screening levels.
- None of the near-surface composite soil matrix samples analyzed contained detectable concentrations of Organochlorine Pesticides. Residual pesticides in onsite soil do not appear to be an environmental concern.
- Arsenic concentrations in near-surface soil ranged from 3.91 to 5.19 mg/kg, exceeding the industrial Regional Screening level (RSL) for soil developed by EPA. However, it was concluded that the concentrations of arsenic detected at the subject site are within regional background levels and are not an environmental concern.
- The highest concentration of lead in near-surface soil was 13.9 mg/kg, well below the residential RSL for lead developed by the EPA. Therefore, aerially deposited lead in onsite soil does not appear to be an environmental concern.

Based on the available data from the Phase II, DGS-ESU finds no further investigation is required.

Other:

- The Board approved site selection for the Property on July 8, 2016.
- The purchase price of the Property does not exceed the estimated fair market value of the property as determined by a DGS-approved appraisal.
- The site meets the requirements of CHP.
- The Seller has reduced the sales price of the Property by \$100,000, the estimated cost to relocate gas (Southern California Edison), sewer and access (City of Ventura) easements during construction that would interfere with the project.
- The PAA does not include the state's standard indemnification language. The Grantor will not indemnify state for any issues arising from any hazardous materials issues caused by prior owners, nor will they indemnify for issues arising from the ExxonMobil Contamination. ESU's site visit and review of the Phase I and II ESA did not identify any conditions that would likely pose exceptional risk to the state. Further, the lack of standard indemnification language does not relieve the current or previous owners of liability in the event the current or previous owners are responsible for hazardous materials or contamination discovered on the property following state purchase.
- There are no historic issues and no implied dedication associated with these properties.
- No relocation assistance is required.
- DGS is not aware of any lawsuits pending concerning the properties. The Property Acquisition Agreement requires delivery of title to the property free and clear of any mortgages or liens.
- The proposed project location is consistent with the state's planning priorities in accordance with Government Code Section 65041 et seq, as the site supports efficient development patterns near existing developed areas with adequate transportation and other essential utilities and services

**Staff Recommendation: Authorize acquisition.**

## CONSENT ITEMS

### CONSENT ITEM—2

DEPARTMENT OF MOTOR VEHICLES (2740)  
SANTA MARIA: FIELD OFFICE REPLACEMENT –  
2660 SANTA MARIA WAY AND 2770/2850 SANTA MARIA WAY  
SANTA BARBARA COUNTY  
DGS Parcel No. 10873

*Authority: Chapter 10, Statutes of 2015, Item 2720-301-0044(2)*

**Consider authorizing site selection of two parcels.**

## CONSENT ITEMS

### STAFF ANALYSIS ITEM-2

Department of Motor Vehicles  
Santa Maria Replacement Field Office  
2660 Santa Maria Way and 2770/2850 Santa Maria Way  
Santa Barbara County

Action requested

**If approved, the request would authorize site selection of two parcels.**

Scope Description

**This project is within scope.** This request will authorize site selection of two parcels of land in the City of Santa Maria, Santa Barbara County to ultimately acquire a 3.0 acre to 3.5 acre parcel for the construction of a replacement Department of Motor Vehicles (DMV) field office. More information regarding each site can be found in the section titled "Property Specific Information".

Funding and Cost Verification

**This project is within cost.** Chapter 10, Statutes of 2015, Item 2720-301-0044(2) provides \$2,637,000 for acquisition. Either property can be acquired with the funds available and in accordance with legislative intent.

CEQA

Environmental review for the each site is currently underway and the appropriate CEQA documentation will be completed prior to seeking authorization for site acquisition.

Project Schedule

Estimated close of escrow: September 2017

### Property Specific Information

*2660 Santa Maria Way:* The Department of General Services (DGS), Environmental Services Unit (ESU) staff conducted a site visit to the property in November 2015. The property would consist of a 3.0 to 3.5 acre section of a 5.5 acre greater site that is bounded on the north side by commercial buildings, on the south to the east by Miller Street, and to the west Santa Maria Way/Highway 101. General land uses surrounding the area is primarily commercial. The site is graded and relatively flat with a vacant restaurant and parking as well as a driveway and foundation of another former structure. The property is not located within a special flood hazard area. Surface drainages or prominent topographic features were not observed.

DGS-ESU staff recommends that a Phase I ESA be performed prior to acquisition authorization. The property is located within the administrative boundary of the Santa Maria Valley Oil Field. However, there is no indication that oil and gas production took place on-site.

*2770 and 2850 Santa Maria Way:* ESU staff conducted a site visit to the property in November 2015. The property would consist of a 3.2 acre section of a 10.3 acre greater site is situated in a mixed used area of commercial and residential properties. The greater site is bounded on north by Miller Street, to the east by a recreation area/park, to the west by Santa Maria Way, and to the south by Sunrise Drive. The area not selected by DMV is anticipated to be used for a future residential development. The property area is flat and graded with no surface drainages or prominent topographic features observed during the site visit.

The property is located within the administrative boundary of the Santa Maria Valley Oil Field and was used for oil and gas production between the 1930s-1980s. Subsurface infrastructure on the greater property historically included oil and gas pipelines, underground storage tanks, an operational machine shop, fuel dispenser, and a leach field.

A Phase I Environmental Site Assessment (ESA) was completed in November 2016 and reviewed by ESU staff. Based on the subject Phase I ESA, four Recognized Environmental Conditions (REC) were identified that directly affect the Property area under consideration by the DMV for acquisition:

**REC 1 – Potential for Methane Vapor Intrusion** – Based on the Property's location within the administrative boundary of the Santa Maria oil field, a survey for methane is recommended prior to redevelopment of the site. Future buildings may require passive or active methane mitigation measures.

**REC 2 – Former Oil Wells** – The Property features two abandoned oil wells. The wells were abandoned in 1972 and 1982. In 2007 a formal letter was written from the California Division of Oil, Gas, and Geothermal Resources (DOGGR) stating the closures were within current minimum standards; however, the wells may not have been checked for methane leakage. Building setbacks may be necessary from the well heads and further testing is warranted.

**REC 3 – Former 350-Gallon Waste Oil Underground Storage Tank (UST)** – A UST previously existed on the northern parcel. The tank has been removed and excavation was completed. Soil sampling contained 17mg/kg of Total Recoverable Petroleum Hydrocarbons (TRPH), which is a relatively low concentration. However, further testing is recommended by the Santa Barbara County Fire Department (SBCFD) before any future development occurs.

**REC 4 – Former Machine Shop** – A machine shop identified as Ryan Equipment Company formerly operated on the property. Undocumented releases of motor oil, hydraulic oil, solvents,

and other fluids may have been released on-site. As such, the SBCFD previously noted in a 2008 letter that sampling is required prior to development.

Based on the available data from the Phase I ESA, DGS recommends contracting for a Phase II ESA to further assess any potential subsurface issues as a result of the historical use of the property.

Other:

- The purchase price of each property does not exceed the estimated fair market value of the property as determined by a DGS approved appraisal.
- No relocation assistance is required.
- DGS is not aware of any lawsuits pending concerning either property.
- The Property Acquisition Agreement will require delivery of title to the selected property free and clear of any mortgages or liens.
- Each proposed site meets the physical and location requirements of the Department of Motor Vehicles.
- For either site, the acreage to be acquired is approximately 0.8 acre larger than anticipated. The additional acreage is necessary to provide for sufficient stormwater detention as well as challenges in finding rectangular parcels of approximately 2.5 acres.
- For the 2770 Santa Maria Avenue property, a Certificate of Compliance was recorded on December 16, 1993 pertaining to the "Prescriptive Right" of the Public in and to an existing pedestrian/bike path that currently bisects the greater property. DGS has conferred with the City of Santa Maria and they are amenable to relocation of the bike path.
- There are no historic issues and no implied dedication associated with either property.
- Each proposed project location is consistent with the state's planning priorities in accordance with Government Code Section 65041 et seq, as the sites selected support efficient development patterns near existing developed areas with adequate transportation and other essential utilities and services

**Staff Recommendation: Authorize site selection.**

## CONSENT ITEMS

### CONSENT ITEM—3

DEPARTMENT OF PARKS AND RECREATION (3790)  
MENDOCINO HEADLANDS STATE PARK, BIG RIVER WATERSHED RESTORATION  
MENDOCINO COUNTY

*Authority: Chapters 10 and 11, Statutes of 2015, Item 3790-301-0392 (1)  
Chapters 10 and 11, Statutes of 2015, Item 3790-301-0392 (2) Reimbursements*

**Consider approving a scope change**

## CONSENT ITEMS

### STAFF ANALYSIS ITEM—3

Department of Parks and Recreation  
Mendocino Headlands State Park, Big River Watershed  
Mendocino County

#### Action Requested

**If approved, the requested action will approve a scope change.**

#### Scope Description

**This project is not within scope.** A scope change is requested to reduce the scope from two bridges along Big Haul River Road to a single bridge. The current scope includes the removal of two culvert crossings and surrounding fill material on the Big River Haul Road located in Mendocino Headlands State Park. These culvert crossings were to be replaced by two bridges to accommodate emergency and maintenance vehicles, pedestrians, and bicyclists.

When the appropriation for this project was made, Parks anticipated receiving two sources of funding to cover the project's scope. Since then, one funding source (a grant) has expired, and the remaining funding of \$1.056 million is insufficient to complete the project as originally proposed. This revised scope will still meet the objectives of restoring the Big River to a natural estuarine habitat.

On December 23, 2016, 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, as originally approved, had a total project cost of \$1,741,000 to be comprised of one grant agreement and one Interagency Agreement. With one funding sources no longer available, there are insufficient funds to fulfill the current scope. Therefore, Parks proposes a scope reduction, which would result in a revised total project cost of \$1,056,000 by eliminating the working drawings and construction costs associated with one of the culvert crossings.

- \$1,741,000 total authorized project costs
- \$1,056,000 total estimated project costs
- \$159,000 project costs previously allocated: \$96,000 preliminary plans and \$63,000 working drawings
- \$685,000 savings: \$261,000 working drawings and \$559,000 construction
- \$897,000 project costs to be allocated: construction (\$677,000 contract, \$47,000 contingency, \$165,000 A\$E costs, and \$8,000 agency retained)

CEQA

A Mitigated Negative Declaration (MND) filed in October 2006 and a supplemental MND was filed with the State Clearinghouse in August 2012 and the statute of limitations expired in September 2012, without challenge.

Real Estate Due Diligence

Parks conducted due diligence for this project in March 2016 and determined there are no issues that would adversely affect the quiet enjoyment or beneficial use of the site.

Project Schedule

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

**Staff Recommendation: Approve a scope change.**

## CONSENT ITEMS

### CONSENT ITEM—4

**CALIFORNIA CONSERVATION CORPS (3340)  
TAHOE BASE CENTER – EQUIPMENT STORAGE RELOCATION  
EL DORADO COUNTY  
DGS Parcel Number 10859**

*Authority: Chapters 10 and 11, Statutes of 2015, item 3340-301-0660 (1), as  
reappropriated by the Budget Act of 2016*

**Consider authorizing site selection**

## CONSENT ITEM

### STAFF ANALYSIS ITEM—4

California Conservation Corps  
Tahoe Base Center – Equipment Storage Relocation  
El Dorado County

# ITEM PULLED

## ACTION ITEMS

### ACTION ITEM—1

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

**Consider authorizing site selection of eight assessor's parcels in full or in part.**

Fresno and Kings Counties	
High Speed Rail Authority Parcel Number	Assessor Parcel Number (APN) or Property Location Description
<b>Fresno County</b>	
FB-10-0890	335-090-55
FB-10-0891	335-090-61
FB-10-0893	466-206-50T
FB-10-0894	335-090-59U
FB-10-0895	335-090-60U
FB-10-0896	335-010-02U
<b>Kings County</b>	
FB-16-0442	034-060-017
FB-16-0446	Niles Avenue adjacent to APN 034-060-017

## ACTION ITEMS

### STAFF ANALYSIS ITEM—1

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

#### Action Requested

**If approved, the requested action would authorize site selection of eight assessor's 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, construction of a bridge over the San Joaquin River, several grade separations, two viaducts and the acquisition of approximately 1,500 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 1,500 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.

Parcel FB-10-0893 is in proximity to the IOS-1 and the planned Fresno high-speed rail station. Currently it is used for parking within the City of Fresno. While the parcel may not immediately be needed by the state, its location is ideal for parking for the future Fresno station.

The other five Fresno County parcels in this item, FB-15-0890, FB-15-0891 and FB-15-0894 through FB-15-0896, are needed for the relocation of the Fresno Irrigation Pipeline along the Burlington Northern Santa Fe railroad in the area between E. Adams Avenue and E. Sumner Avenue.

Finally, the two Kings County parcels are needed to expand and conform Niles Avenue to connect with a new bypass between Niles Avenue and Newark Avenue. Without this bypass, residents located between the HSTS and State Route 43 would become landlocked.

For these properties, other than FB-10-0893, the CEQA and NEPA processes were completed in 2012 or 2014. FB-10-0893 is currently outside of the footprint of the project, but CEQA and NEPA will be amended to incorporate this parcel prior to any development. 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 eight assessor's parcels in full or in part.**

## ACTION ITEMS

### ACTION ITEM—2

**HIGH SPEED RAIL AUTHORITY (2665)  
INITIAL OPERATING SEGMENT, SECTION 1  
KINGS 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 rescinding the following Resolutions of Necessity (RON) authorizing the use of eminent domain to acquire the following properties:**

- 1) **RON 2015-0044, adopted April 10, 2015**  
**Richards Family Land Property (Kings County)**  
**Authority Parcel Number: FB-16-0142-1**  
**Assessor Parcel Number: 014-260-100**
  
- 2) **RON 2015-0010, adopted April 10, 2015**  
**M.C. Land Company Property (Kings County)**  
**Authority Parcel Number: FB-16-0046-1**  
**Assessor Parcel Numbers: 014-060-058 and 014-060-059**
  
- 3) **RON 2015-0012, adopted March 13, 2015**  
**Fagundes Property (Kings County)**  
**Authority Parcel Number: FB-16-0048-1**  
**Assessor Parcel Number: 014-060-039**

## ACTION ITEMS

### STAFF ANALYSIS ITEM—2

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

Action Requested

**If approved, the requested action would rescind three RONs authorizing the use of eminent domain.**

*Richards Family Land Property:* On April 10, 2015, the Board adopted Resolution of Necessity 2015-0044, authorizing the use of eminent domain to acquire a portion of the Richards Family Land property. Since that time, there have been design changes and the property is no longer necessary for the project.

*MC Land Company Property:* On April 10, 2015, the Board adopted Resolution of Necessity 2015-0010, authorizing the use of eminent domain to acquire a portion of the MC Land Company property. Since that time, there have been design changes and the property is no longer necessary for the project.

*Fagundes Property:* On March 13, 2015, the Board adopted Resolution of Necessity 2015-0012, authorizing the use of eminent domain to acquire a portion of the Fagundes property. Since that time, there have been design changes and the property is no longer necessary for the project.

**Staff Recommendation:**     **Approve the rescission of three RONS authorizing the use of eminent domain.**

## ACTION ITEMS

### ACTION ITEM—3

**HIGH SPEED RAIL AUTHORITY (2665)  
INITIAL OPERATING SEGMENT, SECTION 1  
MADERA, KINGS 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. Rosa Property (Kings County)**  
Authority Parcel Numbers: FB-16-0031-1, FB-16-0031-3, and FB-16-0031-01-01  
Assessor Parcel Number: 002-190-007
- 2. Mello Property (Kings County)**  
Authority Parcel Numbers: FB-16-0169-1, FB-16-0169-2, FB-16-0169-3, and  
FB-16-0355-1  
Assessor Parcel Numbers: 016-130-047 and 016-130-048
- 3. Martella 1 Property (Kings County)**  
Authority Parcel Numbers: FB-16-0175-1, FB-16-0175-2, FB-16-0175-3,  
FB-16-0175-4, FB-16-0181-1, and FB-16-0181-2  
Assessor Parcel Numbers: 016-200-035 and 016-200-005
- 4. Martella 2 Property (Kings County)**  
Authority Parcel Numbers: FB-16-0200-1, FB-16-0200-2, and FB-16-0200-3  
Assessor Parcel Number: 016-200-011
- 5. Klingler Property (Madera County)**  
Authority Parcel Numbers: MF-20-1183-1 and MF-20-1183-2  
Assessor Parcel Number: 036-010-006
- 6. Davis Property (Madera County)**  
Authority Parcel Numbers: MF-20-1184-1 and MF-20-1184-2  
Assessor Parcel Number: 036-010-012
- 7. Solorio Property (Madera County)**  
Authority Parcel Number: MF-20-1201-1  
Assessor Parcel Number: 037-010-004

8. **Agajanian Property (Madera County)**  
Authority Parcel Number: MF-20-1205-1  
Assessor Parcel Number: 036-140-036
9. **Pistoresi Vineyard Property (Madera County)**  
Authority Parcel Number: MF-20-1207-1  
Assessor Parcel Number: 037-010-017
10. **Grooman Property (Kern County)**  
Authority Parcel Numbers: FB-15-0169-1, FB-15-0169-2, FB-15-0169-01-01, and  
FB-15-0169-02-01  
Assessor Parcel Numbers: 030-062-02 and 030-062-05

## Property Pulled

11. **Rodriguez Property (Madera County)**  
Authority Parcel Numbers: MF-20-1219-1, MF-20-1219-2, and MF-20-1219-01-01  
Assessor Parcel Number: 037-010-031
12. **Ledesma Property (Madera County)**  
Authority Parcel Numbers: MF-20-1178-1 and MF-20-1178-02-01  
Assessor Parcel Number: 036-222-006

### ACTION ITEMS

#### STAFF ANALYSIS ITEM—3

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

##### Action Requested

**Adopt 11 Resolutions of Necessity authorizing the use of eminent domain to acquire properties in Madera, Kern, and Kings Counties, totaling approximately 34 acres. Specifically, the request would adopt Resolutions of Necessity for properties 1-9 and 11-12.**

##### 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 1,500 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 or an offer has not been made because the owner or owners of record cannot be located with reasonable diligence.

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 July 2016 and November 2016, the various owners were provided with a first written offer to purchase the subject property, as required by Government Code section 7267.2, with the exception of Ledesma, whose owners could not be located with reasonable diligence. 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 December 21, 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. Rosa Property (Kings County)

Authority Parcel Numbers: FB-16-0031-1, FB-16-0031-3, and FB-16-0031-01-01

Assessor Parcel Number: 002-190-007

Partial Acquisition: Approximately 1.48 acres in fee

This property will be needed for the construction of the HSTS between Dover Avenue and Excelsior Avenue and for the construction of the Excelsior Avenue grade separation.

2. Mello Property (Kings County)

Authority Parcel Numbers: FB-16-0169-1, FB-16-0169-2, FB-16-0169-3, and FB-16-0355-1

Assessor Parcel Numbers: 016-130-047 and 016-130-048

Partial Acquisition: Approximately 0.80 acre total (0.20 acre in fee and 0.60 acre in easement)

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

3. Martella 1 Property (Kings County)

Authority Parcel Numbers: FB-16-0175-1, FB-16-0175-2, FB-16-0175-3, FB-16-0175-4, FB-16-0181-1, and FB-16-0181-2

Assessor Parcel Numbers: 016-200-035 and 016-200-005

Partial Acquisition: Approximately 9.94 acres total (9.92 acres in fee and 0.02 acre in easement)

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

4. Martella 2 Property (Kings County)

Authority Parcel Numbers: FB-16-0200-1, FB-16-0200-2, and FB-16-0200-3

Assessor Parcel Number: 016-200-011

Partial Acquisition: Approximately 4.49 acres total (4.28 acres in fee and 0.21 acre in easement)

This property will be needed for the construction of the Iona Avenue grade separation.

5. Klingler Property (Madera County)

Authority Parcel Numbers: MF-20-1183-1 and MF-20-1183-2

Assessor Parcel Number: 036-010-006

Partial Acquisition: Approximately 1.55 acres total (0.85 acre in fee and 0.70 acre in easement)

This property will be needed for the construction of the HSTS between Road 26 and Road 27.

6. Davis Property (Madera County)  
Authority Parcel Numbers: MF-20-1184-1 and MF-20-1184-2  
Assessor Parcel Number: 036-010-012  
Partial Acquisition: Approximately 10.09 acres total (6.81 acres in fee and 3.28 acres in easement)

This property will be needed for the construction of the HSTS between Road 26 and Road 27.

7. Solorio Property (Madera County)  
Authority Parcel Number: MF-20-1201-1  
Assessor Parcel Number: 037-010-004  
Partial Acquisition: Approximately 1.09 acres in fee

This property will be needed for the construction of the HSTS between Road 27 and Avenue 17.

8. Agajanian Property (Madera County)  
Authority Parcel Number: MF-20-1205-1  
Assessor Parcel Number: 036-140-036  
Partial Acquisition: Approximately 0.03 acre in fee

This property will be needed for the construction of the Road 27 grade separation.

9. Pistoresi Vineyard Property (Madera County)  
Authority Parcel Number: MF-20-1207-1  
Assessor Parcel Number: 037-010-017  
Partial Acquisition: Approximately 0.30 acre in fee

This property will be needed for the construction of the HSTS between Road 27 and Avenue 17.

10. Grooman Property (Kern County)  
Authority Parcel Numbers: FB-15-0169-1, FB-15-0169-2, FB-15-0169-01-01, and FB-15-0169-02-01  
Assessor Parcel Numbers: 030-062-02 and 030-062-05

## **Property Pulled**

11. Rodriguez Property (Madera County)  
Authority Parcel Numbers: MF-20-1219-1, MF-20-1219-2, and MF-20-1219-01-01  
Assessor Parcel Number: 037-010-031  
Full Acquisition: Approximately 3.73 acres in fee

This property will be needed for the construction of the HSTS between Road 27 and Avenue 17 and for the construction of the Avenue 17 grade separation.

12. Ledesma Property (Madera County)  
Authority Parcel Numbers: MF-20-1178-1 and MF-20-1178-02-01  
Assessor Parcel Number: 036-222-006  
Full Acquisition: Approximately 0.51 acre in fee

This property will be needed for the construction of the HSTS between Road 26 and Road 27.

**Staff Recommendation:** **Adopt 11 Resolutions of Necessity authorizing the use of eminent domain to acquire properties totaling approximately 34 acres. Specifically, the request would adopt Resolutions of Necessity for properties 1-9 and 11-12.**

**OTHER BUSINESS**

**NONE**

**REPORTABLES**

**TO BE PRESENTED AT MEETING**